

English edition

Information and Notices

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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 665/88

by Lord O'Hagan

to the Commission of the European Communities

*(30 June 1988)**(90/C 125/01)**Subject: Dairy inspection charges*

In the United Kingdom, dairy inspection charges have recently been introduced for farmers.

1. Was the Commission notified of the imposition of this charge?
2. What information does the Commission possess about the existence and level of such charges in other Member States?
3. Does not the imposition of these charges distort competition between farmers in different Member countries?
4. Are not such charges against the spirit of 1992?
5. Will the Commission now take steps to make its views known to the British Government?

**Supplementary answer given by Mr Mac Sharry
on behalf of the Commission**

(19 September 1989)

The decision to introduce charges for work in connection with the enforcement of the Milk and Dairies Regulations was announced by the Minister for Agriculture, Fisheries and Food in November 1985 following a review of the services provided to the farming industry by the Agricultural Development and Advisory Service. The decision reflected not only the need to reduce public expenditure but also the view that producers derive real benefit from the milk and dairies work as the controls over the actual conditions under which milk is produced on farms help to ensure that the hygienic quality of milk is maintained at a high standard. This in turn helps to maintain liquid milk consumption and thus benefits producer returns.

The object of charging for milk and dairies work is to recoup the costs incurred in administering the Milk and Dairies Regulations on farms. These costs cover not only those related to the actual farm visit but also various overheads and administrative costs. All these costs were carefully calculated and there is no intention either to operate at a profit to the Ministry or to cross-subsidize other services. The charges are not a levy. They are payable as and when farm visits place and do not vary with the volume of milk.

The legal basis for the charges is the Milk and Dairies and Milk (Special Designation) (Charges) Regulations 1987 (SI No 212). Following consultations with interested parties, these were laid before Parliament on 17 February 1987 and came into operation on 30 March 1987. Details of the scope and amount of charges are set out in these regulations.

(¹) OJ No C 103, 24. 4. 1989.

Further to its answer of 30 June 1988 (¹) the Commission can now inform the Honourable Member of the results of its investigation.

WRITTEN QUESTION No 375/89
by Mr Alexandros Alavanos (CG)
to the Commission of the European Communities
 (7 September 1989)
 (90/C 125/02)

Subject: Legal arrangements for the operation of taxis in Greece

According to reports in the press, the legal arrangements governing the operation of taxis in Greece are to be amended to enable large companies to set up in this area.

Can the Commission confirm these reports?

Answer given by Mr Van Miert
on behalf of the Commission
 (23 November 1989)

The Commission is not aware of the reports in the Greek press referred to by the Honourable Member.

The management of taxi services is largely a matter for the Member States. Additionally, the Commission is conducting an examination of the sector to see whether action should be taken at Community level.

WRITTEN QUESTION No 409/89
by Mr Edward Newman (S)
to the Commission of the European Communities
 (3 October 1989)
 (90/C 125/03)

Subject: Liability of carrying companies bringing in 'illegal/undocumented passengers'

What EEC Member States presently have legislation fining or otherwise penalizing carrying companies for bringing in 'illegal/undocumented passengers'?

Answer given by Mrs Papandreou
on behalf of the Commission
 (21 November 1989)

As regards maritime shipping, the problem of passengers is covered by the Brussels Convention of 10 October 1957 on clandestine passengers. This convention contains provisions concerning maintenance expenses at the port of disembarkation and the cost of returning the clandestine passengers, which must be borne by the owner

of the vessel. This convention is yet to be applied, although three Member States (Belgium, Denmark and Italy) have ratified it and included it in their national legislation.

With regard to air transport, the Commission has no information whatsoever on international conventions or national legislation providing for sanctions against airlines who carry passengers without documents or with fake travel documents.

WRITTEN QUESTION No 419/89
by Mr Ernest Glinne (S)
to the Commission of the European Communities
 (3 October 1989)
 (90/C 125/04)

Subject: Potential or real risk of certain baby creams

An analysis of the composition of eight baby creams carried out for the Swiss Consumer Protection Foundation has shown that certain baby creams contain active agents liable to cause allergies or serious illness, including cancer. The agents concerned are formaldehyde (found in creams such as Aponti produced by Nestle and Fissan produced by Beecham) PHB-ester, cathon, lindane and dieldrin.

What is the Commission's opinion of the real risks involved in the use of such products. More specifically, do the labelling and indications of ingredients satisfy the requirements for products marketed in the Community?

Has the Commission received any assurances from the manufacturers (Nestle, Beecham, Semabad, etc.) and, if so, what assurances? Is the export of such products unrestricted?

Answer given by Mr Van Miert
on behalf of the Commission
 (21 December 1989)

Formaldehyde, p-hydroxybenzoic acid, its salts and esters, and chloro-5-methyl-2-isothiazoline-4-one-3 + magnesium chloride and magnesium nitrate (Kathon CG) are authorized as preservatives in cosmetic products, subject to the conditions laid down in Directive 76/768/EEC (1).

In addition, all finished products containing formaldehyde or any of the substances listed in Annex VI and emitting formaldehyde must have the warning 'Contains formaldehyde' printed on the label, if the

formaldehyde concentration in the finished product exceeds 0.05 %.

The Scientific Committee on Cosmetology has delivered favourable opinions on the use of these preservatives in cosmetic products.

As far as lindrane and dieldrin are concerned, Directive 76/768/EEC prohibits the use of these substances in cosmetic products. They are listed in Annex II under the serial Nos 195 and 196. The presence of traces of these substances is tolerated, if this is unavoidable in line with the conventions of good manufacturing practice, and subject to compliance with Article 2 of Directive 76/768/EEC.

Needless to say, the highly sensitive analysers will be capable of detecting the presence of even the slightest trace (normally expressed in ppm) of various contaminants in cosmetic products.

(¹) OJ No L 262, 27. 9. 1976, p. 169.

WRITTEN QUESTION No 558/89

by Mr Thomas Maher (LDR)

to the Commission of the European Communities

(24 October 1989)

(90/C 125/05)

Subject: Injuries and fatal accidents on the land

Would the European Commission please provide comparative figures from the different Member States concerning the extent of accidents, fatal or otherwise, to those who work on the land?

How do these figures compare with similar statistics for other work environments?

Can the Commission indicate the main cause of injuries/fatalities on the land e.g. electricity, farm machinery etc?

Answer given by Mrs Papandreou on behalf of the Commission

(23 November 1989)

Precise comparative figures for those who work on the land are not available. This is due to the lack of detailed, harmonized statistics in the Member States. At present, information collected at national level in application of relevant national legislation, or following standard practice, includes:

(a) For Italy, the Federal Republic of Germany and Luxembourg: Data on fatal and non-fatal agricultural accidents in which self-employed farmers as well as agricultural workers are involved.

(b) For France, Denmark, the Netherlands and Spain: Data on fatal and non-fatal accidents involving agricultural workers.

(c) For the United Kingdom and Ireland: Data on fatal accidents for agricultural workers and self-employed farmers.

Data are not systematically collected in Greece and Portugal.

A study conducted by the Commission concerning existing accident prevention regulations regarding farm buildings, resulted in the compilation of a comparative table shown below.

Attention is drawn to the fact that almost 90% of persons who work on the land are self-employed farmers or members of farmers' families. If, on this basis, an extrapolation of available data is attempted in order to arrive at global estimates for the whole of the Community concerning fatal as well as non-fatal accidents, the figures obtained vary between 3 000 and 5 000 for fatal accidents and between 1.4 to 1.2 million for non-fatal accidents. These estimates were obtained using German agricultural accident coefficients which took account of work duration and land surface involved and were presented at a seminar concerning safety in agriculture, in December 1987.

Analysis of agricultural accident data indicates that the main causes of accidents are broadly similar in all Member States (table 2).

These include:

- use and operation of farm machinery and farm equipment;
- handling of animals;
- falling (e.g. from stairs, ladders, walkways, etc.);
- being struck by falling or abruptly released objects;
- work on farm structures such as silos, manure pits, greenhouses, etc.;
- carrying loads and execution of manual labour;
- forestry work, work in vineyards, etc.

Relevant information is also provided for the use of pesticides, use of electricity (mainly fire damage), respiratory and occupational diseases due to adverse working conditions in animal husbandry (farmers' lung, zoonoses, respiratory infections caused by animal dust or particles).

The abovementioned data for agriculture, albeit not precise, indicate that this sector is one of the high risk sectors comparable in accident consequences to the construction or deep sea fishing sectors. A recent study published by the OECD ('Employment Outlook', July 1989), clearly demonstrates this last point.

Table 1

Accident data for the agricultural sector in EC Member States

Member State	Statistical year	Fatal accidents	Non-fatal accident
Belgium (*)	1979	not available	4 141
Denmark (*)	1981	22	370
Federal Republic of Germany (*)	1981	597	198 000
Greece (*)	—	—	—
Spain (*)	1986	90	49 000
France (*)	1982	99	80 442
Ireland	1981	22	not available
Italy (*)	1983	501	158 500
Luxembourg (*)	1982	8	1 474
Netherlands (*)	1982	not available	2 500
Portugal (*)	—	—	—
United Kingdom (*)	1982	69	not available

Source:

All data are based on official statistics reported to the Commission in 1984 or 1987.

Remarks:

- (*) Fatal and non-fatal accidents to self-employed farmers and agricultural workers.
 (*) Fatal and non-fatal accidents to agricultural workers.
 (*) Non-fatal accidents to agricultural workers (NL) — Fatal (UK).
 (*) Non-fatal accidents to self-employed farmers (also to agricultural workers of the Brabant region).
 (*) Not available.

Table 2

Main causes for non-fatal agricultural accidents

Main causes	Percentage of total			
	Federal Republic of Germany	France	Belgium	Luxembourg
Use and operation of mobile farm machinery	23	10	19	15
Use and operation of stationary equipment, installation	11	8		
Handling of animals	15	5	25	17
Slips and falls on even floors	11	43	30	17
Slips and falls on elevated floors, stairs, etc.	5	5		9,5
Handling tools, repair work	7	2,5	13	5
Chips and splinters, etc.	4,3			13
Handling loads, manual transportation	4,5	8,5		6
Falling and ejected objects	6,5	7,5		5
Forestry work	7	4,5		7,7
Use of pesticides or chemicals generally	0,5	0,3		0,4
Use of electricity	0,5	0,1		0,4
Occupational diseases	0,8			0,5
Traffic on public routes	2,0			1,9
Divers	1,9	5,6	13	1,2
Total	100	100	100	100

WRITTEN QUESTION No 574/89**by Mr Guiseppe Mottola (PPE)****to the Commission of the European Communities***(24 October 1989)**(90/C 125/06)**Subject: US reprisals against Italian tomato exports*

Is the Commission aware that the 100% surcharge on European exports of canned peeled tomatoes was introduced by the United States as a retaliatory measure following the EEC's freeze on imports of US meat treated with special hormones?

Does the Commission not agree that this measure should have been repealed as a result of its Decision of 13 September 1989 to propose to the Council that a moratorium enter into force until 31 December 1990 to allow further scientific research to be conducted into the effects of using cattle growth hormones?

Does the Commission not consider, moreover, that this surcharge is discriminatory, in particular for one EEC Member State (Italy) which is the main exporter of this product to the United States?

Can the Commission therefore state what immediate steps it intends to take to ensure that Italy is not left to bear the brunt of a dispute which will have severe economic and social consequences?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(6 February 1990)

The Commission shares the concern of the Honourable Member regarding the retaliatory measures against the Community taken by the United States since 1 January 1989, following the application of the Directive on hormones to imports of meat from third countries. It should be added that the Community measures reflected the concern expressed by Parliament. The retaliatory measures taken by the United States, which involve a 100% increase in customs duties on several Community products, are affecting the trade of several Member States with the United States. Other products besides the canned tomatoes mentioned by the Honourable Member have been hit: fermented drinks, certain fruit juices, soluble or instant coffee extracts, pet food, intestines for the manufacture of sausages, and boned beef.

The Community is continuing with its action under the GATT in order to get the retaliatory measures withdrawn; so far, the United States has resisted this,

although there is nothing in the General Agreement which can possibly justify the imposition of discriminatory import duties.

At the same time, the Commission has arranged with the United States authorities for a certification procedure to be introduced, allowing American producers who are prepared to comply with the Directive on hormones to export to the Community.

The resulting recovery in trade has persuaded the American Government to withdraw hams and tomato sauce, of which Italy is the main Community exporter, from its retaliatory list; these initial results have encouraged the Commission to continue along this path.

As regards biosomatotropins for beef cattle, the Commission considers that this is a dossier which is not related to the above problems, which is why the Community decision was taken having regard to the specific merits of the case.

WRITTEN QUESTION No 575/89**by Mr James Ford (S)****to the Commission of the European Communities***(24 October 1989)**(90/C 125/07)**Subject: Conditions on the Greek island of Leros*

In the light of the reported conditions of patients at the mental institution on the Greek island of Leros, would the Commission say what action is being taken to regularize this reprehensible manner of treating mentally ill patients, and what undertakings have been sought from the Greek Government, both for own-initiative improvements and to allow other interested humanitarian agencies to assist?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(4 January 1990)

The Commission has approved up to now for the psychiatric institutions of Leros in the context of EEC Regulation 815/84 (1) five projects of a total cost of ECU 3,8 million (of which ECU 2,1 million Community's contribution). Their purpose was to support new small rehabilitation and vocational training units designed to act as catalysts for change in the process of de-institutionalization of the inmates of the hospital. This forms part of a global programme which envisages the rapid

upgrading of the conditions of living and treatment within the hospital with the help of Greek and foreign teams of mental health professionals. The Commission considers that any individual project to have a reasonable chance of success must indeed form part of a coherent global strategy to remedy the situation.

This programme, submitted to the Commission in December 1987, has not been implemented up to now as initially envisaged and serious delays have been incurred in the five projects approved by the Commission.

While the Commission has at all times pressed for an early solution for Leros, offered its help towards this end and will continue to do so, it must be emphasized that the operation of health institutions of the Community is the exclusive responsibility of the Member States concerned.

(¹) OJ No L 88, 31. 3. 1984, p. 1.

WRITTEN QUESTION No 585/89

by Mr José Barros Moura (CG)

to the Commission of the European Communities

(24 October 1989)

(90/C 125/08)

Subject: Child labour

Child and adolescent labour is a serious and widespread phenomenon in Member States of the Community such as Portugal and in non-Community countries which export to the EEC. The Community, however, leaves the problem to national legislation and refuses to envisage action by the Community, as advocated by Parliament (see Resolution of 16 June 1987, Doc. A 2-67/87 (¹)) and the answer to my Oral Question No H-1035/87 (²)).

In the light of the proceedings and conclusions of the conference 'An end to child labour', organized by the 'Confederação Geral dos Trabalhadores Portugueses-Intersindical Nacional' (CGTP-IN) on 20 September 1989 in Lisbon and chaired by the president of the Portuguese Republic Dr Mário Soares, and even though the Commission believes that, from a social point of view, the matter can be left to national regulations and authorities which have failed to prevent a sharp increase in the use of child labour — does it not think that this phenomenon distorts the rules on competition and does it regard it as compatible with the economic provisions laid down in the Treaties?

(¹) OJ No C 190, 20. 7. 1987.

(²) Debates of the European Parliament, No 2-364 (April 1988).

WRITTEN QUESTION No 636/89

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(27 October 1989)

(90/C 125/09)

Subject: Child labour in the Portuguese footwear industry

On 5 September 1989, RTBF1 broadcast a documentary entitled *The children of Felgueiras: from school to factory*. This report was filmed in Portugal at Eastertime 1989 by Mr Roger Beeckmans and Mrs Francine Lewis, and deals with the working lives of children in the mining town Jean Paul II, to the north of Oporto. Over 300 shoe factories have been established in the region, whose population — adults and children — provide a veritable reservoir of docile, unorganized cheap labour. The average price for making a pair of shoes is between Esc 30 and 40 (Bfr 10 to 15). Portuguese law allows children to seek work from the age of 14 upwards, but there are no checks carried out on work done at home, and children are set to work from early age, as soon as they return from school at lunchtime and at night. Their school results suffer as a result; children of 12 can scarcely read or write, which means that not only are they being robbed of their childhood, but their future is reduced to the single prospect of working in a shoe factory.

I would refer to my Question No 1755/87 (¹) concerning child labour in the Portuguese textile industry, and repeat:

What measures, both present and future, has the Commission devised to combat this most serious problem in conjunction with the Portuguese authorities?

(¹) OJ No C 195, 25. 7. 1988, p. 10.

Joint answer to Written Questions Nos 585/89 and 636/89 given by Mrs Papandreou on behalf of the Commission

(1 February 1990)

Protection of children against working at too early an age and against excessively arduous working conditions in general is regarded as an essential task. Children may not be allowed to take up employment before reaching a suitable minimum age and under no circumstances may they enter an occupation or employment which damages their health.

For this reason, in its action programme implementing the Community Charter of the Fundamental Social Rights of

Workers the Commission has provided for a Council Directive on the harmonization of Member States' legislation concerning the protection of young people. At the same time we should not lose sight of the fact that the protection of children is a task which above all is the responsibility of the Member States.

In the Commission's view increased controls on the application of the rules should be accompanied by coordinated action between the campaign to combat poverty, efforts to improve employment opportunities, measures to raise the standard of living and to develop educational structures within the more general framework of action and initiatives designed to increase economic and social cohesion.

WRITTEN QUESTION No 588/89

by Mr José Moura (CG)

to the Commission of the European Communities

(24 October 1989)

(90/C 125/10)

Subject: The Vocational Training Centre for the Footwear Industry in Felgueiras

Can the Commission state whether the construction of the Vocational Training Centre for the Footwear Industry in Felgueiras has been included by the Portuguese Government in any programme eligible for EEC funding?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(13 December 1989)

The building of vocational training centres may be co-financed by the ERDF as part of the assistance it provides. However, the Commission is unable at this point to say whether the buildings of the vocational training centre for the footwear industry at Feigueiras will be among the programmes put before it by the Portuguese Government.

WRITTEN QUESTION No 632/89

by Mr James Fitzsimons (RDE)

to the Commission of the European Communities

(27 October 1989)

(90/C 125/11)

Subject: Freedom of contract for professional soccer players

The Football Association of Ireland is extremely concerned at recent developments in regard to freedom of contract for professional soccer players. At present, when a player completes his contract with an Irish club and

wishes to sign for a foreign club, a compensation fee is payable to the club in Ireland. If the provisions of the new proposals are carried, the Irish clubs will no longer be entitled to compensation, and this will endanger the survival of many of them.

Will the Commission support the view that the current transfer system is not an obstacle to the freedom of movement of players as it simply serves to ensure that clubs which have developed players' skills receive due compensation for their efforts?

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

(27 February 1990)

Whilst the Commission can reassure the Honourable Member that it has no current intention of introducing new specific legislation dealing with professional football, it is a fact that Community law in general does apply to this complex field.

The Commission is currently considering multiple aspects pertaining to the organization of professional football within the Community, where the European Parliament in particular has called for action, and will shortly meet with the authorities responsible for its regulation for discussions on this subject.

Thereafter, as soon as its examination is completed, the Commission will, as promised, be reporting back to the Parliament on its findings.

WRITTEN QUESTION No 640/89

by Mr Carlos Robles Piquer (PPE)

to the Commission of the European Communities

(27 October 1989)

(90/C 125/12)

Subject: Community coordination of development cooperation with Latin America

Spanish aid to development cooperation totalling more than Pta 3 000 million, allocated to various Latin American countries in the current financial year, combined with funds from the European Development Fund, will enable the recipient countries to carry out various measures which will be evidence of Spain's presence in Latin America. Other Community countries are contributing even larger amounts and the collaboration offered by the Community as such is far from negligible.

Assuming that it is desirable to coordinate the aid for Latin America provided by the various Community countries, it seems obvious that the Commission should know both the amounts given by the Member States and

how the funds are used, so as to obtain the best results from its collaboration in larger-scale and more ambitious cooperation projects.

Does the Commission have the relevant information on the aid granted by the Member States of the Community to the Latin American countries and how such aid is actually used?

Does the Commission try to ensure that the contributions in question coincide with Community policies in the area? Finally, can the Commission say whether it has made its priorities in this area known?

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

(13 February 1990)

The Commission shares the Honourable Member's sentiments with regard to a coordination of Community aid and Member States' aid to Latin America as well as other beneficiaries.

Annual Member States' data aid at their early or *ex-ante* stages of definition are not available in Brussels. There exist unstructured ways for the Commission to be aware of the volumes of *ex-ante* aid and their specific destination:

- the Commission's country desks in Brussels are in a position to know, when necessary, what other donors, including Member States, may do or are doing in a particular country and sector because they must dovetail Commission aid proposals to those of other donors. The Commission's delegations are regularly informed on Member States' aid regularly;
- the European ambassadors, the EC representative and the ambassadors of other donors meet regularly in beneficiary countries and exchange data and experiences on their respective aid.

It is acknowledged that the *ex-ante* information available to the Commission is at times incomplete and untimely. The Commission is willing to begin the process of systematizing and computerizing Member States' aid flows to the Community's beneficiaries.

With a one-year time-lag, *ex-post* aid by Member States is known to the Commission, broken down by country and project, and by commitments and disbursements. The Community, as a formal member of the OECD's Development Aid Committee, exchanges information with the Committee's members on such *ex-post* aid (which includes Member States' aid).

The Community does not have a mandate to make Member States' aid coincide with the Community's policies on its own aid. A distinction should be made between overall aid policies of the Member States and of

the Community, and specific policies affecting sectors or projects. In the last two cases, during the presentation of projects to the Council, the Commission exchanges detailed views with the representatives of Member States, asks about the experiences of Member States' aid in similar projects, and often suggests to them possibilities for co-financing, if this has not already been arranged.

The issue of aid coordination, and the pragmatic ways in which such coordination proceeds, has been examined by the Commission and by the Council in its meeting of 5 June 1984.

The Commission takes into account Member States' aid policies in preparing its own aid policies. *De facto*, the overall Community aid policies are issued annually and reflect past experiences of Community aid as well as the Commission's perception of where future aid should go and how it should be managed. The Commission's policy proposals must be approved by the Council.

