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Information and Notices

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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 1016/85
by Mr Dieter Rogalla (S—D)
to the Commission of the European Communities
(18 July 1985)
(86/C 81/01)

Subject: European Schools

1. Would the Commission agree that, on the whole, the European Schools have been a success?

What reasons can be highlighted to account for this, and does an overall assessment reveal weak points that would appear to call for improvement?

2. What is the average annual cost of the European Schools in absolute terms and as a percentage of the Community budget?

At what rate have these costs risen overall? What is the ratio of costs to the number of pupils and teachers?

3. Would the Commission agree that it would appear justified to extend the European School prototype to Member State capitals, for example, on an experimental and, if necessary, gradual basis? Is the Commission prepared to take initiatives to achieve this? What does it consider the most suitable initiatives?

Answer given by Mr Christophersen
on behalf of the Commission
(5 December 1985)

1. The Commission shares the Honourable Member's view that the European Schools represent a substantial achievement. To their credit is the fact that many pupils are prepared for and pass the European Baccalaureate which gives them access to university-level studies. Among its weaknesses there is the problem (which goes beyond school itself) of the education of children unable to pass the European Baccalaureate — the only certificate issued by the Schools — as well as certain organizational problems. The Honourable Member is referred to the documents concerning the School's forwarded by Mr Burke to the Parliament's Committee on Youth, and to the resolution and its annexes, drawn up by the European Schools in response to the Parliament resolution of 7 July 1983 (1) and recently forwarded by the Board of Governors. The Parliament resolution provides a good basis for evalution.

2. The European School's appropriations in the Commission budget amounted to 43 314 900 ECU in 1985. This amount represents 0,15 % of the Communities' general budget. There are 12 500 pupils and about 900 teachers, seconded by the Member States, together with 165 other teachers. In 1975 the budget appropriation for the European Schools amounted to 12 329 900 ECU and in 1980 to 33 533 700 ECU.

3. While sympathizing with the Honourable Member's suggestion, the Commission considers that the present role of the European Schools should be strengthened, for it is one that has grown rapidly. Accordingly, therefore, the factors that are and will be highlighted in the documents referred to in paragraph 1 above should be studied, and remedies sought in order to develop an even more reliable framework before considering widening the European schools network.

The Commission regularly informs the educational world in the Member States of the positive educational results achieved by the European Schools.

(1) OJ No C 242, 12. 9. 1983, p. 81.

WRITTEN QUESTION No 1022/85
by Mr Florus Wijsenbeek (L—NL)
to the Commission of the European Communities
(18 July 1985)
(86/C 81/02)

Subject: Subsidy for a legal dictionary

Can the Commission say why it took no action in response to the request submitted in September 1983 by the Dutch Translators Association for a subsidy for its Dutch-Spanish, Spanish-Dutch legal dictionary project?

In view of the fact that Spain's accession to the Community has been foreseeable for some time, does the Commission not consider that this project is extremely useful, if not vital, and will now have to be undertaken by the translation departments of the institutions at a later date and at a higher cost?

Is the Commission now prepared to give financial backing to the work being done by the Association concerned or at least to reply to the letter it sent to the President of the Commission?

Answer given by Mr Delors
on behalf of the Commission
(25 November 1985)

The Commission regrets to inform the Honourable Member that no copy of the letter from the Stichting Juridisch Woordenboek Spaans has been found in its archives. However, following receipt of a copy of the letter from the Honourable Member, the competent services of the Commission will prepare a reply as soon as possible.

WRITTEN QUESTION No 1089/85
by Mr Willy Kuijpers (ARC—B)
to the Commission of the European Communities
(3 September 1985)
(86/C 81/03)

Subject: Transport of radioactive waste by rail

Can the Commission say how many times a year (from 1980 to 1985) radioactive waste from the nuclear centre in Doel was transported by rail to La Hague?

Can the Commission give the precise content in terms of radioactive waste of each consignment?

Which Member States still transport radioactive waste by rail and which EEC legislation applies to these consignments?

Answer given by Mr Clinton Davis
on behalf of the Commission
(2 December 1985)

The Commission does not keep a detailed inventory of the transport of radioactive materials in the Community. General information on the nature and volume of such transport within the Community can be found in the report from the Commission to the European Parliament and the Council on this subject, which was transmitted to Parliament on 4 May 1984 (1).

The materials transported between the nuclear power station at Doel and the reprocessing plant at Cap de la Hague are irradiated fuel elements. In addition to fission products, which, after being separated during reprocessing, constitute the actual radioactive waste, they contain the fissile materials uranium and plutonium which are intended to be recycled after separation in the course of reprocessing.

Member States with nuclear power plants transport irradiated fuel elements by road or rail, the choice being largely dictated by the geographical location of the power station and reprocessing plant in question. A marked preference for rail transport has been apparent for some years.

National regulations on the transport of radioactive materials take due account of the provisions of the Council Directive laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation, which was amended on 15 July 1980 (2) and 3 September 1984 (3).

These national regulations derive from international recomendations which are published in the regulations of the International Atomic Energy Agency (IAEA). The Commission and the competent authorities of the Member States are endeavouring to harmonize the application of rules on the transport of radioactive materials within the Community.

(1) Doc. COM(84) 233, 26. 4. 1984, pp. 4 to 8.
(2) OJ No L 246, 17. 9. 1980.
(3) OJ No L 265, 5. 10. 1984.

WRITTEN QUESTION No 1105/85
by Mr Karel Van Miert (S—B)
to the Commission of the European Communities
(3 September 1985)
(86/C 81/04)

Subject: Community transport policy in the light of the decision on failure to act

An article by Mr Simons appeared on 12 June 1985 in the Dutch journal 'Economisch Statistische Berichten' on the

proceedings by Parliament against the Council for failure to act (Case 13/83).

Does the Commission agree with the conclusions reached in the article, particulary that there is now an obligation to liberate transport as quickly as possible and that the main concern of the relevant legislation be to provide access to the market without waiting for any accompanying measures.

Will the Commission amend its proposal relating to transport between seaports (OJ No C 14, 16. 1. 1985, p. 9) as suggested in the article so that the Council has no excuse to say that complete liberalization is impossible because there is no Commission proposal?

How does the Commission view the opinion expressed in the article on the applicability of the principle of free movement of services to air and sea transport and transit transport?

Has the Commission already formulated its ideas on the so-called cabotage proposals on the basis of Article 75 (1) (b) of the Treaty? If so, what are they and if not, when does the Commission intend to submit proposals in this field to the Council?

Answer given by Mr Clinton Davis on behalf of the Commission

(25 November 1985)

The Commission is unaware of the article to which the Honourable Member refers.

The Commission's point of view is that the judgment of the Court of Justice establishes that the Council has failed to act, in contravention of the EEC Treaty, by not adopting the measures needed in order to establish the freedom to provide services in the transport sector. In the grounds of its judgment, the Court specifies that freedom to provide services entails abolishing all discrimination based on nationality or place of establishment and that it is essential to achieve this freedom to provide services. The Council does not have discretionary powers in this respect.

Where international road transport is concerned, the Commission takes the view that its 1983 proposal on the Community quota [1] would, if the Council adopted it, enable the Council to comply with the Court judgment as far this sector is concerned.

With regard to the access of non-resident carriers to national transport operations (Article 75 (1) (b) cabotage) in the road and inland waterway sectors, the Commission intends proposing extending the scope of its 1982 proposal for a Directive [2] on road cabotage and amending its 1967 proposal on inland waterway cabotage [3].

New proposals will also be submitted with regard to the freedom to provide services in the sector of passenger transport by coach.

The Commission does not envisage amending, in the light of the Court judgment, its 1984 proposal concerning transport to or from seaports, the aim of which is to harmonize the conditions of competition between seaports in the Community.

Where shipping and aviation are concerned, the Court decision does not require any immediate action, but it should be noted that the Commission recently submitted memoranda on these subjects [5] accompanied by practical proposals which, if adopted, will move things in the direction indicated by the Court.

The Commission therefore hopes that the priority which must be given to implementing the Court judgment will in no way delay the action called for in the shipping and aviation sectors.

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(1) OJ No C 179, 6. 7. 1983, p. 6.
(2) OJ No C 18, 22. 1. 1983, p. 3.
(3) OJ No C 95, 21. 9. 1968, p. 44.
(4) OJ No C 14, 16. 1. 1985, p. 7.
(5) Progress towards the development of a Community air transport policy — COM(84) 72 final.
Progress towards a common transport policy — maritime transport — COM(85) 90 final.

WRITTEN QUESTION No 1131/85

by Mr Gijs de Vries (L—NL) and Mrs Simone Veil (L—F) to the Commission of the European Communities

(3 September 1985)

(86/C 81/05)

Subject: French audio-visual policy

In its Green Paper 'Television without frontiers' on the establishment of the common market in broadcasting, particularly by satellite and cable, the Commission examines the scope of the Treaty of Rome in the field of broadcasting (radio and television). The Commission is of the opinion that all restrictions on the broadcasting of radio or television programmes beyond the frontiers of Member States are incompatible with the provisions of Articles 59 and 62 of the Treaty (1).

The effect of certain provisions contained in the French regulations on cable television is to prevent foreign programmes and emissions from being broadcast.

1. As in the case of the two national broadcasting companies and Canal Plus, Article 9 of the conditions governing cable broadcasting lays down broadcasting quotas determined by the origin of programmes: 60 % of

works and programmes broadcast (films, series, serials etc.) must come from Member States of the European Community and of these 50 % must be French language originals (2).

As already noted in the report to the French Prime Minister on the new cable televisions, these provisions do not appear to comply with Article 59 of the Treaty of Rome, as interpreted by the Court of Justice of the European Communities (3).

2. Moreover, Article 5 of the conditions governing cable broadcasting prohibits foreign channels from occupying more than 30 % of the networks time.

Does the Commission consider that the abovementioned quota systems comply with the Treaty of Rome, particularly Articles 59 and 62 (the freedom to provide services in the Community)?

If the Commission considers that these provisions do not comply with European law, does it intend to refer the matter to the Court of Justice and open the infringement procedure pursuant to Article 169 of the EEC Treaty?

(1) Answer No 978/84 — OJ No C 83, 1. 4. 1985, p. 5.
(2) Official Journal of the French Republic, 19 January 1985, page 729.
(3) Bredin Report (Paris, May 1985), page 63.

Answer given by Lord Cockfield on behalf of the Commission

(30 January 1986)

Article 5 of the conditions governing French cable broadcasting and television organizations, imposing as it does a maximum percentage of programme time (30 %) on foreign channels alone, amounts to a discriminatory restriction inasmuch as it limits the opportunities for Community channels to have their programmes relayed in France, without affecting the proportion of time that may be occupied by French channels.

The Commission is also doubtful about the combination of provisions in Article 9 of those conditions, setting at 60 % the minimum quota of works and programmes coming from the Member States of the Community and at 50 % that of French language originals. It will ask the French authorities to furnish information as soon as possible on these provisions, and will inform the Honourable Members of the result of its inquiries as quickly as possible.

Meanwhile, as regards Article 5 of the conditions, the Commission has decided to initiate infringement proceedings against France under Article 169 of the EEC Treaty.

