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Information and Notices

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I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 570/83

by Mr Thomas Megahy (S – GB)

to the Commission of the European Communities

*(29 July 1983)**(84/C 71/01)**Subject:* Free movement of workers

A British citizen informs me that Air France officials in Nice recently refused to sell him a ticket for the single journey to Brussels.

The reason given was that under new Belgian rules a return ticket was needed – that is, a ticket which would ensure that the traveller left Brussels again.

Having regard to the Community rules on the free movement of workers, will the Commission investigate this incident and the Belgian rules concerned?

Will the Commission also report on what action, if any, it proposes to take?

**Supplementary answer given by Mr Contogeorgis
on behalf of the Commission**

(30 January 1984)

Further to its answer of 29 July 1983 ⁽¹⁾ to the Honourable Member's question, the Commission is now able to present its findings.

The Belgian Government has informed the Commission that:

- (a) the airline clerk who refused to sell a single ticket for Brussels to a British national was probably misled by the entry describing rules relating to Belgium in the TIM (Travel Information Manual) ⁽²⁾;
- (b) the TIM contains an inaccurate and incomplete description of a number of the provisions of Article 3 of the Belgian Law of 15 December 1980 on the admission, stay, establishment and deportation of foreigners, which the Ministry of Justice is responsible for implementing;
- (c) Article 3 of the abovementioned law applies only where it does not conflict with international treaties including, of course, the EEC Treaty. In addition, it is nowhere specified in the law that any foreigner entering Belgium should be in possession of a ticket permitting his return or departure for another destination;
- (d) in order to avoid similar incidents in future, the Belgian Government has taken the necessary steps to ensure that the entry in the forthcoming issue of the TIM will reflect more faithfully the terms of the law in question.

In view of the above, the Commission feels that there is no need to take any further specific action in this matter.

⁽¹⁾ OJ No C 231, 29. 8. 1983.

⁽²⁾ Joint publication by 14 IATA airlines mainly designed to keep airlines and travel agents up to date on various national regulations, such as those relating to admission of aliens.

WRITTEN QUESTION No 929/83
by Mr Horst Seefeld (S – D)
to the Commission of the European Communities
(1 September 1983)
(84/C 71/02)

Subject: Procedure on entry into Great Britain

Coach companies and passengers are complaining about the following difficulties which occur on entry into Great Britain through the port of Dover.

Passengers have to get out of the coaches, take their luggage out of the holds and go through a customs clearance hall with it on foot. This procedure is a huge ordeal for those concerned and entails unnecessary delays.

Is the Commission prepared to negotiate with the British Government to alter the entry procedure to bring it into line with the practice in the other Community countries, i.e. to carry out spot-checks only and leave the passengers in the coaches?

WRITTEN QUESTION No 1194/83
by Mr Rudolf Wedekind (PPE – D)
to the Commission of the European Communities
(20 October 1983)
(84/C 71/03)

Subject: Problems in trans-frontier coach traffic in EEC countries

In Dover, a major port of entry to the United Kingdom, controls require passengers to leave their coaches with their luggage and go through a clearance hall. This procedure is extremely irksome for passengers especially during the peak tourist seasons and leads to considerable waiting periods.

Is the Commission aware of the difficulties in trans-frontier coach traffic to the United Kingdom?

Does it agree that pressure should be applied in future to put an end to the exhaustive controls in the ports of entry to the United Kingdom and to replace them by the procedures used at the frontiers of other EEC Member States, namely spot-checks?

Joint answer given by Mr Narjes
to Written Questions No 929/83 and No 1194/83
(26 January 1984)

Commission contacts with the United Kingdom authorities have confirmed that coach passengers arriving in a United Kingdom port have as a rule to get out of the coach and carry their luggage through the red channel or

the green channel depending on whether or not they have goods to declare. The United Kingdom customs authorities carry out spot-checks on passengers using the green channel but examine only a very low percentage of luggage. According to the United Kingdom authorities, it would be more difficult and time-consuming to check passengers on board their coaches.

A decisive factor in the choice of this type of check is the existence of tax-free shops on the ferries carrying the coaches and passengers. As long as these sales are allowed to continue unrestricted, there would be a much greater risk of tax evasion if checks of this kind were no longer enforced. Travellers crossing a land frontier (e.g. between the Republic of Ireland and Northern Ireland) do not have to leave their coaches as there are no tax-free facilities available.

One of the aims of the Commission's proposal for a Seventh Directive on tax exemption in international travel ⁽¹⁾ is to ensure stricter observation of the limits on duty-free sales so that checks on imports between Community countries can be reduced.

The Commission is keen to see the introduction of easier and speedier formalities for Community citizens travelling within the Member States. Consequently, it is continually making proposals for strengthening the internal market and, within the limits of its power, readily approaches the national authorities whenever it considers that it can help to resolve any particular problems.

⁽¹⁾ Proposal for a Seventh Council Directive amending Directive 69/169/EEC on the harmonization of provisions laid down by law, regulations or administrative action relating to exemption from turnover tax and excise duty on imports in international travel (OJ No C 114, 28. 4. 1983, p. 7).

WRITTEN QUESTION No 1095/83
by Mr Robert Moreland (ED – GB)
to the Commission of the European Communities
(29 September 1983)
(84/C 71/04)

Subject: Pre-tax prices for video-recorders

Surveys of pre-tax prices for video-recorders show that prices vary according to country. For example, by

comparison with the price in the United Kingdom, the price of a Grundig 2 x 4 Super in Holland is 30 % more expensive, in Germany, Belgium and France 50 %, in Italy 75 %, Denmark 125 % and Greece 180 %. Similar discrepancies exist for imported videos.

Does the Commission believe that part of the explanation for this discrepancy is the distribution system used which restricts the trans-frontier movement of videos outside the companies' own networks? If so, what action does the Commission propose to take?

**Answer given by Mr Andriessen
on behalf of the Commission**

(3 February 1984)

The fact that price differences for video-recorders from one Member State to another as cited by the Honourable Member have not been significantly narrowed by parallel imports may be the result of a number of factors.

Differences in technical norms and standards existing in the Member States, as well as the existence of three different formats for video-recorders of varying popularity in the different markets of the Community may make parallel trade difficult or in any event uneconomical, so that partitioned markets with varying price levels are maintained. The Commission's continued efforts to strengthen European norms and standards affecting video-recorders are aimed at achieving a single, unified market. Moreover, the Commission intends to prepare and propose measures which if adopted would permit the Community to remove trade barriers at present hindering or preventing the realization of, in this case, Community-wide information technologies markets.

If, and to what extent, the distribution systems set up for these products also contribute to the continuance of the price differences is difficult to assess. On the basis of the notifications which the Commission has received, it would appear that only a few manufacturers operate Community-wide systems in this sector. Moreover, selective distribution systems are as such not objectionable under Community law, notably the competition rules, if dealers who fulfil the necessary objective criteria for admission to the distribution network are appointed without any discrimination, regardless of their whereabouts.

Inside such distribution networks, inter-Community supplies between appointed dealers must remain completely free. The Commission has made the freedom of such parallel trade a major condition of the admissibility of selective distribution systems and has always made very sure that this trade remains unrestricted.

On the other hand, the distribution agreements normally contain the prohibition on supplying 'outsiders', which applies regardless of whether such a non-authorized dealer has his business location in the same or in another Member State. This prohibition is necessary to ensure the effectiveness of a distribution system based on qualitative criteria as the Court stated in its judgment of 25 October 1977 in the Metro case ⁽¹⁾. The Commission therefore puts the emphasis on the admission procedure in order to ensure that all qualified dealers may distribute the goods concerned if they wish and to counter any possible danger of indirect restrictions of parallel imports by the non-appointment of dealers who are qualified, but involved in parallel trade. As a result, the Commission will, where appropriate, advocate the introduction of certain changes in dealer admission procedures.

⁽¹⁾ ECR 1977, p. 1907.

WRITTEN QUESTION No 1152/83

by Mr Dieter Rogalla (S - D)

to the Commission of the European Communities

(13 October 1983)

(84/C 71/05)

Subject: Use of bicycles

1. What material and moral support can the Commission give, as part of its environmental policy, to the European cyclists' association which was recently formed in Copenhagen?
2. Can the Commission provide statistical information concerning the number of cyclists and the length of cycle track in each of the Member States, together with details of planned extensions to the network of cycle paths?
3. From the point of view of transport policy, what is the situation regarding bicycles as a means of transport and to what provisions are they subject under the highway codes of the Member States?
4. Does the Commission see any possibilities for encouraging and promoting the use of bicycles in order to save energy, particularly oil?

**Answer given by Mr Contogeorgis
on behalf of the Commission**

(3 February 1984)

1. The Commission does not have sufficient resources to give financial support to associations of the kind mentioned by the Honourable Member.
- 2 and 3. The Commission does not have the information required by the Honourable Member.

Furthermore, because it has to give priority to transport between Member States and because it has so few resources, it has no plans at present for Community transport policy measures on the use of bicycles.

4. In the Commission's opinion, it is up to the regional and local authorities to take any measures which might encourage the use of bicycles, not only in order to save fuel but also because of the health benefits.

WRITTEN QUESTION No 1158/83

by Mr Robert Moreland (ED – GB)

to the Commission of the European Communities

(13 October 1983)

(84/C 71/06)

Subject: Gas and electricity tariff structures

Will the Commission tabulate for each Member State the industrial sectors for which details have been received of gas and electricity tariff structures?

**Answer given by Mr Davignon
on behalf of the Commission**

(20 January 1984)

As the Honourable Member may know, on 27 October 1981 the Council adopted recommendation 81/924/EEC on electricity tariff structures in the Community ⁽¹⁾ and on 21 April 1973 recommendation 83/230/EEC on the methods of forming natural gas prices and tariffs in the Community ⁽²⁾.

On the subject of the electricity tariffs, the governments of the Member States have, at the Commission's request, provided data concerning the application of each individual point of recommendation 81/924/EEC. It is the Commission's intention, after an appropriate period, to verify the application of recommendation 83/230/EEC in respect of prices for natural gas. The Commission will then report to the Council on the results of these examinations.

Details regarding the tariff structures for electricity and gas are also available to the Commission from other separate studies.

In no Member State – either in the case of electricity or in that of gas – is the fact that the customer belongs to a particular branch of industry among the factors which determine price formation for published tariffs or for contracts for special customers. Consequently, the

Commission does not have at its disposal figures on the structure of the electricity or gas tariffs in the Member States broken down by sector of industry.

⁽¹⁾ OJ No L 337, 24. 11. 1981.

⁽²⁾ OJ No L 123, 11. 5. 1983.

WRITTEN QUESTION No 1183/83

by Mr Basil de Ferranti (ED – GB)

to the Commission of the European Communities

(13 October 1983)

(84/C 71/07)

Subject: Safety glass for use in motor vehicles

Has the Commission any plans to revive its 1972 proposals regarding safety glass for use in motor vehicles, either in the original or amended form?

**Answer given by Mr Narjes
on behalf of the Commission**

(28 November 1983)

As far as the Commission is concerned, there are no technical grounds for amending its proposal for a Directive on safety glass for use in motor vehicles.

At present, the fact that there is no agreement within the Council on the question of the certification of products from non-Community countries precludes any progress in the discussion of this proposal. The same applies to other proposals for Directives in the motor vehicles sector (tyres, vehicle weights and dimensions).

The Commission is unable to predict when the Council will reach an agreement on the abovementioned proposal for a Directive.

WRITTEN QUESTION No 1193/83

by Mr Rudolf Wedekind (PPE – D)

to the Commission of the European Communities

(20 October 1983)

(84/C 71/08)

Subject: Problems in trans-frontier coach traffic in the EEC countries

Is the Commission aware that for approximately the last two years articulated buses have been refused entry into

France on the basis of French national provisions? It seems that these measures were introduced in response to representations made by the firm of Renault.

**Answer given by Mr Narjes
on behalf of the Commission**

(31 January 1984)

The Commission is aware of the current situation in France.

It has already explained the position in its answer to Written Question No 895/82 by Mr Seefeld ⁽¹⁾.

After examining the case, it reached the conclusion that the measures adopted by the French authorities are not in violation of Community law.

Nor does the Commission have any information at present to suggest that these measures were influenced by the interests of a French company.

⁽¹⁾ OJ No C 320, 6. 12. 1982, p. 6.

The prices quoted by the Honourable Member are theoretically correct but they cannot be compared since:

- Fl 1,10 per litre, which would appear to be the market price, is inclusive of tax, and in particular VAT at 18% and the special levies (for protection against noise and atmospheric pollution from means of transport). The diesel fuel to which this price applies is intended for use in private vehicles for the purpose of transport on public highways;
- Fl 0,80 is the price, exclusive of VAT and special levies, which applies to diesel fuel for uses other than that mentioned in the first indent. The rate of VAT on such fuel is 4% and there is no special levy for protection against noise. For control purposes, furfural and red dye are added to such fuel which is available to all economic sectors for purposes other than transport on public highways. Where a user of such fuel has installed a private pump, he may qualify for a rebate of Fl 0,03 to Fl 0,04 per litre for each delivery exceeding 500 litres.

2. No.

WRITTEN QUESTION No 1206/83

by Sir Fred Warner (ED - GB)

to the Commission of the European Communities

(20 October 1983)

(84/C 71/09)

Subject: Energy prices for Dutch horticulture

The normal retail price for diesel fuel at service stations in the Netherlands is about Fl 1,10 per litre, at present. Against this, it is claimed that growers who install their own pumps can obtain the same grade of fuel for delivery at 80 cents per litre.

Will the Commission please state:

1. whether the reported facts are correct;
2. if so, do they constitute a subsidy by the Dutch Government, through its energy pricing policy, to Dutch horticulture?

**Answer given by Mr Dalsager
on behalf of the Commission**

(26 January 1984)

1. On the basis of the information obtained from the Netherlands Government, the Commission is able to supply the following details.