WRITTEN QUESTION No 664/89

by Mr Edward McMillan-Scott (ED)

to the Commission of the European Communities

(6 November 1989)

(90/C 125/13)

Subject: Rule of priority to the right at road intersections in Member States

Will the Commission list the Member States in which the rule of priority to the right at road intersections is applied homogeneously throughout their territory? Will the Commission list the Member States in which the rule of priority to the right at road intersections is not applied consistently, or where the local or regional authority can determine priority to the right, leading to a different rule applying on a single stretch of road passing between one authority applying the rule and another authority which does not apply the rule? Will the Commission list the Member States which do not apply the rule of priority to the right at road intersections? Do any Member States apply a rule of priority to the left at road intersections, and if so, which Member States do so?

**Answer given by Mr Van Miert
on behalf of the Commission**

(9 January 1990)

The internationally agreed traffic rules, signs and signals are regulated by the Vienna Convention of 1968 on Road Signs and Signals, the Geneva European Agreement of 1971 supplementing that Convention, and the 1973

Protocol on Road Markings, supplementing this Agreement, administered by the Economic Commission for Europe of the United Nations in Geneva.

The principle provided in the Vienna Convention is that in States where traffic keeps to the right, the driver of a vehicle shall give way to traffic from the right at intersections. Such a general rule may be exempted by States by means of traffic lights or other signs, taking into account traffic management necessities.

For the States where traffic keeps to the left this Convention provides that the right of way at intersections shall be regulated by road signs.

7. stringent measures to control imports from outside the Community (strict observance of the minimum import price, fixing of import quota);
8. Community funding for the national grubbing-up programme to eradicate phylloxera in sultanas in Crete, as promised by Commissioner Andriessen during his visit to the island last year.

Does the Commission propose to take the above measures, and, if so, when?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(15 February 1990)

WRITTEN QUESTION No 705/89

by Mr Dimitrios Dessylas (CG)

to the Commission of the European Communities

(14 November 1989)

(90/C 125/14)

Subject: Last year's unsold stocks of sultanas and measures to dispose of this year's crop

The fact that 30 000 tonnes of last year's stocks of sultanas are being held by cooperatives in Crete (Community stocks) is already creating severe problems as regards the harvesting of this year's crop and export of the product in the new marketing year that began on 1 September 1989.

As Greece is the only Member States producing sultanas for the extremely undersupplied Community market, the following essential measures must be taken to support the product:

1. immediate relocation of last year's stocks and full cover of all the related costs incurred by cooperatives (transport, labour, rents for new storage facilities etc.);
2. authorization for stocks to be used to distil alcohol, for animal feed and aid to third countries and not to be exported in the new marketing year;
3. immediate drawing-up of a new EEC regulation on sultanas on the basis of a firm commitment by the Commission before the Council of agriculture ministers;
4. increase in export subsidies;
5. granting of the latter for all non-Community purchasing countries (e.g. the EFTA countries, Yugoslavia etc.);
6. increase in processing subsidy;

The Commission is fully aware of the problems created by the existence of 24 500 tonnes of sultana stocks (1988 crop), with respect both to the disposal of these stocks and to the normal marketing of the new crop.

These problems, and their cause, are the subject of a report prepared by the Commission. The Commission proposal will be included in the new Regulation for dried grapes, which is in its final stage of preparation.

In addition, the Commission would like to state the following:

The relocation of stocks with coverage of expenses by the Community is not foreseen by existing Regulations.

Regulation (EEC) No 2918/89 ⁽¹⁾ provides for the sale of stocks at prices fixed in advance. The disposal of stocks for distillation or animal feed is envisaged only after procedures of stock disposal for human consumption are exhausted.

The Commission does not consider that granting export refund in the beginning of the marketing year is the most suitable way of promoting sultana exports. Forecasts for the present marketing year, furthermore, indicate that world consumption will exceed world supply, and thus exports should not face any difficulties.

Processing aid has been increased, for the current marketing year 1989/90, by 9% in ecu terms and by 32% in drachma terms. This percentage is significantly greater than respective increases in other agricultural products.

It should further be noted that, during the last four years, the increase in processing aid has been 117% in drachma terms, compared to an inflation rate of 85% for the same period.

The fact that, despite this significant aid, sultana exports are exhibiting a downward trend should lead to the conclusion that the decline in the competitiveness of the product is related to the deterioration of its quality with

respect to the quality of the same product of competitor countries.

Measures to tighten up the control of the minimum import price (MIP) applying to third country imports of dried grapes have already entered into force under Commission Regulation (EEC) No 2054/89 ⁽¹⁾.

Community funding of the national programme for the combating of phyloxera in sultana plants in Crete was already approved on 5 July 1989 ⁽²⁾. The programme totals ECU 54.8 million for the period 1 January 1989 to 31 December 1993, and 70% of the cost will be funded by the EAGGF.

⁽¹⁾ OJ No L 280, 29. 9. 1989, p. 40.

⁽²⁾ OJ No L 195, 11. 7. 1989, p. 14.

⁽³⁾ OJ No L 188, 25. 7. 1989, p. 6.

WRITTEN QUESTION No 728/89

by Mr James Ford (S)

to the Commission of the European Communities

(14 November 1989)

(90/C 125/15)

Subject: Harmonization of legislation concerning use of polyurethane foam

On the understanding that the prevailing British safety standards relating to the manufacture of polyurethane foam are more stringent than those applying in the rest of Europe, has the Commission yet decided to harmonize existing European standards upward to the level presently obtaining in Britain in preparation for the single market?

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

(21 December 1989)

The Commission has up to now no evidence that the prevailing British safety standards relating to the manufacture of polyurethane foam are more stringent than those applying in the rest of Europe.

The Commission is preparing a draft directive (based on Article 100A of the EEC Treaty), on the approximation of laws, regulations and administrative provisions of the Member States relating to the fire behaviour of upholstered furniture, related articles and constituent products; they are consulting the competent departments, industries and other interested parties in the Member States. As to the preparation of harmonized standards, a subcommittee of the CEN T.C. 207 'Furniture' which held its first meeting on 23 and 24 November, will be in charge of the problems of fire behaviour.

WRITTEN QUESTION No 729/89

by Mr Michael Welsh (ED)

to the Commission of the European Communities

(14 November 1989)

(90/C 125/16)

Subject: Compensation for victims of crime while travelling abroad

1. What steps does the Commission plan to take in the light of Parliament's Resolution on compensation for criminal injuries adopted during the September part-session?
2. What counselling services are available in the Member States for victims of crime who are travelling outside their own country?

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

(8 December 1989)

Following the judgment of the Court of Justice of the European Communities on 2 February 1989 in the *Cowan* case ⁽¹⁾, the Commission decided to initiate infringement proceedings under Article 169 of the EEC Treaty against those Member States whose legislation on compensation for the victims of acts of violence discriminates against nationals of other Member States and is thus contrary to Article 7 of the EEC Treaty.

The Commission is aware that this step does not constitute a complete solution to the problem since the legislation of certain Member States makes no provision for the State to intervene as a last resort where the perpetrator of a deliberate act of violence is insolvent or has fled.

Accordingly, and in view of Parliament's resolution, the Commission has undertaken to consider all questions relating to action in this field, including that of Community competence.

The Commission has no information which could enable it to answer this question.

⁽¹⁾ Case 186/87 (not yet reported).

WRITTEN QUESTION No 731/89

by Mr Carlos Carvalhas (CG) and Mr Joaquim Miranda da Silva (CG)

to the Commission of the European Communities

(14 November 1989)

(90/C 125/17)

Subject: Criteria for the Erasmus programmes

The criteria for the Erasmus programmes, which are intended to promote cooperation between universities in the Member States, have not in all cases facilitated

mobility for students from the peripheral Member States, such as Portugal.

Does the Commission intend, when drawing up Erasmus II, to introduce criteria designed to compensate for the problems of the peripheral Member States, such as 'geographical distance' and cost-of-living differentials between Member States, or, furthermore, differences arising from the non-existent or inadequate facilities for receiving students at certain universities?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(31 January 1990)

Participation by Portuguese students in the first phase of the Erasmus programme was by no means negligible if we take into account the size of that country and of its student population. For the 1989/90 academic year 300 students received an Erasmus grant to carry out a period of studies in another Community university.

Under the Council Decision of 14 December 1989 on the second phase of the Erasmus programme the two criteria referred to by the Honourable Member (i.e. the distance between the university of origin and the host university and the difference in the cost of living between the two Member States in question) were added to the criteria already applying. Thus, the new formula for the allocation to the Member States of funds for Operation 2 (student grants), which will come into force in 1990, will be as follows:

- a minimum of ECU 200 000 will be allotted to each Member State and
- the amount of the residual allocation will be allotted in line with the following criteria:
 - total number of young people (18 to 25 years of age);
 - total number of students in higher education establishments;
 - average cost of the journey between the country of the university of origin and that of the host university;
 - difference between the cost of living at the university of origin and at the host university.

The Commission takes the view that with this new formula the peripheral Member States, such as Portugal, will be able to step up their participation in the Erasmus programme.

WRITTEN QUESTION No 741/89

by Mr Joaquin Siso Cruellas (PPE)

to the Commission of the European Communities

(14 November 1989)

(90/C 125/18)

Subject: Information about the insurance sector in the European Community

The series of complaints lodged with the Bank of Spain by the Spanish General Council of Insurance Agents against

various Spanish banks for what it considers to be 'irregular and unorthodox practices' has once again drawn attention to the fact that in Spain the monetary authorities must lay down limits for the activities of banks and savings banks in the sale and distribution of insurance and that at the same time advertising for the sale of this kind of product should be made more comprehensible.

The Council's complaints are directed against certain specific banks and savings banks and it has called on the Bank of Spain to clarify the situation and establish order in the sector.

In view of the volume and impact of Community legislation on the subject, could the Commission supply information on the subject and thereby help to clarify the situation, in accordance with the request made by the Spanish insurance agents?

**Answer given by Sir Leon Brittan
on behalf of the Commission**

(19 February 1990)

Directives 73/239/EEC, coordinating direct insurance other than life assurance⁽¹⁾, and 79/267/EEC, coordinating direct life assurance⁽²⁾ provide that, besides having a specific legal form, insurance companies must limit their objects to the business of insurance and transactions arising directly therefrom, to the exclusion of all other commercial activity. The purpose of this rule is to prevent one and the same legal entity from carrying on simultaneously insurance business and other commercial activities, be they banking activities or whatever. A credit institution may not, therefore, carry on simultaneously the business of insurance, as governed by the abovementioned Directives, and the business of banking.

As regards the sale and distribution of insurance products, Directive 77/92/EEC⁽³⁾ lays down provisions and transitional measures aimed at facilitating the taking-up and pursuit of the activities of insurance intermediaries by nationals of the Member States, both through establishment and through freedom to provide services.

Otherwise, it is for the Member States to regulate such activities and determine the conditions under which they may be taken up and pursued, paying due regard to the provisions of Directive 77/92/EEC.

The Commission is currently considering whether further Community measures on the distribution of insurance products are called for as part of the drive to complete the internal market.

⁽¹⁾ OJ No L 228, 16. 8. 1973.

⁽²⁾ OJ No L 63, 13. 5. 1979.

⁽³⁾ OJ No L 26, 31. 1. 1977.

WRITTEN QUESTION No 746/89**by Mr Dieter Rogalla (S)****to the Commission of the European Communities***(23 November 1989)**(90/C 125/19)**Subject: Exhaust standards for diesel-powered vehicles*

It is well known that diesel-powered vehicles produce high emissions of nitrogen oxides and soot. When will the Commission submit proposals for EC diesel exhaust standards?

How stringent will such standards be in comparison with those which have long been in force in California?

At what point will new diesel-powered vehicles in the EC have to meet the forthcoming exhaust standards?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(22 December 1989)

As part of the programme of action by the Community relating to the Environment, further efforts are currently being made to reduce the levels of harmful emissions from motor vehicles, including diesel-engined vehicles.

1. Cars (diesel- and petrol-engined)

The permitted levels of carbon monoxide (CO), hydrocarbon and nitrogen oxide (HC + NOx) emissions from petrol- and diesel-engined vehicles have been reduced several times since they were first laid down in Directive 70/220/EEC. Most recently, Directive 89/458/EEC laid down new limits for CO and HC + NOx emissions from cars with an engine capacity of less than 1.4 l.

The Council has instructed the Commission to present, before the end of 1989, a new proposal for a consolidated Directive under which the CO and HC + NOx emission standards for small engines (less than 1.4 l capacity) will be applicable to the other two categories of engine (1.4 to 2.0 l and more than 2.0 l capacity). These new limits should, however, be based on the new European Test Cycle (urban and extra-urban driving with a maximum speed of 120 km/h). Accordingly, the emission limits for cars with an engine capacity of less than 1.4 l are also to be adapted to this new test procedure.

Directive 88/436/EEC sets limits for particulate pollutant emissions from diesel-engined cars. The proposed consolidated Directive referred to above will also lay down new, stricter standards for particulates (second stage) on the basis of the European Test Cycle.

The CO, HC + NOx and particulate emission standards will apply to new models from 1 July 1992 and to all new vehicles from 31 December 1992.

The prospective standards for diesel- and petrol-engined cars will be fixed in such a way that the best available technology will have to be used in order to comply with them. In future, European standards should be of comparable strictness to those applied in the United States.

It should be noted that the US limits currently in force for particulate emissions cannot be complied with — or only with great difficulty — in the present state of technology and the US market for diesel cars has therefore practically disappeared.

2. Lorries

CO, HC and NOx emission standards for motor vehicles with a total mass exceeding 3.5 tonnes were first laid down in Directive 88/77/EEC. This Directive will be amended to provide stricter standards for gaseous emissions. At the same time, a limit value for particulate emissions (first stage) will be introduced for the first time. The Commission wants to put a proposal to this effect before the Council by early 1990.

The standards laid down in Directive 88/77/EEC are equivalent to those currently in force in the United States. The future standards for gaseous emissions (second stage) and particulates (first stage) to be proposed by the Commission will be similar in stringency to those to be introduced in the United States in 1991.

WRITTEN QUESTION No 750/89**by Mr James Ford (S)****to the Commission of the European Communities***(23 November 1989)**(90/C 125/20)**Subject: Comparative letter costs*

Can the Commission provide details of the costs of sending a standard class letter within the EC from each Member State?

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

(25 January 1990)

The table below compares the postal rates charged in the Community for standard-class letters sent from one Member State to another. It shows that these rates vary by as much as 100%.

In the Community context, six out of the twelve Member States have not yet extended their domestic rates to destinations throughout the Community.

On a more general level, the Commission is currently preparing a Green Paper on postal services, which will give an update on the situation in the Community and

present proposals with an eye to completion of the internal market. The question of postal charges will also be raised.

Furthermore, in order to assist it in preparing the Green Paper, the Commission convenes regular meetings of a working party of senior civil servants in the postal sector; it is also looking closely at the results of the recent Universal Postal Union Conference in Washington.

Comparison of charges in ecu for letters up to 20 grams

Country	Domestic destinations	International destinations (Europe)
Belgium	0,29	0,29
Denmark	0,39	0,39
Federal Republic of Germany	0,48	0,67
Greece	0,17	0,33
Spain ⁽¹⁾	0,06	0,35
France	0,31	0,31
Ireland	0,36	0,36
Italy	0,43	0,50
Luxembourg	0,27	0,27
Netherlands	0,32	0,32
Portugal	0,16	0,34
United Kingdom ⁽²⁾	0,28	0,28

⁽¹⁾ The rate of ECU 0.06 applies to letters within the same town; the rate for letters between two towns is ECU 0.15.

⁽²⁾ The domestic rate of ECU 0.28 applies to letters up to 50 grams.

WRITTEN QUESTION No 751/89

by Mr Gerardo Fernandez Albor (PPE)

to the Commission of the European Communities

(23 November 1989)

(90/C 125/21)

Subject: Harmonization of welfare aid in the Member States

The legal dispute between the Spanish Caritas organization and the Socialist Government, which refused funding for 145 programmes costing Pta 1 481 million — instead of which the organization received a grant of only 63 million — once again underlines the need for welfare activities in the Community to be detached from the political ups and downs involved in a change of government, and for both the drawing up of programmes and their implementation to be suitably rationalized and given appropriate resources.

Does the Commission consider that more of the range of welfare activities in the EC should be carried out at Community level in order to guarantee an independence and objectivity which national politics often make it

difficult to achieve, and to enable welfare in Europe to underpin respect for the principles of religious freedom and equality and for society's duty to help bring about the conditions which are necessary for genuine, effective equality between its citizens?

**Answer given by Mr Cardoso e Cunha
on behalf of the Commission**

(16 February 1990)

Direct assistance to the poorest members of society is the responsibility of individual Member States, where the appropriate institutions exist to guarantee due respect for the rights and principles of equality and freedom, when appropriate, as set out in their respective national legislations.

WRITTEN QUESTION No 767/89

by Mrs Marie Jepsen (ED)

to the Commission of the European Communities

(23 November 1989)

(90/C 125/22)

Subject: Failure to comply with Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water

The objective of Directive 76/160/EEC ⁽¹⁾ of 8 December 1975 concerning the quality of bathing water is to ensure protection of the environment and public health.

Rumour has it that only two Member States, Denmark and Ireland, comply with the provisions of Article 6 of the Directive on thorough and regular sampling of bathing water.

Can the Commission confirm this rumour and, if so, will it take steps to ensure that the provisions of the Directive are respected in all the Member States and, at the same time, ensure that users (tourists) are provided with comparable information concerning the quality of bathing water in the Member States?

⁽¹⁾ OJ No L 31, 5. 2. 1976, p. 1.

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(9 January 1990)

The Commission has been making every effort to ensure full compliance with all of the provisions of Directive 76/160/EEC on the quality of bathing waters. In pursuit of this objective, the Commission has to date either initiated or decided to initiate infraction procedures against all of the Member States except Portugal (where the compliance deadline is 1 January 1993) in respect of one or more aspects of the Directive. Article 6, which

deals not only with the frequency of sampling, but also with the location of sampling points, investigations of ambient conditions and the need for additional sampling in certain circumstances has been or is in course of being cited in the case of all procedures except that for Luxembourg.

With regard to the dissemination of information, the Commission publishes an annual report on the quality of bathing waters throughout the Community. Reports in respect of the years up to and including 1987 have been published so far; a report in regard to 1988 is at present being prepared.

WRITTEN QUESTION No 778/89
by Mr Gerhard Schmid (S)
to the Commission of the European Communities
(23 November 1989)
(90/C 125/23)

Subject: Danger of cancer from azo dyes

On 2 May 1989 the West German radio programme 'Monitor' reported new findings about the harmful effects of azo dyes made from aromatic amines on workers in the textile industry and consumers. Whilst hitherto cancer of the bladder was linked only to benzidine-based azo dyes, other azo dyes are now suspected of causing the disease. Fifty per cent of all dyes used by the textile industry are supposed to contain azo dyes. Sweat can cause the dye to run. According to 'Monitor', the Institute of Technology in Cambridge, Massachusetts has recently produced a study which demonstrates that azo dyes can enter the bloodstream through the skin.

1. Are there any legal provisions in the Member States of the Community concerning the use of azo dyes in relation to the health of workers in the textile industry?
2. Are there any legal provisions in the Member States of the Community concerning the quality of textile dyeing in relation to the health of consumers, especially children?
3. If not, does the Commission not consider that it should submit proposals for the prevention of further harmful effects on the health of workers and consumers?
4. Has the Commission included the causes of cancer of the bladder in its programme to combat cancer and, if not, will it do so?

Answer given by Mrs Papandreou
on behalf of the Commission
(19 January 1990)

Azo dyes fall within a very broad category of synthetic dyes made from aromatic amines. They are widely used in several industrial sectors (textiles, paper, plastics, etc.).

Generally speaking, this category displays relatively low toxicity. On the other hand, increasing attention is being paid to its carcinogenic potential.

The International Cancer Research Centre in Lyon has examined azo dyes on several occasions.

- three (Direct Black 38, Direct Blue 6 and Direct Brown 95) were classified as 'probably carcinogenic to humans'
- eight, as 'possibly carcinogenic to humans',
- twenty-three were not classified as regards their carcinogenic properties.

The Centre states that there seems to be evidence of an increase in the likelihood of bladder cancer in workers who produce the intermediate products leading to these dyes, but not in consumers.

According to the information available to the Commission there are no specific laws in the Member States on the protection of worker health in the part of the textile industry that uses such dyes.

Nevertheless, the use (and production) of several of the basic components of these dyes is in most of the Member States of the European Economic Community subject to requirements that are intended to protect the workers exposed to them.

Of the components aminoazobenzene, azobenzene, chrysoidine and 2-naphthylamine and benzidine, the latter two in particular have in fact been used in this part of the industry in the past.

Between 1980 and 1988 respectively, two directives were adopted by the Council on Community law relating to the protection of workers exposed to dangerous chemicals.

The 1980 Directive (80/1107/EEC) (*) broadly concerns workers protection by asking the Member States to adopt an entire sequence of measures, including the laying down of limit values, when they adopt provisions in this area.

The 1988 Directive (88/364/EEC) (2) requires Member States to ban the production and use of four chemical agents including benzidine and its salts and 2-naphthylamine and its salts. Member States may authorize exemptions for highly specific cases such as their use as an intermediate product. This Directive should have been transposed into national law before 1 January 1990.

It must also be taken into account that a proposal for a Directive aimed at protecting workers from all known carcinogens is in its final stage of adoption. The provisions of this Directive should apply in cases where workers are exposed or are very likely to be exposed to agents in category 'R45' ('may cause cancer') in Directive 67/548/EEC (3) and its amendments.

The Commission would draw the attention of the Honourable Member to the fact that at the moment 80 substances have been classified as carcinogenic under that Directive 67/548/EEC on the classification and labelling of dangerous substances.

Those substances include benzidine and its salts, which act as an intermediate product in the production of azo dyes. Azo dyes themselves are still under discussion.

Priority is given to the classification as carcinogenic of azo dyes based on benzidine and other carcinogenic aromatic amines.

The list of substances classified is being constantly updated and azo dyes will be added as soon as possible.

It must first of all be borne in mind as regards the safety of consumers and above all of children that the risk of cancer at issue could have two possible causes:

- the use of carcinogenic azo dyes;
- the resistance of the dyes to perspiration, but an ISO standard on the relevant tests in this area is already in existence.

Owing to the size of the problem, the Commission will as soon as possible examine in depth the study published by the Institute of Technology in Cambridge (USA) in order to assess the priorities in this area.

(¹) OJ No L 327, 3. 12. 1980.

(²) OJ No L 179, 9. 7. 1988.

(³) OJ No L 196, 16. 8. 1967.