WRITTEN QUESTION No 1190/85
by Mr Christopher Jackson (ED—GB)
to the Commission of the European Communities
(3 September 1985)
(86/C 81/06)

Subject: Article 941 of the budget: Community co-financing with NGOs

In the latest report by the Commission on the implementation of the budget of the European Communities, it is reported on page 166 that the utilization rate for payment appropriations under Article 944 was only 45 %, lower than in the previous year. The reason given for this was lack of staff in DG VIII.

1. Can the Commission please explain why, in view of the recognized and valuable contribution made by NGOs to development in the third world, and, in view of the particular relevance of their work to the poor in rural areas, no effort has been made to increase the staff dealing with the NGOs and thereby enable more funds to be released for this important aspect of our development programme?

2. What action is being taken to remedy this situation for 1986?

Answer given by Mr Natali on behalf of the Commission

(4 November 1985)

1. The rate of utilization of budget credits in percentage terms can be misleading. If the rate of utilization of payment credits on Article 941 has been so low in 1984, it is not because disbursements have been slow, but because the level of payment credits has systematically been overestimated by the European Parliament in the last few years. Each year, since 1982, the European Parliament has insisted on increasing appropriations on this line over and above the figure requested by the Commission.

	Preliminary draft budget	Budget
1982	17 + 8 (1) = 25	20 + 8 (1) = 28
1983	23,5	28,2
1984	29,7	33
1985	20	30

(1) Supplementary budget.

One should bear in mind that most NGO projects are multiannual projects. Disbursements therefore follow the rate of progress achieved in project implementation. When commitments grow rapidly and substantially every year, as was the case in the recent past, an important gap will

necessarily develop between commitment and disbursement.

Actual disbursments to NGOs have been steadily increasing every year:

1982 18,5 million ECU,
1983 21,3 million ECU,
1984 25,4 million ECU

2. In order to clarify the situation once and for all, the Commission has requested for the 1986 budget commitment appropriations of 37,5 million ECU and payment appropriations of 18,0 million ECU. This would allow the Commission services to eliminate the annual carryforward created by successive increases of payment appropriations in excess of the needs.

WRITTEN QUESTION No 1209/85
by Mrs Marijke Van Hemeldonck (S—B)
to the Commission of the European Communities
(3 September 1985)
(86/C 81/07)

Subject: Internal market action programme (12)/electric toys

In its White Paper 'Completing the internal market' the Commission states that in 1986 it intends to submit a proposal for a Directive on electric toys.

Will the Commission provide detailed information on the planned content of this proposal so that Members of Parliament may begin straight away to reflect on the options available with regard to electric toys?

Answer given by Lord Cockfield
on behalf of the Commission
(22 November 1985)

The Commission intends to present, as soon as possible, two proposals for specific Directives concerning the electrical and chemical aspects of toy safety, for which provision is made in Article 4 of the proposal for a framework Directive (1).

With regard to electric toys, the Commission is not yet in a position to furnish detailed information as to the content of the proposal that it will draw up. It will, however, study the Cenelec document concerning harmonization in this field and will, of course, make full use of it.

(1) OJ No C 203, 29. 7. 1983.

WRITTEN QUESTION No 1212/85
by Mrs Marijke Van Hemeldonck (S—B)
to the Commission of the European Communities
(3 September 1985)
(86/C 81/08)

Subject: Internal market action programme (15)/protective devices for workers

In its White Paper 'Completing the internal market' the Commission states that between 1987 and 1989 it intends to submit four proposals for Directives on protective devices for workers.

Will the Commission provide detailed information on the planned content of these proposals so that Members of Parliament may begin straight away to reflect on the options available with regard to protective devices for workers?

Answer given by Lord Cockfield
on behalf of the Commission
(29 November 1985)

The Commission is carrying out preliminary studies for the four proposals, mentioned in the White Paper (1), for Directives on protective devices for workers.

The Commission has not yet reached a stage where it can decide in favour of any specific content for the proposals, and before adopting them it intends to hold a number of consultations to complete the preliminary stage.

(1) COM(85) 310 final.

WRITTEN QUESTION No 1277/85
by Mr Richard Cottrell (ED—GB)
to the Commission of the European Communities
(3 September 1985)
(86/C 81/09)

Subject: The slaughter of pilot whales in the Faroe Islands

What is the opinion of the Commission on the annual slaughter of pilot whales which takes place in the Faroe Islands? The Environmental Investigation Agency and the World Wildlife Fund report that the kill takes place for sport rather than food, and evidence collected on video in May 1984, shows islanders driving hundreds of whales into narrow sea channels: there the creatures were hacked to death with spears and knives. Afterwards flesh was left to rot on the beaches. Since these reports are now to be investigated by the International Whaling Commission, will the Commission consult Danish and Faroese authorities with regard to Community policy?

Answer given by Mr Clinton Davis on behalf of the Commission

(10 December 1985)

The problem of the protection of whales in general and traditional whale hunting in the Faroes in particular was the subject of a wide-ranging debate in Parliament in May and the Commission refers the Honourable Member to the proceedings (1).

During the debate the Commission reminded those present of the steps the Community had taken in this connection and gave its opinion on various points in the resolution tabled by Mr Muntingh on behalf of the Committee on the Environment, Public Health and Consumer Protection.

The Commission considers that Community measures now in force are sufficient to ensure the conservation of cetaceans and has no plans to propose changes to the Community's policy in this field up to now.

(1) Debates of the European Parliament No 2-326 1985.

WRITTEN QUESTION No 1300/85

by Mr Willy Kuipers (ARC—B)

to the Commission of the European Communities

(3 September 1985)

(86/C 81/10)

Subject: Excess manure

In the Netherlands the Minister for Agriculture and the Environment has adopted a temporary law imposing a two-year ban on the construction of intensive pig and poultry farms, in areas where excess manure has affected not only the fertility of the soil but also the ground water.

Are there areas in the Member States where over-concentration of intensive pig and poultry farms has caused problems with regard to excess manure and possible pollution of ground water?

Apart from the Netherlands, have such measures been taken in other European regions?

Is there an EEC Directive on this subject?

If not, does the Commission plan to take action in this area?

Answer given by Mr Andriessen on behalf of the Commission

(21 November 1985)

1. When a study (1) was carried out in 1978 under the Commission's study programme, it was discovered that manure surpluses existed in the Netherlands, Belgium and the Federal Republic of Germany. In view of the fact that the regions examined in these countries are relatively small when compared with those studied in France, the United Kingdom, Italy and Denmark, the possibility that surplus areas which could not be detected by the methods of analysis used may exist within the relatively large regions in those countries cannot be excluded.

2. As far as the Commission is aware, no measures such as those taken in the Netherlands have been adopted in the other Member States. However, operating licenses are often linked to restrictions relating to environmental protection, as is the case under the 'Gülleverordnung' (Order relating to slurry) in the Federal Republic of Germany or the Law on classified industrial plant in France.

3. No.

4. In its recent Green Paper 'Perspectives for the common agricultural policy' (2) the Commission suggested that common action was needed to control the problems arising from intensive livestock production. It considers that such action would not only serve to protect the environment but also to ensure fair competition, and that it could involve the issue of permits for the construction of buildings intended for intensive livestock production and for the exercise of such activities.

(1) The spreading of animal excrement on utilized agricultural areas of the Community. Information on Agriculture Nos 47 to 51.
(2) COM(85) 333 final.

WRITTEN QUESTION No 1323/85

by Sir Jack Stewart-Clark and Sir Fred Catherwood (ED—GB)

to the Commission of the European Communities

(3 September 1985)

(86/C 81/11)

Subject: Social costs associated with the use of alcohol in Member States

1. What measures are being taken by the Commission to reduce the social costs associated with the use of alcohol in Member States?

2. What have been the annual changes in the real (inflation adjusted) prices of wine, spirits and beer in each of the Member States over the last 20 years?

3. What was the share of (a) excise duty and (b) VAT on beer, wine and spirits in total revenue from taxes and social contribution in each Member State in 1960, 1970, 1975 and 1980 to 1984?

4. What was the total consumption of alcohol (in units of pure alcohol) per head of population aged 15 years and over in Member States in 1960, 1970, 1975 and 1980 to 1984?

5. Which parts of the European Commission have interests in the production, distribution and use of alcohol? Does the Commission agree that because of the contents of the Treaty of Rome it has neglected the public health effects of alcohol in the Community?

Answer given by Mr Sutherland on behalf of the Commission

(29 November 1985)

1. None: such measures have remained the responsibility of Member States.

2. Between 1970 and 1984 consumer prices for alcoholic drinks increased as shown. No data are available for the years before 1970 and the data for Greece refer to the years 1975 to 1984. The figures in parentheses show the rise in the general index of consumer prices for the same periods.

Germany	60 % (95 %),
Netherlands	60 % (145 %),
Luxembourg	115 % (160 %),
Belgium	130 % (170 %),
Denmark	165 % (255 %),
France	235 % (275 %),
United Kingdom	245 % (380 %),
Italy	400 % (555 %),
Ireland	435 % (510 %),
Greece	225 % (715 %).

3. These data are available from Eurostat and will be sent to the Honourable Member.

4. Data on the average total consumption of alcohol for those over age 15 in litres of pure alcohol are shown:

	1960	1970	1975	1979	1983
Belgium	10,9	9,4	13,0	13,9	16,7
Denmark	5,5	8,9	11,5	12,0	12,8
Germany	7,8	11,4	15,9	12,7	13,2
France	24,9	22,8	22,0	20,8	16,6
Greece	—	6,2	7,1	—	8,7
Ireland	4,8	7,3	9,1	10,0	9,5
Italy	16,6	18,2	17,6	16,0	15,8
Luxembourg	13,1	13,0	15,5	20,0	22,0
Netherlands	3,7	7,7	11,8	12,1	11,3
United Kingdom	5,6	8,3	10,5	9,8	8,5

5. Directorate General VI, Agriculture, is responsible for the organization of markets in specialized crops, including wines, spirits and derived products. Other Commission services are responsible for taxes, consumer protection, public health, statistics, etc.

The Commission follows closely actions taken in Member States against alcohol abuse.

A study of the medico-social aspects of alcohol related problems in Europe was undertaken and this was published in 1982.

A seminar on 'Alcohol-related problems in the European Community' (March 1983), was held by the Commission and the proceedings published (EUR 9625).

WRITTEN QUESTION No 1330/85

by Mr Karel De Gucht (L—B)

to the Commission of the European Communities

(3 September 1985)

(86/C 81/12)

Subject: Import of motor vehicles from one Member State to another

Is the Commission aware that, despite the entry into force of Regulation (EEC) No 123/85 on 1 July 1985, the parallel import of motor vehicles from one Member State to another will continue to present difficulties for the consumer, particularly as regards the issue of certificates of conformity (since such documents are supplied by the national distributors themselves)?

Can the Commission say what measures it proposes to take in order to eliminate this obstacle, with a view to implementing a common motor-vehicle market?

(1) OJ No L 15, 18. 1. 1985, p. 16.