WRITTEN QUESTION No 1219/83

by Mr Doeke Eisma (NI - NL)

to the Commission of the European Communities

(20 October 1983)

(84/C 71/10)

Subject: Belgian nuclear power stations

1. (a) When the Belgian nuclear power stations Doel 1 to 3, which are now operational, were constructed, was there 'mutual exchange of information at Community level' pursuant to the Council resolution of 20 November 1978 ⁽¹⁾?
- (b) Was the Commission informed in good time of possible radioactive emissions, pursuant to Article 37 of the EAEC Treaty?
2. Can the Commission answer questions 1 (a) and 1 (b) with reference to the nuclear power station Doel 4 now under construction?
3. Will the Commission ensure that, before work is started on the Doel 5 and 6 power stations:
 - (a) the exchange of information referred to in 1 (a) has taken place, and
 - (b) it receives the information referred to in 1 (b) for both Doel 5 and 6.

⁽¹⁾ OJ No C 286, 30. 11. 1978.

**Answer given by Mr Davignon
on behalf of the Commission**

(18 January 1984)

In accordance with the Council resolution of 20 November 1978 ⁽¹⁾ – which confirms that decisions on the siting of power stations are the responsibility of the Member States – a mutual exchange of information concerning all the sites where nuclear power stations were operational, under construction or planned has taken place on the Commission's initiative.

There has been an exchange of information of this nature in respect of the Doel site.

The Honourable Member's attention is, moreover, drawn to the recent communication from the Commission to the Council ⁽²⁾ concerning the Community's role as regards the safety of nuclear installations and the protection of public health and to the draft Council resolution accompanying the communication.

This draft resolution centres on the stepping up of Community action in respect of trans-frontier emergency plans and of the problems presented by the overall radiological impact of all past or future discharges of radioactive effluents into certain watercourses and certain marine waters of Community interest.

As regards the application of Article 37 of the Euratom Treaty, the Commission was informed in good time by the Belgian Government of plans to discharge radioactive effluents from Doel nuclear power stations 1 to 4, namely on 5 December 1972 regarding units 1 and 2, or more than a year and a half before they were commissioned, and on 7 May 1981 regarding units 3 and 4, or one year before the commissioning of unit 3. Unit 4 has not yet started up.

The Commission has no cause to suspect that the Belgian Government would not respect the provisions of Article 37 if it were decided to construct further units at Doel.

⁽¹⁾ OJ No C 286, 30. 11. 1978.

⁽²⁾ COM(83) 472, 22. 7. 1983.

WRITTEN QUESTION No 1264/83

by Mrs Beate Weber (S – D)

to the Commission of the European Communities

(25 October 1983)

(84/C 71/11)

Subject: Position of EEC nationals who are married to non-EEC nationals

1. What is the Commission's assessment of the position of EEC nationals who are married to non-EEC nationals?

2. Are there any differences in the legislation of the Member States in cases where:

(a) the husband is a national of an EEC Member State;

(b) the wife is a national of an EEC Member State?

If so: how far are the differences in legislation compatible with the Community Directives on equal treatment for men and women?

3. How can we ensure freedom of movement for these families when, for a visit to France, for example, the following conditions have to be fulfilled.

The foreign partner must have a residence permit valid for at least a further three months; his or her passport must be submitted to the consulate, together with a detailed application form and DM 25,00 at least three weeks before departure;

for a tourist visit: proof of a hotel reservation together with confirmation from the travel agent giving exact dates;

for visits to relations: invitation with a certified signature?

**Answer given by Mr Richard
on behalf of the Commission**

(31 January 1984)

1. The position of a non-EEC national who is married to an EEC national is governed by current Community legislation only in so far as the latter is pursuing an economic activity in accordance with the principle of freedom of movement.

The Commission considers that right of entry and residence must be granted to any national of a Member State not only as an economic agent, but also as a citizen of that State. The same right would also have to be extended to any national of a non-member country married to an EEC national.

The Commission has proposed a Directive to this end, which is currently before the Council ⁽¹⁾.

2. According to the information at the Commission's disposal, there are differences in certain cases in national legislative provisions depending on whether the husband or wife is or is not a Community national. In the United Kingdom, for example, a male UK national married to a national of a non-Community country may

automatically be accompanied by his spouse, whereas a female UK national is not granted the same right.

This situation is not directly covered by Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions ⁽²⁾.

3. Where an EEC national who has exercised his or her freedom of movement is married to a non-Community national, then, as stated in point 1, EEC rules grant the right of residence and the right to work to the spouse; there are, however, two conditions that Member States may impose, one which applies to all families, namely the availability of 'housing considered as normal for national workers' (Article 10 (3) or Regulation (EEC) No 1612/68) ⁽³⁾ and the other concerning any necessary visa (Article 3 (2) of Directive 68/360/EEC) ⁽⁴⁾. The Commission is not aware at present of any infringements in this connection. The example referred to by the Honourable Member does not, at first sight, constitute a barrier to freedom of movement since the system introduced by the French authorities is merely designed to check that the person concerned is actually a member of the family and obtain the information necessary for the issue of a visa.

As regards tourist visits by members of families not covered by Article 10 of Regulation (EEC) No 1612/68, then, unless they are dependants or live under the worker's roof in the country of origin, only national laws apply.

⁽¹⁾ OJ No C 188, 25. 7. 1980.

⁽²⁾ OJ No L 39, 14. 2. 1976, p. 40.

⁽³⁾ OJ No L 257, 19. 10. 1968, p. 2.

⁽⁴⁾ OJ No L 257, 19. 10. 1968, p. 13.

WRITTEN QUESTION No 1290/83

by Mr Basil de Ferranti (ED - GB)

to the Commission of the European Communities

(3 November 1983)

(84/C 71/12)

Subject: Noise emitted by lawn mowers

Has there been any recent progress on acceptance of the Council Directive on noise emitted by lawn mowers?

**Answer given by Mr Narjes
on behalf of the Commission**

(1 February 1984)

At the Council meeting of 25 November 1983 on the internal market, progress was made towards an overall agreement on 15 proposals for Directives, including that relating to the noise emissions of lawn mowers.

If such progress is to yield concrete results, certain reservations still have to be withdrawn by some Member States.

The Commission and the Member States most directly concerned are making every effort to enable these reservations to be withdrawn.

WRITTEN QUESTION No 1292/83

by Mr Basil de Ferranti (ED-GB)

to the Commission of the European Communities

(3 November 1983)

(84/C 71/13)

Subject: Ceramic articles intended to come into contact with food

What prospect does the Commission see for early agreement on the proposed Council Directive on ceramic articles intended to come into contact with food?

**Answer given by Mr Narjes
on behalf of the Commission**

(30 January 1984)

The purpose of the Commission's proposal is to limit the migration of lead and cadmium from ceramic objects to foodstuffs. However, discussions within the Council have so far failed to produce a compromise solution, satisfactory to all delegations, as regards the limits in question.

There are, in addition, a number of difficulties resulting from the absence of an agreement on the procedures for checking migration limits.

Nevertheless, the Commission hopes that continued efforts will soon lead to a unanimous agreement, as required by Article 100 of the EEC Treaty.

WRITTEN QUESTION No 1302/83
by Mr Leonidas Kyrkos (COM – GR)
to the Commission of the European Communities
(18 November 1983)
(84/C 71/14)

Subject: Community action to protect producers' incomes in view of the commencement of the new citrus fruit harvesting season in the Community

Could the Commission supply information on the steps it has taken or proposes to take immediately:

- (a) to safeguard the incomes of Community producers;
- (b) to increase Community preference for Community citrus fruit so that it does not end up in pits;
- (c) to ensure that products which are not consumed are sent for processing;
- (d) to promote exports to non-Community countries?

Particularly for Greece, where production this year is expected to be reduced, is the Commission thinking of giving any emergency income assistance to small producers to prevent their incomes being significantly reduced? Is the Commission also thinking of giving any emergency economic aid to producers whose plantations were destroyed by frost last year?

Answer given by Mr Dalsager
on behalf of the Commission
(20 December 1983)

The Commission does not intend taking new measures to support citrus fruit growers and would remind the Honourable Member that quite a large number of measures – financed from the Community budget – have already been introduced in this sector.

- Council Regulation (EEC) No 2511/69 of 9 December 1969 ⁽¹⁾ provides for the restocking of plantations with varieties more in demand from Community consumers, the creation, improvement and enlargement of marketing channels, including processing facilities, and the reorganization of fruit enterprises to make them more competitive.
- Regulation (EEC) No 2511/69 also provides for financial compensation ('penetration premiums') to be paid to producers of citrus fruit exported from their Member State of origin to another Member State; compensation for citrus fruit originating in Greece is fixed under Articles 68 and 76 of the Act of Accession.

- Council Regulation (EEC) No 2601/69 of 18 December 1969 ⁽²⁾ provides for aid for the processing of oranges on condition that a minimum price is paid to producers by the processor.
- Council Regulation (EEC) No 1035/77 of 17 May 1977 ⁽³⁾ provides for aid to support the marketing of products processed from lemons; as in the case of oranges, a condition is that a minimum price is paid to growers by the processor.
- Articles 15 and 18 of Council Regulation (EEC) No 1035/72 of 18 May 1972 authorize producers' organizations to withdraw their members' produce from the market if it does not attain a given price level derived from the basic and buying-in prices fixed each year by the Council.
- Article 19 of Regulation (EEC) No 1035/72 institutes a public intervention system under which growers who do not belong to a producers' organization may, when a state of serious crisis has been declared, sell produce which does not reach a given price level (based on the basic and buying-in prices fixed each year by the Council) to agencies designated by the Member States.
- Article 30 of Regulation (EEC) No 1035/72 introduces a system of export refunds.
- Authorization has been given for the distribution free of charge of fruit and vegetables withdrawn from the market to certain types of institutions.

All these measures involve expenditure by the EAGGF. There are a number of other measures, of the kind suggested by the Honourable Member, for the use of Community produce which has been withdrawn from the market:

- Article 21 of Regulation (EEC) No 1035/72 provides for the sale to processors of blood oranges withdrawn from the market.
- Article 21 of Regulation (EEC) No 1035/75 and Commission Regulation (EEC) No 1559/70 of 31 July 1970 ⁽⁵⁾ authorize the sale of fruit and vegetables withdrawn from the market to the animal feed industry.

Among the measures specifically designed to support Community citrus fruit production, it is also important to mention the reference price system, which the Council has just modified to ensure greater Community preference. The modifications involve changes in the links between basic and buying-in prices, penetration premiums and reference prices, and are meant to make good the loss of preference which this inter-relationship had brought about.

Finally, the Commission does not envisage introducing direct aid to citrus fruit growers to compensate either for income losses or frost damage.

(¹) OJ No L 318, 18. 12. 1969.

(²) OJ No L 324, 27. 12. 1969.

(³) OJ No L 125, 19. 5. 1977.

(⁴) OJ No L 118, 20. 5. 1972.

(⁵) OJ No L 169, 1. 8. 1970; OJ No L 213, 26. 9. 1970.

WRITTEN QUESTION No 1321/83

by Mrs Marie-Claude Vayssade (S – F)

to the Commission of the European Communities

(18 November 1983)

(84/C 71/15)

Subject: Financial penalties imposed on officials of the Communities changing category after passing a competition

Current administrative practice in the Court of Justice imposes a heavy financial penalty on those of its officials who, after passing a competition to change category or service, find themselves placed at grades and steps at which their new basic salaries are lower than those applying to their previous gradings. Such officials are, in effect, deprived both of their advancement to a higher step and of the adjustment of remuneration provided for in Articles 44 and 65 of the Staff Regulations respectively.

Is such a practice in conformity with the Staff Regulations or not?

If so, should the Staff Regulations not be revised in this area?

**Answer given by Mr Burke
on behalf of the Commission**

(24 January 1984)

The Commission is unable to answer questions regarding administrative practice in other institutions.

The Commission's administrative practice ensures that officials who, after passing a competition in order to change category or service, are appointed to a grade or step for which the basic salary is lower than that for their previous grading, do not suffer any financial loss.

On changing category, for example, an official whose new basic salary is lower than that corresponding to his previous grading retains in his new grade the basic salary that he would have received in his former grade. He advances to the successive steps in his former grade according to his seniority in that grade (Article 44 of the Staff Regulations).

When officials change service, the Commission applies the provisions of Article 46 of the Staff Regulations with regard to moves from a grade in one service to a higher grade in another service.

Where the official transferring is appointed to a lower grade, a differential allowance is paid pursuant to Article 46 (2) of the Staff Regulations, which stipulates that an official shall in no case receive a basic salary lower than that which he would have received in his former grade.

WRITTEN QUESTION No 1325/83

by Mr Gordon Adam (S – GB)

to the Commission of the European Communities

(18 November 1983)

(84/C 71/16)

Subject: Biofuel production strategies

It has been recently estimated that 15% of the UK's primary energy demand level of 1981 could be met from wastes, residues and energy crops, which could be further increased to 20% if major changes occurred in UK agriculture and diet.

These estimates draw upon recent EC research programmes on fuels from biomass materials.

Does the Commission consider these estimates viable, and what actions is it taking to ensure the development of a large-scale biofuels production programme?

**Answer given by Mr Davignon
on behalf of the Commission**

(31 January 1984)

In 1980, the Commission performed – under contract – an extensive study on the potential of biomass as a source of energy. Its results, as far as the United Kingdom is concerned, can be summarized as follows:

The maximum energy content of crop residues, animal wastes, wood and forestry wastes and harvestable energy feedstock could, by the year 2000, amount to about 12 million tonnes oil equivalent in the United Kingdom, i.e. to 6% of the total energy demand in the UK in 1980.

A more recent study performed for the Energy Technology Support Unit of the UK Department of Energy ⁽¹⁾ also looks into the potential contribution of this renewable energy source to future energy requirements in the United Kingdom. Different economic scenarios result in a probable biomass contribution to total energy requirements, which ranges from 2,5 to 5% as a function of various economic constraints influencing the degree of exploitation of this resource.

The Commission's strategy in this field of R & D on energy from biomass is in line with the European Parliament's recent resolution calling for a major effort in this area ⁽²⁾.