WRITTEN QUESTION No 786/89

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(23 November 1989)

(90/C 125/24)

Subject: Health problems due to water pollution

What medical provision does the Commission require from Member States in the event of damage to the health of a citizen of the Community by unnecessary exposure to sewage effluent in surface water, when that effluent is in the water unconsented?

Answer given by Mr Ripa di Meana
on behalf of the Commission

(22 December 1989)

The existing provisions contained in Community directives concerning water do not cover the particular question raised by the Honourable Member.

More generally, however, there are two directives which primarily aim to safeguard the health of Community citizens from pollutants which may occur in potable waters:

— 75/440/EEC (¹) concerning the quality of surface water intended for the abstraction of drinking water in the Member States;

— 80/778/EEC (²) relating to the quality of water intended for human consumption.

These set mandatory limits and guide values for a wide range of potentially polluting substances in water. Sewage effluent itself is not included in either directive. However, certain substances which frequently occur in sewage are e.g. fecal coliforms and streptococci, nitrates and ammonia.

Finally, the Commission has completed a Directive on Municipal Waste Waters (³), which is now to be considered by the Council. If this can be agreed, then it should significantly strengthen existing provisions in the Member States with regard to sewage treatment works effluents.

(¹) OJ No L 194, 25. 7. 1975, p. 26.

(²) OJ No L 229, 30. 8. 1980, p. 11.

(³) OJ No C 300, 29. 11. 1989.

WRITTEN QUESTION No 792/89

by Mr Victor Manuel Arbeloa Muru (S)

to the Commission of the European Communities

(23 November 1989)

(90/C 125/25)

Subject: European Cultural Foundation and Charter

What stage has been reached in the moves to set up the European Cultural Foundation and European Cultural Charter referred to in the Communication from the Commission (COM(87) 603 final/2) and in the European Parliament's resolution of 13 April 1988 (¹)?

(¹) OJ No C 122, 9. 5. 1988, p. 38.

Answer given by Mr Dondelinger
on behalf of the Commission

(13 March 1990)

The Commission would refer the Honourable Member to its answer to Written Question No 502/88 by Mr Garaikoetxea Urriza (¹).

As regards the European Cultural Charter he mentions, what the communication from the Commission proposed was an Audiovisual Charter (²). This was in fact adopted by the European Federation of Audiovisual Producers at their meeting in Delphi on 25, 26 and 29 September 1988.

(¹) OJ No C 195, 31. 7. 1989.

(²) COM(87) 603 final.

WRITTEN QUESTION No 815/89

by Mr Carlos Carvalhas (CG)
to the Commission of the European Communities
(28 November 1989)
(90/C 125/26)

Subject: Specific aid for housing in Portugal

At the recent world meeting of the International Association for Housing Science (IAHS) held in the Exponor centre in Matosinhos, Portugal, on the theme 'Improved housing with innovative financing and technology', mention was made, once again, of the severe housing shortage and the appalling state of the existing housing stock in Portugal, especially in the urban centres of Lisbon and Oporto — a situation unparalleled in other Member States of the Community.

In the face of this situation and in the context of the single market, can the Commission state whether it has plans for a substantial reinforcement of regional and structural policies over the 1990s, including, in particular, their extension to areas such as housing which are of vital importance for social cohesion, especially in the case of Portugal?

**Answer given by Mr Millan
on behalf of the Commission**
(17 January 1990)

The Commission is aware of the existence of serious social problems associated with housing and arising in particular from poverty and the various kinds of urban decline in certain built-up areas, notably in Portugal. In general terms the Commission is seeking to make a contribution to the study and solution of these special problems under the Community's anti-poverty programme and measures to combat social exclusion. Fact-finding work is in hand at the Commission to determine the significance of housing as a factor in integration in an urban environment. Within this broad framework, studies and pilot projects directed at finding solutions to the problems of built-up areas may be financed by the European Regional Development Fund (ERDF). In the case of Lisbon, a special study has just been launched on the protection of the historical and architectural heritage, funded from a special budget heading (Article 554) created on Parliament's initiative.

However, the principle of concentrating ERDF financing on certain categories of infrastructure, as referred to in Article 1 of Council Regulation (EEC) No 4254/88 relating to the ERDF⁽¹⁾, and on productive investment — a fundamental principle of the reform — rules out any direct help with the financing of housing projects.

⁽¹⁾ OJ No L 374, 31. 12. 1988.

WRITTEN QUESTION No 819/89

by Mrs Jessica Larive (LDR)
to the Commission of the European Communities
(28 November 1989)
(90/C 125/27)

Subject: Trade in human organs

1. Can the Commission give information concerning legislation or, in the absence of legislation, the practices followed in the Member States concerning the giving or sale of organs by live donors?
2. If there are major discrepancies between the practices followed by the various Member States, should not European Community directives be issued to prevent abuses?

WRITTEN QUESTION No 820/89

by Mrs Jessica Larive (LDR)
to the Commission of the European Communities
(28 November 1989)
(90/C 125/28)

Subject: Donation of organs after death

1. Can the Commission give information concerning the practices followed in the 12 Member States in the donation and transplantation of organs? In which Member States is it assumed that, in the absence of instructions to the contrary, an individual has no objections to the removal of his or her organs after death? In which Member States is specific authorization required for the medical use of organs after death (for transplantation or scientific research)?
2. What is the legal status of donor cards in the Member States?
3. What provisions govern the conduct to be adopted by medical teams if organs are offered?
4. Do legal provisions exist for supervision and sanctions in respect of hospital practice?
5. Given the increasing mobility of individuals and the international supply and demand situation in respect of donor organs, does the Commission not consider that this question should be tackled at European level, if it emerges that major discrepancies do exist between the practices followed in the individual Member States?

**Joint answer to Written Questions Nos 819/89 and 820/89
given by Mrs Papandreou
on behalf of the Commission**
(12 January 1990)

An up-to-date overview of legislation in Member States is not yet available but the Commission has requested a report by experts on this matter.

Consequently the specific questions asked by the Honourable Member, in particular on practices in Member States, donors' consent, donor codicils, conduct of medical teams and internal rules in hospitals, will have to be dealt with at a later stage.

Concerning the question whether legislation at Community level is appropriate, the Commission is examining the possibility of a Community-wide ban on the sale of organs, which is already in force in some Member States.

WRITTEN QUESTION No 832/89

by Mr François de Donnée (LDR)

to the Commission of the European Communities

(28 November 1989)

(90/C 125/29)

Subject: Infringement proceedings for failure to inform the Commission of national implementing measures

In June 1989, the Commission delivered a reasoned opinion in respect of the Belgian Government's failure to inform it of the national measures implementing Directives 85/433/EEC of 16 September 1985⁽¹⁾ and 85/584/EEC of 20 December 1985⁽²⁾ concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy.

1. Could the Commission state what argument the Belgian Government has put forward to justify its failure to inform the Commission?
2. What further action does it intend to take in this matter?

⁽¹⁾ OJ No L 253, 24. 9. 1985, p. 37.

⁽²⁾ OJ No L 372, 31. 12. 1985, p. 42.

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

(24 January 1990)

It is a fact that Belgium has not as yet incorporated in national law Directives 85/433/EEC of 16 December 1985 and 85/584/EEC of 20 December 1985 on the mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy. The Commission is investigating this case under Article 169 of the EEC Treaty. The delays noted in the incorporation in national law of Directives relating to mutual recognition of diplomas appears in general — as in the case in question — due to the lengthy nature of the legislative procedures involved.

WRITTEN QUESTION No 836/89

by Mr François de Donnée (LDR)

to the Commission of the European Communities

(28 November 1989)

(90/C 125/30)

Subject: Award of Erasmus grants

Could the Commission give the regional distribution (Brussels — Wallonia — Flanders) of Belgian students who have received Erasmus grants for the 1989/90 academic year, specifying the number selected and the total amount allocated to each region?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(31 January 1990)

The regional distribution of Belgian students receiving an Erasmus grant is in the hands of the two national agencies for the administration of student grants appointed by the Belgian Government.

As regards the 1989/90 academic year, some 1 380 Belgian students (750 Dutch-speaking and 630 French-speaking) took part in 222 inter-university cooperation programmes developed by 38 Belgian higher education establishments with other establishments located throughout the Community.

The overall amount allocated to Belgium for Erasmus student grants in the 1989/90 academic year was ECU 809 500, distributed as follows between the two regions:

- French-speaking region ECU 351 715
- Dutch-speaking region ECU 457 785.

WRITTEN QUESTION No 838/89

by Mr Ingo Friedrich (PPE)

to the Commission of the European Communities

(29 November 1989)

(90/C 125/31)

Subject: Directive on the mutual recognition of diplomas, certificates and other evidence of formal qualifications in architecture

Having regard to Council Directive 85/384/EEC⁽¹⁾, can the Commission say what necessary measures the individual Member States have introduced in order to meet the requirements laid down in Article 31 of this Directive?

Can the Commission confirm that through the implementation of these measures in the individual Member States the objectives of the directive —

facilitating the effective exercise of the right of establishment and freedom to provide services in the field of architecture — have been achieved?

(¹) OJ No L 223, 21. 8. 1985, p. 15.

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

(18 January 1990)

Pursuant to Article 31 of Directive 85/384/EEC, several Member States have adopted the necessary measures to ensure freedom of movement and mutual recognition of formal qualifications in the field of architecture.

The Commission is closely monitoring progress and the incorporation of the Directive into national legislation. It has noted that some Member States have not or have incompletely incorporated the Directive and has consequently initiated proceedings under Article 169 of the Treaty against Belgium, the Federal Republic of Germany, Greece, Spain, Ireland, Italy, Luxembourg and Portugal.

Although incomplete incorporation does not prevent freedom of movement — except in Spain and Italy as indicated by complaints on this subject lodged against these two countries — the Commission nevertheless believes that full and formal incorporation is necessary to guarantee the individual rights of Community architects complying with the conditions in the Directive and wishing to become established or provide services in a Member State other than the one in which they acquired their qualifications.

WRITTEN QUESTION No 842/89

**by Mr Florus Wijsenbeek (LDR)
to the Commission of the European Communities**

(29 November 1989)

(90/C 125/32)

Subject: Building of golf courses

In its answer to Written Question No 1502/87 (¹) the Commission maintains that a golf course can be regarded as more favourable to the environment than intensive farming. In view of this, does the Commission not consider that the building of golf courses might be a useful means of restoring the ecological balance in regions affected by the rural exodus?

Given the great tourist attraction of this sport, for example in the Algarve and the south of Spain, does the Community intend to encourage the building of golf courses as part of its regional development policy, particularly in regions such as Sicily, the south of Italy and Greece, where such infrastructures are almost non-existent?

Has the Commission already provided funding for the construction of golf courses or does it intend to do so?

(¹) OJ No C 154, 13. 6. 1988, p. 12.

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

(31 January 1990)

As indicated in its answer to Written Question No 1502/87, the Commission considers that, under normal circumstances, the building of golf courses does not present any particular environmental problems. However, the Commission does not believe that this form of land use can in itself provide a significant response to the ecological problems of regions affected by rural depopulation.

In appropriate circumstances the building of a golf course can enhance the tourist and economic potential of an area or region and the Commission has already helped to finance the building of golf courses. It is willing to examine any applications submitted to it relating to tourist development in rural areas eligible for support under the Structural Funds.

WRITTEN QUESTION No 843/89

**by Mr Ian White (S)
to the Commission of the European Communities**

(29 November 1989)

(90/C 125/33)

Subject: Physical and social environment

What is the numerical size of each Member State's working population, and

1. What is the numerical size of each Member State's working population region by region (Land/département, etc.)?
2. What is the ratio of Environmental Officers per 1 000 employees?
3. What is the ratio of Public Health Inspectors per 1 000 employees?
4. What is the ratio of Industrial/Commercial Health and Safety Inspectors per 1 000 employees?

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

(17 January 1990)

Figures on the working population and unemployment are regularly published by Eurostat in the statistical yearbook 'Regions'.

As to the number of officers carrying out inspection duties in the fields mentioned, the organization of public services is so different from one Member State to another that the Commission has no comparable information on this subject.

However, the following information was provided by the countries concerned:

1. Belgium: 172 inspectors (1987), comprising:
 - 33 civil engineers
 - 29 doctors
 - 47 industrial and technical engineers
 - 21 health inspectors
 - 42 technical inspectors
2. Denmark: 254 inspectors (1988)
3. Federal Republic of Germany
 - 3 009 'Gewerbeaufsichtsamt' (trade supervisory office) inspectors (1987)
 - 1 915 'Berufsgenossenschaft' (trade association) inspectors (1988)
4. Greece: 170 inspectors (1989)
5. Spain: 606 labour and social security inspectors (1988)
6. France: 451 inspectors and 2 322 supervisors (1987)
7. Ireland: 45 inspectors (1988)
8. Italy: 692 inspectors (1988)
9. Luxembourg: 17 inspectors and supervisors (1988)
10. Netherlands: 273 inspectors (1989)
11. Portugal: 305 inspectors (1989) comprising:
 - 3 medical inspectors
 - 3 engineering inspectors
 - 19 legal inspectors
 - 18 senior technical inspectors
 - 42 technical inspectors
 - 220 deputy inspectors
12. United Kingdom: 1 165 inspectors (1988) comprising:
 - 592 factory inspectors
 - 158 in agriculture
 - 217 specialists
 - 74 in mining and quarrying
 - 124 in the nuclear industry

For several reasons these figures do not allow a reliable percentage calculation as requested by the Honourable Member:

- in principle, the figures given are for the number of people responsible, at least partially, for inspection duties in the field of industrial/commercial health and safety;
- therefore they do not include all officers employed by a labour or industrial inspectorate. At the same time administrative structures vary so much from one Member State to another that it is difficult to define the very concept of 'persons responsible for inspection work';
- the great diversity of duties performed by industrial inspectors in the 12 Member States makes any serious comparison virtually impossible, especially between countries which have a 'specialist' structure (inspectors specializing in health and safety questions) and those which have a 'generalist' structure (in some states, the percentage of time given by 'general' industrial inspectors to matters of health and safety may be no greater than 20 %);
- conversely, it is probable that the figures supplied to the Commission by the Member States do not incorporate all those with inspection duties, either within or outside an industrial or labour inspectorate, relating to health and safety matters (e.g. environmental inspectors, doctors, social insurance inspectors, etc.).

WRITTEN QUESTION No 852/89

by Mr Gianfranco Amendola (V)

to the Commission of the European Communities

(29 November 1989)

(90/C 125/34)

Subject: The European cancer information campaign

Given the political importance of the anti-cancer campaign, aimed at achieving a 15 % reduction in the number of deaths from cancer by the year 2000, can the Commission:

1. provide a breakdown of the distribution of the 10 000 posters on the European Code against cancer among the more than 8 000 municipalities in Italy
2. which cities received most of the posters;
3. indicate how many posters were displayed in each of the cities in which the anti-cancer publicity was concentrated?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(15 February 1990)

The distribution of most of the European posters in Italy was carried out by the Italian League against Cancer. It is the only structure which operates directly throughout

Italy, through its 95 provincial sections, in the field of preventing and combating cancer. A small number of posters was used by the European School of Oncology during the seminar for scientific journalists in Venice in May 1989 and for the 'Europe against Cancer' exhibition (Venice—Palermo—Florence).

The headquarters of the League sent to each provincial section more or less the same amount of material for schools, barracks, pharmacists, local health departments, public health centres, doctors' private surgeries, hospitals, i.e. everywhere where the message could be perceived more easily.

At present, the League still has a stock of around 3 000 posters for distribution to general practitioners or to certain sections for measures winding up European cancer information year.

More materials were distributed in those towns where the League has most facilities and most volunteers: Milan, Bari, Consenza, Palermo, Matera. The sections in these towns, which are provincial capitals, also assumed the task of passing on materials to the municipalities in their province.

WRITTEN QUESTION No 871/89

by Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

(29 November 1989)

(90/C 125/35)

Subject: Collecting tanks for water contaminated while extinguishing fire in chemicals plants

Following the fire at the Sandoz chemicals plant which led to toxic chemicals escaping into the Rhine, some plants have built collecting tanks to catch water contaminated while being used to extinguish fires.

Could the Commission state which Member States have made such a measure compulsory and whether it plans to introduce a similar regulation at Community level?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(22 December 1989)

At the present time Council Directive 82/501/EEC⁽¹⁾ of 24 June 1982 on the major accident hazards of certain industrial activities obliges manufacturers to establish preventive safety measures to limit the consequences of a major accident. However, this Directive does not lay down any prescriptive technical measure to be taken by manufacturers such as bunding or fail-safe systems. In the Member States themselves the national authorities, by

means of the safety reports on industrial installation submitted by the manufacturers, evaluate the safety measures taken on a case-by-case basis.

The Commission does not intend to propose specific legislation on this issue. Nevertheless the Commission is in the process of carrying out a complete review of the Directive and this issue may be addressed in a broader context.

In the context of the International Convention for the Protection of the Rhine, to which France, the Federal Republic of Germany, the Netherlands and the Commission are contracting parties together with Switzerland, the safety of industrial installations has also been examined. The Communiqué from the 10th Council of Ministers on the Rhine mentioned the obligation on the part of the manufacturer to take the appropriate safety measures where there is a risk of an accidental discharge of substances dangerous to water, for example this would cover general retention basins. In the Rhine Commission's report on the safety of warehouses that have in storage substances dangerous to water, the technical measures prescribed include the siting of retention basins where there is storage of liquid substances and bunding for water contaminated while extinguishing a fire.

(¹) OJ No L 230, 5. 8. 1982, p. 1.

WRITTEN QUESTION No 881/89

by Mr William Newton Dunn (ED)

to the Commission of the European Communities

(29 November 1989)

(90/C 125/36)

Subject: Intensive feedlot method of cattle farming

Is there any evidence that the intensive feedlot method of rearing cattle (so that the cattle do not graze in fields) is undesirable on public health, environmental, ecological or animal welfare grounds?

Is the Commission considering any legislation either to outlaw this method of farming or to ensure that it is carried out to the strictest standards, taking into account the grounds listed above?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(16 February 1990)

Cattle farming in intensive feedlots means that thousands of steers are fattened, over a period of three to five months, in large enterprises, on the basis of feedstuffs not

produced on the farm, but bought in from the feed industry. The animals are housed in open-air confinements. The fattening in feedlots is, in general, the last operation in a beef production chain, starting with calf-producing, followed by store cattle raising and terminating by finishing operations in feedlots, with cattle moving from one farm to another for each specialized stage of production.

With the exception of some units which may be found in northern Italy, Spain and the United Kingdom and which represent only a very small part of total production, beef production in the Community does not take place in feedlots. It is true that not all beef in the Community is fattened on grass; however, fattening units in the Community producing beef on the basis of homegrown cereals or maize silage, the most popular method of production of beef, especially for young bulls in all Member States except Ireland and the United Kingdom, cannot be regarded as feedlots and, therefore, do not represent the same risk identified in the Honourable Member's question.

In view of the very small number of feedlots in the Community, the Commission has no basis for assessing and judging this type of beef production. It seems, therefore, unnecessary to introduce specific Community legislation with regard to intensive feedlot methods. The Commission would like to underline, however, that in its policy regarding beef production, no steps are taken to encourage farmers to produce beef in large fattening units. In this regard, it should be noted that the special beef premium for beef producer, granted in the framework of the common market organization for beef and veal, is limited of structural policy, special restrictions are applied in the beef sector: above a cattle-stocking rate of three livestock units per hectare of total forage area, aids are not allowed for investment entailing an increase in production capacity.

With regard to the problem of manure, the Commission would like to inform the Honourable Member that its proposal for a Council Directive concerning the protection of fresh, coastal and marine waters against pollution caused by nitrates from diffuse sources⁽¹⁾ would require Member States to control, in specific areas, the storage and disposal of manure. In some Member States, national legislation with regard to the disposal of manure exists already, which would make the establishment of feedlots difficult, if not impossible.

⁽¹⁾ COM(88) 708 final.

WRITTEN QUESTION No 887/89

by Mrs Mary Banotti (PPE)

to the Commission of the European Communities

(1 December 1989)

(90/C 125/37)

Subject: Food regulations

Many food products including cooked chicken are now undergoing a new process called 'thermal zone cooking'.

Does the Commission have any plans to introduce regulations relating to this new technology process?

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

(8 January 1990)

The Commission is preparing a proposal that will cover novel foods and novel food processes, resulting from new technologies.

According to the current draft, novel processes would have to be examined when they substantially alter the metabolic behaviour of the components of the food or otherwise significantly after their nutritional value. If this condition is met by the thermal zone cooking process then it would have to be examined to see whether the changes in the food were acceptable.

It is proposed that novel processes will be notified under a Community procedure and if there would be an effect on public health the process would be examined by the Scientific Committee for Food.

WRITTEN QUESTION No 891/89

by Mrs Mary Banotti (PPE)

to the Commission of the European Communities

(1 December 1989)

(90/C 125/38)

Subject: Proposed municipal waste water directive

Could the Commission inform me whether under a proposed new directive municipal waste water (sewage) discharge into the sea via a long outfall pipe will be outlawed and will Member States be required to treat sewage biologically before discharging it into the sea?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(22 December 1989)

In the view of the Commission, discharge via a long outfall pipe (long sea outfall) is only a means of discharging the waste water, just as a short sea outfall is another way to do it. The question is which kind of treatment is given to the waste water before discharge through the long sea outfall.

The proposed directive on municipal waste water⁽¹⁾ lays down requirements for secondary treatment or an

equivalent process for all discharges from municipalities bigger than 10 000 P.E. discharging to coastal waters. For discharges to sensitive areas, more stringent treatment is required and for discharges to less sensitive areas, less stringent treatment may be given if comprehensive studies indicate that such discharges will not adversely affect the environment, and the discharge receives at least primary treatment.

It follows from all this that long sea outfall will not be outlawed by the proposed directive but that waste water shall receive appropriate treatment, as laid down in the directive, before being discharged through the outfall. Discharge of raw, untreated sewage through a long sea outfall is not allowed.

(¹) COM (89) 518 final.

WRITTEN QUESTION No 902/89

Barbara Dührkop Dührkop (S)
to the Commission of the European Communities
(1 December 1989)
(90/C 125/39)

Subject: The Commission report on implementation of the Council Directive of 25 July 1977 on the education of the children of migrant workers

In view of the fact that the relevant data has been available to the Commission since late 1985, why did it wait until 1989 to submit its report on the implementation in the Member States of Directive 77/486/EEC (¹) on the education of the children of migrant workers (COM(88) 787 final)?

In its report, the Commission accuses four Member States of not complying with the Directive. Does the Commission intend to initiate proceedings against these countries under Article 169 of the EEC Treaty and, if so, when?