Answer given by Lord Cockfield on behalf of the Commission

(13 November 1985)

The Commission is aware of the problems which parallel importers, both private and commercial, have been encountering when importing new vehicles from other Member States. In September 1984, the Commission issued a communication to the Member States on approval and registration formalities for vehicles imported from other Member States and their compatibility with Community law. In this communication, the Commission made it clear that,

where national authorities delegate to manufacturers or their authorized representatives important public functions (in particular the power to issue certificates of conformity) which they alone are entitled to perform, those authorities should take steps to ensure that the delegated powers are exercised in a manner which is compatible with the free movement of goods within the Community. The Commission has also indicated that Member States should introduce procedures permitting vehicles imported from other Member States to be registered on the basis of documents supplied by the authorities of the exporting Member State in so far as they contain the information needed for registration in the importing State. The Commission has since started proceedings against three Member States whose registration formalities for imported vehicles do not comply with the above principles. In one case, the Commission has brought the matter before the Court of Justice.

In its decision dated 19 December 1974 in the General Motors Continental case (1), the Commission found that an excessive price charged by an undertaking which alone was empowered under national legislation to issue certificates of conformity constituted an abuse of a dominant position within the meaning of Article 86 of the EEC Treaty. It made a similar finding on 2 July 1984 in the BL case (2), currently under appeal before the Court of Justice (3), in respect of discriminatory or excessive pricing and the non-availability of certificates for certain cars. The Commission's Directorate-General for Competition is currently investigating an allegation concerning the price charged and the time taken to issue a certificate by another manufacturer, and will be glad to consider any further specific cases which may be brought to its attention by the Honourable Member or by the persons concerned.

(1) OJ No L 29, 3. 2. 1975.
(2) OJ No L 107, 22. 8. 1984, p. 11.
(3) Case 226/84, OJ No C 277, 17. 10. 1984, p. 3.

WRITTEN QUESTION No 1366/85
by Mr Jaak Vandemeulebroucke (ARC—B)
to the Commission of the European Communities

(3 September 1985)

(86/C 81/13)

Subject: Cost of renal dialysis in the Member States

A Belgian national who undergoes renal dialysis treatment in France, for example while on a trip or there for a short stay, subsequently pays approximately 20 % of the cost of the treatment. A French national undergoing the same treatment in Belgium is not given a bill afterwards and therefore receives the treatment free.

Is the Commission aware of this state of affairs?

What is the situation in the other Community Member States?

Does the Commission not consider that proposals should be drawn up as a matter of urgency to harmonize the situation in the various Member States or at least make it more equitable?

Answer given by Mr Sutherland on behalf of the Commission

(5 December 1985)

Persons covered by the French social insurance system who suffer from a disease which requires lengthy and expensive treatment are exempted from the insured person's contribution. This is decided by the administration of the local insurance fund on the basis of the opinion of the medical authorities. As a consequence, persons undergoing renal dialysis generally pay only FF 80 per month towards the cost of treatment.

Where persons covered by Regulation (EEC) No 1408/71 (1) stay temporarily in a Member State in which they neither reside nor work, that Regulation lays down that they are entitled to any urgent medical treatment they may require provided by the institution of the place of stay in accordance with the legislation which it administers, as though they were insured with it. In order to benefit from the relevant provision (Article 22 (1) (a) (i)) of Regulation (EEC) No 1408/71, such persons must be in possession of form E 111, duly completed by the social security institution with which they are insured before leaving their country of residence. The ultimate cost of any medical treatment provided is borne by the Member State in which the person is insured.

In its Decision No 123 (2), the Administrative Commission of the European Communities on Social Security for Migrant Workers extended the scope of form E 111 to cover renal dialysis patients.

Consequently, persons staying in France temporarily who are in possession of form E 111 may receive renal dialysis treatment under the same conditions as persons covered in France by French social security arrangements.

The Commission would like more information on the specific case to which the Honourable Member refers in order to ascertain whether Community regulations have been applied correctly by the French institutions.

(1) OJ No L 230, 22. 8. 1983.
(2) OJ No C 203, 2. 8. 1984.

WRITTEN QUESTION No 1451/85

by Mrs Ursula Schleicher (PPE—D)

to the Commission of the European Communities

(3 September 1985)

(86/C 81/14)

Subject: Radon radiation

In Sweden and also in some countries of the European Community the exposure of some sections of the population to radon has caused concern. Investigations have been carried out in several Community countries to establish the actual exposure and possible injuries.

Can the Commission state what results have been obtained and whether it intends to take action in this area?

Answer given by Mr Clinton Davis on behalf of the Commission

(6 December 1985)

Research into population exposure from radon and its daughter products has formed part of the 1980 to 1984 radiation protection programme [1]; this work concerned in particular indoor exposure assessment programmes in several Member States and certain aspects of fundamental aerosol research. The 1985 to 1989 programme will continue to support studies relating to the evaluation of radon exposure parameters and to the development of cost-efficient counter-measures where appropriate to reduce radon exposure in dwellings.

An overview of currently available knowledge on radon exposure in houses was provided by two seminars organized recently by the Commission (proceedings available). It was concluded that the average radon exposure of the European population is fairly well known. A few specific situations where a public health hazard may possibly exist were identified. In most cases, high exposure depends on the natural characteristics of the subsoil, though some particular building materials could contribute significantly when used in modern energy-efficient homes with low ventilation rates.

In many Member States work has already been started on developing policies for controlling radon exposure. Within the Commission, the group of experts convened under Article 31 of the Euratom Treaty and responsible for advising the Commission on radiation protection standards has to date maintained a watching brief on such matters; this group has recently set up an ad hoc working-party to review the various national approaches to advise the Commission on appropriate action.

Furthermore, it is important to bear in mind that since 1959 the Community has built up a body of Directives [2] concerning basic standards to be implemented by the individual Member States, covering all the risks likely to be associated with exposure to radiation and, therefore, guaranteeing the protection of the general public and the workers.

(1) OJ No L 78, 25. 3. 1980.
(2) OJ No L 246, 17. 9. 1980, p. 1 and OJ No L 265, 5. 10. 1984, p. 4.

WRITTEN QUESTION No 1475/85

by Sir Henry Plumb (ED—GB)

to the Commission of the European Communities

(6 September 1985)

(86/C 81/15)

Subject: Federal Republic of Germany and Article 3 (c) of the Treaty of Rome

Is the Commission aware that coach drivers from other Community countries entering the Federal Republic of Germany are required to fill in an extensive form, giving details of passengers, destination and amount of fuel on the coach? Since German coach drivers re-entering the Federal Republic are not required to complete this form, is this practice of the Federal authorities not in breach of Article 3 (c) of the Treaty of Rome?

If this practice breaches the said article, what measures will the Commission take to rectify the position.

Answer given by Mr Clinton Davis on behalf of the Commission

(18 November 1985)

The Commission is not aware of any discriminatory treatment towards transport enterprises from other Member States by the German authorities.

It will, however, take up the matter raised by the Honourable Member with the German authorities. In this regard, the Commission would invite the Honourable Member to provide any detailed information he possesses about the practices to which the question refers.

WRITTEN QUESTION No 1551/85

by Mr Leendert van der Waal (NI—NL)

to the Commission of the European Communities

(25 September 1985)

(86/C 81/16)

Subject: Harmonization of certain social provisions relating to goods transport by inland waterway

On 17 July 1979 the Commission submitted an amended proposal for a Regulation on the harmonization of certain

social provisions relating to goods transport by inland waterway [1]. Since then the situation relating to inland waterways has taken an adverse turn.

1. Does the Commission not think that in the light of these developments the amended proposal of 17 July 1979 has been overtaken by events? If not, why not?

2. Does the Commission shortly intend to submit an amended proposal taking these new facts into account? If not, why not?

[1] OJ No C 206, 16. 8. 1979, p. 3.

Answer given by Mr Clinton Davis on behalf of the Commission

(21 November 1985)

The objectives of the proposal for a Council Regulation presented in 1975 and modified in 1979 on the harmonization of certain social provisions relating to transport of goods by inland waterway, continue to be valid. These are, in particular, the harmonization of competition conditions and the improvement of social and safety conditions.

As soon as the Central Commission for the Rhine Navigation has finished its negotiations for a new social regime which can be expected in Spring 1986, the Commission will establish, in collaboration with all the interested parties, a modification of its proposal taking into account technical progress in inland navigation and the need to promote profitability and social progress in this transport sector.

WRITTEN QUESTION No 1554/85
by Mrs Marie-Noelle Lienemann (S—F)
to the Commission of the European Communities
(25 September 1985)
(86/C 81/17)

Subject: Deaths caused by various forms of transport

Can the Commission provide figures for deaths per 100 million tonnes per kilometre and passengers per kilometre, by road, rail and water in the various countries of the Community?

Answer given by Mr Clinton Davis on behalf of the Commission

(18 November 1985)

The Honourable Member will find below a table showing the accident rates for the most recent year for which data is available, generally 1983.

The background data used were the following:

Persons killed:

Road and rail: SOEC 'Statistical yearbook for transport, communications, tourism, 1970 to 1983', except Italy and Netherlands, road, which are from ECMT 'Trends in the transport sector, 1970 to 1983'

Inland waterway: D Statistiches Bundesamt Wiesbaden, NL Rijkswaterstaat

Tonne-kilometres and passengers-kilometres

All modes (rail, road, inland waterway): ECMT 'Trends in the transport sector, 1970 to 1983'

Number of deaths in 1983

Member State	per 100 million tonnes-kilometres			per 100 million passenger-kilometres	
	Road	Rail [1]	Inland waterway	Road	Rail [1]
Germany	9,4	0,4	0,012	2,2	0,6
France	13,4	0,4	n.a.	n.a.	0,4
Italy	5,4	0,8 [2]	—	1,8	0,3 [2]
Netherlands	10,4	3,8	0,006	1,4	1,2
Belgium	10,5 [2]	0,5	n.a.	2,9	0,5
Luxembourg	9,6 [2]	0,2	n.a.	n.a.	0,4
United Kingdom	5,5	0,06	—	1,2	0,03
Ireland	11,3 [3]	0,7 [2]	—	n.a.	0,6 [2]
Denmark	9,0	4,0	—	1,5 [3]	1,5
Greece	23,3	6,1	—	9,3	2,5

[1] Rail includes accidents at level crossings.
[2] 1982.
[3] 1980.
n.a.: Not available.

WRITTEN QUESTION No 1561/85
by Mr Sylvester Barrett (RDE—IRL)
to the Commission of the European Communities
(25 September 1985)
(86/C 81/18)

Subject: Western drainage scheme

Will the Commission give details of the number of applications approved and the level of finance paid out to Irish farmers who availed of EEC aid under the western drainage scheme and can it also indicate the numbers of jobs maintained or created under this scheme?

Answer given by Mr Andriessen
on behalf of the Commission
(22 November 1985)

Up to 31 December 1984, approvals for aid for field drainage under Directive 78/628/EEC (1) and Regulation (EEC) No 2195/81 (2) had been issued to 26 030 farms in the less-favoured areas of the west of Ireland. At the same date, aid amounting to £ Irl 45 886 209 had been paid in respect of these works. While it is clear that extra employment was provided for the farm labour force, drainage contractors and in the supply of drainage materials the Commission has no estimates on the number of jobs created or maintained.