The Commission has proposed a pluriannual programme of R & D in the field of non-nuclear energy, which comprises R & D on biomass as an important sub-programme ⁽³⁾.

⁽¹⁾ ETSU R 14, ISBN 0-7058-0896-3.

⁽²⁾ OJ No C 267, 11. 10. 1982, p. 102.

⁽³⁾ COM(83) 311 final.

WRITTEN QUESTION No 1333/83

by Mr Dieter Rogalla (S-D)

to the Commission of the European Communities

(18 November 1983)

(84/C 71/17)

Subject: Requirement for academic trainees to register with local authorities

1. Is it true that the academic trainees with the Commission are required to register with the respective local authorities of their place of residence and that this involves their fingerprints being taken and the accommodation in which they are living being measured?

2. Since when have these requirement existed and on what legal foundation are they based?

3. When did the President of the Commission personally first learn of these requirements and what has he personally done about them?

4. Are other Members of the Commission aware of these practices and what step have they personally taken to call the attention of the Belgian authorities to the excessive nature of these requirements?

5. Are the Members of the Commission personally prepared to raise this matter with the Member of the Belgian Government under Prime Minister Mr Martens, to seek redress should other contacts and initiatives fail to achieve the desired result?

Answer given by Mr Thorn on behalf of the Commission

(1 February 1984)

1 and 2. It is true that graduate trainees with the Commission are obliged to register with the local authorities of their place of residence. This requirement arises from the Belgian Law of 15 December 1980 relating to entry to Belgian territory, residence, right of establishment and accommodation for 'foreigners' and the implementing provisions in the arrêté royal issued on 8 October 1981.

There is no link between this requirement to register and the taking of fingerprints or measurements of living accommodation. In the past trainees have indeed lodged complaints about such practices, but these were settled by direct contact between the Commission (trainees' office) and the competent Belgian authorities.

3, 4 and 5. These matters were brought to the notice of the Commission and representations were made at political level in April 1983 to the Belgian Ministers of the Interior, Foreign Affairs and Justice with a request that the practices be halted. Since that time, with the exception of isolated instances which have since been cleared up, there have been no complaints from trainees on this score.

WRITTEN QUESTION No 1334/83

by Mr Dieter Rogalla (S-D)

to the Commission of the European Communities

(18 November 1983)

(84/C 71/18)

Subject: Decisions on duty-free imports into the Community

1. Is it true that in *Official Journal of the European Communities* No L 338 of 30 November 1982 the Commission published four separate Commission Decisions relating to the same matter and in which only the dates were different?

2. Is this the most economical and rational method of drawing attention to particular legal or periodic features in Decisions which all refer to the same matter?

3. Has the Commission ever taken a critical look at the readability and intelligibility of the Official Journal?

4. What importance does it attach in its deliberations to the interests of the users of the Official Journal, who include national administrations, individuals, historians, publishers and (unfortunately also) cabaret artists?

5. How does the Commission ensure that in such cases not only the legitimate requirements of lawyers and specialists are satisfied but also those of the citizens of the Community for comprehensible information?

6. Does the Commission appreciate that announcements which appear excessively technical and remote from everyday life serve to create a sense of alienation *vis-à-vis* the process of European unification and is it not aware that its task is to prevent this happening as far as possible?

**Answer given by Mr Narjes
on behalf of the Commission**

(30 January 1984)

In accordance with Article 191 of the EEC Treaty, a Decision is an act whose applicability does not depend on its being published. Decisions on whether or not 'scientific apparatus' may be imported free of customs duties are published in the *Official Journal of the European Communities* in order to inform those concerned and to give the system the transparency desired by the Community's trading partners.

Under existing Community legislation, each application to import into the Community a given item of apparatus duty-free must be assessed separately, since one of the most important aspects to be taken into consideration in granting or refusing exemption is whether, on the date when the apparatus was ordered, equivalent apparatus was manufactured in the Community, i.e. apparatus that could be used for the research work to be carried out by the importer of the non-Community apparatus. It is for this reason that the four Decisions to which the Honourable Member refers differ as regards both the date on which the apparatus was ordered and the use for which it was intended.

Decisions of this type published in the Official Journal are obviously addressed to specialists, for whom content is more important than form, and the Commission has never received any comments from them of the sort made by the the Honourable Member.

The Commission is therefore bound to be somewhat disappointed by the Honourable Member's question, since its efforts to provide the fullest information to those who need it – which means more work for its departments – are criticized in a way which in this particular case it finds unjustified.

Because of the ever-increasing number of Decisions of this type which the Commission is called upon to take, Article 7 of Commission Regulation (EEC) 2290/83 of 29 July 1983 ⁽¹⁾ provides that, as from 1 July 1984, the present system of publishing such decisions in the L series of the Official Journal will be replaced by publication in abbreviated form in the C series of the Official Journal. This solution is intended to rationalize the information provided to the circles concerned.

⁽¹⁾ OJ No L 220, 11. 8. 1983, p. 20.

WRITTEN QUESTION No 1348/83
by Mr Pierre-Bernard Cousté (DEP – F)
to the Commission of the European Communities
(28 November 1983)
(84/C 71/19)

Subject: Meeting of Finance Ministers on 10 and 11 September

Can the Commission give an account of the meeting of Finance Ministers which took place in Greece on 10 and 11 September?

What were the subjects discussed?

What conclusions were drawn?

**Answer given by Mr Ortoli
on behalf of the Commission**

(1 February 1984)

The meeting of Community Finance Ministers held at Kefalonia on 10 and 11 September was largely devoted to working out a Community approach for action on point 5 of the Williamsburg declaration, which invites ministers of finance to define the conditions for improving the international monetary system.

The ministers decided to adopt common positions on the matters considered, with a view to the discussions to be held later in the international bodies.

WRITTEN QUESTION No 1361/83
by Mr Andrew Pearce (ED – GB)
to the Commission of the European Communities
 (28 November 1983)
 (84/C 71/20)

Subject: Staff in delegations in ACP countries

Why has the Commission not fully integrated staff in delegations in ACP countries with that in DG VIII?

Answer given by Mr Pisani
on behalf of the Commission
 (30 January 1984)

By Regulation (EEC) No 3245/81 of 26 October 1981⁽¹⁾ the Council set up a European Agency for Cooperation with a view to the recruitment, installation and administration of staff placed at the disposal of Commission delegations which are established in developing countries linked to the Community by comprehensive preferential cooperation agreements and which have the task of helping the Commission to implement such agreements.

Under Article 14 of the Regulation, the general terms of recruitment and of employment and the general system of remuneration, allowances and additional payments are to be determined by specific provisions adopted by the Commission.

These arrangements, which are being aligned as closely as possible on those applied to officials and other servants of the Communities, are currently being drawn up. Under them staff will be part of a Community body better geared to their aims and tasks. Given the particular characteristics of the staff involved straightforward integration would not appear to be the answer.

⁽¹⁾ OJ No L 328, 16. 11. 1981.

WRITTEN QUESTION No 1371/83
by Mrs Raymonde Dury (S – B)
to the Commission of the European Communities
 (28 November 1983)
 (84/C 71/21)

Subject: Assessment of the economic impact of increasing product quality and durability

In an opinion of 29 September 1983 by the Economic and Social Committee, on the implementation of measures to

protect the environment and create employment, the European representatives of the sectors involved called for the more rational management of natural resources and, within this context, an appraisal of the overall economic impact of improved product quality and extended durability, notably of a policy of repairing or restoring (houses, cars, etc.) rather than discarding, destroying or replacing (in terms of a reduction in imports and of the trade deficit, of employment in sectors which are labour-intensive and less subject of international competition than the services or building sector and of a reduction in foreign currency reserves and raw materials, etc.).

The ESC considered that, if favourable results could be expected in the light of economic models and experience at national level, consideration should be given to the most suitable means of achieving these objectives and proposals made accordingly.

In the absence of any comparative analyses, it is difficult to decide whether the policies followed are the most suitable. However, it is certain that the restoration of ancient buildings and sites provides almost unlimited employment opportunities. Repair work by SMUs – by definition local enterprises – of semi-durables such as cars, which are only partly manufactured in the Community (and where employment opportunities are shrinking), could also create a large number of jobs throughout the various regions.

Before adopting a standpoint on this subject, can the Commission carry out a study of these hypotheses?

Answer given by Mr Narjes
on behalf of the Commission
 (26 January 1984)

1. The Commission taken the view – as suggested in the Economic and Social Committee's opinion on environmental measures which will create jobs referred to by the Honourable Member – that an important factor to which consideration should also be given from the viewpoint of more rational use of natural resources is the economic impact of improving product quality and durability.

Such a structural change, which is neither technically nor politically easy to bring about, can, however, be only gradually implemented, without destroying the constituent parts of the market economy, within the medium-term economic policy. The comparative analyses referred to by the Honourable Member would have to be carried out under the same criteria.

2. As regards environmental measures which will help create employment, there is no doubt that a consistent

environmental policy could have a beneficial structural impact which might also help to safeguard and create jobs, provided ground rules which are valid in the long term are set to ensure investment is kept at a steady level.

the Member States on a case-by-case basis, and is presided over by a representative of the Commission.

This Committee expressed a unanimous opinion in favour of the Commission draft, and the latter has, in accordance with the procedure laid down in Article 21 of Directive 67/548/EEC, adopted Directive 83/467/EEC.

(¹) OJ No L 198, 22. 7. 1978.

WRITTEN QUESTION No 1373/83

by Mr Alan Tyrrell (ED – GB)

to the Commission of the European Communities

(28 November 1983)

(84/C 71/22)

Subject: Dangerous substances – Directive 83/467/EEC (¹)

Can the Commission state which persons or bodies it consulted before making this Directive, and how such bodies were constituted; and what advice it received?

(¹) OJ No L 257, 16. 9. 1983, p. 1.

**Answer given by Mr Narjes
on behalf of the Commission**

(30 January 1984)

Commission Directive 83/467/EEC is the fifth adaptation to technical progress of Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances.

In preparing the draft of this Directive, the Commission consulted an *ad hoc* working party composed of government experts from the Member States and experts nominated by the European Council of Chemical Manufacturers' Federations (CEFIC).

With respect to certain points in the draft Directive, the Commission also consulted the Scientific Advisory Committee on the Toxicity and Ecotoxicity of Chemical Compounds (¹) whose opinion was conveyed to the abovementioned working party.

The opinion of the working party was then conveyed to the Committee on the Adaptation to Technical Progress of the Directives for the Elimination of Technical Barriers to Trade in Dangerous Substances, as set up by Article 20 of Directive 67/548/EEC. This Committee is made up of representatives of the Member States and nominated by

WRITTEN QUESTION No 1381/83

by Mr James Provan (ED – GB)

to the Commission of the European Communities

(28 November 1983)

(84/C 71/23)

Subject: Air courier services

Will the Commission investigate the difficulties that air courier services have in operating in different Member States of the European Community?

Does the Commission accept that courier services are not in direct competition with national postal services, and that within the European Community it is highly necessary for many people, companies, and organizations to have fast, efficient delivery services and that Regulations should be drawn up to this effect, as this is a relatively new industry requiring new attitudes within a new national and European framework so that it can operate effectively and efficiently so as to improve the flow of business, both within the European Community and between the Community and the rest of the world?

WRITTEN QUESTION No 1457/83

by Mr Basil de Ferranti (ED – GB)

to the Commission of the European Communities

(14 December 1983)

(84/C 71/24)

Subject: Air courier services

Air courier services operating within the European Community face difficulties because Member States have not defined their role in relation to postal monopolies and customs regulations.

Will the Commission consider producing a Directive to harmonize and liberalize the conditions applying to these operators, since their services are complementary to and

not directly competitive with normal postal services, and their efficient operation could greatly improve the flow of business both within the Community and between the Community and the rest of the world?

**Joint answer given by Mr Contogeorgis
to Written Questions No 1381/83 and No 1457/93
(23 January 1984)**

In a number of countries it is accepted that courier services are not in direct competition with national postal services. Such is the case in the United Kingdom where, under Section 67 (1) (d) of the British Telecommunications Act 1981, it is expressly stated that courier services do not infringe the exclusive privilege of the Post Office with respect to the conveyance of letters, etc. It is a fact of today's economic life that many business documents must be delivered within very short periods of time if they are to serve their purpose. International couriers are structurally well suited to provide the specialized services required by time-sensitive documents, over which they retain total administrative control from the point of pick-up to the point of delivery.

For the other points raised in the questions, the Honourable Member's attention is drawn to the replies, which have been established in the meantime, to Oral Question H-515/83 ⁽¹⁾ and Written Questions No 1231/83 and No 1232/83 ⁽²⁾ by Mr Moorhouse.

⁽¹⁾ *Debates of the European Parliament*, No 1-305 (November 1983).

⁽²⁾ OJ No C 356, 31. 12. 1983, p. 9.

WRITTEN QUESTION No 1384/83

by Mr Hans-Joachim Seeler (S-D)

to the Commission of the European Communities

(28 November 1983)

(84/C 71/25)

Subject: Subsidizing of fish meal production by the European Community

1. Is there any truth in press reports that the Commission is subsidizing fish catches used for fish meal production by about 130 ECU (DM 300) per tonne?

2. Is it true that fish meal is increasingly being used as feed for dairy cows, hence boosting milk production in the Community still further?

3. Does the Commission agree that subsidizing fish meal production considerably increases the danger of overfishing, in particular the destruction of young fish stocks, and is the Commission prepared – if the answer

to question 1 is yes – to discontinue these subsidies forthwith? If not, how does the Commission justify the subsidizing of fish meal production in the manner described above with the consequences indicated?

**Answer given by Mr Contogeorgis
on behalf of the Commission
(31 January 1984)**

Under the common organization of the market in fishery products, producers' organizations may withdraw fish from the market in order to stabilize prices. Except in special cases such as free distribution to welfare institutions, fish withdrawn from the market must be used for purposes other than human consumption. One of the permissible uses is the manufacture of fish meal.