(¹) OJ No L 199, 6. 8. 1977, p. 32.

Answer given by Mrs Papandreou
on behalf of the Commission
(29 January 1990)

Although the Commission's report on the implementation in the Member States of Directive 77/486/EEC is based on data concerning the academic year 1984/85, it was only some time after the end of the calendar year 1986 that the Commission had all the relevant information at its disposal.

Also, we are in fact dealing with 22 different situations which needed to be examined individually. Because of the degree of autonomy which the German Länder enjoy in educational matters, the mass of data which needed to be treated was more than twice as big as would have been the case with a directive outside the sphere of any regional autonomy.

In March and April 1989, the Commission sent letters to all Member States, requesting them to update the information where necessary, and to indicate possible changes in provisions which might affect the Commission's appreciation of the way in which, and the extent to which, this Directive is or is not implemented.

As soon as the Commission has received all the information requested from the Member States, it will then consider whether any action is appropriate to ensure that Community legislation is respected.

WRITTEN QUESTION No 905/89

by Mr James Fitzsimons (RDE)
to the Commission of the European Communities
(1 December 1989)
(90/C 125/40)

Subject: Funeral directors

Can the Commission state whether there are any Community laws relating to funeral directors and if there are likely to be any changes as a result of preparations for the completion of the internal market?

Answer given by Mr Bangemann
on behalf of the Commission
(6 February 1990)

There are no Community laws directly relating to funeral directors. Generally speaking the provisions of the EEC Treaty, especially those on free provision of services within the European Community, are applicable as well as those relating to competition, as the Court of Justice stated in a preliminary ruling in its judgment of 4 May 1988 (¹). There are no transport licence requirements for funeral transport as laid down in the first Council Directive on the establishment of common rules for international transport (²).

The Commission does not intend to elaborate a proposal for Community legislation relating to funeral directors.

(¹) Case 30/87 — *Bodson v. P.F.R.L.* not yet published.

(²) OJ No 70, 6. 8. 1962, p. 2005.

WRITTEN QUESTION No 912/89

by Mr Yves Verwaerde (LDR)

to the Commission of the European Communities

(1 December 1989)

(90/C 125/41)

Subject: External policy on animal protection

What measures does the Commission intend to take to promote the protection of species of wild animals threatened with extinction throughout the world, particularly in Africa?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(4 January 1990)

In order to further the conservation of wild animals and plants, both within and outside the Community, the Commission will continue to closely monitor the implementation and effectiveness of existing Community legislation on this subject, adaptation of which has also taken place regularly in the past.

A major revision of Council Regulation (EEC) No 3626/82 on the implementation in the Community of the Convention on International Trade in Endangered Species of Wild Fauna and Flora⁽¹⁾ will take place in 1990. The Commission further intends to continue to fund priority wildlife conservation projects out of its appropriate budgetary means.

⁽¹⁾ OJ No L 384, 31. 12. 1982, p. 1.

WRITTEN QUESTION No 921/89

by Mr Joaquín Sisó Cruellas (PPE)

to the Commission of the European Communities

(1 December 1989)

(90/C 125/42)

Subject: Community Directive on the legal protection of computer programs

The proposal for a Council Directive presented by the Commission (COM(88) 816) on the legal protection of computer programs has coincided with the adoption of intellectual property legislation in certain Community Member States such as Spain, where the Intellectual Property Act was promulgated in November 1987, in order to fill the existing gap in this area.

This Spanish law received the full support of the professional circles involved who therefore fully approved of the above legislation.

However, the Commission's proposal contains a number of ideas which, in the opinion of these professional circles, require modification.

Does the Commission therefore think that it should bring the contents of its proposal into line with the ideas put forward by the European Computing Services Association (ECSA) in order to obtain the full support of the relevant professional circles in the Community, as was the case in Spain?

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

(25 January 1990)

In October 1988, before drafting the proposed Directive on the legal protection of computer programs, the Commission held a hearing with interested circles and conducted an extensive consultation process. The organization ECSA is one of a very large number of representative bodies and it has met with the Commission on a number of occasions to express its viewpoint and, together with many others, has sent written comments on the Directive. All points of view, including those of organizations such as ESCA, have to be taken into account by the Commission.

In respect of the relationship between the proposed Directive and the Spanish law on the legal protection of computer programs, the Commission has received useful comments from SEDISI, the organization representing the profession in Spain, on this subject.

WRITTEN QUESTION No 925/89

by Mr Hemmo Muntingh (S)

to the Commission of the European Communities

(1 December 1989)

(90/C 125/43)

Subject: Lüneburg Heath nature reserve

The Lüneburg Heath nature reserve is situated in the Pispingen district (Lower Saxony, Federal Republic of Germany). A large leisure centre, including 400 bungalows, is projected for construction in this district, in the immediate vicinity of the nature reserve. In preparation for this, 64 hectares of land adjoining the Lüneburg Heath have been deforested and the first foundations are being laid.

Both the nature reserve itself and the area in which the construction has now commenced have, until now, been characterized by a markedly agrarian landscape, and many tourists have been attracted to this area because of its rural nature. No cars are allowed into the nature reserve and it is a sanctuary for rare summer birds such as the black stork (*Ciconia nigra*) and the crane (*Grus grus*).

The planned activities connected with the leisure centre would lead to major infrastructural changes connected

with the large expected influx of visitors and cars, which would fundamentally change the character of this area.

1. Is the Commission aware of these activities?
2. Has an environment impact survey concerning the projected leisure centre been drawn up?
3. What is the present status of the Lüneburg Heath nature reserve under the Bird Directive?
4. Has the Commission received a request for subsidies for the construction of the planned leisure centre?
5. Does the Commission consider these activities to be in conflict with Community policy for the protection of nature as laid down for example in the Directive on the protection of habitats?
6. What instruments does the Commission intend to use to limit the adverse effects of such projects on important nature reserves?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(31 January 1990)

1 and 2. The Commission is not aware of the matters raised in the question. It will therefore ask the German authorities for detailed information, especially with regard to the environmental impact assessment which should have been carried out under Directive 85/337/EEC ⁽¹⁾.

3. The Lüneburg Heath nature reserve is not yet part of the network of areas designated under Article 4 of Directive 79/409/EEC ⁽²⁾.

4. The Commission has received no request for subsidies from the European Regional Development Fund for the construction of this leisure centre.

5. In accordance with the objectives of the proposal for a Directive on the conservation of natural habitats ⁽³⁾ it is clear that suitable measures will have to be taken if it becomes clear that the species or types of habitat cannot withstand, or are very vulnerable to, a massive influx of tourists and motor vehicles.

6. The Commission believes that the environmental impact assessment procedure is an adequate preventive instrument for detecting the possible negative effects of a project situated in an area which is environmentally sensitive and for identifying the measures needed to safeguard the conservation potential of the area in question.

⁽¹⁾ OJ No L 175, 5. 7. 1985, p. 40.

⁽²⁾ OJ No L 103, 25. 4. 1979, p. 1.

⁽³⁾ OJ No C 247, 21. 9. 1988, p. 3.

WRITTEN QUESTION No 929/89

by Sir James Scott-Hopkins (ED)

to the Commission of the European Communities

(1 December 1989)

(90/C 125/44)

Subject: Design for Recyclability

Is the Commission aware of the work 'Design for Recyclability' by Michael Henstock of the University of Nottingham, which shows that three-quarters of the components on a motor car are scrapped rather than reused when the car is scrapped? Has any research been instituted into seeing whether this percentage might practicably be reduced?

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

(8 January 1990)

The Commission has knowledge of the study carried out by M.E. Henstock, published in 1988, and is also aware that only a limited number of components and parts of a motor vehicle are reused when a vehicle is scrapped.

This situation is the result of technical, commercial, economical and legal constraints attached to the production and trade of motor vehicle parts. From a technical and economical point of view, the reutilization of parts in a vehicle (either new or in use) would entail a systematic process of the 'salvaging', 'reconditioning' and possibly the 'remanufacturing' of these parts. Besides the fact that the industry is not sufficiently organized to proceed with the 'recuperation' of such parts, the overall process is not always technically possible, nor is it economically feasible for components which do not have a high intrinsic value. From the commercial and legal point of view, the reutilization of parts poses problems related to branding and product liability to the original manufacturers of the parts, as well as to the subsequent intervening parties. In this respect, several professional associations have already brought to the Commission's attention the difficulties with which they are being faced when trading 'remanufactured' products. Examples of currently reused products are starter motors, alternators, clutches, radiators, brakes, engines, tyres, shock absorbers and hydraulic components. All these products are destined for the replacement trade.

The Commission is currently investigating certain aspects related to the issues mentioned above and does not, at this time, have any specific opinion on how this particular market will evolve and whether it should or should not intervene in certain legal matters related to this business activity.

WRITTEN QUESTION No 943/89

by Mrs Mary Banotti (PPE)

to the Commission of the European Communities

(7 December 1989)

(90/C 125/45)

Subject: Coast Watch Europe project

What result is the Commission getting from the Coast Watch Europe Project? Is this project adequately funded to fulfil its aims? If not, which areas of the project are underfunded?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(25 January 1990)

Coast Watch Europe is a campaign to increase awareness about the state of the environment along the coasts of Europe and to encourage involvement in coastal protection. It is run by environmental and scientific research/education groups.

It is based on a coastal zone survey, carried out on a voluntary basis simultaneously in several countries — 10 in 1989 — by the general public, scientists, school and college students, coastal planners and local authorities, depending on countries.

The Commission is satisfied that Coast Watch Europe is succeeding in its goal of arousing interest and active involvement, especially by the general public and school classes, in monitoring the state of the environment along our coast.

The Commission granted a subsidy of ECU 25 000 both in 1988 and 1989 (budget line 6630) towards the international coordination of the campaign. It plans further to support Coast Watch Europe, although the amount of its support will depend on the annual review of priorities and on the funds available.

WRITTEN QUESTION No 963/89

by Mr Rolf Linkohr (S) and Mr Mauro Chiabrando (PPE)

to the Commission of the European Communities

(1 December 1989)

(90/C 125/46)

Subject: Early retirement arrangements for officials employed at the Joint Research Centre

Under Council Regulation (EEC) No 1857/89 of 21 June 1989 ⁽¹⁾ introducing special and temporary measures to

terminate the service of officials of the European Communities, the Commission has begun to introduce early retirement arrangements for officials employed at the Joint Research Centre (JRC).

The measure being considered concerns early retirement for 100 officials, although the number of volunteers is much greater.

The European Parliament has been informed that the Commission intends to oblige an additional eight officials to take early retirement, although they did not request it. Given the administrative position occupied by the eight officials, such a measure clearly contradicts the spirit of the fourth recital and the letter of Article 2 of the Regulation.

Can the Commission say whether it really intends to introduce mandatory early retirement as referred to above?

If so, does it not consider that it is disregarding and infringing the spirit and letter of the above Regulation and the guarantees requested in this connection by the European Parliament?

⁽¹⁾ OJ No L 181, 28. 6. 1989, p. 2.

**Answer given by Mrs Papandreou
on behalf of the Commission**

(2 February 1990)

Before taking a decision the Commission is waiting for the opinion of the Joint Committee, as stipulated in Article 2 of Council Regulation (EEC) No 1857/89 of 21 June 1989.

The Commission will respect both the letter and the spirit of the Regulation in question, i.e. application of the compulsory measure is not a disciplinary measure and involves only a very limited number of staff.

WRITTEN QUESTION No 974/89

by Mrs Winifred Ewing (ARC)

to the Commission of the European Communities

(7 December 1989)

(90/C 125/47)

Subject: Sealice prevention in farmed salmon

Given that fact that there are some environmental risks attached to the use of Nuvan 500 in the treatment of sealice in farmed salmon, will the Commission study the work being done in Norway with a small fish called Wrasse, a 'cleaner fish' which pecks sealice off salmon as this could prove to be a safer alternative to the use of chemicals?

**Answer given by Mr Marin
on behalf of the Commission**
(19 January 1990)

The Commission is fully aware of the research in Norway and Ireland on the use of Wrasse to remove sealice from farmed salmon. When the results of this work have been evaluated, it will be possible to decide if this type of biological control is practical alternative to the use of Nuvan 500.

**Answer given by Mr Marin
on behalf of the Commission**
(19 January 1990)

Article 5 of Council Regulation (EEC) No 170/83 of 25 January 1983⁽¹⁾ provides that Member States may 'exchange all or part of the quotas in respect of a species or group of species allocated to them under Article 4 provided that prior notice is given to the Commission'. The Council has also instituted arrangements in some cases for fish to be taken in certain circumstances in an area other than that to which the quota in question applies.

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

WRITTEN QUESTION No 983/89
by Mrs Winifred Ewing (ARC)
to the Commission of the European Communities
(7 December 1989)
(90/C 125/48)

Subject: Curtailment of haddock fishing

Will the Commission reconsider the timing of any curtailment of fishing and bear in mind that around April haddock stocks are at their poorest?

**Answer given by Mr Marin
on behalf of the Commission**
(6 February 1990)

It is not the responsibility of the Commission but of the Member States to manage the quotas allocated to them. In so doing, they may if they wish take account for example of seasonal, biological and marketing considerations.

In respect of North Sea haddock, the Council and the Commission agreed in the Council (Fisheries) on 19 December 1989, that Member States whose quota exceeds 10% of the Community share of this stock will reduce fishing for haddock in the North sea by 30% in 1990.

WRITTEN QUESTION No 985/89
by Mrs Winifred Ewing (ARC)
to the Commission of the European Communities
(7 December 1989)
(90/C 125/50)

Subject: Single species fish quotas

Does the Commission accept that single species quotas are counter-productive and that in fact as a direct result of the haddock closure more haddock will actually be caught?

**Answer given by Mr Marin
on behalf of the Commission**
(6 February 1990)

The Commission does not share the view of the Honourable Member. It is the responsibility of the Member States in managing the quotas allocated to them, and of the fishermen themselves, to minimize the unnecessary discarding of fish. This can be done by strictly managing the fishing activities of the fleets. The Commission regrets that its recent proposals⁽¹⁾ in favour of better quota management have not been adopted by the Council.

⁽¹⁾ COM(89) 630 final.

WRITTEN QUESTION No 984/89
by Mrs Winifred Ewing (ARC)
to the Commission of the European Communities
(7 December 1989)
(90/C 125/49)

Subject: Flexible fish quota system

Will the Commission consider a more flexible fish quota system to enable a quota to be borrowed from one to another?

WRITTEN QUESTION No 988/89
by Mrs Winifred Ewing (ARC)
to the Commission of the European Communities
(8 December 1989)
(90/C 125/51)

Subject: Scientific evidence on haddock catches

Will the Commission look at the accuracy of the scientific evidence with regard to North Sea haddock catches? Is it

not the case that the figures on which the scientists' evidence was based were obtained from 300 tows per year, non of which lasted longer than half an hour and all of which were from approximately the same spot? Does the Commission not agree that research should be obtained from a variety of areas?

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

(23 January 1990)

The scientific advice for all fish stocks is based on all relevant information available at the time of giving the advice. Such information consists of:

- catch and landing statistics;
- the result of scientific surveys, and
- sampling of landings to obtain length and age data. This type of sampling is carried out by all the coastal States of the North Sea.

For the roundfish species in the North Sea, the landing statistics are available for all countries exploiting these resources. This information is completed by estimates of the discards in the fishery based on a sampling programme carried out by the United Kingdom on board commercial vessels. For example, in 1988 under this programme 75 000 haddock were measured and the age determined of 4 300 of these. In the future, information on discards will also be collected by Denmark and the Netherlands.

The annual scientific survey specifically designed to obtain information on the roundfish stock in the North Sea are:

- the International Young Fish Survey, in which eight or nine vessels from Denmark, France, Federal Republic of Germany, the Netherlands, Norway, Sweden and the United Kingdom participate. This survey covers the entire North Sea where every statistical rectangle of 30 square nautical miles is sampled by two different countries, resulting in 500 hauls;
- the English groundfish survey, covering the whole of the North Sea and consisting of 70 to 80 hauls;
- the Scottish groundfish survey in which each statistical rectangle in the northern North Sea is sampled, resulting in 80 hauls;
- the Dutch groundfish survey covering the southern North Sea, resulting in 90 hauls.

This makes a total of the order of 750 hauls covering the whole of the North Sea at varying times of the year.

Data from the market sampling programmes are available from Denmark and Norway for the by-catches of roundfish in the industrial fishery and from Belgium, Denmark, France, the Netherlands and the United Kingdom for the roundfish landed for human consumption. Under this sampling programme, 159 000 haddock were measured in 1988 by Scotland alone and the age of 19 000 of these determined.

Scientific sampling of the landings by commercial vessels can be likened to having a research vessel fleet of a size equivalent to the number of commercial vessels involved, monitoring throughout the year all the areas where fish are being caught.

In that context the Commission would refer the Honourable Member to its answer to her Written Question No 1399/88 (*).

(* OJ No C 255, 9. 10. 1989, p. 4.

WRITTEN QUESTION No 989/89

by Mr José Happort (S)

to the Commission of the European Communities

(18 December 1989)

(90/C 125/52)

Subject: Food aid programme for the underprivileged

In its report on poverty among the citizens of Europe and the fourth world (the poor in Europe) the European Parliament stressed that it was in the Community's interest to undertake the distribution of foodstuffs from agricultural stocks on a long-term basis.

What are the Commission's plans for distributing food products from the stocks which still exist to the most disadvantaged social groups?

What volume of foodstuffs will be distributed to charitable associations such as the 'Restaurants du Coeur' (charity restaurants) or the CPAS (public social welfare centre) in 1990?

What procedure will have to be followed to obtain access to such assistance?

What is the current situation with regard to agricultural stocks?

What use will be made of the economies achieved in view of the reduction and abolition of stocks?

Who will be entitled to benefit (groups, individuals, etc.)?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(18 January 1990)

The Commission is required to submit to the European Parliament and to the Council a report of the operation of the 'Free Food' (1) programme after information on its first two years of operation is available. The end of this two-year period was December 1989. Provided the necessary information is available in a timely manner, it is expected that this report will be made in the spring of 1990. In this report the Commission intends to include an indication of the future role it considers the programme should play.

The quantity of food which may be made available is subject to the limit of the appropriations entered in the relevant part of the budget. For 1990, the budget contains ECU 150 million for the plan for that year.

No changes in procedure at Community level are envisaged by the Commission relating to the allocation of this aid for 1990. The Member States are responsible for designating the organizations charged with the task of distributing the food and determining the conditions of eligibility of potential beneficiaries. The Commission has no information concerning any possible changes in procedures or conditions of access which any Member States may make for 1990.

For the main products released from interventions for this programme — butter and beef — Community stocks at the end of 1989 were significantly lower than when the measure was introduced. For butter the reduction was from some 860 000 tonnes to 36 000 tonnes. The corresponding figures for beef are 780 000 tonnes and 130 000 tonnes.

(1) OJ No L 352, 15. 12. 1987.

WRITTEN QUESTION No 990/89

by Mr Peter Beazley (ED)

to the Commission of the European Communities

(18 December 1989)

(90/C 125/53)

Subject: The European car industry and the single market programme

What steps are being taken by the Commission (in line with the Single European Act, European competition policy and European external trade considerations):

1. to negotiate with Member States with the goal of removing barriers to the European market in motor vehicles on the same basis as for other products? What will the situation be with regard to

- (a) established EC manufacturers (of whatever nationality)

- (b) Japanese companies established within the single market

- (c) direct imports from outside the EC?

2. to establish global quotas for the import of Japanese vehicles into the single market from all sources? If the Commission considers that the appropriate steps are being taken will they please indicate at what levels quotas will be set and will they undertake that any transitional period be as short as is practicable?

Will the Commission please indicate as soon as possible the likely timetable for the implementation of the above market strategies? Is the Commission aware that the lead time planning requirements of the motor vehicle manufacturers must take likely market conditions on a five to seven year advance-report on the stage of negotiations presently reached with the Japanese Government and with Japanese and other motor vehicle manufacturers?

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

(16 February 1990)

On 6 December 1989, the Commission transmitted a Communication to the Council on a single motor vehicle market (1).

In this Communication, the Commission expresses the point of view that it is necessary to complete a single market for motor vehicles as for other products; all relevant aspects should be included, and as strict a timetable as possible followed.

The answers to the different points raised by the Honourable Member are largely given in this Communication which has also been forwarded to Parliament. In defining its position, the Commission has taken full account of the Resolution adopted by Parliament on 23 January 1987, based on a very comprehensive report by the Honourable Member.

(1) SEC(89) 2118 final.

WRITTEN QUESTION No 992/89

by Mr Ian White (S)

to the Commission of the European Communities

(18 December 1989)

(90/C 125/54)

Subject: Tied aid

Currently a number of Member States operate a restrictive procurement policy, whereby aid projects are

tendered openly only to contractors within the Member State itself.

This form of restriction appears to be contrary to the completion of the internal market. In addition, the Development Assistance Committee (DAC) in its last report specifically criticized the practice of tied aid, which runs the risk of diverting aid away from higher priority development programmes to priorities determined more by the needs of companies in the aid-giving countries.

What plans does the Commission have for the liberalization of public aid procurement?

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

(12 March 1990)

The Commission is in favour of continued and increasing provision of aid by Member States to developing countries, alongside Community aid. At the same time, the conditions under which such aid is provided must respect the EEC Treaty and applicable Community rules on public procurement.

The Commission is studying the practice of tying bilateral aids, with a view to ensuring that these different ends are met.

WRITTEN QUESTION No 1008/89

by Mr José Valverde López (PPE)

to the Commission of the European Communities

(18 December 1989)

(90/C 125/55)

Subject: The position with regard to environmental protection projects submitted by Spain

Regulation No 1760/87/EEC⁽¹⁾ provides for the granting of aid in areas which are particularly sensitive from an environmental and natural resources point of view or from the point of view of the preservation of the countryside and the landscape.

What projects have been submitted by Spain under this Regulation? Of the projects submitted, which have been deemed eligible by the Commission, for Community financing, and of the measures notified under other projects, which have been approved as national aids?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(25 January 1990)

Spain has not so far presented any programmes for sensitive areas either for the protection of the environment and natural resources or for the preservation of the landscape and the countryside (Regulation (EEC) No 1760/87 amending Title V of Article 19 of Regulation (EEC) No 797/85).

The Commission, acting under Regulation (EEC) No 1760/87, has approved 21 United Kingdom programmes, 9 German programmes and 1 Dutch programme as eligible for Community financing through the EAGGF.