In addition to field drainage Directive 78/628/EEC and Regulation (EEC) No 2195/81 (2) provided finance to the Irish Government for arterial drainage in three river catchments in the less-favoured areas. To date some 2 050 farms have benefited from these schemes. The Commission does not have a full estimate of the number of jobs maintained or created under this part of the programme but it can be said that an average work force of 505 has been employed in carrying out the arterial drainage works themselves.

(1) OJ No L 296, 29. 7. 1978, p. 5.
(2) OJ No L 214, 1. 9. 1981, p. 5.

WRITTEN QUESTION No 1568/85
by Mr Karel De Gucht (L—B)
to the Commission of the European Communities
(25 September 1985)
(86/C 81/19)

Subject: Equivalence of professional certificates and diplomas

The free movement of workers, one of the cornerstones of the common market, is being endangered, not only by the economic recession, but also by the lack of equivalence between professional certificates and diplomas issued in the various Member States.

Can the Commission therefore say what measures it has already taken to secure greater transparency and equivalence in respect of professional certificates and diplomas?

Answer given by Mr Sutherland
on behalf of the Commission
(2 December 1985)

The question raised by the Honourable Member has been the subject of special research and effort on the part of the Commission for several years.

We are here concerned with implementing the eighth principle laid down in Council Decision 63/266/EEC (1) aimed at achieving the mutual recognition of certificates and other documents confirming completion of vocational training.

The Commission is currently occupied, with the help of the European Centre for the Development of Vocational Training, with the implementation of the Council Decision of 16 July 1985 (2) on the comparability of vocational training qualifications between the Member States of the European Community. This Decision, which represents the first real step in increasing the mobility of self-employed workers, provides that, for each occupation or group of occupations, the practical content of which is recognized as comparable at European level, an advertising procedure shall be introduced by means of publication in the Official Journal and dissemination by national coordination bodies of information to national, regional and local levels as well as throughout the occupational sectors concerned.

The equivalence of diplomas will be ensured by a technical measure involving the participation of the official bodies and both sides of industry. Although this measure is at present limited in its scope to skilled workers, the Commission intends gradually to extend it to other occupational categories.

(1) OJ No 63, 20. 4. 1963.
(2) OJ No L 199, 31. 7. 1985.

WRITTEN QUESTION No 1587/85
by Mrs Dorothee Piermont (ARC—D)
to the Commission of the European Communities
(25 September 1985)
(86/C 81/20)

Subject: Unilateral extension by France of its territorial waters around Mururoa Atoll from 12 to 72 nautical miles, inclusive of a 'security zone'

France is a signatory to the Geneva Convention on the Law of the Sea, pursuant to which the high seas — beyond the

12-mile limit of territorial waters — may be freely navigated by all nations and no State is entitled to exercise sovereignty over any part of the high seas.

Because of its nuclear testing, France has unilaterally declared the area around Mururoa Atoll — to an additional radius of 60 nautical miles — a 'security zone', which it has closed to shipping. On 18 August 1985, President Mitterand issued instructions that, if necessary vessels entering this zone should be expelled by armed force.

1. Would the Commission agree that this unilateral extension of national sovereignty to a radius of 72 nautical miles is at variance with the said Geneva Convention, to which France is itself a signatory?

2. Is the Commission persuaded, as I am, that there is no legal basis justifying the threat to use armed force against unarmed vessels underway in the zone outside territorial waters, the occupants of which have only one objective, i.e. to exercise their basic human right of freedom of opinion, to engage in non-violent protest against France's nuclear tests and to observe the effects thereof? Does it also share my firmly held belief that such a threat constitutes a belligerent act?

Answer given by Mr De Clercq on behalf of the Commission

(21 November 1985)

The questions raised by the Honourable Member are not within the competence of the Community.

WRITTEN QUESTION No 1606/85

by Mr Horst Seefeld (S—D)

to the Commission of the European Communities

(3 September 1985)

(86/C 81/21)

Subject: Monitoring the secondary effects of medicaments on the drivers of motor vehicles

What is the Commission's opinion of the recently publicized view that up to 50 % of drivers committing traffic offences have previously taken medicaments?

In most cases it is not established whether dangerous driving may be attributed to the influence of medicaments, since investigations into the causes of accidents almost always attempt to ascertain the presence of alcohol but only rarely that of medicaments.

In 1986, Road Safety Year, will the Commission consider this problem and, if possible, submit proposals to the effect that any possible effects of medicaments on car drivers should be clearly indicated?

Does the Commission know of any pilot projects designed to provide consumers with essential information concerning the side-effects of their medicaments and is it prepared to support such projects?

Answer given by Mr Clinton Davis on behalf of the Commission

(6 December 1985)

Annex III to Council Directive 80/1263/EEC of 4 December 1980 on the introduction of a Community driving licence [1], which entered into force on 1 January 1983, stipulates that 'driving licences shall not be granted or renewed for applicants or drivers who regularly take drugs or medicaments which can hamper the ability to drive safely, unless their application is supported by authorized medical opinion'.

The Member States have incorporated provisions to this effect in their national legislation, which make it clear that medical authority is best qualified to judge whether or not it is safe to take a given medicine and drive. Simply warning the patient in the instructions for use helps but is not enough.

The Commission has no knowledge of any pilot projects like those mentioned by the Honourable Member. However, this extremely complex issue will be discussed in the course of the work on the harmonization of the physical and mental fitness standards to be satisfied before a driving licence can be issued or renewed.

In Road Safety Year 1986, a congress will be held in Amsterdam to discuss this and other topics with particular reference to young drivers. Its conclusions could lead to further action.

[1] OJ No L 375, 31. 12. 1980, p. 1.

WRITTEN QUESTION No 1618/85

by Mr Horst Seefeld (S—D)

to the Commission of the European Communities

(30 September 1985)

(86/C 81/22)

Subject: Vocational training policy

What positive results have been achieved as a consequence of the Council resolution of 11 July 1983 'concerning vocational training policies in the European Communities in the 1980s' which states that all Member States will do their utmost to ensure that all school leavers can benefit from a period of at least six months' training and/or work experience?

Answer given by Mr Sutherland on behalf of the Commission

(3 December 1985)

The Commission is currently completing a review of the youth training policies implemented by Member States following the Council resolution of 11 July 1983 (1). It is hoped to publish a report on the review shortly.

The main conclusions emerging from the review are that:

— most Member States have met — or will shortly meet — the minimum commitment set out in the Council resolution of 11 July 1983 to offer some basic vocational preparation to all young people at the end of the period of compulsory schooling,

— in a number of cases this has necessitated major efforts to expand the number of training places available,

— Member States have also taken welcome steps to involve enterprises more fully in the planning and delivery of youth training programmes,

— having said this, there is still cause for concern over the extent to which current provision meets the challenges arising from technological and economic change and the needs of individual young people, especially those from disadvantaged groups and regions.

A communication on the education and training of young people, which builds on the experience gained through the various recent Community activities in this field and suggests some possible new approaches, will be transmitted to the Council early 1986.

(1) OJ No C 193, 20. 7. 1983.

WRITTEN QUESTION No 1634/85
by Mr Karl von Wogau (PPE—D)
to the Commission of the European Communities

(30 September 1985)

(86/C 81/23)

Subject: Fee charged for inspecting the quality of fruit and vegetables

1. Are Member States entitled to levy a fee from those engaged in marketing fruit and vegetables for the purpose of quality control (EC standards) and in particular for:

(a) checks on national produce;

(b) checks relating to trade with other Member States (import/export);

(c) checks relating to trade with third countries (import/export)?

2. Does the Commission agree that such a fee is equivalent to a customs levy in respect of intra-Community trade, especially since such checks are optional?

3. Does the Commission consider that quality control is a genuine service for operators, who are not authorized under the marketing rules for fruit and vegetables to sell produce which does not meet Community quality standards, or does it take the view that checks to ensure that standards are respected constitute a service to the general public, the cost of which should be met by the State?

4. A principle established by the European Court of Justice in similar cases is that the amount of the inspection fee should, under no circumstances, exceed the cost of the checks.

How can the situation be avoided in which random inspection fees are levied only on those inspected, who are already placed at additional inconvenience as a result of the longer waiting periods involved, without infringing the abovementioned principle (a fee based on turnover, e.g. Bfr/kg for all undertakings, would considerably exceed the actual inspection costs)?

5. Can the Commission indicate whether it is endeavouring to establish a uniform basis for all Member States by formulating common rules for the levying of inspection fees or introducing Community financing of quality checks thereby avoiding major distortions of competition which arise where one Member State levies a fee and another does not?

Answer given by Lord Cockfield on behalf of the Commission

(10 December 1985)

EEC fruit and vegetable quality standards must be complied with whenever the product is to be supplied fresh to the consumer. As the standards are Community standards, they are in force in all the Member States and apply not only to products shipped by one Member States to another Member State or exported to non-member countries but also to products marketed within the producer Member State or imported from non-member countries.

Community regulations on fruit and vegetable quality control do not prevent the Member States from carrying out controls without payment or from charging the firms concerned a fee in reimbursement of costs. The conclusion is that the Community regulations leave the Member States free to solve the problem of the financing of controls as they think fit.

According to information available to the Commission, the cost of quality controls is borne entirely in most of the Member States by the authorities. As for the other Member

States, the cost seems to be borne at least in part by other agencies or by the firms concerned. The Commission takes the view that, in so far as the cost is borne by the firms, it should not rank as a charge with effect equivalent to a customs duty, unless it is applied only to imported or exported products. However, if freedom of trade were to be hampered by differences between national regulations on the financing of quality control, the Commission would definitely take action, under the power conferred on it by Article 155 of the EEC Treaty, to ensure freedom of movement of the products subject to quality control.

WRITTEN QUESTION No 1651/85

by Mr James Ford (S—GB)

to the Commission of the European Communities

(7 October 1985)

(86/C 81/24)

Subject: Discrimination against single people in the civil service in the United Kingdom

Is the Commission aware that male civil servants in the United Kingdom are compelled to pay a proportion of their wage into a 'Widows and Orphans Fund', and that this rule does not apply to women?

Is the Commission also aware that the United Kingdom Government and the Equal Opportunities Commission have confirmed that occupational pensions are excluded from the Sex Discrimination Act 1975?

Is there any legislation planned in the European Commission to end the discrimination which is presently taking place?

Answer given by Mr Sutherland on behalf of the Commission

(18 November 1985)

There is a draft Community Directive on the implementation of the principle of equal treatment for men and women in occupational security schemes (1), which is currently under discussion within the Council.

In addition, the Commission has begun preparing a further draft Directive which among other things will deal with the problem of survivors' benefits.

These new Community instruments should make it possible to eliminate the discrimination to which the Honourable Member refers.

(1) OJ No C 134, 21. 5. 1983.

WRITTEN QUESTION No 1666/85

by Mr Benjamin Visser (S—NL)

to the Commission of the European Communities

(7 October 1985)

(86/C 81/25)

Subject: VAT refunds

Under the Eighth Council Directive of 6 December 1979 on the harmonization of the laws of the Member States relating to turnover taxes, each Member State is obliged to recognize the entitlement of all taxable persons established in other Member States to refunds of VAT paid within its territory. However, such reimbursement does not always take place without difficulties.