Provided that producers' organizations apply the Community withdrawal price, they receive financial compensation from the EAGGF, Guarantee Section, in respect of a limited quantity subject to certain conditions. The level of this compensation varies from one fish species to another and is well below the average market value of fish sold for human consumption. To ensure that producers' organizations withdraw as few fish as possible from the market, the financial compensation for each species gradually decreases as the proportion of the organization's total production represented by withdrawals increases and there is provision for the producers' organizations to bear part of the cost.

The scheme applied under the common organization of the market cannot be said to subsidize fish-meal production since the price obtained for the products sold to fish-meal manufacturers is deducted at a standard rate from the financial compensation paid on withdrawals.

Financial compensation is paid only in respect of edible fish meeting the minimum biological size requirements laid down to ensure the conservation of stocks.

In certain circumstances, a few valuable species qualify for a carry-over premium on their withdrawal from the market so that they can be kept for human consumption.

The quantities of fish which are covered by the compensation scheme and are used to manufacture fish meal have little significant impact on the consumption of the latter, which is made chiefly from species unsuited for human consumption.

stratosphere will form an impervious layer in the atmosphere, which would have serious consequences for human life and the natural environment of the earth. Does the Commission attach any credence to this hypothesis? What studies could be commissioned both from the JRC, by way of immediate action, and with a view to devising preventive measures and codes of conduct for industry?

WRITTEN QUESTION No 1388/83

by Mr Andrew Pearce (ED – GB)

to the Commission of the European Communities

(9 December 1983)

(84/C 71/26)

Subject: Payments to the United Kingdom

In which publication and on what dates did the Commission publish details and individual amounts of projects aided from the 1 654,2 million ECU paid to the United Kingdom in 1982 under the United Kingdom supplementary measures and energy support?

Answer given by Mr Narjes
on behalf of the Commission

(26 January 1984)

The risks inherent in the build-up of carbon dioxide in the atmosphere are the subject *inter alia* of Commission studies; however, there are as yet insufficient data concerning this problem for these risks to be estimated or the effects of the phenomenon on the climate and the environment to be assessed. Research work is continuing, but it is not possible at this stage to present any findings.

Answer given by Mr Tugendhat
on behalf of the Commission

(31 January 1984)

Details and levels of expenditure on projects assisted in 1982 under the supplementary measures for the United Kingdom are given in the fourth Commission report ⁽¹⁾ to the Council and Parliament on the application of Council Regulation (EEC) No 2744/80 of 27 October 1980 establishing the said measures ⁽²⁾; this report was transmitted in accordance with Article 10 of the above Regulation.

⁽¹⁾ Doc. COM (83) 100 final, 1. 3. 1983.

⁽²⁾ OJ No L 284, 29. 10. 1980, p. 4.

WRITTEN QUESTION No 1427/83

by Mr Thomas Megahy (S – GB)

to the Commission of the European Communities

(14 December 1983)

(84/C 71/28)

Subject: Rear seat belts

Can the Commission indicate which, if any, Community countries have made the wearing of rear seat belts mandatory?

WRITTEN QUESTION No 1396/83

by Mr Mario Pedini (PPE – I)

to the Commission of the European Communities

(9 December 1983)

(84/C 71/27)

Subject: Consequences of the build-up of carbon dioxide in the stratosphere

Anxiety has been expressed in the press about the danger that the increased concentration of carbon dioxide in the

Answer given by Mr Contogeorgis
on behalf of the Commission

(2 February 1984)

According to the information available, the installation of rear seat belts is mandatory in the Federal Republic of Germany and in France and is under consideration in the

Netherlands, Belgium and the United Kingdom. The wearing of rear seat belts is optional in all Member States.

WRITTEN QUESTION No 1429/83

by Mr Karel Van Miert (S - B)

to the Commission of the European Communities

(14 December 1983)

(84/C 71/29)

Subject: Languages used by European institutions

On 24 October 1983, a book entitled *Investing in Europe's future* was presented in Luxembourg to mark the 25th anniversary of the EIB.

The book has been written by eight prominent European economists and is published in four languages: English, French, German and Italian.

1. Does the Commission approve of publications intended for wide circulation throughout the Community appearing in only four of the seven official Community languages?
2. What were the criteria for selecting the above four languages?
3. If it invokes economy reasons, does not the Commission think that a multilingual edition (with contributions in the original languages of the authors) is to be preferred?
4. Can the Commission provide a detailed justification for its reply to question 3?

**Answer given by Mr Ortoli
on behalf of the Commission**

(25 January 1984)

The Commission has contacted the European Investment Bank which has offered the following comments:

The decision to publish the book in English, French, German and Italian was based on commercial criteria, as the book has been published by commercial publishers and will be distributed through commercial channels.

The European Investment Bank has obtained and distributed a number of copies of *Investing in Europe's future* through its own channels. As with the other Community institutions, the Bank issues its own publications in the seven languages of the Community.

WRITTEN QUESTION No 1436/83

by Mr Anthony Simpson (ED - GB)

to the Commission of the European Communities

(14 December 1983)

(84/C 71/30)

Subject: Articles 85 and 86 - EEC Decisions

1. How many Decisions have been taken by the Commission under Articles 85 and 86 of the Treaty in each of the 10 years 1972 to 1981, broken down into:

- (a) notifications under Article 85 (3), and
- (b) other decisions, (i) with a fine and (ii) without a fine?

2. How many A-grade staff were or are employed by Directorate B of Directorate-General IV in each of the above 10 years, broken down into

- (a) Advisers (A 3) and
- (b) Administrators (A 4 to A 7)?

3. How many new cases reached Directorate B in each of the above 10 years, broken down into:

- (a) Article 85 (3) applications;
- (b) formal complaints to the Commission; and
- (c) reports passed by Directorate A of DG IV to Directorate B?

**Answer given by Mr Andriessen
on behalf of the Commission**

(30 January 1984)

1. (a) For the number of Decisions under Article 85 (3) of the EEC Treaty in the period from 1973 to 1981, the Honourable Member is requested to refer to the answer to Written Question No 2007/82 by Mr Battersby, under point 2 ⁽¹⁾. In 1972 there were three Decisions granting exemption.
- (b) The number of other Decisions (not including those of a procedural nature) was:

1972:	11, fines imposed in 4 cases
1973:	5, fines imposed in 1 case
1974:	7, fines imposed in 2 cases
1975:	7, fines imposed in 2 cases
1976:	7, fines imposed in 3 cases
1977:	11, fines imposed in 3 cases
1978:	9, fines imposed in 1 case
1979:	6, fines imposed in 2 cases
1980:	7, fines imposed in 2 cases
1981:	8, fines imposed in 4 cases

2. The staff of the Directorate-General for Competition (DG IV) in terms of A 3 and A 5/4 – A 7/6 officials in the period referred to by the Honourable Member was:

Year	A 3	A 5/4 to A 7/6
1972	16	85
1973	16	86
1974	16	97
1975	17	101
1976	17	103
1977	17	102
1978	17	101
1979	17	102
1980	17	110
1981	17	112

Approximately 60 % of the officials cited are involved in work relating to the application of Articles 85 and 86 of the Treaty, which includes fact-finding tasks (e.g. investigations), treatment of individual cases, elaboration of implementing legislation and related activities of a more general nature.

The number of officials per Directorate within DG IV is a matter of internal personnel management.

3. The annual reports on competition policy indicate how many new cases have been registered by DG IV, broken down into applications or notifications, complaints and own-initiative proceedings by the Commission. The distribution of work between the various directorates in DG IV is a matter of internal organization.

(¹) OJ No C 118, 3. 5. 1983.

WRITTEN QUESTION No 1437/83

by Mr Alfred Lomas (S – GB)

to the Commission of the European Communities

(14 December 1983)

(84/C 71/31)

Subject: Abolition of the Greater London Council

The British Government is proposing to abolish the democratically-elected Council of Greater London.

Can the Commission tell me:

1. If any other capital city in the EEC has had its elected administration abolished in this dictatorial way?
2. If there is any capital city in the EEC which does not have a democratically-elected administration to run its affairs?

3. If any capital city in the EEC has had a non-elected administration forced upon it by its national government, as proposed by the British Government?

**Answer given by Mr Thorn
on behalf of the Commission**

(26 January 1984)

Although the Commission does take an interest in the local government procedures of Member States (¹), in particular in issues involving nationals of one Member State residing in another, the Commission is of the view that the way in which local government is organized is a matter for each Member State.

(¹) See answers to Written Questions No 251/74 by Mr Antoniozzi, OJ No C 121, 11. 10. 1974, p. 17; No 1024/77 by Mr Damseaux, OJ No C 113, 16. 5. 1978, p. 11; No 779/79 by Mr Jurgens, OJ No C 105, 28. 4. 1980, p. 5.

WRITTEN QUESTION No 1441/83

by Mr Winston Griffiths (S – GB)

to the Commission of the European Communities

(14 December 1983)

(84/C 71/32)

Subject: Community Trade Mark Office

Given the joint approach by the British Government and the Greater London Council for the Community Trade Mark Office to be located in London and given the plans of the British Government to abolish the Greater London Council, does the Commission now consider that with the end of this partnership it would be well advised to select an alternative site in the United Kingdom, such as Cardiff, which can meet all the requirements for the Community Trade Mark Office?

Will the Commission now undertake negotiations with the relevant authorities in the United Kingdom, and particularly in Wales, to establish the Community Trade Mark Office in Cardiff?

**Answer given by Mr Narjes
on behalf of the Commission**

(26 January 1984)

The Commission considers that to make a proposal as to the siting of the Community Trade Mark Office at the present time would be premature. It intends to do so only

when the Council is at an advanced stage of its work on the modified proposal for a Regulation on the Community trade mark which will be submitted to Council at the beginning of 1984.

So far eight Member States have put forward candidates for the location of the office: Belgium (Brussels), France (Strasbourg), Germany (Munich), Greece (Salonika), Ireland (Dublin), Italy (Venice), the Netherlands (The Hague) and the United Kingdom (London).

According to its interpretation of the Treaties, the Commission is obliged to base its proposal on the candidatures submitted by the Member States' governments. Accordingly, the decisions as to which cities the Member States nominate are an internal matter to be settled by each Member State for itself.

WRITTEN QUESTION No 1458/83

by Mrs Mechthild von Alemann (L - D)
to the Commission of the European Communities
(14 December 1983)
(84/C 71/33)

Subject: External trading relations with Japan

1. To what extent has the decision by the Japanese Government to ease import restrictions affected the European Community?
2. In the Commission's view, what impact will this have on the Community's external trade?

Answer given by Mr Haferkamp
on behalf of the Commission
(31 January 1984)

1. The programme of measures aimed at stimulating domestic demand and encouraging imports into Japan was adopted by the Japanese Government on 21 October 1983. It follows on measures already decided in 1982 and early 1983⁽¹⁾. While some of these measures for encouraging domestic demand will already produce their first effects in 1983, the measures for opening up the market (acceleration of one instalment of Tokyo Round reductions and *ad hoc* tariff reductions) will enter into force only at the beginning of the Japanese fiscal year, i.e. on 1 April. For other decisions (promotion of imports by means of Export-Import Bank loans at subsidized interest rates, pursuit of efforts to open up the market in respect of non-tariff measures, promotion of international

transactions in yen) there is no precise timetable, and some of them will involve amending legislation.

It is therefore not possible to quantify what the effects of these measures might be, and in any case they will be felt only progressively.

2. The Commission has taken note in particular of Prime Minister Nakasone's statement, which indicates that his Government intends to go beyond just measures to open up the market, and that it will actively promote imports. Nevertheless, the Commission considers that the measures announced essentially constitute, like the earlier ones, further steps to bring about a formal opening-up of the Japanese market. It is not clear that they correspond to the firm wish expressed by the Council on 17 October 1983, when it looked to the Japanese authorities to adopt policies and strategies leading to a change of substance in favour of the purchase of products manufactured and processed in other countries.

The Commission, like the Council, is seriously concerned by the continuing deterioration in the trend of trade between the Community and Japan and intends vigorously to pursue its efforts to persuade the Japanese authorities genuinely to open up their market to European products. Finally, it is ready to pursue and strengthen the Community export promotion programme aimed at encouraging better penetration of the Japanese market by European products and services.

⁽¹⁾ The Honourable Member is invited to refer to the answer to Written Question No 1237/83 by Mr Cousté (OJ No C 356, 31. 12. 1983, p. 10).

WRITTEN QUESTION No 1474/83

by Mrs Renate-Charlotte Rabbethge (PPE - D)
to the Commission of the European Communities
(19 December 1983)
(84/C 71/34)

Subject: Cost of the Commission for each person in the Federal Republic of Germany in 1982

In 1982 the European Community cost every person in the Federal Republic of Germany DM 97 and the European Parliament cost them DM 1,67

How much did the Commission cost each person in the Federal Republic of Germany in 1982?

**Answer given by Mr Tugendhat
on behalf of the Commission**

(2 February 1984)

The figures quoted are not comparable.

Parliament's 'costs' and the Commission's administrative costs can be given only in gross figures. According to the 1982 budget Parliament's total costs amounted to 198,7 million ECU and the Commission's administrative costs totalled 713,3 million ECU.

This point was severely criticized when the Council reviewed the proposal. The Commission is not intending to put forward any other proposals on this subject at present.

(¹) Doc. COM(83) 447 final.

(²) Decision No 528/76/ECSC, OJ No L 63, 11. 3. 1986, p. 1.

WRITTEN QUESTION No 1478/83

by Mr Pierre-Bernard Cousté (DEP – F)

to the Commission of the European Communities

(19 December 1983)

(84/C 71/35)

Subject: Reducing current coal stocks

The Commission is planning to provide a subsidy of 100 million ECU per year with the aim of reducing the present stockpile of coal by 10 million tonnes a year over a period of three years.

This subsidy amounts to only 10 ECU per tonne of coal disposed of, which more or less corresponds to the annual cost of stockpiling and totally ignores the question of the losses made by the coal industry and the fact that the cost price of mined coal often exceeds the selling price dictated by legislation.