Some 25 programmes were found by the Commission not to be eligible under Article 19 of Regulation No 797/85. Most were cleared for State aid under Article 92 and 93 of the Treaty.

WRITTEN QUESTION No 1011/89

by Mr José Valverde López (PPE)

to the Commission of the European Communities

(18 December 1989)

(90/C 125/56)

Subject: Progress made under the specific common measure to encourage the development of agriculture in certain regions of Spain adopted by the Council in 1988

In April 1988 the Council adopted a specific common measure to encourage the development of agriculture in certain regions of Spain (Official Journal No L 107, 28 April 1988). The measure was to last for five years, with a total cost of ECU 420 million. What projects have been adopted and what is their regional distribution and overall cost?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(14 February 1990)

The contribution by the Guidance Section of the EAGGF to measures under Regulation (EEC) No 1118/88 on encouragement for the development of agriculture in certain regions of Spain amounts, for the period from 1 May 1988 to 31 December 1989, to Pta 8 390 479 000, of which Pta 4 424 345 000 represents reimbursement in respect of 1988 and Pta 3 966 134 000 is the advance payment for 1989.

The Commission is sending a table showing how this amount breaks down to the Honourable Member and to Parliament's Secretariat.

⁽¹⁾ OJ No L 167, 26. 6. 1987, p. 1.

WRITTEN QUESTION No 1020/89
by Mr Victor Manuel Arbeloa Muru (S)
to the Commission of the European Communities
(18 December 1989)
(90/C 125/57)

Subject: A Directive on arms sales

What is the Commission's view of the proposal recently made by the German Member of the European Parliament, Mr Linkohr, that in the light of scandals such as that involving the Banca Nazionale del Lavoro the Commission should submit as soon as possible a proposal for a Directive requiring the judicial authorities of the Member States to cooperate in penal matters, with a view to establishing a unified and highly restrictive policy on arms sales?

Answer given by Mr Bangemann
on behalf of the Commission
(19 February 1990)

The Commission has submitted a proposal for a Council Directive on control of the acquisition and possession of weapons⁽¹⁾, which it has recently amended⁽²⁾. The proposal seeks to harmonize national legislation governing the acquisition and possession required for the movement of weapons in the Community, with information regarding transfers of weapons being exchanged between the authorities of the Member States.

As regards the sale of arms, munitions and war material, however, Article 223 of the EEC Treaty makes a special provision: any Member State may take such measures as it considers necessary for the protection of the essential interests of its security which are connected with the production of or trade in these goods, provided that such measures do not adversely affect the conditions of competition in the common market. It should be noted, too, that the arrangements governing criminal penalties in this sphere are a matter entirely for the Member States.

⁽¹⁾ OJ No C 235, 1. 9. 1987, p. 8.

⁽²⁾ OJ No C 299, 28. 11. 1989, p. 6.

WRITTEN QUESTION No 1028/89
by Mr Pierre Lataillade, Mr Alain Pompidou
and Mr Jacques Vernier (RDE)
to the Commission of the European Communities
(18 December 1989)
(90/C 125/58)

Subject: Nutritional labelling of food

The proposal for a Directive on the nutritional labelling of food recommends that for consumer health reasons

sodium contents should be shown on labels despite the fact that:

- (a) at the present time the medical profession has no epidemiological evidence to indicate that sodium consumption is a risk factor for healthy subjects (increased blood pressure), as the Intersalt study has shown,
- (b) no scientific study has ever been carried out into the adverse effects of reducing salt consumption across an entire population
- (c) consumers have no way of calculating easily and accurately the number of mg of sodium that they are likely to consume on a daily basis.

In view of this, can the Commission state what scientific and economic criteria justified the inclusion of sodium within the scope of the proposal for a Directive?

Answer given by Mr Bangemann
on behalf of the Commission
(8 January 1990)

The proposal concerning the nutritional labelling of food⁽¹⁾ aims, among other things, to enable the consumer to make an informed choice of foodstuffs to suit his or her individual needs.

Concerning the nutrients to be declared, the modified proposal of the Commission⁽²⁾, which was submitted to the Council on 5 September 1989, has taken into account comments expressed by a very wide spectrum of interested parties and is entirely in line with the opinion expressed by the European Parliament on May 1989.

⁽¹⁾ OJ No C 282, 5. 11. 1988, p. 8.

⁽²⁾ COM(89) 420.

WRITTEN QUESTION No 1051/89
by Mrs Cristiana Muscardini (NI)
to the Commission of the European Communities
(18 December 1989)
(90/C 125/59)

Subject: European charter for the conservation of animal species

Having regard to the following: Written Question No 469/89 on the conservation of animal species and, in particular, protected species; the fact that, to date, no European charter has been drawn up on animal's rights or the conservation of protected species; the fact that a wolf cub was recently killed in Italy, whereas Professor Messi

has obtained the support of the President of the Italian Republic for an association set up to protect the Italian wolf, will the Commission at least draw up a common list of protected species and call on the Member States to penalize offenders severely?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(14 February 1990)

Directive 79/409/EEC⁽¹⁾ on the conservation of wild birds gives general protection to all species of wild birds in the Community with the exception of 72 which may be hunted.

The new draft Directive⁽²⁾ on the protection of natural and semi-natural habitats of wild fauna and flora includes, *inter alia*, three Annexes on protected species. The first Annex concerns a list of species whose *habitats* need protection, the second is a list of species requiring careful protection and the third concerns species whose exploitation, whether commercial or otherwise, should be subject to a management plan. These three Annexes are part of a set of Annexes that form part of the draft Directive.

With regard to the introduction of Community rules on penalties for offenders, as referred to by the Honourable Member, the Commission believes this is a problem which should be looked at in general terms before proposals for directives are made concerning certain sectors.

⁽¹⁾ OJ No L 103, 25. 4. 1979.

⁽²⁾ OJ No C 247, 21. 9. 1988.

WRITTEN QUESTION No 1053/89

by Mr Bernhard Sälzer (PPE)

to the Commission of the European Communities

(18 December 1989)

(90/C 125/60)

Subject: Import duties on glass inners for vacuum flasks or other vacuum vessels under the combined nomenclature code 70 12 00 900

Double walled silver-coated glass containers from which the air has been evacuated and which are used as inners for vacuum flasks or other vacuum vessels (combined nomenclature code 70 12 00 900) are not being manufactured in sufficient quantities. Despite this, import duties are being levied on these products.

Does the Commission consider it possible for these glass inners, which are imported mainly from India, to be exempted from customs duty within the framework of the generalized system of tariff preferences accorded to developing countries?

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

(6 March 1990)

Glass inners for vacuum flasks or for other vacuum vessels (CN code 7012) have been put on the list of sensitive products under the scheme of generalized tariff preferences. In practice, this means that these products can generally be imported into the Community free of duty. Duties may, however, be reintroduced by a Commission Regulation as soon as the ceiling has been reached.

The Commission is aware that this product is mainly imported from India, a low-income country. It therefore ensured that the 1989 ceiling was almost doubled; it will be seeking a similar improvement in the GSP scheme for the years 1991 to 2000.

WRITTEN QUESTION No 1054/89

by Mr Jean-Pierre Raffarin (LDR)

to the Commission of the European Communities

(18 December 1989)

(90/C 125/61)

Subject: Extended list of less favoured farming areas

In October the European Community published a list of 177 communes in the French Department of Deux-Sèvres for inclusion on the extended list of less-favoured farming areas (Directive 75/268/EEC)⁽¹⁾.

Two communes, Doux and La Couarde, have been omitted, although they belong to the same geographical area as those included on the list.

What steps will the Commission take to remedy this injustice?

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(7 February 1990)

No application was made to the Commission for classification of the communes of Doux and La Couarde in the department of Deux-Sèvres as less-favoured areas.

It is not within the Commission's power to classify as less-favoured areas communes not proposed by a Member State.

WRITTEN QUESTION No 1082/89
by Mrs Kirsten Jensen (S)
to the Commission of the European Communities
(19 December 1989)
(90/C 125/62)

Subject: Foods treated with ionizing radiation

What measures does the Commission intend to take concerning the proposal for a Directive on foods treated with ionizing radiation, following the adoption by Parliament on 11 October 1989 of the amendments tabled by the Committee on the Environment, Public Health and Consumer Protection?

Will the Commission support Parliament's position?

If so, how does it consider that the Directive can be complied with?

If not, what measures does it intend to take concerning the proposal for a Directive?

Answer given by Mr Bangemann
on behalf of the Commission
(21 February 1990)

In the light of the opinion delivered by Parliament in October 1989 on the proposal for a Directive on foods treated with ionizing radiation, the Commission transmitted a modified proposal (*) that takes account of certain amendments proposed by Parliament. This is currently being discussed within the Council in the context of the cooperation procedure (Article 100a).

The proposal provides for strict controls on the use of ionizing radiation in the food production chain. This will be enforced by the supervisory authorities in the Member States, in conformity with the provisions of the impending Directive and of the Directive on the official control of foodstuffs adopted on 14 June 1989 (2).

(*) COM(89) 576.

(2) OJ No L 196, 30. 6. 1989.

WRITTEN QUESTION No 1090/89
by Mr Gerardo Fernandez Albor (PPE)
to the Commission of the European Communities
(19 December 1989)
(90/C 125/63)

Subject: Community aid for the setting up of libraries for the blind

The initiatives undertaken by certain associations in the Community with a view to promoting welfare aid for the

blind have had a very positive effect on the creation of sound libraries for the sightless, enabling them to listen to books which they would otherwise have no means of experiencing.

The main difficulty faced by this important welfare initiative is that of finding voices to bring to life the contents of the publications to be recorded. This entails engaging professional speakers, generally at considerable cost.

Can the Commission say whether, in the context of the welfare aid provided for in the budget, it is possible to obtain Community grants to overcome the financial problems involved in producing sound libraries for the blind?

Answer given by Mrs Papandreou
on behalf of the Commission
(31 January 1990)

On 18 April, the Council adopted the Helios programme for the 1988 to 1991 period aimed at the economic and social integration of disabled persons and the promotion of their ability to look after themselves (1).

In applying the Helios programme with its limited budget, the Commission may grant subsidies to external European cooperation activities, especially conferences, seminars and study visits in which representatives of at least three Member States take part. Priority is given to activities which take place within the framework of an annual programme submitted by European non-governmental organizations and which are in line with the aims of the Helios programme.

To achieve improved coordination at Community level of activities on behalf of disabled persons, the Commission has supported, and continues to support, the setting up of European bodies with an appropriate structure with members drawn from representative non-governmental organizations at national level. These bodies have been set up by type of disability and by sector of activity relating to disabled persons.

Among the tasks to be carried out by these European bodies is, for example, the delivery of opinions to the Commission on the grant of subsidies to activities with a European dimension. The request for a subsidy will therefore be sent by the Commission to the European Blind Union (224 Great Portland Street, London W1N 6AA, United Kingdom), which will carry out an initial examination of the application and give the Commission its opinion on its merits. Obviously, it is up to the Commission to make the final decision, taking particular account of policy guidelines at European level, of priorities laid down by Community bodies and the limitations of the financial resources available.

(1) OJ No L 104, 23. 4. 1988, p. 38.

WRITTEN QUESTION No 1092/89

by Mr Gary Titley (S)

to the Commission of the European Communities

(19 December 1989)

(90/C 125/64)

Subject: Minimum wage provision within the Community

Would the Commission list references for all the studies they are aware of which assess the economic implications of minimum wage provision:

1. in each Member State,
2. throughout Europe?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(25 January 1990)

The Commission has not undertaken a systematic examination of the economic implications consequent upon the setting-up of a guaranteed minimum wage.

WRITTEN QUESTION No 1094/89

by Mrs Anita Pollack (S)

to the Commission of the European Communities

(19 December 1989)

(90/C 125/65)

Subject: Emission controls

Does the Commission have any plans to introduce proposals for improving the quality of diesel fuel by reducing the sulphur content further and what are its views on this area of pollution control?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(31 January 1990)

Article 6 of Council Directive 87/219/EEC of 30 March 1987 on the approximation of the laws of the Member States relating to sulphur content of certain liquid fuels ⁽¹⁾ requires that the Commission shall monitor the effects, applying this Directive. Three years after the notification of this Directive, the Commission is obliged to submit a report to the Council accompanied by an appropriate proposal with a view to the establishment of a single value. At moment the Commission is working on this proposal and it will be submitted to the Council by about 1 April 1990.

(¹) OJ No L 91, 3. 4. 1987, p. 19.

WRITTEN QUESTION No 1095/89

by Mr Herrn José Valverde Lopez (PPE)

to the Commission of the European Communities

(19 December 1989)

(90/C 125/66)

Subject: Number of copies issued of the *Official Journal of the European Communities*

Since it is essential to encourage and ensure the provision of information on the workings of the European Communities and above all facilitate access to the *Official Journal of the European Communities* for all Community citizens, in view of the fact that legal provisions such as regulations are directly applicable to and binding on them, can the Commission say what the total number of copies issued is and how many are distributed in each country?

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

(17 January 1990)

The information on the Official Journal requested by the Honourable Member is set out below.

Number of copies printed ('L' series)

Spain	3 000
Denmark	900
Federal Republic of Germany	2 700
Greece	800
United Kingdom	3 600
France	5 000
Italy	3 100
Netherlands	1 650
Portugal	1 250
Total	22 000

**Number of copies distributed
(against payment and free of charge)***Breakdown by country*

Belgium	2 682
Denmark	542
Federal Republic of Germany	1 761
Greece	386
Spain	2 206
France	2 221
Ireland	187
Italy	2 360
Luxembourg	542
Netherlands	720
Portugal	700
United Kingdom	1 609
Total	15 916
Rest of world	873
Total	16 789

Breakdown by language

Denmark	598
Federal Republic of Germany	2 111
United Kingdom	2 866
Spain	2 470
France	3 831
Greece	431
Italy	2 475
Netherlands	1 225
Portugal	782
Total	16 789

WRITTEN QUESTION No 1101/89**by Mr Maxime Verhagen and Mr Arie Oostlander (PPE)****to the Commission of the European Communities***(19 December 1989)**(90/C 125/67)**Subject: National legislation on the media*

1. Within the Community, too, what practical expression can be given to the stance by Commissioner Bangemann, during the discussions with the US on a European television-production quota, that there is a qualitative difference between cultural products and industrial goods and that, for this reason, a different policy approach which also incorporates safeguards is called for in respect of cultural products?

2. Is it in keeping with this stance for cultural products to be protected under Community policy against an unregulated market economy, in particular by ruling out the surreptitious legal manoeuvrings which make it difficult to safeguard cultural diversity?

3. The recently adopted Directive on the media includes an Annex which should rule out an indirect approach to broadcasting.

Does the Annex enable a government to legislate to require a national commercial broadcasting organization or a commercial broadcasting organization targeting a particular Member State:

- (a) to be established in that Member State,
- (b) to be owned exclusively by shareholders established in the Member State concerned?

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

(1 March 1990)

1. In presenting its proposals to Parliament and the Council, the Commission has always sought to ensure that Community measures covering cultural products and

services take account of the specific characteristics of the sector. Accordingly, the 'Television without Frontiers' Directive (⁽¹⁾), recently adopted by the Council, contains a chapter on the promotion of the distribution and production of television programmes.

2. The objective of Commission policy is to establish a 'European Audiovisual Area' and thus create the conditions for fair competition and a legal and economic framework to encourage the production and distribution of cultural products and services in Europe. In so far as the Community Directives required for this purpose have not yet been introduced, Member States remain free to maintain and develop, in accordance with Community law, policies aimed at preserving and encouraging cultural diversity in Europe.

3. During the discussions in the Council preceding the adoption of the 'Television without Frontiers' Directive, the Commission stated that in carrying out its appointed duties and in interpreting the law, it would ensure that the case law of the Court of Justice of the European Communities regarding avoidance of national rules was respected. As one judgment states, 'a Member State cannot be denied the right to take measures to prevent the exercise by a person providing services whose activity is entirely or principally directed towards its territory of the freedom guaranteed by Article 59 for the purpose of avoiding the professional rules of conduct which would be applicable to him if he were established within that State; such a situation may be subject to judicial control under the provisions of the Chapter relating to the right of establishment and not of that on the provision of services (⁽²⁾).

However, the Court's judgments do not allow Member States to maintain or introduce restrictions on grounds of nationality, such as measures preventing nationals of other Member States from holding shares in broadcasting companies under the conditions laid down by the laws of the country of establishment for its own nationals.

(⁽¹⁾) OJ No L 298, 17. 10. 1989, p. 23.

(⁽²⁾) ECR 1974, p. 1299, 1309, Ground 13.

WRITTEN QUESTION No 1102/89**by Mr Maxime Verhagen (PPE)****to the Commission of the European Communities***(19 December 1989)**(90/C 125/68)**Subject: Threat of famine in Northern Ethiopia*

1. Has the Commission noted the remarks made by an official of the UN World Food Programme (WFP) on the

threat of a repetition of the large-scale famine which hit Northern Ethiopia in 1984?

2. Does the Commission agree with the WFP official concerned (David Norton) that one of the few ways of preventing a recurrence of the 1984/85 disaster is to arrange for the free passage of food convoys to the areas at risk?

3. Does the Commission believe that it is feasible to appeal to all concerned to arrange for free passage?

4. Does the Commission agree with the WFP official that, given the situation anticipated, the food aid already pledged by Western countries and international aid organizations is totally inadequate?

5. What measures for countering the threatened famine are under consideration by the Commission?

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

(7 February 1990)

1. Through its Delegation in Ethiopia, the Commission has been alerted to the renewed threat of famine in Northern Ethiopia.

2. It is clear that access to all those affected is vital if we are to prevent it reaching the proportions seen in previous years.

3. The Community as a whole has recently made its intention to help famine victims clear to the parties concerned on several occasions, notably in a statement at the European Council meeting in Strasbourg of 8 and 9 December 1989 followed by a *démarche* in Addis Ababa. It asked them to facilitate rather than hinder the transport and distribution of humanitarian aid and emergency relief in the areas affected.

In this connection, the Commission is closely monitoring the situation and is seeking ways of gaining access to the affected communities.

4. Northern Ethiopia's needs for 1990 are put at around 565 000 tonnes of cereals and 66 000 tonnes of stop-gap product. Community food aid operations already under way have so far provided 175 000 tonnes of cereals and 5 400 tonnes of stop-gap products. In addition, emergency aid of ECU 10 million was granted on 14 December 1989. Community aid to date totals ECU 53,6 million, plus an estimated ECU 40,9 million in aid from the Member States.

5. The Commission therefore takes the view that at present the donors' response is in line with needs and is ready for any new internationally coordinated operation which might prove necessary.

WRITTEN QUESTION No 1103/89

by Mr François-Xavier de Donnea (LDR)

to the Commission of the European Communities

(19 December 1989)

(90/C 125/69)

Subject: Comett programme

With regard to the projects implemented during the first phase (1987 to 1989) of the Comett programme, could the Commission indicate:

1. the number of projects involving Belgian companies and universities, the cost of these projects and the number of students involved?
2. the regional breakdown (Brussels, Wallonia and Flanders) in respect of projects costs and number of students involved?
3. the type and scale of any assistance provided, for project implementation, by national, regional or community authorities in Belgium?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(2 February 1990)

1. There were 90 projects accepted from Belgian promoters in Comett I (out of a total of 1 300 projects). The cost of the projects was approximately ECU 23 million. However, it should be added that the total number of projects involving Belgian participation was approximately 250. It is not possible to indicate a total number of students who benefited from all projects. However, the number of student placements involving Belgium was around 125.

2. The Commission does not have any figures involving the regional breakdown within Belgium. The only statistics available in this regard are that there were four university-enterprise training partnerships set up in French-speaking Belgium and three in the Dutch-speaking area.

3. To the best knowledge of the Commission, there was no Belgian Government financial contribution to any of these projects.

WRITTEN QUESTION No 1106/89
by Mr Carlos Robles Piquer (PPE)
to the Council of the European Communities
(19 December 1989)
(90/C 125/70)

Subject: Community aid for Latin America

On the same day (20 November 1989) two Spanish newspapers published contradictory accounts of the special European Council meeting which had been held on the previous Saturday (18 November 1989).

According to one ('ABC'), the European Community had restated its willingness to ensure that aid to Eastern European countries would not affect Latin America. According to the other ('El Pais'), such aid might indeed have a detrimental effect on other very important areas of the world, such as Latin America and the non-European Mediterranean countries. The latter attributes this pessimistic view to the current acting Prime Minister of Spain, Mr González, making express reference to his remarks to the effect that Spain would fight very hard in an attempt to prevent such harm.

Given the implications of this matter for the Community as a whole, and of course for the non-European countries expressly referred to, can the Council say which of the two versions is accurate and, if it is the second account which is correct, what efforts could be made to gauge the extent to which the non-European countries referred to in both items would be adversely affected?

Answer
(10 April 1990)

The Council recognizes the importance of the profound political changes which have occurred in Central and Eastern Europe and will support the essential economic reforms which are being carried out in the countries concerned, which are moving towards democracy and respect for human rights.

Nevertheless, it considers that this effort of solidarity must not be at the expense of other Community partners, including the Third World countries. The effort proposed therefore for the countries of Central and Eastern Europe must be in addition to the efforts currently being made by the Community in favour of developing countries, including those of Central America.

In accordance with the principles set out at the Rhodes and Madrid European Councils and reaffirmed at the Strasbourg meeting, the Community will extend its role and that of its Member States on the political and economic scene, on an international scale, in a spirit of

openness, solidarity and cooperation. It will exercise to the full its responsibilities *vis-à-vis* countries with which it maintains all manner of historical and geographical links and relations.

In this spirit, the Community will strengthen its cooperation with Latin American countries. It must in particular give its backing to the efforts of the Andean Pact countries to combat drugs, sustain its efforts in Central America to help relaunch the process of regional peace originating in the Esquipulas agreements and support the efforts of the countries of South America to restore freedoms and strengthen democracy.

It is to be noted here that at its meeting in Strasbourg the European Council also reiterated its resolve to contribute to the economic and social development of a democratic Chile, in particular within the framework of a future cooperation agreement between the Community and that country.

Similarly, the Commission has successfully completed, on the basis of directives adopted by the Council in December 1989, negotiations for a trade and economic cooperation agreement with Argentina.