1. Is it true that France refunds only a limited percentage of VAT on consignments of diesel oil and refuses any refund for consignments of petrol, lubricants, brake fluid or anti-freeze?

2. Is it true that, concerning the use of credit cards, Denmark requires not only the general invoice from the credit-card companies, but also the individual receipts, which causes extra administrative work?

3. Is it true that Italy applies very strict criteria, refusing refunds, for example if invoices are not precisely detailed or if the PO box number is missing from an address, so that it is very difficult to obtain the refunds of VAT on duty

4. Do the above constitute infringements of the Eighth VAT Directive and if so, what does the Commission intend to do about it?

Answer given by Lord Cockfield on behalf of the Commission

(9 December 1985)

The Eighth Council Directive is exclusively concerned with procedures for refund of VAT to non-resident taxable persons; it does not create any substantive rights to such refund.

As France allows in accordance with Article 17 (6) of the Sixth Council Directive (77/388/EEC) of 17 May 1977 (1), neither a complete deduction of VAT on diesel fuel nor any deduction of VAT on lubricants and brake fluids for resident taxable persons, it is not obliged to refund VAT on those goods to non-resident taxable persons; such a refund would discriminate against its own residents.

In order to harmonize the great number of difference concerning the deductibility of VAT for taxable persons, the

Commission submitted to the Council in January 1983 a proposal for a 12th Council Directive (2) upon which the Council has not taken any action to date.

The Commission is not aware whether Denmark requires the petrol station's bill or is satisfied with the credit card organization's statement of account where the fuel has been purchased with such a card.

But even if the Danish authorities do require the petrol station's bill, under the Eighth Directive they are entitled to do so, because Article 3 of that Directive requires the non-resident taxable person to present the original bill for the transaction on which refund is claimed.

The Commission is aware that the procedures for refunds of VAT in Italy have given rise to some practical problems.

Contacts between the Commission's services and the Italian authorities have in fact helped alleviate these problems in a number of instances.

(1) OJ No L 145, 13. 6. 1977, p. 1.
(2) OJ No C 37, 10. 2. 1983, p. 8.

WRITTEN QUESTION No 1667/85
by Mr Paul Staes (ARC—B)
to the Commission of the European Communities
(7 October 1985)
(86/C 81/26)

Subject: The dismissal of Mr Jean-Pierre Blache (Fr)

On 14 November 1983, Mr Jean-Pierre Blache, a teacher of philosophy at the Villeurbanne secondary school (Rhone, France) was dismissed from his post.

Discussions on questions such as war and peace form an essential and fundamental part of the instruction given by a philosophy teacher.

On the day following the tragic death of 300 French and American soldiers in Beirut (Lebanon), Mr Blache posted a number of slogans in the hall and recreation ground of his school as a thought-provoking gesture intended, as part of his course, to stimulate discussion with his pupils. He selected slogans conveying messages such as 'The army's job is to make war' and 'Solidiers can never be soldiers for peace'. Mr Salla Molins, a lecturer in political philosophy at the Sorbonne agreed that the slogans were aptly chosen and conveyed a philosophical message.

Mr Blache, however, was prosecuted for what he had done and on 10 November 1983 was dismissed from his post on the flimsiest of legal grounds in a judgment by the Lyons administrative court. Furthermore, he was only allowed to consult his file on 25 November 1983. For financial reasons, Mr Blache was unable to bring the matter before the Council of State.

No charges of either administrative or professional misconduct were brought against him. A teacher has full freedom to choose his own teaching methods, and Mr Blache accordingly took advantage of this, regularly inviting to his courses individuals holding views opposed to his own, in order to provide his pupils with genuine stimulation and encourage them to form their own opinions and judgments. This shows Mr Blache to be a resourceful and motivated teacher. Attempts to make the school environment more than just an isolated section of our society and to heighten the relevance of the instruction given with a view to preparing the pupils for life outside school is not only desirable but accords with current teaching theories.

From this it emerges clearly that the grounds for the proceedings, which are causing the individual concerned both offence and inconvenience, were not initiated for professional or administrative reasons and that the motives behind them were strictly political.

On 27 March 1985, Mr Jean Poperen, deputy for the Rhone Department, called on the national Minister of Education to revoke the action taken against Mr Blache. In his letter Mr Poperen described this sanction as unique in the annals of the French Ministry of National Education. The SNES union of teachers also demanded the reinstatement of Mr Blache.

In his reply of 28 July 1985, Mr Y. Robert, representing the Minister, indicated that the requested reinstatement was 'neither desirable nor possible'. I should like to point out that, not only is it always possible for a Minister to reverse a previous decision and may indeed be proof of political acumen, but that this frequently occurs in practice and is part of normal political life. In the case of Mr Blache more is involved than a totally unjustified sanction against one person. A fundamental principle is at stake. If, as was the case for Mr Blache, philosophy teachers are subjected to this kind of treatment and exposed to prosecution it will be impossible for any teacher to exercise his or her profession to any satisfactory degree in the spirit of pluralism, which should underly the entire educational system, without becoming the target of politically motivated sanctions.

Does the Commissioner responsible for education share the view held by me and others that the authorities have clearly

exceeded their powers in this case and set an extremely dubious precedent which is totally unacceptable in an open democratic and pluralistic Europe?

If so, is he prepared to make representations to the competent French authorities with a view to securing the reinstatement of Mr Blache and ensuring that the sanctions taken against him are immediately withdrawn?

Answer given by Mr Sutherland on behalf of the Commission

(10 December 1985)

The Commission regards the introduction of teaching resources — including speakers — from outside the immediate world of school as an essential element in the preparation of young people for the society in which they will live. It also considers that young people should be encouraged to discuss issues such as peace within the school context. However, it has no authority to intervene in the type of case raised by the Honourable Member.

WRITTEN QUESTION No 1709/85
by Mr Andrea Raggio (COM—I)
to the Commission of the European Communities
(7 October 1985)
(86/C 81/27)

Subject: Spanish and Portuguese accession and the European Social Fund

The protocols of accession of Spain and Portugal lay down that the Community's social legislation shall apply to those countries from 1 January next year.

The new guidelines for the management of the Social Fund will cover the years of enlargement, but fail to take that fact into account.

Could the Commission present assessments of the financial endowment and implementing provisions which the European Social Fund will require as a result of the enlargement of the Community to include Spain and Portugal?

Answer given by Mr Sutherland on behalf of the Commission

(11 December 1985)

In view of the accession of Spain and Portugal to the Community, certain rules concerning the European Social Fund must be adapted to enable the applicant Member States to benefit from Community resources under the same conditions as the present Member States.

The Commission has made the necessary proposals to the Council [1] concerning the adaptation of Council Decision 83/516/EEC [2] of 17 October 1983 concerning the tasks of the European Social Fund, and Council Regulation (EEC) No 2950/83 of 17 October 1983 [3] implementing Decision 83/516/EEC [4].

Likewise, the Commission will decide on the amendments to be made to Decision 85/261/EEC of 30 April 1985 on the guidelines for the management of the European Social Fund for 1986 to 1988.

These Decisions will be adopted respectively by the Council and the Commission under the procedure provided for under Article 396 of the Act of Accession which lays down a simplified process for the adoption of decisions.

(1) Doc. COM(85) 579.
(2) OJ No L 289, 22. 10. 1983, p. 38
(3) OJ No L 289, 22. 10. 1983, p. 1.
(4) OJ No L 289, 22. 10. 1985, p. 26.

WRITTEN QUESTION No 1711/85
by Mr Bouke Beumer (PPE—NL)
to the Commission of the European Communities
(7 October 1985)
(86/C 81/28)

Subject: Conveyance duty on sales of existing real estate

In which Community countries is conveyance duty levied on sales of existing real estate and on what basis is it levied?

Answer given by Lord Cockfield on behalf of the Commission

(28 November 1985)

Conveyancing is subject to one form of taxation or another in all Member States:

Belgium:

Registration taxes (Droits d'enregistrement/ Registratierechten)

Basis of assessment: Price or value of the property.

Denmark:

Stamp duty (Stempelafgifter)

Basis of assessment: The consideration agreed in the document, alternatively the document's face value. In the case of real property, the basis of assessment may not be lower than the last assessed value.

Federal Republic of Germany:

Real estate transfer tax (Grunderwerbsteuer)

Basis of assessment: Purchase price or equivalent value, or standard value.

Greece:

Real estate transfer tax

Basis of assessment: Market value of the real estate.

France:

Registration taxes

Basis of assessment: Price plus costs or actual market value of the property if this is higher.

Ireland:

Stamp duties

Basis of assessment: Consideration or price recited in instrument.

Italy:

Registration tax (Imposta di registro)

Basis of assessment: Determined by two basic criteria:

— the market value of the property or rights transferred,

— the price or consideration agreed between the parties.

Luxembourg:

Registration taxes

Basis of assessment: Market value of property transferred or sums and securities for which legal acts are executed.

Netherlands:

Tax on legal transactions (Belastingen van rechtsverkeer)

Basis of assessment: The value or the compensation if higher.

United Kingdom:

Stamp duty

Basis of assessment: Price or value of the property.

WRITTEN QUESTION No 1725/85

by Mr Luc Beyer de Ryke (L—B)

to the Commission of the European Communities

(7 October 1985)

(86/C 81/29)

Subject: Import of Austrian wine into the EEC — quality control procedures

Can the Commission indicate what control procedures apply to quality wine imported into the EEC in bulk or in bottles?

In cases of unmistakable fraud, for example the adulteration of Austrian wine with glycol diethylene, what emergency preventive measures and procedures for alerting the authorities of the other States and informing consumers have been put in hand by the Commission to prevent fatal accidents caused by 'adulterated' wine?

Answer given by Mr Andriessen on behalf of the Commission

(6 December 1985)

The common organization of the market in wine provides for the Member States to take the necessary measures to ensure compliance with Community provisions in the sector. The competent bodies in Member States take random samples of the products in circulation on their territory for analysis. Wine from non-Community countries which is intended for direct human consumption in the Community must be accompanied by a certificate made out by an official body, certifying that the wine in question complies with the provisions governing production and circulation in its country of origin and was manufactured in accordance with oenological practices which are allowed under Community provisions. This certificate is combined with an analysis report made out by the official laboratory in the non-Community country of origin. These provisions apply to the import of wine in bulk and wine in bottles.

If a case of fraud is detected by a body which has been made responsible by a Member States for verifying compliance with Community provisions in the wine sector, the following information procedures are followed:

— Council Regulation (EEC) No 359/79 or 5 February 1979 [1] provides that competent bodies which discover infringements of Community provisions which are of special interest to one or more other Member States are to inform the competent bodies with which they maintain direct contacts in those Member States for the purpose of preventing and detecting infringements.

— In general terms, the Council Decision of 2 March 1984 [2] provides that any Member State which decides to take urgent steps to prevent the marketing of a product on its territory because of the risk which that product presents for the health or safety of consumers must immediately inform the Commission. The Commission forwards this information without delay to the other Member States.