In view of the above, how does the Commission expect to provide stockpilers of coal with a reasonable incentive to reduce their stockpiles?

**Answer given by Mr Davignon
on behalf of the Commission**

(26 January 1984)

It is true that the Commission sent the Council a proposal for a Regulation concerning Community financial support for the industries producing solid fuels (¹). One of the financial incentives is a sum of 10 ECU per tonne of stocks reduced, granted to Community producers under certain conditions. This support is quite different from the measures taken by the Member States to assist the coal-mining industry (²).

WRITTEN QUESTION No 1479/83

by Mr Pierre-Bernard Cousté (DEP – F)

to the Commission of the European Communities

(19 December 1983)

(84/C 71/36)

Subject: Expansions of lignite and peat production capacities

There are plans to expand the production of peat and lignite in Greece and Ireland, a subsidy for modernization already having been included in the 1984 budget.

Can the Commission say if studies have been carried out into the relative quality, from the energy point of view, of these two products and coal, and whether in particular the cost of producing the energy has been assessed having regard to the location of deposits and their water content?

**Answer given by Mr Davignon
on behalf of the Commission**

(3 February 1984)

The Commission report on the brown coal (lignite) and peat industries in the European Community came to the conclusion that these fuels represent a secure and economic source of supply for Greece and Ireland (¹). Sufficient reserves are available to expand output, and the necessary investments will now be made.

As for quality, although these fuels do have a lower calorific value (per unit of weight) than hard coal, this disadvantage is partly offset by the more competitive extraction processes employed.

The plans to expand brown coal (lignite) and peat production in Greece and Ireland are based on meticulous assessments taking full account of the location of the reserves, of the moisture content of the products and of the need to reduce the dependence of Greece and Ireland on imported fuels in general and on oil imports in particular.

(¹) Doc. COM(82) 649 final.

WRITTEN QUESTION No 1481/83
by Mr Pierre-Bernard Cousté (DEP – F)
to the Commission of the European Communities
(19 December 1983)
(84/C 71/37)

Subject: Reduced rate for intra-Community telephone calls in the evening, on Sundays and holidays

Can the Commission say which Member States have introduced reduced rates for intra-Community telephone calls in the evening, at the weekend and on holidays. How large is the reduction in each case?

Which Member States have not introduced this system?

What steps does it intend to take to standardize this practice?

Answer given by Mr Narjes
on behalf of the Commission
(31 January 1984)

The problems raised by the Honourable Member were discussed in the House on 15 September 1983 following presentation of a report on the subject by Mr Marshall on behalf of the Committee on Transport ⁽¹⁾.

Information is to be found in this report.

On the question of standardization also raised by Mr Rogalla during the debate on the Marshall report, the Commission is conducting a thorough legal examination and will inform the Honourable Member of its findings direct.

⁽¹⁾ 1-502/83 and Debates of the European Parliament, No 1-303 (September 1983).

WRITTEN QUESTION No 1489/83
by Mr Jens-Peter Bonde (CDI – DK)
to the Commission of the European Communities
(19 December 1983)
(84/C 71/38)

Subject: Renewal of Denmark's exemption concerning border trade

Is the Commission prepared to renew Denmark's exemption concerning border trade so that the present rules can continue unchanged?

Answer given by Mr Tugendhat
on behalf of the Commission
(31 January 1984)

No. The Danish exemption is governed by Council Directive 83/3/EEC of 30 December 1982 ⁽¹⁾ which envisages further adjustments on 1 January 1984. As from that date, the duty-free allowances will be increased from 40 to 50 cigarillos, from 30 to 40 cigars, from 200 to 250 grams of smoking tobacco and from two to four litres of beer.

⁽¹⁾ OJ No L 12, 14. 1. 1983, p. 48.

WRITTEN QUESTION No 1492/83
by Ms Joyce Quin (S – GB)
to the Commission of the European Communities
(19 December 1983)
(84/C 71/39)

Subject: Industrial accidents in shipyards in EEC countries and in South Korea

Can the Commission supply statistics about the number of deaths and industrial accidents in shipyards in the EEC countries and in South Korea over the past four years (supplying the information both in actual numbers of accidents and expressed as a percentage of the number of shipyard workers in each EEC country and in South Korea)?

Answer given by Mr Davignon
on behalf of the Commission
(1 February 1984)

The Commission does not collect detailed statistics on fatal accidents, or accidents having caused severe injuries, by specific branch of industrial activity in the Member States.

Information of this kind generally refers to larger groups of industrial activities and therefore does not enable the Commission to establish a correlation between the actual number of accidents and the number of workers involved in each particular sector.

Within the individual Member States these matters often fall within the responsibility of different ministries using different criteria for the related statistical publications.

The accident rate for workers in shipyards seems, however, to be somewhat higher than the average of comparable sectors. In view of the fact that this could be due to a relatively higher rate of severe accidents in the

ship repair sector, the Commission intends to investigate in greater detail the health and safety conditions of the ship repair industry.

The Commission does not have access to any information regarding industrial accidents in South Korea.

In allocating financial support, the Commission gives preference to projects that involve close, effective intra-Community cooperation.

In order to be fully informed as to the eligibility of the projects submitted, the Commission consults a committee of highly qualified experts from the iron and steel industry.

WRITTEN QUESTION No 1499/83

by Mr Jacques Moreau (S – F)

to the Commission of the European Communities

(19 December 1983)

(84/C 71/40)

Subject: ECSC support for steel research

Can the Commission give details of and justify the criteria and procedures for granting ECSC support for steel research in the form of pilot and demonstration projects (OJ No C 81 of 24 March 1983)?

Answer given by Mr Davignon
on behalf of the Commission

(27 January 1984)

The aim of the programme of support for pilot and/or demonstration projects in the iron and steel industry, which supplements the R and D programme, is to promote the transfer of research results to industrial situations – thus enabling the competitiveness of the iron and steel industry to be improved – as well as the use in the Community of such results in costly projects that are of value to the Community but have hitherto not been undertaken in view of their technical and financial risks.

This objective is attained through the conditions to be satisfied by projects submitted, which must:

- relate to pilot industrial installations or demonstration installations,
- exploit techniques or processes that are innovatory in themselves or in their application,
- hold out, as far as the process is concerned, reasonable prospects of technical and economic reliability, judging from earlier research results,
- be of value to the Community.

WRITTEN QUESTION No 1500/83

by Mr Pol Marck (PPE – B)

to the Commission of the European Communities

(19 December 1983)

(84/C 71/41)

Subject: Selling price of skimmed-milk powder

What selling price has been fixed for skimmed-milk powder sold to third countries in recent months?

Answer given by Mr Dalsager
on behalf of the Commission

(26 January 1984)

It is practically impossible to fix a price for the skimmed-milk powder sold to non-member countries.

The price level depends on a number of factors, including the quality of the products, fluctuations in exchange rates, the profit margins and financing costs of each exporter, and the market price, which varies according to the Member State from which the product originates. Transport costs, which vary from one port of shipment to another, are also an important factor.

Thus, only a rough indication of prices can be given.

In recent months, the offer prices at which Community exporters have been able to supply non-member countries have ranged between US \$ 755 and US \$ 818 per tonne, fob.

For your information it may also be mentioned that New Zealand is currently offering skimmed-milk powder at US \$ 760/tonne, fas, and the Australian offer price is US \$ 726/tonne, fob, for processing traffic and US \$ 744/tonne for milk intended for other purposes.

WRITTEN QUESTION No 1503/83**by Mr Ian Paisley (NI – GB)****to the Commission of the European Communities***(19 December 1983)**(84/C 71/42)*

Subject: The special needs of the widowed and their children in the Community

Can the Commission state what special measures it has taken or proposes to take to promote a greater understanding throughout the Community of the financial and practical needs of the widowed and their children?

**Answer given by Mr Richard
on behalf of the Commission**

(31 January 1984)

To date the Commission has not undertaken any research or actions concerned with the position of survivors – widows, widowers or their children – except with regard to the problems raised in the field of equality of treatment, where a study is at present underway.

WRITTEN QUESTION No 1506/83**by Mr Harry Notenboom (PPE – NL)****to the Commission of the European Communities***(19 December 1983)**(84/C 71/43)*

Subject: State aid to public enterprises in France

An article in the French daily newspaper *Le Monde* of 29 September 1983 reported that an amount of FF 2,07 million had been entered in the 1984 draft budget for allocation to banks and to the Compagnie générale maritime, Air France and Seita (the French monopoly for tobacco and matches).

Can the Commission indicate whether it has been informed of these subsidies pursuant to Article 93 of the EEC Treaty and whether or not it considers them to be in accordance with Article 92 of the Treaty?

**Answer given by Mr Andriessen
on behalf of the Commission**

(9 February 1984)

Under Article 93 (3) of the EEC Treaty, Member States are required to inform the Commission, in sufficient time to enable it to submit its comments, of any plans to grant or alter aids. However, the Commission considers that this requirement must be satisfied not at the draft budget stage, but when specific laws or other measures are

adopted for the grant of aid within the meaning of Article 92 of the EEC Treaty.

The Commission will not fail to examine the extent to which the appropriations earmarked constitute aid within the meaning of Article 92 and, should they do so, to ensure that the French Government respects its obligations under Article 93.

WRITTEN QUESTION No 1508/83**by Mr Pierre-Bernard Cousté (DEP – F)****to the Commission of the European Communities***(19 December 1983)**(84/C 71/44)*

Subject: Local political offices that are not full-time jobs, held by Community officials

In Article 15 of the Staff Regulations the Commission has laid down provisions governing the holding of elective public office by officials or servants of the Communities which are further explained in the Administrative Notice of 3 September 1976.

Do these provisions cover all the cases with which the Commission is confronted as clearly and efficiently as they should? Should some changes be made to them?

Since the proximity of the place at which public office is held may be crucial as regards its compatibility with an official's continued active employment, to what extent may such an official be given priority either in representing the Commission in the Member States or in an exchange programme with national administrations so that he can fulfil his mandate properly while still being actively employed?

**Answer given by Mr Burke
on behalf of the Commission**

(27 January 1984)

The provisions to which the Honourable Member is referring (summarized in Administrative Notices No 117 of 30 September 1976) have so far tabled all individual cases under Article 15 of the Staff Regulations to be dealt with. No amendments or alterations have been needed.

Distance between place of employment and place of tenure of political office is not the main criterion applied by the appointing authority in assessing the case of an official elected to public office with reference to the importance of the office and the duties it entails for the holder. The appointing authority concentrates on the nature of the elective office involved, the circumstances under which it is exercised and any possible detriment to the interests of the service. The main considerations here are the following:

- the demands made on the official's time and the duration of the term(s) of office,
- the amount of remuneration received, if any.

At all events, postings to Commission offices in the Member States and exchanges with national civil services are decided in the interests of the service alone. There is therefore no question of officials being given priority so that they can exercise their mandate properly while remaining in active employment.

WRITTEN QUESTION No 1518/83

by Mr Mario Pedini (PPE – I)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/45)

Subject: Nuclear fusion

There have been reports in the press that a group of research workers at the Massachusetts Institute of Technology using the Alcator reactor has succeeded in producing a plasma of sufficient density and durability to obtain a fusion reaction capable of generating more energy than is required for its production. This experiment is regarded as of major importance for the nuclear reaction process.

1. What information can the Commission provide on this subject?
2. Does the Commission feel that, in the light of such experiments, the proposed cooperation between the EEC and the USA, including the JET project, is still valid?

**Answer given by Mr Davignon
on behalf of the Commission**

(2 February 1984)

1. The results obtained with the Alcator C tokamak and announced at the Los Angeles conference (7 to 11 November 1983) by MIT researchers constitute a major

step towards satisfying one of the conditions necessary for producing energy in fusion reactors, since the values reached for the 'density multiplied by confinement time' parameter are approaching the target. Another condition has, however, to be fulfilled simultaneously, in that sufficiently high temperatures have to be reached in order to initiate the reactions. Unfortunately, the temperatures at which the results announced were achieved are still 10 times lower than the threshold: the importance of the experiments should therefore not be overestimated. The record for the abovementioned parameter was, moreover, held until last year by the Euratom-ENEA Association's Frascati laboratory.

2. The Commission therefore takes the view that the announced results can have no effect – and still less an adverse effect – on the planned cooperation between the European Community and the United States in the field of controlled thermonuclear fusion.

WRITTEN QUESTION No 1525/83

by Mr Luc Beyer de Ryke (L – B)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/46)

Subject: Food aid to ACP countries

The special session on Africa of the UN Food and Agriculture Organization (FAO) which has just ended in Rome illustrated the critical situation facing twenty-two African countries: Angola, Benin, Botswana, Cape Verde, Ethiopia, Gambia, Ghana, Guinea, Lesotho, Senegal, Mali, Mauritania, Mozambique, Central African Republic, Sao Tomé and Príncipe, Somalia, Swaziland, Tanzania, Chad, Togo, Zambia and Zimbabwe.

Epidemics, drought and armed conflict contributed to the destabilization of their economies and agricultural resources between 1975 and 1980.

Can the Commission consider organizing additional food aid in response to the urgent and immediate needs assessed by the FAO?

**Answer given by Mr Pisani
on behalf of the Commission**

(23 January 1984)

In allocating food aid for 1983 the Commission had already taken the African countries' difficulties into

account, increasing the quantities of aid to them in the form of cereals by 25 % over the 1982 level.

In view of the appeal launched by the FAO, the Commission is now looking into the possibility of supplying additional quantities of emergency food aid from the reserves it still has to the countries which are worst affected.

This system should enable the Commission quickly to take any action needed where any Member State quotas provided for in the arrangements concluded with State-trading countries are exceeded or where abnormally high imports come from other non-member countries, particularly at regional level.

(¹) Council minutes 76 SID 139 (Ext), 1. 12. 1983.

WRITTEN QUESTION No 1527/83

by Mr Luc Beyer de Ryke (L - B)
to the Commission of the European Communities
(4 January 1984)
(84/C 71/47)

Subject: Illegal imports of steel into the Community

Despite agreements concluded with a number of countries, imports of steel into the Community have increased appreciably.