WRITTEN QUESTION No 1115/89
by Mr Niall Andrews (RDE)
to the Commission of the European Communities
(19 December 1989)
(90/C 125/71)

Subject: Notification of the technical regulations by Member States in respect of the obligations to the Commission

Has the Commission any statistical data concerning the respect from the Member State of the notification procedures laid down by the Directives 83/189/EEC ⁽¹⁾ and 88/182/EEC ⁽²⁾.

How is the Commission going to ensure a full application of the above Directives, especially in the perspective of the completion of the internal market?

⁽¹⁾ OJ No L 109, 26. 4. 1983, p. 8.

⁽²⁾ OJ No L 81, 26. 3. 1988, p. 75.

Answer given by Mr Bangemann
on behalf of the Commission
(31 January 1990)

In order to improve the monitoring of compliance by the Member States with the obligations laid on them by Directive 83/189/EEC, as last amended by Directive

88/182/EEC, the Commission has concluded a contract with a private institute which, since 1 September 1988, has been responsible for carrying out a systematic search of the official publications of all Member States (official journals, ministry bulletins, etc.). A monthly report on the technical regulations adopted by Member States is sent to the Commission departments, which analyse the texts in question.

Furthermore, in January 1989 the Commission adopted the requisite internal measures to enable it rapidly to take proceedings against Member States under Article 169 of the EEC Treaty for failing to fulfil the obligations laid down in the above Directives, irrespective of the subsequent examination into whether or not the substance of the national regulations thus adopted is compatible with Community Law.

Analysis of the monthly reports for the period from 1 September 1988 to 30 September 1989 resulted in 46 infringement proceedings being initiated against Member States. In 14 cases the Member States concerned rectified the situation after receiving the letters of official notice from the Commission and complied with their duty of notification. Infringement proceedings in those cases were therefore closed; the remainder are still in progress.

As at 20 December 1989 the Commission's departments were still examining 67 contentious national regulations.

In order to put these figures, and the extent of Member States' observance of the notification requirements, into proper perspective, the Commission would point out that 157 notifications were received from the Member States in 1988 and 319 in 1989.

In an effort to increase the effectiveness of Directive 83/189/EEC still further, the Commission has decided, in pursuance of its communication of 1 October 1986 on the consequences arising, in its view, from failure to fulfil the obligations laid down in that Directive ⁽¹⁾, to publish on a regular basis in the *Official Journal of the European Communities* a list of the notifications it has received under the Community information procedure. This will enable private individuals, when confronted with national technical regulations, to ascertain whether the Member States have fulfilled their Community obligations.

The Commission wishes to stress — as the Honourable Member has done — the fundamental role played by Directive 83/189/EEC, as last amended, in the completion of the internal market. Under the terms of a parliamentary amendment which it approved ⁽²⁾, the Commission reports annually to Parliament and the Economic and Social Committee on the operation of the Community information procedure.

⁽¹⁾ OJ No C 245, 1. 10. 1986, p. 4.

⁽²⁾ Article 1 (10) of Directive 88/182/EEC. The first report, for the period 1984 to 1987, was forwarded to Parliament in December 1988. The report on 1988 will be forwarded to it shortly.

WRITTEN QUESTION No 1120/89
by Mrs Raymonde Dury (S)
to the Commission of the European Communities
(19 December 1989)
 (90/C 125/72)

Subject: Ways of reducing pollution from car exhausts

In its campaign against pollution the Commission seems to be contemplating measures affecting road traffic.

In California, every company employing over 25 people is required to draw up and operate a plan to reduce the number of vehicles used by its staff to travel to and from work. The aim is to encourage commuter car pools (Time Magazine, 27 November 1989).

Has the Commission thought of introducing this Californian rule in Europe?

Answer given by Mr Van Miert
on behalf of the Commission
(14 March 1990)

The regulations in force in California, to which the Honourable Member refers, will certainly reduce energy consumption and pollution caused by vehicle exhausts.

Measures of this type are to be applauded but are not likely to be taken at Community level. The Commission none the less plans to encourage initiatives of this type by national, regional and local authorities, which are in a position to draw up regulations suitable for the areas under their administration.

WRITTEN QUESTION No 1125/89
by Mrs C. Tongue (S)
to the Commission of the European Communities
(10 January 1990)
 (90/C 125/73)

Subject: Human rights violation in Turkey

In the light of recent incidents where EC subjects living in Turkey, such as Alison Burch of Bakirkoy, Istanbul, have been harassed and arrested for taking part in Christian services, what reassurances can the Commission give that Turkey's application for EC membership will not proceed while violations of human rights continue?

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

(13 February 1990)

In the Opinion adopted on 18 December 1989 on Turkey's formal request to become a full member of the European Community, the Commission stated that it considered it would not be wise to open negotiations for the accession of any candidate country until the Community could be assured that the objectives of strengthening its internal integration, envisaged in the Single European Act, had been attained i.e. until 1993 at the earliest — apart from exceptional circumstances.

In the particular case of Turkey, the Commission also gave its assessment that not merely was there at present an insurmountable gulf between the EC and Turkey in levels of economic and social development, but that certain political problems could not be overlooked, amongst which was respect for human rights and the rights of minorities.

WRITTEN QUESTION No 1128/89

by Mr Jean-Claude Martinez (DR)

to the Commission of the European Communities

(10 January 1990)

(90/C 125/74)

Subject: Agricultural expenditure in the 1990 budget

The decisions taken at Fontainebleau concerning budgetary discipline and multiannual ceilings for agricultural expenditure have achieved a reduction in the agriculture budget.

1. Does the Commission envisage any transfers between the EAGGF Guidance and Guarantee Sections?
2. Given the agricultural surplus in the 1989 budget (ECU 4 million) and the optimistic outlook for 1990 (almost ECU 9 billion), does the Commission plan to ease the budgetary and economic constraints on Community farmers and use part of these surpluses to assist small farmers adversely affected by quotas and other stabilizers?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(12 February 1990)

The Decisions taken by the European Council in Brussels on 11 and 12 February regarding budgetary discipline and the financial perspectives, which replaced those of

Fontainebleau, introduced expenditure ceilings for the various Community policies.

The appropriations for the EAGGF Guidance Section now fall within the maximum amounts laid down for the structural Funds and must be viewed separately from EAGGF Guarantee Section expenditure and estimates.

Provisional expenditure for the EAGGF Guarantee Section in 1989 is about ECU 4 billion below the agricultural guideline. But the Honourable Member should not overlook the fact that the appropriations lapsing in the 1989 budget totalled no more than about ECU 1.3 billion, particularly because of transfers to the monetary reserve. It is estimated that, in relation to the agricultural guideline, the 1990 budget margin is ECU 4 108 billion.

The fact that EAGGF Guarantee expenditure in 1989 and 1990 has been below the maximum amounts laid down in the financial perspectives is due partly to the reform of the CAP undertaken in recent years and partly to cyclical factors (world prices, ECU/\$ parity) which have helped to keep agricultural spending down.

For small farmers the Community has introduced several measures to lessen the impact of quotas and stabilizers; some income aid programmes for rural areas have been adopted. Finally, the Commission included a specific programme of measures for rural development in its recent farm price proposals. Their purpose is to ease the economic constraints to which the Honourable Member refers.

WRITTEN QUESTION No 1133/89

by Mr Paul Staes (V)

to the Commission of the European Communities

(10 January 1990)

(90/C 125/75)

Subject: European quality standards for wine with a view to the 1992 single market

I have been informed that discussions are currently being held at which proposals are circulating, with regard to the European wine sector and the 1992 single market, that the minimum number of vinestocks per hectare should, for reasons of quality, be set at 4 500. Producers failing to meet this requirement will no longer be entitled to their appellation.

Are these reports true and, if so, what connection can there possibly be between a minimum number of vinestocks per hectare and quality standards given that, for many years, wine producers have had no difficulty in obtaining appellations for their wines on the basis of anonymous tests?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(13 February 1990)

The Commission has no knowledge of any intention by Member States to set a minimum of 4 500 vinestocks per hectare in connection with the advent of the 1992 single market.

Under Article 5 of Regulation (EEC) No 823/87 ⁽¹⁾ the Member States are responsible for adopting provisions on the wine-growing methods required to ensure that quality wines produced in specified regions are of optimum quality. It is in fact more practical for wine-growing methods to be determined by the Member States rather than by Community provisions, since it is necessary to take account of regional and local factors such as the nature of the soil.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 59.

WRITTEN QUESTION No 1134/89

by Mr Bryan Cassidy (ED)

to the Commission of the European Communities

(10 January 1990)

(90/C 125/76)

Subject: The right to enter the territory of a Member State

Which Member States operate schemes whereby airlines or shipping lines may be penalized for transporting passengers without valid entry documentation?

In the Commission's view, are such schemes compatible with Community and international law, bearing in mind that the operation of these schemes can result in the exercise of the right by a Community national to enter a Member State (including his own) being subject to the decision of an airline employee located on the territory of the Member State of departure?

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

(23 February 1990)

For information on the national laws of the Member States in this field, the Honourable Member is asked to refer to the Commission's answer to Written Question No 409/89 by Mr Edward Newman ⁽¹⁾.

The Commission considers that any national provision of a Member State which penalizes shipping lines, airlines or other carriers for transporting to the frontiers of that State persons not in possession of the required travel documents is compatible with Community law.

It should be noted in this connection that the Community law in force (Article 3 (1) of Directive 68/360/EEC ⁽²⁾; Article 3 (1) of Directive 73/148/EEC ⁽³⁾) requires Member States to grant those entitled to move freely right of entry to their territory simply on production of a valid identity card or passport. Member States may therefore, at their frontiers, require one of those documents to be produced and refuse entry to anyone not in possession of the necessary documentation.

⁽¹⁾ See page 2 of this Official Journal.

⁽²⁾ OJ No L 257, 19. 10. 1968, p. 13.

⁽³⁾ OJ No L 172, 28. 6. 1973, p. 14.

WRITTEN QUESTION No 1140/89

by Mr Lyndon Harrison (S)

to the Commission of the European Communities

(10 January 1990)

(90/C 125/77)

Subject: 'Turnover tax' (Umsatzsteuer) on foreign coaches

In the Federal Republic of Germany a 'Turnover tax' (Umsatzsteuer) is imposed on foreign motor coaches using roads in the territory of the FRG and West Berlin. This tax is not only time consuming but is also financially punitive to coach operators many of whom try to provide budget travel for schools.

Could the Commission inform the Parliament whether any such tax is imposed by any other EC Member State? Is the Commission of the opinion that this tax is both contrary to the principle of free movement within the Community and a breach of fair competition between alternative forms of travel in the EC?

**Answer given by Mrs Scrivener
on behalf of the Commission**

(5 March 1990)

The place where transport services are supplied is defined by Article 9 (2) (b) of the Sixth VAT Directive ⁽¹⁾ as the place where transport takes place, having regard to the distances covered.

Under that provision, Member States have the right to charge VAT on passenger transport services supplied for payment on their territory.

However, Article 28 (3) (b) of the Sixth Directive authorizes the Member States to continue to exempt the activities set out in Annex F under conditions existing in the Member State concerned. Point 17 of Annex F covers passenger transport.

Accordingly, the measure referred to by the Honourable Member is in conformity with Community law.

At present a number of Member States apply the same provisions as the Federal Republic of Germany, in conformity with the Sixth VAT Directive. The definitive arrangements to be adopted in the internal market are referred to in Article 28 (5) of the Sixth Directive, which specifies that passenger transport will be taxed in the country of departure for that part of the journey taking place within the Community according to the detailed rules of procedure still to be adopted by the Council. Hence transport within the Community will be taxed on the same basis as national transport. Article 28 makes no distinction between different modes of transport.

(¹) OJ No L 145, 13. 6. 1977.

WRITTEN QUESTION No 1143/89

by Mrs Pauline Green (S)

to the Commission of the European Communities

(10 January 1990)

(90/C 125/78)

Subject: Investment in the Northern part of Cyprus

Will the Commission issue advice to Member States and firms within the European Community as regards investments or work projects out for tender for or on behalf of the so-called Turkish Cypriot State?

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

(2 February 1990)

The Financial Protocols between the Community and Cyprus benefit the whole population of the island but are signed with the only legitimate government of the Republic of Cyprus. Moreover, all the financing agreements for specific projects (even those containing actions to be implemented in the occupied territories) are signed and approved only by the Community and the Republic of Cyprus.

Within this framework, the Commission follows its normal tender procedures for investments or work projects in third Mediterranean countries.

WRITTEN QUESTION No 1144/89

by Mrs Pauline Green (S)

to the Commission of the European Communities

(10 January 1990)

(90/C 125/79)

Subject: Aid to Nicaragua

Can the Commission detail the breakdown in European Community aid in absolute amounts to Nicaragua for

1990? In particular, the amounts to be devoted to development aid; support for refugees and support in terms of food aid?

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

(6 February 1990)

Funds from the budget intended for cooperation with Central American countries are allocated during the year on a case-by-case basis according to project feasibility, not broken down indicatively by country. However, the Commission sees that the allocation of funds by country is balanced out over a given period, rather than annually.

It would therefore be premature at this stage to supply estimated figures by country for 1990.

For 1989, however, the main items of Community spending on cooperation with Nicaragua (¹) are: food aid (ECU 11,5 million), repatriation aid for refugees or displaced persons (ECU 1,49 million), aid through NGOs (ECU 4,4 million), trade promotion (ECU 0,2 million) and support for preparations for elections (ECU 0,5 million), i.e. a total of ECU 18,1 million).

There was no bilateral financial and technical cooperation with Nicaragua last year, though the country was included in regional operations, such as support for small businesses or other regional projects still underway, including food security, combating infant mortality and health cooperatives. It will also be involved in the project to revive regional trade in Central America, approved by the Commission in November 1989, the first part of which takes the form of a Central American regional payments system and will enter into force this year.

(¹) Provisional estimates.

WRITTEN QUESTION No 1163/89

by Mr Proinsias de Rossa (CG)

to the Commission of the European Communities

(10 January 1990)

(90/C 125/80)

Subject: Homeless crisis in Europe

In the light of the growing numbers of homeless people in the EC (now put at three million by Feantsa — the European Federation of National Organizations working with the Homeless) and the increasing dilution of citizens' rights in successive drafts of the Social Charter, can the

Commission state what steps it is taking to draft minimal legal entitlement to shelter and food in Member States?

Can the Commission state how many Member States already have legislation enshrining these rights?

Can the Commission state what reports, if any, it has drawn up on homelessness in the light of the 1987 report of the European Parliament on the rights of the homeless and in the light of the information supplied from EC funded seminars held on the homeless problem in Cork, 1985, Vierzet 1986, Turin 1987 and Paris 1989?

Finally, can the Commission state what arrangements, if any, have been made to arrange funding for Feantsa once its current allocation runs out on 31 December 1989?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(15 February 1990)

The Commission is giving particular attention to the question of the homeless and, more generally, of persons in major difficulties, especially by the promotion of operations such as the third programme for the economic and social integration of disadvantaged economically and socially disadvantaged persons.

The rights referred to by the Honourable Member fall within the competence of the Member States. However, the Council meeting on social affairs adopted, on 29 September 1989, a Resolution ⁽¹⁾ on social exclusion in which it stressed that 'the existence of a series of measures guaranteeing adequate aid and resources adapted to the situation of each individual is a fundamental factor in combating social exclusion'.

Furthermore, the Community Charter ⁽²⁾ of fundamental social rights of workers states that 'persons who have been unable either to enter or re-enter the labour market and who are no longer eligible for unemployment benefit, must be able to receive a minimum income and appropriate social assistance'.

In its action programme relating to the implementation of the Charter ⁽³⁾, the Commission included a Recommendation on joint criteria relating to adequate resources and benefits in social protection schemes, taking the view that it is necessary that at least one Community initiative be aimed, in a spirit of solidarity, at the Community's most disadvantaged citizens.

The Commission has no information on national legislation specifically concerned with the right to shelter and food for the most disadvantaged.

The Commission has held several seminars on the question of the homeless, the reports on which represent a significant contribution to the improvement of knowledge about the size of this problem in Europe.

At the same time, the Commission has undertaken a feasibility study on observation of the situation of the homeless in Europe, the report on which will be available in the near future, and recently financed a hearing and a seminar of homeless young persons. The question of the homeless will also be tackled in the final report which the Commission will present to the Council and to Parliament at the end of 1990 at the conclusion of the second European programme to combat poverty.

More generally, this question is also examined as part of exploratory thoughts about low-cost housing.

The Commission granted aid to Feantsa for the period from 15 December 1988 to 28 February 1990. Future support for this body is currently under study by the departments concerned in conjunction with officials of that Federation as part of a specific work programme and in relation to other activities supported by the Commission in the context of the programme for the economic and social integration of the economically and socially most disadvantaged groups of persons.

⁽¹⁾ OJ No C 277, 31. 10. 1989, p. 1.

⁽²⁾ COM(89) 471 final.

⁽³⁾ COM(89) 568 final.

WRITTEN QUESTION No 1166/89

by Mr David Moris (S)

to the Commission of the European Communities

(10 January 1990)

(90/C 125/81)

Subject: EC medicines exports to developing countries

Pharmaceutical products which fail to reach the Community's own standards of safety and efficiency are regularly exported from EC Member States to the Third World.

The previous European Parliament sought to amend legislation on proprietary medicinal products in order to prevent this exploitation of Third World nations. The Commission in refusing to accept the amendments, said that they could not 'accept within the framework of the internal market provisions which concern exports'.

1. Does the Commission recognize the shameful double standards employed by some drug manufacturers in their dealings with developing nations?
2. Does the Commission intend to introduce new legislation to prohibit the export of products which are banned, withdrawn or subject to special restriction within the Community unless authorities within the

importing country specifically request the product, having been first fully informed of the controls on its use in Europe?

3. Does the Commission intend to take any other action to ensure that the European drug industry does not profit by providing the peoples of the Third World with second class standards for medicines?

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

(16 February 1990)

Council Directive 89/341/EEC of 3 May 1989⁽¹⁾ contains several provisions relating to the quality of pharmaceutical products exported from the Community and the certification of the approved conditions of use of these products within the Community.

These requirements are intended to implement new arrangements agreed by the World Health Organization into Community legislation.

During its second reading in April 1989, the Parliament approved this Directive without amendment. During the 5th International Conference of Drug Regulatory Authorities, held in Paris on 12 and 13 October 1989, these new provisions were welcomed by representatives of the developing countries.

The Commission does not consider that any further legislative initiative is necessary at present, although it will keep the situation under review in the light of practical experience resulting from the implementation of these measures.

⁽¹⁾ OJ No L 142, 25. 5. 1989, p. 11.

WRITTEN QUESTION No 1175/89

by Ms Pasquelina Napolitano, Mrs Luciana Castellina,
Mrs Adriana Ceci, Mrs Anna Catasta, Mrs Dacia Valent,
Mrs Teresa Domingo Segarra and
Mr Rinaldo Bontempi (GUE)

to the Commission of the European Communities

(9 January 1990)

(90/C 125/82)

Subject: Council of Ministers and family affairs

Can the Commission confirm that a meeting is soon to be held by the Council of Ministers on questions relating to the family? If so, will it submit proposals of its own and what will be the content of these proposals?

**Answer given by Mrs Papatreou
on behalf of the Commission**

(16 February 1990)

On the basis of the Commission's Communication on family policies⁽¹⁾, of 8 August 1989, the Council and the

Ministers for family affairs meeting within the Council have adopted — on 29 September 1989 — a number of conclusions concerning family policy⁽²⁾.

On the basis of these guidelines a working programme will be drawn up together with a group of senior officials responsible for family affairs and bodies representing family interests at Community level, who will be regularly consulted under the abovementioned conclusions.

In view of the above it is therefore up to the Council to decide when the next Council meeting on family affairs should take place.

⁽¹⁾ COM(89) 363 final.

⁽²⁾ OJ No C 277, 31. 10. 1989, p. 2.

WRITTEN QUESTION No 1176/89

by Mrs Pasquelina Napolitano, Mrs Luciana Castellina,
Mrs Adriana Ceci, Mrs Anna Catasta, Mrs Dacia Valent,
Mrs Teresa Domingo Segarra and
Mr Rinaldo Bontempi (GUE)

to the Commission of the European Communities

(9 January 1990)

(90/C 125/83)

Subject: Women and the single market: new action programme

When will the Commission present to the Committee on Women's Rights the guidelines on which it intends to base the new action programme, with particular reference to the establishment of the single market?

**Answer given by Mrs Papatreou
on behalf of the Commission**

(16 February 1990)

The Commission is currently preparing its third Action Programme and the main outline of its strategy for priority actions in favour of equal opportunities. This third programme will reflect the new context of the internal market, as well as the Commission's Communication on the charter of fundamental social rights⁽¹⁾. Meetings will be held in the first six months of 1990 with all interested parties.

As soon as this programme has been drawn up — in the course of 1990 — it will of course be submitted to the appropriate Parliamentary bodies.

⁽¹⁾ COM(89) 568 final, Article 8 (b), p. 36.

WRITTEN QUESTION No 1187/89**by Mr Jesús Cabezón Alonso (S)****to the Commission of the European Communities***(10 January 1990)**(90/C 125/84)*

Subject: Aid for the construction and modernization of fishing vessels and for aquaculture in Cantabria, Spain

In early November 1989 the Commission granted financial aid for 452 projects for the construction and modernization of fishing vessels and aquaculture projects.

Do any of these projects apply to the Autonomous Community of Cantabria, Spain?

If so, which specific projects have received financial aid, and how much?

If not, which projects have requested financial aid and on what grounds has such been refused?

**Answer given by Mr Marin
on behalf of the Commission***(15 February 1990)*

Under Council Regulation (EEC) No 4028/86 of 18 December 1986 ⁽¹⁾ five projects in Cantabria were selected for assistance from the second tranche for 1989, the total aid amount approved being ECU 186 492.

Four of the five projects are for the modernization of fishing vessels and the fifth for the modernization of an aquaculture unit.

The Commission will send the Honourable Member and Parliament's Secretariat a detailed list of the projects in Cantabria approved for financing in 1989 (both tranches).

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

WRITTEN QUESTION No 1188/89**by Mr José Alvarez de Paz (S)****to the Commission of the European Communities***(9 January 1990)**(90/C 125/85)*

Subject: Provisions to regulate night-work by young people

Does the Commission consider it necessary to establish a legal instrument to prohibit night-work by young people below the age of 18?

**Answer given by Ms Papandreou
on behalf of the Community***(9 February 1990)*

As announced in its action programme of 29 November 1989 ⁽¹⁾ the Commission will present a proposal for a Directive on approximation of the laws of the Member States on the protection of young people. In this context, it will deal with the ban on night work for young people, with the exception of a number of specific occupations.