If the Commission itself comes to know of a case of fraud it informs the Member States concerned immediately. Thus, when it was informed of the the adulteration of Austrian wines with diethylene glycol the Commission took the opportunity of organizing a meeting of a Council working

party, which was held the day after the information was received, to provide the government winegrowing experts with all the information available on the matter.

The Commission subsequently distributed any new information as it arrived, so as to coordinate the measures taken by the competent bodies in the various Member States.

(1) OJ No L 54, 5. 3. 1979, p. 136.
(2) OJ No L 70, 13. 3. 1984, p. 16.

WRITTEN QUESTION No 1728/85
by Mr Luc Beyer de Ryke (L—B)
to the Commission of the European Communities
(7 October 1985)
(86/C 81/30)

Subject: Promotion of soya cultivation — Community policy

In the European Community there are 8 000 soya producers growing 200 000 tonnes of soya annually. The Community also imports 12 million tonnes of soya.

It is necessary to reduce that portion of the Member States' balance of payments deficit caused by the import of this product and to increase the surface under seed.

What is the Commission's policy in this respect, given the competition from the United States and South American countries such as Brazil?

Answer given by Mr Andriessen
on behalf of the Commission
(2 December 1985)

In 1974, the Community made efforts to encourage the increase in its own production of soya beans by an aid scheme the effect of which is to have contributed to boosting annual Community production from 3 000 tonnes in 1974/75 to 375 000 tonnes in 1985/86.

Community soya beans have to compete with soya imported from non-member countries duty-free. To enable Community production to be disposed of, the Council fixes a target price each year at a level which is fair for farmers. An aid bridging the difference between this price and the average world market price for soya is granted to the first purchaser of soya beans grown and processed in the Community, provided he has paid the grower a price at least as high as the minimum price, also fixed by the Council each year.

Soya beans form one of a group of products providing plant proteins the expansion of which is still being supported, within the limits set by available funds, by aid schemes. Output of these products will total nearly 9 million tonnes for 1985/86 (rape, sunflower, soya, peas and field beans, dried fodder).

WRITTEN QUESTION No 1744/85
by Mr Karel De Gucht (L—B)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/31)

Subject: Registration fee imposed on non-Belgian students

As a result of the Gravier judgment, the Belgian Government has replaced the higher-education regulations which, impose a fairly substantial registration fee on non-Belgian students by a system under which academic authorities may restrict the number of foreign students to 2 % of the total number of subsidized students.

Can the Commission say whether it considers these and equivalent arrangements in other Member States to be at odds with Community provisions and, if so, what action is it considering in this regard?

Answer given by Mr Sutherland
on behalf of the Commission
(6 December 1985)

The question of the right of the Belgian higher education authorities to limit the registration of foreign students, including Community nationals, to 2 % of the total number of State subsidized students has already been raised with the Belgian authorities in the case of university education (the matter was brought before the Court of Justice under Article 169) and other higher education.

WRITTEN QUESTION No 1746/85
by Mr Dieter Rogalla (S—D)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/32)

Subject: Cooperation in combating drugs and terrorism

1. Does the Commission not share my view that it would be appropriate for the Commission as such to participate in

the work of the Trevi organization and, if not, why not?

2. What action does the Commission envisage taking in order to ensure its participation in Trevi?

3. Would this require budgetary resources and has the Commission earmarked the necessary funds in the 1986 budget and, if not, why not?

Answer given by Mr Delors on behalf of the Commission

(5 December 1985)

The Commission believes that cooperation between Member State governments within the Trevi Group is important for the completion of the internal market. There will need to be greater cooperation on security matters after the removal of internal borders.

Lord Cockfield, Commission Vice-President, put this point of view to the Ministers of Justice and the Ministers of the Interior at their informal meeting in Rome on 20 June, ahead of a formal ministerial meeting of the Trevi Group.

The Commission intends to continue this association formula, which should not have any budgetary implications.

WRITTEN QUESTION No 1780/85
by Mr Willy Kuijpers (ARC—B)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/33)

Subject: Effects on intra-Community trade of the Belgian prohibition on the sale of non-prepacked spirituous beverages

The Belgian Royal Decree of 3 January 1985 prohibits the sale of non-prepacked spirituous beverages.

As a result a number of dedicated and competent tradespeople have had to close their businesses as they are not geared to selling bottled drinks commercially.

Moreover, this prohibition on the sale of non-prepacked spirituous beverages mainly affects imported products, which are thus at a disadvantage by comparison with nationally produced, prepacked spirituous beverages.

Can the Commission indicate whether it considers that this Belgian measure is the most appropriate and least commercially restrictive means of achieving the desired aim of protecting public health, or whether it constitutes an 'measure having equivalent effect'?

Answer given by Lord Cockfield on behalf of the Commission

(28 January 1986)

The Commission is inquiring into the facts referred to by the Honourable Member with the Member State concerned. It will inform him of its findings as soon as possible.

WRITTEN QUESTION No 1787/85
by Mr Thomas Raftery (PPE—IRL)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/34)

Subject: Green card harmonization

The Commission has stated that it regrets the confusion which has arisen in Ireland and the United Kingdom whereby green cards have not been issued for their proper purpose and that it will pursue the issue with motor insurers there.

Will the Commission also undertake to ensure that there remain no time-restrictions on the period of validity of the card and that it is possible to obtain a green card for the full length of the underlying policy?

Would the Commission not agree that it would be desirable to achieve a uniform system for the whole Community, whereby green cards are issued automatically, free of cost and for the total period of validity of the underlying policy?

If so, what measures does the Commission envisage in order to bring the present highly unsatisfactory situation to an end?

Would the Commission share the view that the best means of achieving this would be a small but extremely significant amendment to the Supplemetary Agreement?

Answer given by Lord Cockfield on behalf of the Commission

(4 December 1985)

As the Commission indicated in its answer to the Honourable Member's Written Question No 588/85 [1] a Community motorist visiting another Member State, except Greece, or

another country which is a signatory of the Supplementary Agreement between motor insurers' bureaux no longer needs to hold a green card.

When Greece, Spain and Portugal sign the Supplementary Agreement, as they have undertaken to do, the destinations for which a green card is still required will be reduced even further.

The Commission would therefore regard as a retrograde step any Community requirement for green cards to be issued automatically for compulsory third party insurance purposes.

The issue of green cards valid for the total period of validity of the underlying policy would give rise to difficulties in certain Member States where motor insurance contracts are concluded for periods of up to 10 years. It must be remembered that the insurer who issues a green card remains bound by it until its expiry or cancellation even if the underlying policy has for some reason ceased to be operative.

(1) OJ No C 276, 18. 10. 1985, p. 9.

WRITTEN QUESTION No 1790/85
by Mr Thomas Raftery (PPE—IRL)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/35)

Subject: Excise on wine and beer

Could the Commission explain the apparent contradiction between the specific recognition in the White Paper of the need for an excise tax on wine, and the proposals contained in COM(85) 150 final, which only affect those Member States already applying such an excise duty?

Does this indicate that the Commission now considers the aims of the White Paper to be too ambitious?

Answer given by Lord Cockfield
on behalf of the Commission
(29 November 1985)

At present, most Member States do apply an excise duty on wine. The provisions in the Commission's proposal (1) simply ensure that, in those States, wine is not subject to excessive taxation.

The Commission is however equally concerned that the taxation of wine should form an integral part of the taxation of alcoholic beverages. To this end, it made a proposal as long ago as 1972 for a harmonized excise duty on wine throughout the Community (2). This is the proposal the Commission would like to see adopted in 1986 as part of the White Paper programme for completing the internal market. There can be no fair competition between alcoholic beverages or free movement of them, so long as such a major product is exempt from duty in certain Member States.

(1) COM(85) 150 final.
(2) COM(72) 225 final.

WRITTEN QUESTION No 1791/85
by Mr Thomas Raftery (PPE—IRL)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/36)

Subject: The ECU

Could the Commission indicate in which Member States it is possible for private individuals to open bank accounts in ECU, and what measures they are taking to ensure that this becomes possible throughout the Community?

Answer given by Mr Delors
on behalf of the Commission
(4 December 1985)

At present, according to the information available to the Commission departments, private resident individuals are free to open bank accounts in ECU in the following Member States: Belgium, Luxembourg, Netherlands and United Kingdom.

In the Federal Republic of Germany, although there are generally no restrictions for capital outflows, the constitution of liabilities in ECU by German residents is considered to be an infringement of Article 3 of the Currency Law of 1948. German banks are, therefore, not allowed to take up deposits denominated in ECU. However, residents do have the possibility of making deposits in ECU with banks abroad.

In Denmark the ECU is treated as a foreign currency on a non-discriminatory basis. Residents can hold deposits in ECU with domestic banks for a period up to three months, provided the funds have originated abroad in foreign currency. After this period, the funds must be converted in national currency or be used for legal payments abroad. Residents can also hold ECU accounts with banks abroad for the limited period of 30 days.

The Commission has repeatedly submitted proposals for the removal of obstacles from the private use of the ECU and for concerted action by Member States for further development of the ECU. The Honourable Member of Parliament is, in particular, referred to the communications of the Commission to the Council concerning financial integration and the promotion of the international role of the ECU (1).

However, it should be pointed out that the opening and placing of funds on deposit accounts is a capital movement referred to in list D annexed to the Council Directive of 11 May 1960 implementing Article 67 of the EEC Treaty. There is no Community obligation for Member States to liberalize capital movements contained in list D.

(1) *European Economy* — No 18, November 1983.

WRITTEN QUESTION No 1795/85
by Ms Joyce Quin (S—GB)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/37)

Subject: EEC help for shipbuilding

The decline in the number of those employed in the shipbuilding industry has been greater, over the past 10 years, in the United Kingdom than in any other Member State of the EEC.

Given this fact can the Commission explain why the United Kingdom share of the funds allocated to help the shipbuilding industry is disproportionately low, as the answer to Mr Pitt's Written Question No 1882/84 (1) indicates? In its reply will the Commission in particular explain the small share of funds obtained by the United Kingdom in:

(a) Regional Fund grants for port infrastructure;

(b) Social Fund grants specifically concerned with shipyard workers, and

(c) ECSC (Article 54) loans to shipbuilding?

Answer given by Mr Delors
on behalf of the Commission
(4 December 1985)

The volume of grants and loans allocated by the Community's financial instruments to any given sector in the United Kingdom largely reflects the volume of eligible applications received.

With regard to the European Regional Development Fund it should be noted that the data given in the answer to Written Question No 1882/84 by Mr Pitt (1) relate to the shipbuilding, ship-repairing and shipping industries. Data on Regional Fund grants for port infrastructure are contained in the Commission's answer to Written Question No 2200/84 by Mr Ebel, Mr Blumenfeld and Mr Seeler (2). The United Kingdom received 31 % of all Regional Fund grants for port infrastructure between 1975 and 1984, which the Commission does not consider to be a small share of the funds available.

As far as the European Social Fund is concerned, the Commission must emphasize that it is not possible to provide a complete breakdown of grants by industrial sector. The data concerning the Social Fund given in the answer to Written Question No 1882/84 cannot, therefore, be used to draw conclusions about the distribution of aid between the shipbuilding workers of the different Member States.