While European iron and steel undertakings are having to reduce their production, 10 % of steel used in the Community comes from abroad.

In view of this situation the Belgian Government considers that measures should be taken to prevent agreements on prices and import restrictions being circumvented by means of lower-grade products.

Can the Commission indicate its policy in this area and in particular on the concentration of exports on a single Community country?

Answer given by Mr Davignon
on behalf of the Commission

(1 February 1984)

It emerges from the very detailed statistics which the Commission has on the last six years that the proportion of the Community's consumption of iron and steel products accounted for by imports has decreased since the external aspect of the anti-crisis measures (1978) was introduced.

It can be seen from the Directives on the '1984 external steel aspect' adopted by the Council on 29 November 1983 (¹), that the Commission proposed and was able to arrange that the supervision of imports of lower-grade products should be made more strict by, in particular, harmonization of the identification criteria at Community level and the introduction of quick 'prior' and *ex post facto* monitoring of imports.

WRITTEN QUESTION No 1528/83

by Mr Luc Beyer de Ryke (L - B)
to the Commission of the European Communities
(4 January 1984)
(84/C 71/48)

Subject: Case of Oleg Radzinsky, the militant pacifist sentenced in the USSR

Without wishing to interfere in the internal affairs of a sovereign State which is a signatory to the Helsinki Agreements, it should be pointed out that the sentencing in Moscow of the militant pacifist Oleg Radzinsky to one year's imprisonment and five years' exile (in a Gulag) for defending his views casts doubt on the way in which the USSR complies with the Helsinki Agreements.

The Commission has undoubtedly made diplomatic representations to the Soviet authorities with regard to the defence of human and civic rights in this particular case. What form have these representations taken?

Answer given by Mr Haferkamp
on behalf of the Commission

(27 January 1984)

The Commission has always been deeply concerned about the issue of respect for human rights, in particular as they result from the various provisions of the Helsinki Final Act. It is prepared to act, within the limits conferred on it by the Treaty, to promote any measures that could be of use in ensuring the effective application of those provisions.

The Commission considers, however, that diplomatic representations to the Soviet authorities in respect of the militant pacifist Oleg Radzinsky are the responsibility of the Presidency in the context of Political Cooperation, should it consider such representations advisable.

WRITTEN QUESTION No 1532/83**by Mr Luc Beyer de Ryke (L - B)****to the Commission of the European Communities***(4 January 1984)**(84/C 71/49)*

Subject: Vegetable oils – threat of American retaliation

According to the American press Mr Robert Lighthizer, a senior official in the Department of Commerce, with the backing of the Deputy Secretary for Agriculture, Mr Daniel Anstutz, stated before a Senate subcommittee that the United States would retaliate against European agricultural exports if the Community decided to restrict its imports of American agricultural products.

How does the Commission view these threats of retaliation?

**Answer given by Mr Dalsager
on behalf of the Commission**

(31 January 1984)

When drawing up its 'proposal for a Council Regulation introducing a tax on certain oils and fats' ⁽¹⁾ the Commission carefully considered the potential effects of such a tax on imports of oils and fats and oilseeds. It came to the conclusion that a tax of 7,5 ECU/100 kg would have no measurable effect on imports of oilseed or oilseed by-products.

Moreover, any effect on the consumption of imported oils would also be felt by Community-produced oils (in particular those made from oilseed rape). The proposed tax is therefore not discriminatory and does not contravene GATT.

The concern felt by the US arises not from the tax as now fixed but from the fear that it could be increased in the years to come, thus bringing about a marked reduction in Community demand for vegetable oil. On 4 October 1983, Mr Alan Tracy, Deputy Under-Secretary of Agriculture, told a subcommittee of the House of Representatives that the short-term effect of the proposed tax on the United States' exports of soya beans and soya bean by-products would be relatively mild.

Accordingly there are no pressing economic reasons or legal grounds for the United States to envisage retaliatory measures. If the United States feels that its rights under GATT are threatened by the tax it must, under the rules,

ask the GATT Council to recognize the validity of its case and authorize the adoption of such measures (Article XXIII of the GATT). Under GATT rules, contracting parties are not allowed to 'take the law into their own hands'.

The Commission is confident that the United States will comply with its obligation under GATT.

⁽¹⁾ COM(83) 562 final of 3 October 1983.

WRITTEN QUESTION No 1536/83**from Mrs Sylvie Le Roux (COM - F)****to the Commission of the European Communities***(4 January 1984)**(84/C 71/50)*

Subject: Pollution of water by nitrates

As the problem of the pollution of water by nitrates arises in many regions of the EEC:

1. Can the Commission state whether it has initiated studies on this matter?
2. Has it planned to make proposals to the Council for a move towards the disappearance of this major pollution problem?

**Answer given by Mr Narjes
on behalf of the Commission**

(27 January 1984)

The Commission is aware that the problem of water pollution by nitrates has reached worrying proportions in recent years. In 1980 the Commission carried out a study to estimate the risks of groundwater pollution by nitrates. Recently it started work on the preparation of a working paper to provide the scientific basis for proposals which it intends to submit to the Council with a view to taking into consideration nitrogenous compounds among the substances covered by Council Directive 80/68/EEC of 17 December 1971 ⁽¹⁾ on the protection of groundwater. This paper will be available in the third quarter of 1984.

⁽¹⁾ OJ No L 20, 26. 1. 1980.

WRITTEN QUESTION No 1539/83
from Mr Ernest Glinne (S – B)
to the Commission of the European Communities
(4 January 1984)
(84/C 71/51)

Subject: Registration fees with regard to education

On 18 November 1982 the European Parliament adopted a motion for a resolution, tabled by Mrs Dury and myself, in which it called upon Belgium to 'abolish all discriminatory measures in the matter of registration fees with regard to education'.

In its reply the Commission confirmed that proceedings in accordance with Article 169 of the Treaty establishing the EEC have been started.

Can the Commission reply to the following questions:

1. What stage have these proceedings reached?
2. Have the Belgian authorities already replied to the Commission's observations? If so, in what terms?

Answer given by Mr Richard
on behalf of the Commission
(3 February 1984)

The Commission is at present examining the reply by the Government of Belgium to a reasoned opinion forwarded under Article 169 of the EEC Treaty in the case referred to by the Honourable Member.

The procedure is following its normal course and the Commission is giving it all the necessary attention.

However, the Commission would point out that the subject of the reasoned opinion concerns equal treatment in access to secondary and vocational education for workers who are nationals of other Member States and their families resident in Belgium.

WRITTEN QUESTION No 1544/83
from Lord O'Hagan (ED – GB)
to the Commission of the European Communities
(4 January 1984)
(84/C 71/52)

Subject: Ewe premium

There is much discussion in the United Kingdom about the suspension of the payment of the ewe premium.

Will the Commission now make a full statement?

Answer given by Mr Dalsager
on behalf of the Commission
(2 February 1984)

The difficult budgetary situation of the Community in 1983 has led to a certain delay in paying the advance of the ewe premium for the 1983/84 marketing year.

The question of suspending the ewe premium payment has never arisen within the Commission.

The advance of the ewe premium 1983/84 is expected to be paid in January or February 1984; the final amount will be fixed and paid after the end of the 1983/84 marketing year.

WRITTEN QUESTION No 1546/83
by Mr Pierre-Bernard Cousté (DEP – F)
to the Commission of the European Communities
(4 January 1984)
(84/C 71/53)

Subject: The role of the OECD in the context of economic recovery

Could the Commission state whether and to what extent it liaises with the OECD on research into the prospects of economic recovery in Europe?

Answer given by Mr Ortoli
on behalf of the Commission
(27 January 1984)

The Secretariat of the OECD devotes much of its time to the study of the economic situation and prospects of its member countries. It thus prepares, for example, for the ministerial meetings which deal with the major economic problems of the OECD area.

The Community is involved in all the OECD's work in the economic field, and its staff maintain close contacts with the Organization's Secretariat (regular exchange of information).

It participates in particular in the work of the Economic Policy Committee (and its working parties) and in that of the OECD Council at both ambassadorial and ministerial level. It is therefore closely associated with discussions on the direction which the economic policies of the OECD member countries should take, and in particular with the preparation of the communiqués issued by the OECD Council.

While the OECD and the European Community are independent of each other as regards their objectives and in their work, their analyses are sometimes similar, since the Community and its OECD partners share many common interests in the economic field. For example, the OECD's overall assessment of the prospects for economic growth in Europe for 1984 was very close to that given by the Commission in its 1983/84 Annual Economic Report.

watch-making industry on the problem of counterfeit replicas in this industry?

What were the effects of the 1967 and 1972 agreements on watches and clocks, and are the parties concerned satisfied with them?

WRITTEN QUESTION No 1547/83

by Mr Pierre-Bernard Cousté (DEP – F)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/54)

Subject: The production of pirated models by the Nigerian motor vehicle industry

Could the Commission give details of the production of pirated models by the Nigerian motor vehicle industry, and what the consequences might be for the Community?

What action does the Commission intend to take on this matter?

**Answer given by Mr Pisani
on behalf of the Commission**

(30 January 1984)

Far from pirating motor vehicle parts, Nigeria is itself the victim of the practices of foreign companies engaged in such operations, which are endeavouring to sell off part of their production on this, one of Africa's most important markets.

The Honourable Member is referred to the answers given by the Commission to Written Questions Nos 406 to 412/83 by Mr John Mark Taylor⁽¹⁾ on the Commission's information on such trade and the means at its disposal for countering it.

⁽¹⁾ OJ No C 268, 6. 10. 1983, p. 7.

WRITTEN QUESTION No 1548/83

by Mr Pierre-Bernard Cousté (DEP – F)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/55)

Subject: Cheap imports and counterfeit replicas of watches and clocks

Could the Commission report on the outcome of the talks which it recently held with representatives of the Swiss

**Answer given by Mr Haferkamp
on behalf of the Commission**

(27 January 1984)

The Joint Committee set up by the Agreement concerning products of the clock and watch industry between Switzerland and the EEC and its Member States, which was concluded in 1967, is composed of representatives of the Swiss authorities on the one hand and of authorities of the EEC and the Member States on the other.

At its latest meeting, held on 11 October 1983, the Joint Committee discussed among other matters the problems of counterfeit clocks and watches and of imports of low-priced clocks and watches, based on reports from the Standing Committee on European Clock and Watch-making, which is composed of representatives from clock and watch-making countries in the Community and from Switzerland. Concerning the problem of counterfeiting, the Community and Switzerland argued that work should be stepped up at GATT on the international trade in counterfeit goods and called upon the Standing Committee on European Clock and Watch-making to continue the consumer information campaigns it had organized during the summer holidays. As this matter concerned low-price imports, the Community delegation stressed the important role of anti-dumping proceedings and took stock of cases pending.

The 1967 Clock and Watch Agreement committed both parties to the dismantling of tariffs. The 1972 Additional Agreement, brought about in particular by the introduction of 'Swiss Made', allowed rough watch movements and other watch components made in the Community to be sold in Switzerland.

This liberalization of trade through tariffs and the recognition of equivalence satisfies the contracting parties. They are now being urged to promote the closer cooperation between the clock and watch-making industries of Switzerland and the Community.

WRITTEN QUESTION No 1555/83

by Mrs Anne-Marie Lizin (S – B)
to the Commission of the European Communities

(4 January 1984)

(84/C 71/56)

Subject: Failure to apply Council Directive 78/319/EEC on toxic and dangerous waste

Belgium has not yet passed national implementing measures for the application of Council Directive 78/319/EEC ⁽¹⁾ on toxic and dangerous waste, which is designed to control the production, transportation and storage of certain substances which are prohibited within the Community.

What action does the Commission intend to take, and has it already received from Belgium an explanation for its failure to implement this Directive?

⁽¹⁾ OJ No L 84, 31. 3. 1978, p. 43.

Answer given by Mr Narjes
on behalf of the Commission

(2 February 1984)

The provisions of Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste were transposed into Belgian law by the law on toxic waste adopted on 22 July 1974 and the implementing decree of 9 February 1976.

Recently when the Commission formally noted that the general transport conditions imposed by the Royal Decree of 9 February did not provide for toxic waste identification forms – as required by Article 14 of the Directive – it opened proceedings against Belgium for incomplete introduction into the national legislation of the provisions of Directive 78/319/EEC.

To complicate the issue, the control of toxic and dangerous waste became a regional responsibility in 1980. The Commission notes with regret that no practical control measures in respect of this type of waste have yet been implemented at regional level.

WRITTEN QUESTION No 1556/83

by Mrs Anne-Marie Lizin (S – B)
to the Commission of the European Communities

(4 January 1984)

(84/C 71/57)

Subject: Civil liability in the event of nuclear accidents (in Belgian law)

Is the Commission aware that the Belgian Government has tabled a bill aimed at reducing the amount of

insurance in respect of civil liability which needs to be taken out by those responsible for operating nuclear power stations?

What does the Commission think of this bill?

Answer given by Mr Tugendhat
on behalf of the Commission

(30 January 1984)

The Commission would refer to its answer to Oral Question No H-682/80 by the Honourable Member ⁽¹⁾ in which it stated it considered it unnecessary to harmonize the compulsory insurance for third-party liability in respect of nuclear accidents.

⁽¹⁾ *Debates of the European Parliament*, No 1-267 (February 1981).

WRITTEN QUESTION No 1558/83

by Mr Jochen van Aerssen (PPE – D)
to the Commission of the European Communities

(4 January 1984)

(84/C 71/58)

Subject: 'DM 12 fine' for Thyssen

Since the fine of DM 691 802 imposed by the Commission on Thyssen AG for exceeding its quota in the first quarter of 1981 has been reduced to a nominal amount of DM 12 by the Court of Justice, which has criticized the Commission for reaching mistaken and belated decisions in respect of the previous quota for the fourth quarter of 1980, can the Commission explain how such a blatantly wrong decision was possible and how the DM 12 fine imposed upon a major steel concern is to be explained to the citizens of Europe without inviting ridicule?