⁽¹⁾ COM(89) 586 final.

WRITTEN QUESTION No 1196/89**by Mr José Alvarez de Paz (S)****to the Commission of the European Communities***(9 January 1990)**(90/C 125/86)*

Subject: Choice for workers between a trial period and an aptitude test

Does the Commission not feel that, because of differences in the duration and content of vocational training courses between the Community countries, migrant workers should be offered the choice between a trial period and an aptitude test?

**Answer given by Mrs Papandreou
on behalf of the Commission***(16 February 1990)*

The Honourable Member appears to be referring to the position of the Commission regarding the choice of a Community worker exercising his/her right to free movement within the Community, between a trial period and an aptitude test with a view to furnishing proof and training required for taking up a regulated occupation.

If this is indeed the object of the Honourable Member's question we would refer him to the Council Directive on a general system for the recognition of higher education diplomas awarded on completion of professional education and training of at least three years duration ⁽¹⁾ which was adopted on 21 December 1988. This Directive — which defines the concept of trial periods and aptitude tests — will take effect on 4 January 1991.

Article 4 (1) (b) deals with the worker's choice between a trial period or aptitude test where the host Member State offers this choice under certain conditions.

⁽¹⁾ OJ No L 19, 24. 1. 1989.

WRITTEN QUESTION No 1203/89

by Mr Lyndon Harrison (S)

to the Commission of the European Communities

(9 January 1990)

(90/C 125/87)

Subject: Passive smoking

Tobacco smoke affects not only people who smoke but also people who are exposed to the combustion products coming from others' tobacco. Such people are referred to as passive or involuntary smokers.

That passive smoking gives rise to an increased risk of cancer is now well accepted, and supported by epidemiological studies, though the size of the effect under different circumstances of exposure remains to be estimated accurately.

In view of these findings and the unacceptable situation that people should become unhealthy and/or increase the risk of death by other people's negligence, will the European Commission be presenting any proposals aimed at reducing passive smoking in EC Member States?

Such proposals would best be presented by 1992, the year in which the WHO's second five-year Action Plan is expected to commence.

**Answer given by Mrs Papandreou
on behalf of the Commission**

(15 February 1990)

The Commission is well aware of the problem of involuntary or passive smoking. It has taken the initiative, within the framework of the Europe Against Cancer Programme, of proposing some guidelines for a recommendation on the subject ⁽¹⁾.

On 18 July 1989, a Resolution of the Council and the Ministers of Health meeting within the Council ⁽²⁾ on the banning of smoking in places open to the public was adopted on the basis of the Commission's proposal.

The Resolution invites the Member States to:

- ban smoking in the public and private establishments listed in the Annex;
- extend the ban to all forms of public transport;
- reserve clearly-defined areas for smokers;
- establish a general principle: in the case of conflict, the right to health of non-smokers prevails over the right of smokers to smoke.

Member States should inform the Commission every two years of actions taken in response to the Resolution. The Commission will ensure an attentive follow-up of the national dispositions to be implemented on the subject, as

is already manifested to the European Parliament on 15 September 1989 ⁽³⁾.

⁽¹⁾ COM(88) 647 final.⁽²⁾ OJ No C 189, 26. 7. 1989, p. 1.⁽³⁾ Debates of the European Parliament No 2-380 (September 1989).**WRITTEN QUESTION No 1207/89**

by Mr Hugh McMahon (S)

to the Commission of the European Communities

(9 January 1990)

(90/C 125/88)

Subject: Attendance of Members of the Commission at part-sessions of Parliament

Can the President of the Commission inform the House of the attendance record of individual members of the Commission at each part-session of the European Parliament in 1989 and can the President give an assurance that members of the Commission will not indulge in 'foreign travel' during part-sessions and that Commissioners will be generally available to answer questions of the democratically elected representatives of Europe's citizens?

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

(8 February 1990)

The Commission does not have the exact information requested by the Honourable Member but can assure him that its Members consider it their duty to attend all Parliament debates on subjects for which they have special responsibility. Conflicting engagements sometimes prevent attendance and on odd occasions unforeseen changes in Parliament's agenda make it impossible for a Member of the Commission to be present. In these cases, the Commission as a body is always represented by another Member who speaks on its behalf.

WRITTEN QUESTION No 1223/89

by Mr Ingo Friedrich (PPE)

to the Commission of the European Communities

(12 January 1990)

(90/C 125/89)

Subject: ECSC audits — Société Fiduciaire Suisse

Can the Commission supply any information as to how many of the employees of the Société Fiduciaire Suisse responsible for carrying out the auditing referred to in Article 60 of the ECSC Treaty in 1989 are qualified as auditors — comparable to those with the German professional qualification?

WRITTEN QUESTION No 1228/89**by Mr Ingo Friedrich (PPE)****to the Commission of the European Communities***(12 January 1990)**(90/C 125/90)**Subject:* ECSC audits pursuant to Article 60 of the ECSC Treaty

Can the Commission confirm that sections of the European steel industry are objecting to employees of the Société Fiduciaire Suisse taking part in the price audits referred to in Article 60 of the ECSC Treaty? If so, can the Commission also confirm that the Société Fiduciaire Suisse, apart from carrying out auditing activities for the Commission of the European Communities, also carries out or has carried out auditing for competing steel firms on the basis of civil law contracts?

Joint answer to Written Questions Nos 1223/89**and 1228/89 given by Sir Leon Brittan****on behalf of the Commission***(1 March 1990)*

The Commission may have the necessary checks referred to in Article 47 of the ECSC Treaty carried out by any person whom it considers competent for the work⁽¹⁾. Employees of the Société Fiduciaire Suisse fall into this category.

A national association of steel producers has requested a meeting to clarify its position on the participation by employees of the Société Fiduciaire Suisse in price audits under Article 60 of the ECSC Treaty.

According to the Commission's information, since the Société Fiduciaire Suisse has been carrying out audits of steel prices on behalf of the Commission, it no longer performs audits for steel companies in the Community.

⁽¹⁾ Case 67/69 *Simet v. Commission* (1971) ECR 197, at 207, ground 7.

WRITTEN QUESTION No 1224/89**by Mr Thomas Megahy (S)****to the Commission of the European Communities***(12 January 1990)**(90/C 125/91)**Subject:* Colombian economy

In view of the difficulties facing the Colombian economy, and the desirability of assisting Colombia in her attempts

to stimulate economic activities which may provide her people with realistic alternatives to the production and distribution of illegal narcotics, why does the Community continue to impose:

1. a discriminatory tariff on Colombian flowers, varying from 15 to 20%, which is not imposed on similar products from Israel and Kenya,
2. a tariff on imports of bananas (to all Member States with the exception of the Federal Republic of Germany) of 20%?

**Answer given by Mr Matutes
on behalf of the Commission***(16 February 1990)*

1. Due to the extremely difficult situation of certain Community producers, the Community applies a tariff on imports of various types of cut flowers from third countries.

The duty does not apply to ACP countries nor to Israel, because the EC has contractual obligations towards these countries.

In the Tropical Product Negotiations in the Uruguay Round the Community has already reduced most-favoured nation duties on cut flowers once in the initial package of results at the mid-term review. Negotiations are continuing with the aim of further liberalization at the end of the Round, scheduled for December 1990.

2. The Commission is in the process of examining the banana market in the Community with a view to replacing existing national arrangements with a Community one, in line with the objective of completing the single market by 1992.

At this stage the Commission has not yet taken a position on this difficult question. The objective is to find a solution that will take into account all the interests at stake in this sector, including those of:

- the ACP states, which supply around 20% of EC consumption and towards which the EC has contractual obligations;
- Community producers, which supply around 30% of EC consumption; and
- third country producers, predominantly Latin America, which supply the balance, 50%.

The Commission is none the less aware of the concerns expressed by the Honourable Member.

Accordingly, the Commission welcomes Colombia's special cooperation Plan and is currently looking into ways of providing a positive response to it.

WRITTEN QUESTION No 1237/89

by Mr Gianfranco Amendola (V)
to the Commission of the European Communities
(12 January 1990)
(90/C 125/92)

Subject: Protection of parrots threatened with extinction

The International Council for Bird Preservation has launched a campaign to protect parrots, since it claims that no fewer than 100 species of parrot (about one third of the world population) are endangered. 200 000 parrots are imported into the Community every year and about 800 000 parrots die when being captured or transported.

Can the Commission say:

1. Whether it intends to submit a proposal to ban the importation of at least those species which are threatened with extinction?
2. Whether it intends to prevail upon the Cites to include parrots in the list of endangered species contained in Appendix I (total ban on trade?)

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(14 February 1990)

All parrot species are covered by the provisions of Council Regulation (EEC) No 3626/82 on the implementation in the Community of the Convention on International Trade in Endangered Species of Wild Fauna and Flora ⁽¹⁾. Species considered to be endangered are included in Cites Appendix I and therefore imports into the Community are not authorized.

The remaining 311 species are listed in Annex C Part 2 of Regulation (EEC) No 3626/82 and are subject to the strict import conditions of its Article 10.1.b). For most these species, the Community has adopted either total or partial import restrictions based on their conservation status in the countries of origin. The measures concerned are kept under permanent review and adapted to new scientific information. As a result, imports of parrots into the Community only take place from populations which are considered by the joint Scientific Authorities of the Member States to be able to withstand commercial exploitation, i.e. where the capture in the wild does not have a harmful effect on the conservation of the species or on the extent of the territory occupied by its populations.

Community proposals for the transfer of species to Appendix I of Cites have been and will be submitted to the Cites Conference of the Parties for consideration in compliance with the criteria adopted for such proposals.

⁽¹⁾ OJ No L 384, 31. 12. 1982, p. 1.

WRITTEN QUESTION No 1240/89

by Lord Inglewood (ED)
to the Commission of the European Communities
(12 January 1990)
(90/C 125/93)

Subject: Freedom of movement for disabled persons

Will the Commission state whether it has completed or is planning comparative research with respect to legislation governing the eligibility rules of disabled people, residing in a Member State other than his own, for social security and medical assistance schemes in the host Member State?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(16 February 1990)

Regulations (EEC) No 1408/71 and No 574/72 ⁽¹⁾, based on Article 51 of the EEC Treaty, apply to disabled persons who have worked in a Member State. These Regulations aim at coordination of national systems. The terms for the grant of benefit are thus defined by each Member State.

Pursuant to Article 3 of Regulation (EEC) No 1408/71, persons residing on the territory of one of the Member States and to which the provisions of the aforementioned Regulation are applicable, are subject to the obligations and entitled to the advantages of the laws of any other Member State on the same terms as the nationals of that Member State.

Furthermore, as regards disabled persons who have not worked in a Member State, the Commission stated in its communication on its action programme relating to the implementation of the Community Charter of the fundamental social rights of workers ⁽²⁾ its intention of presenting a proposal for a Regulation extending these Regulations to all insured persons.

⁽¹⁾ OJ No L 230, 22. 8. 1983 as last amended by Regulation (EEC) No 3811/86, OJ No L 355, 16. 12. 1986.

⁽²⁾ COM(89) 568 final.

WRITTEN QUESTION No 1244/89

by Mr Thomas Megahy (S)
to the Commission of the European Communities
(12 January 1990)
(90/C 125/94)

Subject: Child abuse

What facilities exist, or are planned, for the exchange of information where a citizen of one Member State applies for a post in another Member State and where the prospective employee is seeking employment with children?

WRITTEN QUESTION No 1245/89

by Mr Thomas Megahy (S)

to the Commission of the European Communities

(12 January 1990)

(90/C 125/95)

Subject: Child abuse

In view of the Community's intention to ease the movement of citizens across the national frontiers of the Twelve, does the Commission know of any plans to facilitate the exchange of information by police or social service authorities regarding either children at risk of abuse or individuals whose previous conduct makes it reasonable to regard them as potentially dangerous to children?

**Joint answer to Written Questions Nos 1244/89
and 1245/89 given by Ms Papandreou
on behalf of the Commission**

(15 February 1990)

The Commission is not aware that any initiative has been taken in connection with the question put by the Honourable Member.

WRITTEN QUESTION No 1247/89

by Mr Thomas Megahy (S)

to the Commission of the European Communities

(12 January 1990)

(90/C 125/96)

Subject: The common fisheries policy

What types of financial assistance are given to the Community's fishermen under the CFP and how much has been paid out to fishermen of each Member State since the accession of Spain?

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

(16 February 1990)

Under the common fisheries policy, financial assistance to Community fishermen is provided in the form of capital grants for investment projects such as the construction of new fishing vessels, the modernization of existing vessels, exploratory fishing voyages, and temporary joint ventures. The amount of the assistance varies between 20 % and 35 % of the eligible investment. In addition, the Community partially reimburses the expenditure incurred by Member States in respect of measures to encourage the definitive and temporary withdrawal of vessels from fishing.

Since 1987, all the measures have been covered by Council Regulation (EEC) No 4028/86⁽¹⁾ and, as regards 1986, they were covered by Regulations (EEC) No 2908/83⁽²⁾ and 2909/83⁽³⁾.

The following table summarizes the amount of Community assistance granted directly to fishermen since 1986, by Member State.

Community assistance granted for investment projects concerning the renewal and modernization of the fishing fleet, exploratory fishing voyages and temporary joint ventures

(ECU million)

	1986	1987	1988	1989	Total 1986-1989
Belgium	0,3	0,3	0,1	0,7	1,4
Denmark	2,0	0,7	1,7	3,4	7,8
Federal Republic of Germany	4,5	3,5	0,1	3,6	11,7
Greece	4,2	3,6	0,4	4,0	12,2
Spain	14,8	23,3	6,6	36,3	81,0
France	9,0	11,7	2,9	12,5	36,1
Ireland	2,8	0,4	0,9	2,2	6,3
Italy	4,8	12,9	7,5	15,2	40,4
Netherlands	0,6	0,3	0,7	0,2	1,8
Portugal	7,6	9,0	9,8	10,1	36,5
United Kingdom	7,0	9,7	2,2	4,1	23,0
Total	57,6	75,4	32,9	92,3	258,2

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.⁽²⁾ OJ No L 290, 22. 10. 1983, p. 1.⁽³⁾ OJ No L 290, 22. 10. 1983, p. 9.**WRITTEN QUESTION No 1248/89**

by Mrs Anita Pollack (S)

to the Commission of the European Communities

(12 January 1990)

(90/C 125/97)

Subject: Child care

Following the Consolidated Report on Child Care in the Member States produced by the Commission in 1987, which outlined the great gaps in existing provisions, particularly in the UK, will the Commission prepare a framework directive on child care — and what other proposals will it make as part of the Action Programme on the Social Charter?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(16 February 1990)

Point 19 of the European Social Charter stresses the need to develop provisions likely to enable the persons concerned to reconcile more readily their family and occupational obligations.

In the action programme intended to implement the European Social Charter the Commission has included the drawing-up of a recommendation on child-minding.

At the same time, the Commission will draft during 1990 the third action programme on equal opportunities for women, one of the main issues of which will be child-minding.

WRITTEN QUESTION No 1249/89

by Mr Adrien Zeller (PPE)

to the Commission of the European Communities

(12 January 1990)

(90/C 125/98)

Subject: Development of the European high speed train network

The Commission recently adopted a number of priority measures on Community action on support for transport infrastructure, with particular reference to the European high speed train network.

A TGV-EST project to link Paris and Strasbourg, connecting with the German rail network north of Strasbourg towards Karlsruhe is currently being examined in France. This line would also have a southern extension linking Mulhouse and the Swiss network.

In view of the European significance of this TGV-EST project, linking Strasbourg both with the north and the south, at what point and under what conditions does the Commission plan to provide financial support for it?

**Answer given by Mr Van Miert
on behalf of the Commission**

(30 March 1990)

The Commission would refer the Honourable Member to the reply to his Oral Question H-571/89, which it gave during question time at Parliament's January 1990 part-session.

WRITTEN QUESTION No 1250/89

by Mr Adrien Zeller (PPE)

to the Commission of the European Communities

(12 January 1990)

(90/C 125/99)

Subject: European Social Security Card

The Council of Ministers for Social Affairs has asked the Commission to investigate the possibility of issuing a 'European Social Security Card'.

1. When does the Commission intend to begin its investigations?
2. How does the Commission plan to involve Parliament?
3. What timetable has the Commission set itself for completing the investigations and forwarding the results to the Council?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(31 January 1990)

1. and 3. In response to the request made by the Council on 29 September 1989, the Commission is currently examining, within the limits of the appropriations set for 1990, the possibility of having a study carried out on procedures for recognition by the Member States of national social security cards issued by other Member States. It is not at present able to set any date for this.

2. The Commission will inform the European Parliament of the findings of this study in good time.

WRITTEN QUESTION No 1255/89

by Mr Anthony Simpson (ED)

to the Commission of the European Communities

(12 January 1990)

(90/C 125/100)

Subject: Footwear and leather industry trade with Japan

Bearing in mind the present serious problems of the European leather and footwear industries, will the Commission state what guidelines it is proposing to adopt as regards the future trading regime with Japan in the fields of leather and footwear?

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

(6 February 1990)

Given the fact that in the Community there is a considerable level of import penetration in the leather and footwear sector, the Commission insists on having in principle similarly open markets amongst its major trading partners. The Japanese market is still very much restricted by a tariff quota system. At the same time, because of the high purchasing power and the competitiveness of the Community industry, the Japanese market holds great potential for European products and therefore is of special interest to our producers. The Commission will begin its talks with Japan on the future trading regime for leather and shoes starting from this background, and will aim at the fullest degree of liberalization attainable.

WRITTEN QUESTION No 1275/89
by Mrs Carmen Llorca Vilaplana (PPE)
to the Commission of the European Communities
(15 January 1990)
(90/C 125/101)

Subject: Child abuse

Press reports on child abuse and the number of deaths caused by such acts of violence are dreadful. Information is incomplete, however, because of an unwillingness to speak out and the difficulties involved in obtaining comparative statistics, by Member States, and in establishing the reasons for such violence.

Could the Commission request the Governments of the 12 Member States of the Community to supply information and subsequently draft a directive on what is so worrying an issue?

Answer given by Mrs Papandreou
on behalf of the Commission
(15 February 1990)

The Commission has received a great deal of information revealing the seriousness of the problem of child abuse. While sharing the concerns of the Honourable Member, the Commission is not at present planning any measures on this matter, which is in principle outside its field of competence.

WRITTEN QUESTION No 1298/89
by Mr Gerardo Fernández Albor (PPE)
to the Commission of the European Communities
(15 January 1990)
(90/C 125/102)

Subject: Cleaning up Galicia's estuaries

One of the traditional aspirations of the Galicia region of Spain is one day to have all its estuaries cleaned up, thus not only giving the final touch to their natural beauty but also making the latter go hand in hand with the renewal of life and environmental quality.

For the population as a whole, belonging to the European Community means, along with all sorts of other hopes, that something is guaranteed to be done to fulfil this traditional aspiration.

Would the Commission state whether, with the instruments currently available under the environmental policy which the Commission has promoted, a special plan could be drawn up to clean up Galicia's estuaries, thus enabling the latter to enjoy a protection which they have lacked for a very long time?

Answer given by Mr Christophersen
on behalf of the Commission
(16 February 1990)

The Community support framework (CSF) negotiated with Spain for the regions covered by Objective 1 makes specific provision in the case of Galicia for measures aimed at rehabilitating and regenerating beaches and rivers by conducting a thorough clean-up of coastal areas, whose socioeconomic importance in the region had been stressed.

Those measures fall within the scope of environmental protection and improvement, which ranks as one of the main priorities of the CSF for Spain and towards which ERDF assistance of ECU 19 million will be made available in the period 1989 to 1993 under the regional section of the CSF.

WRITTEN QUESTION No 1325/89
by Mr Claude Desama(S)
to the Commission of the European Communities
(22 January 1990)
(90/C 125/103)

Subject: Restricting the effect of dairy quotas

In order to avoid an excess of output over demand for products such as butter or milk powder, the European Community has obliged producers to comply with dairy quotas.

This is at present causing considerable social problems in milk processing companies which, for lack of raw materials rather than orders, are being compelled to lay off staff.

Could not the Commission consider a compensation system to halt this flood of redundancies, which will inevitably result in social conflict?

Answer given by Mr Mac Sharry
on behalf of the Commission
(7 February 1990)

Quotas were introduced because the milk market situation had deteriorated as a result of trends which began to take shape at the start of the 1970s. The quota system was preceded by the application of other measures to curb output. Although these did not achieve their purpose they clearly signalled the direction of Community policy and should have been taken into account by the processing industries concerned.

Apart from this, the present state of the markets is not entirely due to the quota system. A very coherent package

of measures have been applied to improve demand and facilitate disposals, especially of butter and milk powder, both on the Commission markets and elsewhere. Therefore the orders to which the Honourable Member refers are largely stimulated by Community intervention (aid schemes, export refunds).

The available figures do not show any shortage in the milk sector. On the contrary, public intervention had to be reauthorized because of a drop in the price of butter. This does not rule out the possible occurrence of isolated problems in one region or another. I should be feasible to resolve these by adjusting the policy on supplies to the processing industry.

The Commission is very sensitive to employment problems in rural areas and has undertaken to stimulate viable activities in the regions most affected by changes in the farming sector. But such problems must be tackled in an overall context, in a spirit of partnership between the national and regional authorities and the Community. The recent reform of the structural Funds goes a long way towards this objective. An action under the structural Fund will be backed by other initiatives, some of them included in the 1990/91 price proposals. In the case of milk, for instance, it is proposed that additional quotas be authorized for small-scale producers in areas where the conditions of production are difficult but dairy farming is essential to the rural economy and provides typical products of high quality.

WRITTEN QUESTION No 1329/89

by Mrs Marie-Claude Vayssade (S)
to the Commission of the European Communities

(22 January 1990)
(90/C 125/104)

Subject: European Schools

In paragraph 9 of its resolution of 7 April 1987 (PEUS report — Doc. A2-244/86⁽¹⁾) the European Parliament calls for 'recognition of the principle of trade union representation of the staff of the European Schools on the Board of Governors'.

The Board of Governors is currently undertaking a revision of the Regulations for members of the teaching staff, without consulting any trade union at either Community or national level.

Can the Commission say:

1. why the Board of Governors has not yet responded to the request made by the European Parliament?
2. what steps it has itself taken, as a member of the Board of Governors, to gain acceptance for Parliament's demands?

⁽¹⁾ OJ No C 125, 11. 5. 1987, p. 63.