Loans can be made to the shipbuilding industry under the second paragraph of Article 54 of the ECSC Treaty, which provides *inter alia* for the granting of loans to finance works and installations which contribute directly and primarily to facilitating the marketing of ECSC products. The main object of such loans to the shipbuilding industry is, therefore, to promote the use of steel rather than specifically to promote the shipbuilding industry as such.

(1) OJ No C 251, 2. 10. 1985, p. 2.
(2) OJ No C 228, 9. 9. 1985, p. 9.

WRITTEN QUESTION No 1802/85
by Mrs Anne-Marie Lizin (S—B)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/38)

Subject: The 'Foyer européen'

The facilities currently available for Commission staff are quite inadequate both as regards indoor activities (bridge, chess, sewing, etc.) which have to share cramped quarters at a very high rent and outdoor activities (tennis, etc.)

The present economic crisis must not be allowed to jeopardize social policy — and notably leisure activities — since the Commission staff is already clearly disadvantaged compared with the staff of major companies.

1. Can the Commission say what it will do to remedy this state of affairs?

2. Would it not be possible for certain sectors which at present have a surplus balance — such as the sickness fund, for instance — to grant a loan to the social services for investing in a building?

Answer given by Mr Christophersen on behalf of the Commission

(29 November 1985)

The Commission recognizes that the space available in the 'Foyer' is inadequate and hopes to make improvements during 1986.

The assets of the sickness fund may not be lent to the social services for property investments of any kind.

WRITTEN QUESTION No 1814/85
by Mrs Caroline Jackson (ED—GB)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/39)

Subject: Barriers to EEC nationals owning land in Greece

What action does the Commission intend to take to ensure that the Greek Government brings its legislation into line with the Articles of the EEC Treaty which established the right of Community citizens to settle in Greece in order to engage in business activities there and, for that purpose, to be able to rent or acquire property under the same conditions as Greek nationals — a right which is still being denied to EEC nationals in frontier areas, including the island of Crete?

Answer given by Lord Cockfield on behalf of the Commission

(29 November 1985)

As regards the Greek legislation on the acquisition or renting of property in the frontier and coastal regions of Greece, the Commission has already commenced, and is currently pursuing, proceedings against Greece under Article 169 of the EEC Treaty for infringement of Articles 7, 48, 52 and 59 of the Treaty.

WRITTEN QUESTION No 1822/85
by Mr Terence Pitt (S—GB)
to the Commission of the European Communities
(14 October 1985)
(86/C 81/40)

Subject: Beef

Would the Commission please supply answers to the following questions?

How much beef was in intervention storage as at 30 August 1985?

What steps have been taken to dispose of this beef to European consumers?

How much beef has been and is to be sold outside the Community this year?

What is the total cost to EEC taxpayers of beef storage and export restitution so far in 1985?

What is the average net price per pound of beef paid by third countries?

What is the average retail price of beef per pound paid by consumers in the United Kingdom?

Answer given by Mr Andriessen on behalf of the Commission

(28 November 1985)

1. 768 399 tonnes (equivalent bone-in weight) of beef was in intervention storage as at 30 August 1985.

2. Intervention beef is available for the internal market in the EEC by means of tender sales and fixed price sales. This meat is normally purchased by the wholesalers and/or meat manufacturers who in turn supply the retail market. In addition, sales of beef from intervention stocks which is suitable for the Community meat manufacturing industry at reduced prices take place. This again is supplied to the European meat retail market.

3. In the first six months of 1985, 373 000 tonnes of Community beef (provisional figure) were exported to third countries. The total for the year 1985 may reach 750 000 tonnes (estimated figure).

4. For the period 1 January to 31 August 1985, the expenditure was as follows:

Export refund 847 million ECU
Storage (private and public) 534 million ECU

5. Export prices vary not only by type of beef sold (value of the cuts; fresh or frozen; male or female animals etc.) but also with destination. Therefore, any average price arrived at would be misleading.

6. In September 1985, the average retail price of saleable beef from carcase totalled 184,6 pence/lb.

WRITTEN QUESTION No 1848/85
by Mr Raymonde Dury (S—B)
to the Commission of the European Communities
(24 October 1985)
(86/C 81/41)

Subject: Instructions accompanying pharmaceutical products

In their study, 'The market in medicinal products in the EEC', the BEUC (European Bureau of Consumers' Unions) and the Belgian consumer association 'Tests-Achats' bring to light unacceptable contradictions in the instructions accompanying pharmaceutical products.

For example, Optalidon may be given to children from the age of two in Belgium, but in no circumstances under the age of five in France. The same medicine is described as interfering with contraceptives in all countries except Italy!

There are numerous other examples. The contra-indications for a single medicine to be taken under identical circumstances may vary in number from three to 20 according to the country in which it is marketed. It would appear that some European citizens are more entitled than other to security in health matters.

Since the Commission wishes to encourage a more open market in pharmaceutical products, will it explain how it plans to resolve the problem posed by the existence of different and contradictory instructions for the same pharmaceutical product?

Answer given by Lord Cockfield
on behalf of the Commission
(18 December 1985)

As the Commission pointed out in reply to Written Question No 1296/85 by Mr Kuijpers (1), the Member States alone are responsible for the authorization of proprietary medicinal products according to the criteria contained in the relevant Community Directives. Package inserts must be approved by the competent authorities, who must ensure that the information given is compatible with the terms of the marketing authorization as regards indications, counter-indications, side-effects and warnings.

The Commission has long been concerned by divergences in the information contained in package leaflets in different Member States. In the absence of a centralized European drug regulatory scheme, the establishment of which is opposed by a large majority of the Member States, the only method of overcoming this problem is through the increased coordination of national decisions, and in the longer term, through the realization of a genuine internal market for pharmaceuticals.

The improvements in the procedures of the Committee for Proprietary Medicinal Products following the entry into force of the provisions of Council Directive 83/570/EEC (2) on 1 November 1985 should result in a greater degree of uniformity than in the past. Moreover the Commission has proposed the adoption of special coordination procedures for medicines derived from biotechnology and other high-technology medicines (3). By 1989 at the latest, the Commission must present a proposal containing appropriate measures leading towards the abolition of any remaining barriers to intra-Community trade (4). The exact content of these proposals must necessarily depend on the experience acquired in the interim.

(1) OJ No C 29, 10. 2. 1986, p. 14.
(2) OJ No L 332, 28. 11. 1983, p. 1.
(3) Doc. COM(84) 437 — OJ No C 293, 5. 11. 1984.
(4) Council Directive 83/570/EEC, Article 3 — OJ No L 332, 28. 11. 1983.

WRITTEN QUESTION No 1872/85
by Mrs Vera Squarcialupi (COM—I)
to the Commission of the European Communities
(24 October 1985)
(86/C 81/42)

Subject: Postponement of the Directive on the packaging and labelling of dangerous substances

In a judgment handed down by the Court of Justice of the European Communities, only dangerous substances as such, and not their compounds, must be indicated on labels pursuant to the provisions of the Directive concerning the packaging and labelling of dangerous substances.

The ruling in question was handed down following the case of the Italian authorities against the Fina Italiana company which had commercially launched oils for motor vehicles containing polychlorinated biphenyls (PCB) in legally permitted quantities but without this dangerous substance being indicated on the container label. Fina Italiana was therefore accused of breaking the Italian law of 1974 which implemented the EEC Directive. The ruling by the Court of Justice has however laid down that, given Community law as it stands at present, only substances which are dangerous as such need be indicated on labels, not the compounds in which such substances are present within the permitted limits.

On the basis of this ruling, does not the Commission believe that it is now time to update the Directive in question, making it compulsory also to indicate chemical compounds on labels, thereby taking fuller account of people's health and environmental protection.

Answer given by Lord Cockfield on behalf of the Commission

(9 January 1986)

As the Honourable Member will have noted when the proposal for a Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (1) was submitted to Parliament for opinion on 19 September 1985, the Commission is of the opinion that the problem of the classification and labelling of dangerous preparations cannot be solved by updating Directive 67/548/EEC on dangerous substances (2), but by a set of rules which are specific to and more appropriate for dangerous preparations.

(1) OJ No C 211, 22. 8. 1985, p. 3.
(2) OJ No C 196, 16. 8. 1967, p. 1.

WRITTEN QUESTION No 1877/85
by Mr Horst Seefeld (S—B)
to the Commission of the European Communities
(24 October 1985)
(86/C 81/43)

Subject: Transport of dangerous goods

In its answer to a parliamentary question, the Government of the Federal Republic of Germany recently declared that better training was needed for drivers involved in the transport of dangerous goods. 'The relevant international body recently approved in principle a submission by the Federal Republic of Germany to amend the international regulations. Further deliberations are, however, still required on the details of Germany's submission.'

What influence does the Commission have on these deliberations, what are its objectives and when can we expect results?

Answer given by Mr Clinton Davis on behalf of the Commission

(11 December 1985)

The competent international committee dealing with this subject is the Group of Experts on the transport of dangerous goods of the Economic Commission for Europe of the United Nations in Geneva.

Its members who represent the contracting parties to the European Agreement concerning the international carriage of dangerous goods by road (ADR), discuss the provisions of ADR, including the training of drivers.

The Commission attends these meetings as observer, which enables it to influence decisions by providing information and by arranging consultations between the delegates of Member States.

The work of this group of experts and similar bodies for other transport modes is in line with the Commission's objectives of making the transportation of dangerous goods as safe as possible, paying special attention to harmonization between the transport modes, to the adoption of international regulations and to non-discriminatory treatment of transporters in all Member States.

The Commission cannot predict when the group of experts will complete their review of the German proposal on driver training, but it is considering the possibility of proposing specific requirements in line with the ADR on driver training in the Community.

WRITTEN QUESTION No 1880/85
by Mr Ernest Glinne (S—B)
to the Commission of the European Communities
(24 October 1985)
(86/C 81/44)

Subject: Measures to prevent air disasters

The United States Federal Aviation Administration, spurred on by the recent series of major air disasters, has just imposed a record fine of $1,5 million on American Airlines for failure to observe the regulations on aircraft maintenance and has called on all airlines to have their Pratt and Whitney engines inspected.

What action is being taken in the Community?

Answer given by Mr Clinton Davis on behalf of the Commission

(5 December 1985)

The information which the Honourable Member is requesting is contained in the intervention of Commissioner Clinton Davis during the urgency debate on air safety held at the plenary session of the European Parliament on 12 September 1985 (1).

(1) Debates of the European Parliament No 2-329 (September 1985).

WRITTEN QUESTION No 1886/85

Mr Geoffrey Hoon (S—GB)

to the Commission of the European Communities

(24 October 1985)

(86/C 81/45)

Subject: Pension system in the Member States

Could the Commission answer the following questions:

1. What is the level of State pensions as a percentage of average salaries in each of the Member States?

2. What is the proportion of pensioners who need to rely on some form of supplementary benefit because their pensions are considered to be under minimum standards in each of the Member States?

3. What proportion of the population living under what is defined as the poverty line is accounted for by pensioners, in each of the Member States?