Answer given by Mr Davignon
on behalf of the Commission

(1 February 1984)

Under Article 36 (2) of the ECSC Treaty, the Court of Justice shall have unlimited jurisdiction in appeals against pecuniary sanctions.

Although confirming that Thyssen AG had exceeded its production quota for the first quarter of 1981 by 3 851 tonnes, the Court felt that exceptional circumstances relating to the fourth quarter of 1980 precluded application of the normal fine referred to in Article 9 of Decision No 2794/80/ECSC ⁽¹⁾.

The Commission had applied the normal rate since despite its late notification of the correct quota for the fourth quarter of 1980 the company had produced more than this quota during the quarter, while not entirely filling the tolerance margin of 3 %.

The Commission sees nothing out of the ordinary in an administrative decision being overturned by the judicial authority.

(¹) OJ No L 291, 31. 10. 1980.

WRITTEN QUESTION No 1564/83

by Mr Gérard Fuchs (S – F)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/59)

Subject: Funds allocated in the framework of the first and second Conventions of Lomé

What was the annual per capita allocation of funds within the framework of the first and second Conventions of Lomé respectively?

Given price trends, population trends and the number of countries concerned, what would be the total appropriations required as of January 1984 to ensure that the funds allocated within the framework of the next Convention were maintained at previous levels?

**Answer given by Mr Pisani
on behalf of the Commission**

(23 January 1984)

On the basis of the division of each Convention's resources into five equal instalments, the sum available annually per inhabitant in the ACP countries was 2,2 ECU under the first Lomé Convention and 2,7 ECU under the second.

As the number of countries signing the next Convention and the trends of the indices to be taken into account are as yet unknown, it is not at present possible to calculate, even approximately, the total funds as at 1 January 1984 that may be required to maintain the level of appropriations in real terms in the next Convention, which in any case could not enter into force before 1 March 1985.

WRITTEN QUESTION No 1565/83

by Mr André Damseaux (L – B)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/60)

Subject: Employment zones

The Commission recently approved the establishment of employment zones within the industrial zones of Tessenderlo and Diest-Geel.

Projects involving the establishment of other zones proposed by the Belgian Government (in the Genk-Sud, Audenarde and Ypres districts) appear to have been rejected.

Could the Commission state whether these proposed zones have been definitely rejected?

If so, why?

**Answer given by Mr Andriessen
on behalf of the Commission**

(2 February 1984)

The Commission has initiated the procedure provided for in Article 93 (2) of the EEC Treaty in respect of the establishment of employment zones in Genk-Zuid, in Oudenaarde, and in the Teperleekanaal area. It has not yet taken a final decision on these proposals.

The tests the Commission has applied and will continue to apply when it decides whether or not to accept proposals for employment zones submitted to it, are those it set out when on 21 December 1982; it decided to raise no objection to the establishment of employment zones provided certain stated conditions were met (¹). One of these conditions was that no more than three employment zones were to be established in the region of Flanders.

(¹) Bull. EC 12-1982, pp. 34 – 35.

WRITTEN QUESTION No 1567/83

by Mr André Damseaux (L – B)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/61)

Subject: Harmonization of VAT

Could the Commission state whether the other Member States have legislation equivalent to the provisions for farmers contained in Article 57 of the Belgian VAT code?

If not, what provisions will be laid down in the Directive on the harmonization of VAT?

**Answer given by Mr Tugendhat
on behalf of the Commission**

(1 February 1984)

Article 57 of the Belgian Law on VAT ⁽¹⁾ provides for a special flat-rate scheme for farmers which is in conformity with the common scheme provided for in Article 25 of the Sixth VAT Directive ⁽²⁾. All the other Member States except the United Kingdom and Denmark apply such a scheme. For details of the schemes the Honourable Member is referred to the Commission's report on this matter ⁽³⁾.

⁽¹⁾ Law of 27 December 1977 and Articles 1, 2 and 3 of the Royal Implementing Decree No 22 of 20 July 1977.

⁽²⁾ Sixth Council Directive of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes.

⁽³⁾ Doc. COM(83) 435 final.

WRITTEN QUESTION No 1577/83

by Mrs Raymonde Dury (S - B)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/62)

Subject: Zero-duty newsprint quotas

Newsprint accounts for a sizable part of daily newspapers' production costs. Raising the price of it would place the newspapers in serious difficulties.

Newsprint is imported duty-free from countries outside the EEC as part of zero-duty tariff quotas. A zero-duty tariff quota was set at 1 500 000 tonnes within GATT in 1975, during the negotiations with Canada, to compensate for the loss or reduction of certain other quotas after Britain, Denmark and Ireland had joined the EEC.

Additional zero-duty tariff quotas are set by the Council of Ministers annually after establishing how Member States' output has been selling, and taking the needs of the Community's daily press into consideration. This system has worked well for years and has guaranteed newspapers complete freedom of choice among suppliers from all the extra-Community countries (the Scandinavian countries, North America, Canada, Austria, etc.). There has been free competition among them. Problems, however, have started to appear in this field regarding the 1983 quota and the situation from 1 January 1984.

What has happened is that over the last two years there have been difficulties in fixing the additional zero-duty

tariff quotas because of pressure from Italy, which considers that its output is not selling in the other Community countries. Community newspaper editors have no objection to buying Italian paper as long as that paper is competitive in quality and price and as long as secure and regular supplies are guaranteed, but their experience has been that there were no tenders from Italian producers or that prices were considerably higher than the market rate. Following the Italian veto, the zero-duty tariff quota for Benelux was set at 313 725 tonnes, although the requirements of the press have been put at 353 725 tonnes, including 105 000 tonnes for Belgium.

From 1984 there will no longer be any duty on imports from the EFTA countries, but duty will still be levied on imports from other countries, particularly Canada.

1. Can the Commission say what steps it proposes to take to safeguard the press's freedom to choose among its suppliers from extra-Community countries?
2. Can the Commission set out the guidelines for its negotiations with Canada over imports of newsprint?
3. Does the Commission, when fixing the new tariff quotas, propose to take account of the Community press's purchasing intentions, given that if it does not the press will be forced to buy quantities which it would have bought elsewhere from extra-Community countries formerly belonging to EFTA, and that this tariff disparity will enable producers in those countries to put up their prices without fear of competition?

**Answer given by Mr Haferkamp
on behalf of the Commission**

(3 February 1984)

1. The Commission confirms that its aim is to retain the system which has worked well for years and has guaranteed newspapers complete freedom of choice among suppliers from all the non-Community countries (the Scandinavian countries, Canada, Austria, etc.). It is the same system which worked in 1983 and which should allow all newsprint to be imported from non-Community countries at zero-duty. With the necessary adaptations to the new system created by free trade in this product with EFTA as from 1 January 1984, the Commission's intention is to maintain this freedom of choice of the press among suppliers from non-Community countries, while favouring the sale of Community production.

2. The Commission's guidelines in its discussions with Canada are also to maintain, with the necessary adaptations, the previous system of access for this country to the Community, taking into account the new situation mentioned above. In 1974 the level of

1.500 000 tonnes was fixed to take account of imports from Canada, from EFTA and from other non-Community countries. Over and above this quota, a supplementary amount (about 1 million tonnes) was also imported at zero-duty after Community production had been sold. From 1 January 1984 onwards, since imports from EFTA are no longer included in the bound quota, it should be reduced to the level of imports under it before 1984 from the other countries. This adaptation is justified so as not unilaterally to improve the conditions of access for Canada (and for other non-Community countries who are not members of EFTA) to the Community market. For non-EFTA countries, the amount entering under the bound quota was evaluated in proportion to their share in total EEC imports.

This approach does not exclude the subsequent opening of an autonomous quota at zero-duty, as required by Protocol 13 to the Act of Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland, once Community production has been marketed.

3. The Commission is aware of the interest of the press in diversifying the origin of its newsprint purchases to encourage price competition. It also recognizes the legitimate nature of both objectives of the press, i.e. a balance between its sources of supply (Community, EFTA, Canada) and its desire to see all newsprint imported at zero-duty. The Commission supports this policy.

WRITTEN QUESTION No 1579/83

by Mr William Newton Dunn (ED – GB)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/63)

Subject: Permitted levels of nitrate in water

Directive 80/778/EEC ⁽¹⁾ sets a maximum admissible concentration of nitrates at 50 mg/l. Is this figure an upper limit which may never be exceeded at any time or is it an average concentration over a period of time?

⁽¹⁾ OJ No L 229, 30. 8. 1980, p. 11.

**Answer given by Mr Narjes
on behalf of the Commission**

(31 January 1984)

The 50 mg/l maximum admissible concentration of nitrates in Table C, Annex I to Directive 80/778/EEC of

15 July 1980 is the value which is not to be exceeded in the course of the monitoring programmes carried out in accordance with Annex II.A.

WRITTEN QUESTION No 1581/83

by Mr George Patterson (ED – GB)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/64)

Subject: Provisions for elections of employees' representatives in the Fifth Directive on Company Law and the 'Vredeling' Directive

The draft Fifth Directive on Company Law, which is now before Council in its amended version after consultation of Parliament, contains provisions in the context of worker participation which state that the election of employees' representatives should be 'by secret ballot' and 'in accordance with the systems of proportional representation'. These provisions were approved by Parliament and endorsed by the Commission in its amended proposal.

Can the Commission therefore explain why the 'Vredeling' draft Directive on informing and consulting employees is inconsistent with the provisions laid down in the Fifth Directive by not stipulating that employees' representatives should be democratically elected? Does the Commission furthermore not agree that this anomaly will present practical difficulties both to management and employees of companies in implementing these two Directives in the worker participation field?

**Answer given by Mr Richard
on behalf of the Commission**

(8 February 1984)

The Commission would request the Honourable Member to refer:

— to its answer to Written Question No 1248/83 by Mr Megahy ⁽¹⁾,

— to the statements it made during the debate in Parliament on 17 November 1982 on Mr Spencer's report ⁽²⁾, and

- to its answer of 15 September 1983 to Oral Question 0-21/83 by Mr Plumb, Mr Patterson, Mr Allen, Mr Brok, Mr Bangemann, Mrs Nielsen and Miss de Valera ⁽³⁾.

⁽¹⁾ OJ No C 356, 31. 12. 1983, p. 12.

⁽²⁾ Debates of the European Parliament, No 1-291 (November 1982).

⁽³⁾ Debates of the European Parliament, No 1-303 (September 1983).

WRITTEN QUESTION No 1583/83

by Mr Mario Pedini (PPE – I)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/65)

Subject: Protection against fire

In his answer of 2 June 1983 to Mr Costanzo's question on this subject, Commissioner Narjes said, among other things, that the Commission 'has drawn up a proposal for a Council recommendation concerning the minimum criteria for the protection of existing hotels against fire risks' ⁽¹⁾.

The matter is also treated in Italian Law No 406 of 18 July 1980, Article 1 of which refers to the wish to incorporate EEC Directives on protection against fire in the hotel sector into statute law.

What Community measures have been or are being taken by the EEC bodies in this matter?

⁽¹⁾ Written Question No 2402/82, OJ No C 216, 18. 11. 1983, p. 7.

**Answer given by Mr Narjes
on behalf of the Commission**

(2 February 1984)

In its answer to Written Question No 2402/82 by Mr Costanzo, the Commission stated that it was preparing a proposal for a Council recommendation concerning the minimum criteria for the protection of existing hotels against fire risks.

The above proposals for a recommendation has now been approved by the Commission and was sent to the Council on 17 January 1984 ⁽¹⁾.

The Commission has asked that the opinion of Parliament be sought.

⁽¹⁾ COM(83) 751 final.

WRITTEN QUESTION No 1585/83

by Mr Mario Pedini (PPE – I)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/66)

Subject: Data banks on blood and organs for transplant

On 16 May 1981, in response to a Parliamentary question, Commissioner Richard stated that: 'In the context of the first programme of priority action in the field of data processing, the Commissioner has launched a study into the possibility of linking the data processing systems of four organ and blood banks in Denmark, the United Kingdom, France and the Netherlands' ⁽¹⁾.

The Commissioner also stated that 'it has not been possible to establish a permanent link-up between these transplant centres as the Crest Committee on Medical Research, to which the project was submitted, did not consider this to be a priority measure.'

In the last few years organ transplants have become increasingly widespread as an effective method of treatment and increasingly in need of effective back-up systems.

What steps have been taken to set up an actually functioning data bank with this in view?

Does the Commission not consider, to conclude, that this system should be given priority in measures relating to human health?

⁽¹⁾ Written Question No 142/81, OJ No C 165, 6. 7. 1981, p. 40.

**Answer given by Mr Richard
on behalf of the Commission**

(9 February 1984)

In response to the adoption by the European Parliament on 15 April 1983 of a resolution on organ transplants ⁽¹⁾ calling on the Commission, in the light of the study being carried out by the Council of Europe, to draw up rules designed to improve coordination and cooperation between European organ banks, the Commission, while maintaining its position on the subjective nature of the priority which should be granted to measures in this field, confirms that it has taken the initiative of putting in hand a feasibility study whose terms of reference represent a logical follow-up to the conclusions of the study referred to by the Honourable Member.

As far as the problems relating to blood banks and to all questions connected with blood transfusion are concerned, the Commission would point out that the latter questions are the subject of Council of Europe recommendations which have been adopted by the

Committee of the Ministers of the Member States of the Council of Europe. The Commission therefore sees no reason to take any steps in this area.

The Honourable Member should also refer to the answers already given to Written Question Nos 499/82 (by Mr Cousté)⁽²⁾, 1027/81 (by Mr Herman)⁽³⁾ and 550/83 (by Mr Wedekind)⁽⁴⁾ and to the discussions which preceded the European Parliament's adoption on 15 April 1983 of the resolution on organ transplants⁽⁵⁾.

⁽¹⁾ OJ No C 128, 16. 5. 1983.

⁽²⁾ OJ No C 222, 2. 9. 1981.

⁽³⁾ OJ No C 338, 28. 12. 1981.

⁽⁴⁾ OJ No C 279, 17. 10. 1983.