Answer given by Mr Sutherland on behalf of the Commission

(29 November 1985)

1. The Commission's services, in cooperation with national authorities, are at present engaged in an exercise designed to compare pensions with earnings, taking pensions payable in January 1985 compared to average earnings in 1984. A report will be published giving the results and a copy sent to the Honourable Member and to the Secretariat General of the Parliament.

2. It is not possible to answer this part of the question since certain Member States either do not have minimum standards for pensions or, although knowing the numbers of pensions in payment, do not know the number of pensioners (since certain pensioners may receive two, three or more pensions depending on their employment history).

3. The report of the Commission on the first anti-poverty programme [1] used a very arbitrary so called 'poverty line' to estimate the 'poor', but no attempt was made to classify them in socio-economic groups. In view of the errors inherent in these estimates the Commission has incepted research aimed at setting up adequate statistics of poverty in the framework of the new anti-poverty programme launched by Council Decision 85/8/EEC of 19 December 1984 [2].

(1) COM(81) 769 final.
(2) OJ No L 2, 3. 1. 1985, p. 24.

WRITTEN QUESTION No 1899/85

by Mr Michael Kilby (ED—GB)

to the Commission of the European Communities

(24 October 1985)

(86/C 81/46)

Subject: Public service pensions schemes

In Britain, it was a principle common to all public service pension schemes until 6 April 1978 that in order to qualify for a pension the widow of a pensioner must have married him before his retirement from the public service. Since that date all public service pensions have provided for widow's pensions even though the marriage took place after retirement. The husband must have been serving on or after 6 April 1978 for the widow to be eligible and the pension is calculated on the length of service given only since that date.

As a result of this situation, to take just one example, an air force officer with 30 years' service to his country would not on remarrying be able to offer his new spouse the prospect of an adequate pension in the event of his subsequent death: either she would get nothing if he had left the service before 6 April 1978, or she would get a meagre amount equivalent to at most seven years' service.

1. Could the Commission indicate which, if any, other Member States have public service pensions schemes which discriminate between widows on the basis of whether they married a pensioner before or after he ceased working in the public service?

2. Could the Commission state what, if any, indications it has received from the United Kingdom and/or other Member States of the likely cost to national governments of ending this discriminatory arrangement?

3. Could the Commission state whether any draft legislation currently before the Council of Ministers would affect this provision, and if not, whether it considers that it constitutes a discrepancy which might be remedied in future Community legislation?

Answer given by Mr Sutherland on behalf of the Commission

(6 December 1985)

1 and 2. The Commission has no information which would enable it to make the desired comparisons on such a specific point.

3. The Commission does indeed intend to present a proposal for a Council Directive covering survivors' pensions, but this is in connection with the implementation

of the principle of equal treatment for men and women. This proposal does not, then, concern the point raised in the question which, in the absence of Community provisions, is essentially a matter for the Member States.

WRITTEN QUESTION No 1927/85
by Mr James Provan (ED—GB)
to the Commission of the European Communities
(5 November 1985)
(86/C 81/47)

Subject: Japan

It is understood that the Commission has ordered a study concerning EC-produced alcoholic beverages in the Japanese market. Has the study been completed? If so, what specific problems facing EC-produced spirits does the study highlight? Does for instance the study prove beyond doubt that Japan is guilty of wholesale discrimination against EC wine and spirits and is also out of line with international practice on duty, taxes and product definitions?

Answer given by Mr De Clercq
on behalf of the Commission
(5 December 1985)

The study on EC wines and liquor exports to Japan, commissioned by the Commission, has been recently completed and was made public on 11 November 1985. Copies of this study have been sent to the European Parliament.

The study highlights that imported finished products over the last five years represent a share of only 0,8 to 1,0 % of the total volume consumed in Japan. It shows that Japanese product classifications, combined with a system of taxation with ad valorem taxes for the more expensive categories, distort the pattern of trade and consumption and bear heavily on imported liquors and wines.

Japanese import duties are significantly higher than those applicable in the EC or United States. The gap between duties on bottled and bulk products favours the blending by Japanese manufacturers.

Moreover, certain practices of Japanese liquor and wine manufacturers, particulary as regards product labelling, are misleading to Japanese consumers and damaging to the interests of EC liquor and wine imports into Japan.

This study makes recommendations that address these issues as well as actions that need to be taken by the European liquor industries exporting to Japan. It provides a basis for further discussion with the Japanese authorities of the problems affecting EC exports of alcoholic beverages to Japan.

WRITTEN QUESTION No 1951/85
by Mr Mario di Bartolomei (L—I)
to the Commission of the European Communities
(13 November 1985)
(86/C 81/48)

Subject: Single-language instructions for the use of medicinal products — possible dangers

A large number of medicinal products (and paramedical articles) exported from Germany, the producer country, for sale in other Member States, are accompanied by a leaflet — giving the dosage, instructions for use and counter-indications — in German only.

Given the ever increasing mobility of 'foreign' users and the dangers arising from the misuse of medicinal and equivalent products, does the Commission not think that the relevant directives should be amended to make it compulsory in the very near future to use two or more Community languages on all pharmaceutical products intended for export to countries whose official language is different from that of the country in which they are produced?

Answer given by Lord Cockfield
on behalf of the Commission
(12 December 1985)

Proprietary medicinal products are already covered by the relevant Community legislation.

In accordance with Article 18 of Council Directive 65/65/EEC (1) certain essential user information must be included on the labelling of proprietary medicinal products in the language or languages of the country in which they are being placed on the market. Moreover, in accordance with Article 6 of Council Directive 75/319/EEC (2), the contents of any leaflet included with the packaging of a proprietary medicinal product must be approved by the competent

authorities of the importing Member State, which clearly implies that the leaflet must be drafted in the language or languages requested by that country.

For other medical equipment, which is not yet the subject of harmonized Community legislation, it is for the Member State to ensure that the labelling and user information provided with such products satisfies the mandatory requirements necessary for the protection of public health.

(1) OJ No 22, 9. 2. 1965, p. 369.
(2) OJ No L 147, 9. 6. 1975, p. 13.

WRITTEN QUESTION No 1981/85
by Mr Francois Roelants du Vivier (ARC—B)
to the Commission of the European Communities
(13 November 1985)
(86/C 81/49)

Subject: Ratification of the Convention on the Law of the Sea

In its joint answer to Written Question No 2067/84 and 2296/84 (1) the Commission states that the uncoordinated ratification by the Member States of the Law of the Sea would violate Community competences.

1. What provision of the Treaty of Rome or of secondary legislation prohibits a Member State from ratifying the Convention on the Law of the Sea?

2. Does the Commission take the view that it could never ratify (or formally endorse) this Convention unless all the Member States decided to ratify it?

(1) OJ No C 255, 7. 10. 1985, p. 3.

Answer given by Mr De Clercq
on behalf of the Commission
(6 December 1985)

1. If a State were to ratify the Convention on the Law of the Sea without its being ratified at the same time by the Community, this would not be compatible with Community law, since that State would be entering into undertakings in areas for which it has transferred its powers to the Community (1). If it were to enter into undertakings in areas which come under the sole jurisdiction of the Community, it would be failing to meet its obligations under Article 5 of the Treaty of Rome.

A Member State could not, furthermore, restrict its ratification to those areas of the Convention for which it still has jurisdiction. The Convention does not allow a State, when it signs or ratifies the Convention, to make declarations which purport to exclude or to modify the legal effect of the provisions of the Convention as applied to that State (Articles 309 and 310).

2. In accordance with Article 3 of Annex IX to the Convention, the European Economic Community may deposit its instrument of formal confirmation if a majority of its Member States deposit or have deposited their instruments of ratification or accession (2).

At the time of signing, on 2 December 1984, the representatives of the Community declared that a decision on the formal confirmation would be taken 'in the light of the results of the efforts made' (particularly as regards the 'conditions for the implementation of a sea-bed mining regime') 'to attain a universally acceptable Convention' (3).

(1) In accordance with Article 2 of Annex IX to the Convention, the representatives of the Community made a declaration when the Convention was signed 'specifying the matters governed by this Convention in respect of which competence has been transferred to the organization by its Member States which are signatories, and the nature and extent of such competence' (see Bulletin of the European Communities No 12/1984, p. 149).
(2) 'Formal confirmation' is the term used in the Convention for ratification by international organizations.
(3) See Bulletin of the European Communities No 12/1984, p. 149.

WRITTEN QUESTION No 1999/85
by Mr Sylvester Barrett (RDE—IRL)
to the Commission of the European Communities
(13 November 1985)
(86/C 81/50)

Subject: Environmental protection in the lakes of Killarney and Ballyalla Lake, Ennis

What is the practical effect, if any, of European Community environmental protection legislation on Community beauty spots like the lakes of Killarney, and does the Commission have the power to ensure that its environmental protection measures are implemented throughout the Community? For example, can the Community oversee the quality of water in the lakes of Killarney?

Answer given by Mr Clinton Davis
on behalf of the Commission
(6 December 1985)

In general, the beauty of lakes and the quality of their waters, as far as Community environment legislation is concerned, could at present only be covered by Council Directive 79/409/EEC (1) on the conservation of wild birds and some of their habitats, or by Council Directive 76/160/EEC (2) on

the quality of bathing water. Neither Killarney nor Ballyalla lakes have been notified by the Irish Government as areas which require special protection measures, and therefore, they do not fall under the scope of these Directives.

However, the recently adopted Council Directive 85/337/EEC [3] on the assessment of the effects of certain public and private projects on the environment provide explicitly for an assessment study of the direct and indirect effects of a project on, among a number of other factors, water and landscape. This Directive will have to be applied by Member States by 3 July 1988 at the latest, and it will constitute a very important legal instrument for the protection of such beauty spots as mentioned by the Honourable Member.

(1) OJ No L 103, 25. 4. 1979.
(2) OJ No L 31, 5. 2. 1976.
(3) OJ No L 175, 5. 7. 1985.

WRITTEN QUESTION No 2067/85
by Mr Thomas Maher (L—IRL)
to the Commission of the European Communities
(18 November 1985)
(86/C 81/51)

Subject: Monitoring of the application of the Regional Development Fund

Could the Commission state to what extent it monitors the use of money granted under the ERDF and whether or not it measures cost-efficiency in the implementation of projects? Could the Commission further specify the extent to which projects are contracted to private bodies and, if so, has it conducted any studies into the relative costs of having schemes managed by the private sector rather than by State agencies?

Answer given by Mr Sutherland
on behalf of the Commission
(28 January 1986)

The Commission would refer the Honourable Member to the reply to his oral question H-653/85, which it gave during question time at Parliament's December 1985 part-session [1].

(1) Debates of the European Parliament No 2-333 (December 1985).

WRITTEN QUESTION No 2393/85
by Mr Willy Kuijpers (ARC—B)
to the Commission of the European Communities
(18 November 1985)
(86/C 81/52)

Subject: Cycle and car thefts in the Member States

Cycle and car thefts constitute a real problem in the Community. Can the Commission state:

1. How many cars and cycles were stolen in the Member States in 1984? This will apply only to thefts reported to the authorities?

2. Whether there are any specific programmes in the Member States to curb the theft of cycles and motor cars?

Answer given by Mr Delors
on behalf of the Commission
(14 February 1986)

The Honourable Member's question does not come within the Commission's jurisdiction.