⁽⁵⁾ Debates of the European Parliament, sitting of 14 April 1983 (No 1 – 297).

WRITTEN QUESTION No 1591/83

by Mr Pierre-Bernard Cousté (DEP – F)

to the Commission of the European Communities

(4 January 1984)

(84/C 71/67)

Subject: Budgets of the different Member States – raising of tax assessment brackets in step with inflation

Can the Commission say whether, in the different European countries, inflation has been fully taken into account in determining how tax assessment brackets are to be raised?

Will it specify the countries where this has been done and those where it has not, and indicate the percentage inflation rate taken into account in each?

Answer given by Mr Ortoli on behalf of the Commission

(1 February 1984)

The Honourable Member will find in the synoptic table below, information showing whether and to what extent Member States have, in the draft budgets for 1984, made provision for the adjustment of tax scales to the rate of inflation.

Member State	Inflation allowed for	Method	Percentage of adjustment allowed for in 1984
Belgium	No	In principle, no automatic adjustment, but 'declaration of intent' to adjust the scales to inflation once the net borrowing requirement is down to 9 % of GNP	None
Denmark	Yes	Rate bands raised by some 4 % (against an inflation rate of more than 6 %), reflecting the wage guidelines. Basic allowance raised by a larger amount following negotiations in parliament	Some 4 %
Federal Republic of Germany	No	No indexation	None
Greece ⁽¹⁾	Yes	Indexation of all tax brackets roughly in line with the inflation rate	20 %
France	Yes	All the rate bands raised in line with price inflation in 1983, but specific relief for low incomes and increases for high incomes	9,1 %
Ireland	No	No systematic indexation	None
Italy	Yes	Remodelling of the tax scales (eight tax bands instead of 32) coupled with an increase in family allowances to ease the effects of fiscal drag	No estimate available
Luxembourg	Yes	Adjustment of rate bands in line with the rate of inflation between the first half of 1982 and the first half of 1983	9,14 %
Netherlands	Yes	Adjustment of rate bands in line with the rate of inflation between June 1982 and June 1983	3,8 %
United Kingdom ⁽²⁾	Yes	As a general rule, annual adjustment of personal allowances and thresholds in line with the inflation rate, unless parliament decides otherwise. For 1983/84, adjustment higher than the inflation rate to allow catching-up	About 14 %

⁽¹⁾ Draft budget 1983.

⁽²⁾ Draft budget for 1983/84.

WRITTEN QUESTION No 1610/83
by Mr James Moorhouse (ED – GB)
to the Commission of the European Communities
 (9 January 1984)
 (84/C 71/68)

Subject: Inter-regional air services

1. Why is the inter-regional air services Directive (83/416/EEC) ⁽¹⁾ restricted to passenger services, rather than to all inter-regional air services?
2. What arrangements are there to review the classification of the present annex of airports attached to the Directive and to reclassify airports in the Annex?

⁽¹⁾ OJ No L 237, 26. 8. 1983, p. 19.

Answer given by Mr Contogeorgis
on behalf of the Commission
 (3 February 1984)

1. The Commission did propose and did maintain the point of view that the Directive on inter-regional air services should be for all kinds of scheduled services. However, the Council decided to limit the directive to Passenger services in combination with mail and/or cargo.
2. The classification of airports can be changed through a normal modification of the Directive.

WRITTEN QUESTION No 1611/83
by Mr Victor Sablé (L – F)
to the Commission of the European Communities
 (9 January 1984)
 (84/C 71/69)

Subject: EAGGF, Guidance Section, intervention rate

Does the Commission not believe that the overseas departments and the peripheral and less-favoured regions of the Community should be entitled, like Northern Ireland and Greece, to the maximum EAGGF, Guidance Section, intervention rate of 50 % of the cost of financing projects for the marketing and processing of agricultural products?

Is it prepared to give favourable consideration to a French Government proposal to this effect?

Answer given by Mr Dalsager
on behalf of the Commission
 (3 February 1984)

The Commission's proposals for a Council Regulation amending Council Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural products are processed and marketed and Council Regulation (EEC) No 1820/80 on the stimulation of agricultural development in the less-favoured areas of the West of Ireland ⁽¹⁾ in fact covers this point. Article 1 (12) of the proposal stipulates that the aid granted by the Fund for projects executed in the French overseas departments may be up to 50 %.

⁽¹⁾ COM(83) 559 final.

WRITTEN QUESTION No 1617/83
by Mrs Hanna Walz (PPE – D)
to the Commission of the European Communities
 (9 January 1984)
 (84/C 71/70)

Subject: Noise prevention in respect of rail vehicles

The German Federal Government has drawn up a draft regulation to limit and progressively reduce noise emission by rail vehicles and notified the Commission of it. Following repeated reminders by the Federal Government, the Commission has expressed its intention of submitting a proposal for a Directive on this matter this year, with a view to getting uniform regulations throughout the EEC.

1. Will the Commission submit the promised proposal for a Directive this year?
2. If not, when is it likely to submit it?
3. Why has there been such a delay in drawing up and submitting the proposal for a Directive that the Federal Government has had repeatedly to remind the Commission to proceed with it?

Answer given by Mr Narjes
on behalf of the Commission
 (31 January 1984)

On 29 November 1983, the Commission approved the draft Directive on noise from rail-mounted vehicles ⁽¹⁾. On 7 December 1983, this proposal was passed to the Council. The delay in presenting the draft Directive was due partly to purely technical problems but primarily to

the desire of the Commission to consult all the parties affected by the proposal (owners, operators, manufacturers, etc.).

(¹) COM(83) 706.

WRITTEN QUESTION No 1626/83

by Mr James Provan (ED – GB)

to the Commission of the European Communities

(9 January 1984)

(84/C 71/71)

Subject: Pig production

Following the Commission's answer to my Written Question No 1033/83 (¹), which I find wholly unsatisfactory, will the Commission now carry out an investigation into the availability of cereal substitutes in Holland and the lack of their availability in Scotland?

The advantage of cheap cereal substitutes to the Dutch producers, and the difficulty faced by Scottish producers in getting cereals out of intervention, must have a significant effect on the costs of production in each country.

Could it be that the vertical integration in Holland, referred to in the answer, means that a Dutch operating company, with connections with Lawson's of Dyce, are in fact trading across Community boundaries, to the disadvantage of Scottish producers?

(¹) OJ No C 359, 31. 12. 1983, p. 11.

**Answer given by Mr Dalsager
on behalf of the Commission**

(3 February 1984)

In addition to the elements given in the answer to Written Question No 1033/83, the question of cheap cereal substitutes seems of minor importance to the competitiveness of Scottish and Dutch pig breeders for the following reasons:

Cereal substitutes imported from the world market are, in principle, available to any trader in the Community. It must be admitted that a possible price advantage of using such substitutes instead of Community cereals exists for Member States with strong currencies, because the cereal prices in national currencies are increased by positive monetary compensatory amounts (MCA), which are not applied on imported cereal substitutes, because those products do not fall under a Community market Regulation. It may, however, be stated that the United Kingdom, since mid-1980, is one of the Member States

with a strong currency and that the positive MCA on cereals was during long periods even higher in the UK than in the Netherlands.

The Dutch pig producers can therefore not be blamed for unfair competition. If the bulk of manioc products continues to be imported into the Netherlands, this may be due to favourable harbour facilities, a central geographical situation and a high price for cereals in the Netherlands as it is a modest grain-growing region.

It should incidentally be noted that prices for manioc in Rotterdam are now just under the level of cereal prices because the availability is limited to the total quota negotiated in bilateral agreements between the Community and the exporting countries.

Vertical integration, as referred to in the answer to Written Question No 1033/83, exists between compound-feed-mills, pig-producers and slaughterhouses in many different forms of contractual engagement, but without forming integrated operating companies. It is generally assumed that the integrated production gives the pig-producer greater security in periods of low prices for pigs.

WRITTEN QUESTION No 1641/83

by Mr Alfred Lomas (S – GB)

to the Commission of the European Communities

(9 January 1984)

(84/C 71/72)

Subject: National minimum wage

Will the Commission list which of the Member States currently operate a national minimum wage?

Does the Commission have data available on such a policy and, if so, will they state the estimated cost to employers and national governments of implementing national minimum wage legislation?

**Answer given by Mr Richard
on behalf of the Commission**

(3 February 1984)

The Member States which currently operate a legal national minimum wage are: Belgium, France, Greece, Luxembourg and the Netherlands.

The Commission monitors the amendments to the minimum wage basic legislation in each of the abovementioned Member States and keeps a record of the evolution of the wage, but it has no available data on the cost of implementing the system instituted under such legislation.

WRITTEN QUESTION No 1654/83**by Mr Jacques Denis (COM – F)****to the Commission of the European Communities***(17 January 1984)**(84/C 71/73)*

Subject: Reduction of American sugar purchases from Nicaragua

Can the Commission indicate the outcome of the consultations between the United States and Nicaragua within GATT on the reduction of American sugar purchases from Nicaragua, and if these negotiations have not been successfully concluded, does the Community intend to return to this problem in a subsequent GATT meeting?

**Answer given by Mr Haferkamp
on behalf of the Commission**

(2 February 1984)

The consultations in GATT between Nicaragua and the United States on the cut in the US quota for sugar imports from Nicaragua failed to produce agreement.

In accordance with the GATT dispute settlement procedure (Article XXIII (2), Nicaragua therefore asked the GATT Council to set up a special panel to examine its complaint against the US measure. The panel was set up in July 1983, and has not yet concluded its investigations.

The Community has a broad interest in US sugar import arrangements. It is carefully watching the trade implications of the dispute and will make known its position on the outcome of the investigation once the panel has reported back to the GATT Council.

WRITTEN QUESTION No 1686/83**by Mrs Vera Squarcialupi (COM – I)****to the Commission of the European Communities***(17 January 1984)**(84/C 71/74)*

Subject: Language spoken by Commission officials addressing parliamentary committees

Can the Commission explain why many of its officials do not speak in their mother tongue when addressing

committees of Parliament despite the availability of interpreting facilities and the presence of Members who speak the same language, but are thereby obliged to listen to such officials through an interpreter?

**Answer given by Mr Andriessen
on behalf of the Commission**

(7 February 1984)

The Commission does not lay down any line of conduct for officials on the matter raised by the Honourable Member.

Officials are free to discharge their duties in whatever Community language they may consider the most appropriate to each given circumstance.

WRITTEN QUESTION No 1747/83**by Mr Pierre-Bernard Cousté (DEP – F)****to the Commission of the European Communities***(31 January 1984)**(84/C 71/75)*

Subject: Postage rates within the Community

Can the Commission indicate which Member States have reciprocal arrangements for uniform postage rates, specifying the categories of mail to which these arrangements apply (letters, registered letters, parcels, etc.)?

Which countries have not yet complied with the Commission's recommendation of 20 May 1979 on this subject and what action does the Commission propose to take to correct this situation?

**Answer given by Mr Narjes
on behalf of the Commission**

(13 February 1984)

The Commission would refer the Honourable Member to its answer to Written Question No 1418/83 by Mr Herman ⁽¹⁾.

⁽¹⁾ OJ No C 12, 17. 1. 1983.

OPENING OF THE HISTORICAL ARCHIVES OF THE EUROPEAN COMMUNITIES

Rarely can it have been so easy to trace the origins of such a momentous and deep-rooted phenomenon as the construction of Europe. The Community's birth certificate was made out on a particular day and entered in a completely new register. Many of the witnesses to it are still alive and some 30 years on, the great debate that surrounded the Community's birth is firmly entrenched in our memories. The event is not so recent that we cannot call it to mind with the objectivity that comes with time, nor so remote that there is no living memory of it. In fact, the time is just right. The opening of the archives will allow historians to take over from the newswriters, and researchers will be able to certify the evidence.

The Communities intend to record this event with the publication of this guide: its purpose is to inform of the historical context of the European Communities and of the documentary sources in the Communities' archives.

Published in: Danish, Dutch, English, French, German, Greek, Italian.

The Greek version is not yet available.

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THE PROFESSIONS IN THE EUROPEAN COMMUNITY

Towards freedom of movement and mutual recognition of qualifications

J.-P. de CRAYENCOUR

Aside from establishing a common market, one of the tasks of the European Community is to promote closer relations between the States belonging to it (Article 2 of the Treaty of Rome). One of the means of achieving this end is the free movement of persons.

This freedom of movement concerns *inter alia*, the professions. Members of the professions will be able to play their part in European integration and put their independent and responsible services at the disposal of a wider clientele in the Community only if obstacles standing in the way of freedom of the professions, whether it takes the form of the right of establishment or the freedom to provide services, are removed.

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Existing rules and regulations in the various Member States could be reviewed in the light of any such harmonization and of changes in society, while paying due attention to the values of independence and responsibility which are a feature of the professions, with a view to promoting European integration.

The aim of this booklet on 'The professions in the European Community — Towards freedom of movement and mutual recognition of qualifications' is to highlight the benefits to be derived from free movement and the manner in which it can be properly implemented. It describes the legal process involved, suggests how harmonization might be realized and underlines the steps to be taken to achieve the most urgent objective, namely mutual recognition of diplomas. Finally, it outlines what has been achieved thus far and what remains to be done.

J.-P. de CRAYENCOUR — Born in London on 16 July 1915. Belgian — Studied law at Louvain. Pupil lawyer at the Brussels bar, then Director of the Study Centre of the National Federation of Small Firms. Administrator and General Secretary of the International Study Institute of Small Firms (classes moyennes). Worked in the Office of the Minister for Small Firms and Traders in 1958. Joined the Commission of the European Communities on 1 March 1959 and worked in the Directorate for the Right of Establishment. Head of Division on 1 June 1959. Retired on 1 May 1973. Founded the Secrétariat européen des professions libérales, intellectuelles et sociales (SEPLIC — headquarters in Brussels). Married with seven children. Chairman/founder of the Confédération nationale des associations de parents, 1956. Capitaine-commandant de réserve honoraire in the First Regiment of the 'Guides', prisoner of war, war volunteer, resistance movement participant.

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