Answer given by Mr Cardoso e Cunha
on behalf of the Commission

(6 February 1990)

1. Representation of staff interests is ensured within the Board of Governors of the European Schools by the Staff Committee, on which trade union representation is possible and effective. For this reason the Board of Governors did not feel it necessary to set up specific trade union representation within the Board.

2. The Commission has recommended to the Board of Governors the advantages of specific trade union representation on the pattern of that existing within its own departments.

WRITTEN QUESTION No 22/90

by Mr Neil Blaney (ARC)
to the Commission of the European Communities

(26 January 1990)
(90/C 125/105)

Subject: Date on fisheries quotas and catches

Will the Commission make available figures, broken down by country and by variety of fish, comparing total authorized catch and tonnages actually fished for the years since the system of total authorized catches came into effect?

Answer given by Mr Marin
on behalf of the Commission

(5 April 1990)

In view of the length of its answer, which includes a number of tables, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

WRITTEN QUESTION No 34/90

by Mr Gérard Monnier-Besombes (V)
to the Commission of the European Communities

(26 January 1990)
(90/C 125/106)

Subject: Draining of the Bois-Dieu marshes (communes of Maillezaïs, Maillédoix and Saint-Pierre-le-Vieux) Vendée, France

How can the Commission justify the funding it has already granted and the further funding it is proposing to grant for the draining of wetlands of major importance to the survival of European birds in the Poitou marshes, given that these areas are covered by Directive

79/409/EEC ⁽¹⁾ and that the work which is either under way or being projected fails to comply with Directive 85/337/EEC ⁽²⁾ on the assessment of the impact of certain public and private projects on environment?

⁽¹⁾ OJ No L 103, 25. 4. 1979, p. 1.

⁽²⁾ OJ No L 175, 5. 7. 1985, p. 40.

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

(4 April 1990)

Since the Commission does not have the information it would need to investigate the problem referred to by the Honourable Member, it is not at the moment in a position to answer his question. It would therefore ask the Honourable Member to provide more details.

WRITTEN QUESTION No 41/90

**by Mr Brian Simpson and Mr Edward Newman (S)
to the Commission of the European Communities**

(26 January 1990)

(90/C 125/107)

Subject: Cabin safety in aircrafts

Does the Commission have any plans to introduce a report on cabin safety in commercial aircraft, in particular inclusive tour and charter aircraft in the light of the failure of many airlines to respond quickly and positively to safety regulations made by various national bodies and safety organizations.

Would the Commission, in particular be prepared to examine:

1. the number of seats carried on IT and charter aircraft which not only means seat pitches of less than 30" and hinders evacuation but also treats passengers like cattle;
2. that seats by overwing exits should have space enough to ensure quick evacuation;
3. the widening of aircraft aisles;
4. the widening of the exit gap between galley and passenger compartments;
5. the compulsory introduction of smoke hoods and the speeding up of the discussions on the technical specifications of such hoods;
6. the compulsory introduction of sprinkler/spray systems by 1 January 1995;

7. the regulation of hand baggage so that only one item per person be allowed and that it must be stowed in overhead lockers;
8. the purchase of duty-free goods be made in-bound until such facility is removed between Member States;
9. that aerosol cans with high hydrocarbon should be treated in the same way as other cylinders of flammable gas and not be carried in the cabin;
10. that cabin interiors be made of non-toxic material;
11. that portable oxygen bottles carried on commercial aircraft are filled with pressure relief valves and stowed in thermally protected areas?

**Answer given by Mr Van Miert
on behalf of the Commission**

(14 March 1990)

The Commission has studied the report into the Manchester accident in which most of the points mentioned by the Honourable Members identified and is currently assessing their implications in a European context.

The Commission recognizes the actions taken, in particular by the British CAA, which broadly address the problems raised by the Honourable Member, and is concerned that these actions have not been adopted by the other Aviation Authorities of the Member States.

The Commission is currently preparing a draft Directive which will seek to harmonize the technical standards for certification and operational approval (which includes these cabin safety issues), for both scheduled and charter aircraft, within the Member States.

In the meantime the Commission is planning to hold discussions with the interested parties to determine what other actions need to be taken in this area.

WRITTEN QUESTION No 47/90

**by Mrs Raymonde Dury (S)
to the Commission of the European Communities**

(26 January 1990)

(90/C 125/108)

Subject: Distortion of competition with regard to advertisements in Commission publications

In a questionnaire published by the Commission in the *Bulletin of the European Communities* potential advertisers are invited to place advertisements in its publications.

It is specified that the Publications Office reserves the right to select the advertisements to be published.

Does it not thereby expose itself to accusations of distortion of competition by advertisers who are rejected, especially since it states that 'the decision of the Publications Office shall be final'?

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

(13 February 1990)

The right to reject advertisements to which the Honourable Member refers is standard practice among publishers for whom advertising constitutes a peripheral activity, particularly those in the public sector.

The main aim is to avoid a situation of sollicitation or permanent offer vis-à-vis potential advertisers, which would oblige publishers to accept any advertisements, even those damaging to their dignity or incompatible with their function.

The same applies in the case of Commission publications. By making this qualification, the Office, which acts in such matters on behalf of the Commission is able to refuse advertisements for products or services that could be detrimental to the Community's image or incompatible with its policies.

Obviously, within a given category of 'acceptable' advertisement (e.g. for legal works) there will be no discrimination between advertisers and no risk of distortion of competition.

The apparently arbitrary wording of the right of rejection, also standard practice, is justified on the grounds that it is impossible to predict with any accuracy which categories of advertisement will be 'acceptable' and which will not.

It is designed to protect the Commission's interests and, by extension, the Community's interests as widely as possible.

WRITTEN QUESTION No 114/90

**by Mr Francois-Xavier de Donnée (LDR)
to the Commission of the European Communities**

(8 February 1990)

(90/C 125/109)

Subject: Application of directives on public contracts by the SDRB (Brussels Regional Development Company)

1. In view of its articles of association and its sphere of activity, must the SDRB (Brussels Regional Development

Company) abide by all the provisions of European directives on public contracts? If not, to what exemptions is it entitled, and why?

2. Is it true that the Commission has asked the Kingdom of Belgium for explanations regarding SDRB's behaviour as regards the awarding of public contracts?

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

(21 March 1990)

1. According to the information in the Commission's possession, the Brussels Regional Development Corporation (SDRB) is subject to the Community's Directive on the coordination of procedures for the award of public works contracts (71/305/EEC) ⁽¹⁾ and public supply contracts (77/62/EEC ⁽²⁾ and 88/295/EEC ⁽³⁾).

2. Yes, the Commission has asked the Kingdom of Belgium for an explanation of the SDRB's policy on the award of public contracts. It wrote to the Belgian authorities, by letter dated 27 December 1989, following statements made at a press conference by the Chairman of the SDRB in connection with the award of public works contracts among other matters. Mention was made of a list and privately negotiated contracts. The statements were reported in the press.

Depending on the reply from the Belgian authorities, which has not yet been received, the Commission will decide whether or not to initiate an infringement procedure pursuant to Article 169 of the EEC Treaty.

⁽¹⁾ OJ No L 185, 16. 8. 1971, p. 5.

⁽²⁾ OJ No L 13, 15. 1. 1977, p. 1.

⁽³⁾ OJ No L 127, 20. 5. 1988, p. 1.

WRITTEN QUESTION No 116/90

by Mr Gijs de Vries (LDR)

to the Commission of the European Communities

(8 February 1990)

(90/C 125/110)

Subject: Tax advantages for the Dunkirk region

According to an article in the publication FNV-Magazine on 28 January 1989 the French Government is offering new companies which are set up in Dunkirk exemption from tax on profits and land tax for a period of 10 years.

According to a press release issued by the Commission on 11 October 1989, the French authorities have undertaken to exclude the investment by Pechiney in the construction of a new aluminium smelting plant from the tax concessions for new businesses in the Dunkirk region.

1. Can the Commission say why the French Government had to promise it to exclude the new smelting plant from these tax advantages?

2. Does the Commission not consider that the conditions for setting up business in the Channel area are exceptionally favourable, since the Channel Tunnel is being built, and that therefore tax incentives are not needed in the context of regional policy there?
3. Does the Commission not consider that these tax advantages for Dunkirk must be regarded as measures which distort competition and that action should be taken against them?

**Answer given by Sir Leon Brittan
on behalf of the Commission**
(12 March 1990)

1. The Commission's Decision of 21 January 1987 on enterprise zones, under which firms setting up in such areas qualify for exemption from corporation tax for a period of 10 years, stipulates that after the first year of application of the measure, i.e. from 14 February 1988 in the case of Dunkirk, only firms with a workforce of less than 200 will qualify. The new Péchiney smelting plant in Dunkirk was built after that date and its planned workforce exceeded the ceiling of 200 employees. Consequently, in accordance with the Commission's decision, the tax relief available in enterprise zones could not be granted. The French authorities informed the Commission that no tax relief would be granted to the new smelting plant.

2. The Commission's approval of the enterprise zone scheme is based on its recognition of the difficulties which the crisis in shipbuilding and the measures taken by the French authorities regarding the company Normed would create in the areas concerned. The Commission took particular account of job losses resulting from the closure of certain shipyards, and these losses were expected to reach 1 600 in the Dunkirk area according to figures supplied by the French authorities. It also took note of the particularly high unemployment rate in the area.

The construction of the Channel Tunnel is likely to improve the socioeconomic situation in the area. However, the Commission has not as yet observed any improvement which might justify a reappraisal of the status of the Dunkirk enterprise zone. In the event of any such improvement, it would not fail to propose appropriate measures to the French authorities, pursuant to Article 93 (1) of the EEC Treaty.

Be that as it may, the Commission's Decision of 21 January 1987 stipulates that the French enterprise zones will cease to exist once the number of jobs lost in the shipbuilding industry has been matched by the number of new jobs created in the areas concerned. In the case of the Dunkirk enterprise zone, that date may not be later than 13 February 1992, i.e. five years after it was set up.

3. The Commission does indeed consider that such tax exemptions constitute aid which distorts competition

within the meaning of Article 92 (1) of the EEC Treaty. However, it takes the view that, for the reasons outlined in the first paragraph at 2 above, the aid is eligible for the derogation provided for in Article 92 (3) (c) of the Treaty, particularly in view of the restrictions and conditions to which the French authorities have agreed.

WRITTEN QUESTION No 129/90
by Mr Marc Galle (S)
to the Council of the European Communities
(8 February 1990)
(90/C 125/111)

Subject: Representation in the Council

Is it correct that only members of the national governments of the Member States are acknowledged as full members of the Council?

If a Member State is represented by a member of a regional government or a cultural community, for example at a Council of Culture or Education Ministers when they have sole responsibility for this area in the Member State is that Member State fully represented in the Council?

Can members of the regional government or of a cultural community chair Councils of Culture or Education Ministers during the Presidency of a Member State, if the region or the cultural community has sole powers in these fields?

Answer
(10 April 1990)

Under the terms of Article 2 of the Brussels Treaty of 8 April 1965 establishing a Single Council and a Single Commission of the European Communities:

"The Council shall consist of representatives of the Member States. Each Government shall delegate to it one of its members.

The office of President shall be held for a term of six months by each member of the Commission in turn . . .

It follows from these provisions that the members of the Council are members of national governments and that it is for the government of each Member State to appoint one of its members to represent it at each Council meeting. Each Member State must therefore be represented in the Council by a member of its national government, whatever the internal distribution of power within the Member State in question between national government and local or regional authorities.

However, Article 4 of the Council's Rules of Procedure provides that:

'Subject to the provisions of Article 5 on the delegation of voting rights, a member of the Council who is prevented from attending a meeting may arrange to be represented'.

Where, for one reason or another, it is impossible for the government of a Member State to delegate one of its members to a particular Commission meeting, it is therefore possible for that government to be represented by a person whom it designates. That person will then intervene in the Council meeting on behalf of the Council member he represents, that is on behalf of the national government of the Member State in question.

Where a vote is taken, the person in question may put forward the position of his government pursuant to Article 150 of the EEC Treaty and Article 5 (3) of the Rules of Procedure ⁽¹⁾.

It follows from the combined provisions of the two paragraphs of Article 2 of the 1965 Treaty that the Council is chaired by a member of the government of the Member State holding the office of President. Where no member of the government of that Member State can be present, it is customary that the office of President is held by a member, who is present, of the government of the Member State which is due to hold the office of President during the following six-month period.

⁽¹⁾ Article 150 of the EEC Treaty: 'Where a vote is taken, any member of the Council may also act on behalf of not more than one other member'. Article 5 (3) of the Rules of Procedure: 'Delegation of the right to vote may only be made to another member of Council'.

WRITTEN QUESTION No 141/90

by Mrs Anita Pollack (S)

to the Commission of the European Communities

(8 February 1990)

(90/C 125/112)

Subject: Equal opportunities and the Phare programme

What specific measures are in preparation to ensure that the Communities' commitment to equal opportunities is incorporated in some way within the Phare programme and other similar initiatives taken with regard to Eastern Europe?

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

(12 March 1990)

The Commission is aiming to incorporate an equal opportunities dimension into the Phare programme particularly as regards training measures. It is already explicitly foreseen, for instance, in the proposed Tempus

programme (Trans-European Mobility Programme for University Studies ⁽¹⁾) recently submitted for opinion to the European Parliament.

⁽¹⁾ COM(90) 16.

WRITTEN QUESTION No 172/90

by Mr Ian White (S)

to the Commission of the European Communities

(8 February 1990)

(90/C 125/113)

Subject: Donnelly report

What is the position with regard to the conciliation procedure currently in hand in terms of the Donnelly report?

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

(14 March 1990)

On 14 February 1990, Parliament adopted the Donnelly Report on the draft Council Decision amending Council Decision 64/300/EEC ⁽¹⁾ on cooperation between the Central Banks, and proposed four amendments.

Two of these (Nos 1 and 3), aiming at broadening the objectives of the Committee of Governors, have not been accepted by the Commission. However, President Delors declared before Parliament on 13 February that all institutions of the Community must, each in its own area of responsibility, contribute to the general objectives of the Community. These objectives include non-inflationary growth, a high level of employment, and external equilibrium.

One amendment (No 4) raises the issue of the location of the monetary policy institution. This problem will have to be tackled in the forthcoming negotiations on the EMU process.

Last, Amendment No 2, which gives the European Parliament the right to invite the Chairman of the Committee of Governors to appear before Parliament when he presents the annual report and to appear before the responsible parliamentary committee, when circumstances so warrant, is fully accepted by the Commission.

The Commission presented a modified Recommendation on 2 March 1990, on the basis of Article 149 (3) of the EEC Treaty, with a view to the adoption of the Decision by the Council.

⁽¹⁾ OJ No C 283, 9. 11. 1989, p. 8.

WRITTEN QUESTION No 194/90

by Mr James Ford (S)

to the Commission of the European Communities

(14 February 1990)

(90/C 125/114)

Subject: Compact disc pricing

Does the Commission consider that the Treaty of Rome is being breached in terms of the retail price of compact discs in the United Kingdom where it appears, considering that in many non-European Community States compact discs are the same price as vinyl records, that a cartel is being used to fix compact disc retail prices at a third more than vinyl records?

**Answer given by Sir Leon Brittan
on behalf of the Commission**

(26 March 1990)

A price-fixing cartel in compact discs such as that described by the Honourable Member, could be contrary to European Community Competition Rules.

However, so far, the Commission does not have evidence of such practices.

Should it become apparent that a compact-disc price cartel is being operated in the United Kingdom, the Commission will not hesitate to take the necessary steps to investigate it.

WRITTEN QUESTION No 197/90

by Mr James Ford (S)

to the Commission of the European Communities

(14 February 1990)

(90/C 125/115)

Subject: Commissioners' attendance at Strasbourg

Can the Commission give, in the form of a league table, the number of days' attendance by each Commissioner at Strasbourg during plenary sessions since the present Commission was set up?

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

(8 March 1990)

The Commission would refer the Honourable Member to its answer to Written Question No 1207/89 by Mr McMahon ⁽¹⁾.

⁽¹⁾ See page 44 of this Official Journal.

WRITTEN QUESTION No 236/90

by Mr Stephen Hughes (S)

to the Commission of the European Communities

(14 February 1990)

(90/C 125/116)

Subject: Completion of the internal market — electrical connectors

Will the Commission outline its proposals for a uniform electrical connector — or plug — for use within the domestic sector? In its answer, will the Commission outline any proposed or agreed timescale, together with any details of the actual design of such a plug?

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

(3 April 1990)

The Commission would refer the Honourable Member to its answer to Written Question No 2592/88 by Mr Vanlerenberghe and others ⁽¹⁾.

⁽¹⁾ OJ No C 208, 14. 8. 1989, p. 33.

WRITTEN QUESTION No 255/90

by Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

(19 February 1990)

(90/C 125/117)

Subject: Europe's industrial heritage

In its answer to my Written Question No 1485/88 ⁽¹⁾ the Commission said it recognized the need to preserve, display and exploit Europe's industrial heritage.

The European Monuments and Landscape Fund, set up in 1984, can be called upon to help preserve the industrial and technological heritage and assist in its protection. I should like to have a list of all the projects assisted since then by the Fund, with details of the type of project involved, the region and the level of assistance given.

⁽¹⁾ OJ No C 151, 19. 6. 1989, p. 21.

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

(3 April 1990)

The Commission will send direct to the Honourable Member and to the Secretariat of Parliament a computer print-out containing the information requested.

WRITTEN QUESTION No 351/90

by Mrs Christiana Muscardini (NI)

to the Commission of the European Communities

(26 February 1990)

(90/C 125/118)

Subject: Creation of instruments to meet the needs of the disabled

One of the top priorities of the Community institutions is to provide for the needs of Community citizens disadvantaged by handicap. In this context the creation of tape libraries for the blind is an indispensable means of enabling them to meet their legitimate need for study, reading and social contact.

Are tape libraries for the blind being provided and in which Member States?

Where these tape libraries do exist, what is the ratio between the number of tape libraries and the number of blind persons in the country concerned?

What short and medium-term measures have to date been taken to ensure that the blind participate in the world of employment?

Finally, what aid can be granted to organizations which have taken the necessary measures in any areas where the Member States have been found wanting, by setting up tape libraries or buying and training guide dogs?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(3 April 1990)

The Commission is collecting the information it needs to answer the Honourable Member's questions.

It will inform him of its findings as soon as possible.

WRITTEN QUESTION No 354/90

by Mrs Winifred Ewing, Mr Jaak Vandemeulebroucke,
Mr Neil Blaney, Mr Juan Garaikoetxea Urriza,
Mr Max Simeoni, Mrs Birgit Bjørnvig and
Mrs Dorothee Piermont (ARC)

to the Commission of the European Communities

(26 February 1990)

(90/C 125/119)

Subject: Protection of the coastal and aquatic environment of Moray Firth and of rare species of flora and fauna

A. Having regard to plans to construct a sewage outfall in Inverness, which would result in excessively large

quantities of untreated sewage being discharged into the ecologically vulnerable waters of Moray Firth in northern Scotland,

B. whereas the local ecological movements have mounted a vigorous campaign to draw public attention to the consequences which such a project could have on the aquatic and coastal environment of Moray Firth and the danger to many rare species of flora and fauna, particularly bottle-nosed or white-nosed dolphins and porpoises,

C. whereas hotel, fishing and other trades in the region are seriously concerned by the impact of such a project on the environment and the effect of the resulting chain reaction on their means of existence,

D. whereas the local authorities (Inverness District Council) are opposed to the project, while the authorities behind it (the Highland Regional Council) would have preferred a coastal purification plant to be constructed; noting also that the curbs imposed by the British Government on local government spending are discouraging the Regional Council from pursuing this option,

E. whereas the Council appears to have responded favourable to requests for Community funding for the construction of this sewage outfall discharging untreated sewage, despite the Community's current policy of protecting the coastal environment:

1. Can the Commission give its assurance that Community financing for this project will be deferred until an environmental impact study has been carried out by an independent body on behalf of the Community?

2. Does it agree that Moray Firth and the rare species of dolphin inhabiting it are an important part of Europe's ecological heritage and does it acknowledge that it has a duty to ensure that the Community's environment policy in this area complies with the most rigorous standards?

3. Can the Commission confirm that it is not inclined to endorse the British Government's moves to cut spending, thereby withholding essential funds which could be used for environmental protection purposes, and does it intend to regard this as a test case in its dispute with the British Government on the issue of clean water standards?

**Answer given by Mr Ripa di Meana
on behalf of the Commission**

(6 April 1990)

The Commission would refer the Honourable Members to the reply to the Oral Question H-173/90 by Mrs

Bjørnvig, which it gave during question time at Parliament's March 1990 part-session.

WRITTEN QUESTION No 374/90

by Mr Jean-Pierre Raffarin (LDR)

to the Council of the European Communities

(26 February 1990)

(90/C 125/120)

Subject: Consultation of the regions on the Tempus programme

Can the Council ask the Commission to consult regional representative bodies on drawing up the Tempus programme?

The regions will necessarily be involved in the practical implementation of this East-West programme for the trans-European mobility of students.

Answer

(10 April 1990)

Any proposal regarding the suggestions made by the Honourable Member must come from the Commission.

WRITTEN QUESTION No 375/90

by Mr Jean-Pierre Raffarin (LDR)

to the Council of the European Communities

(26 February 1990)

(90/C 125/121)

Subject: Comments following the 'l'Heure de Vérité' programme with the Commission President

Following the appearance of the Commission President in the programme 'l'Heure de Vérité' on the French channel Antenne 2, a member of the French Government said: 'He talks like a head of government, even though he's just a superofficial.'

How did the Council react to this restrictive interpretation of the role of the Commission of the European Communities?

Answer

(10 April 1990)

The Council does not express opinions on statements made in other fora.

WRITTEN QUESTION No 383/90

by Mr Carlos Robles Piquer (PPE)

to the Commission of the European Communities

(26 February 1990)

(90/C 125/122)

Subject: Repetition of the reports of serious threats to the Doñana National Park

The most famous natural park in Spain is in grave danger. A scientific report, drawn up by one of the most renowned international experts, talks about the serious threat to the Doñana, where there are plans to build holiday villages which are likely to deplete the water supply in an area where water is of vital importance.

A great deal of criticism has already been levelled at the plans for the park, including a WWF report unequivocally warning about the grave danger facing this natural park, which is of great importance for the whole of Europe.

Since a complaint has been lodged with the European Community alleging infringement of Community legislation, could the Commission say what response has been made and whether it considers that it must intervene in the matter in order to avert the grave dangers threatening this national park which is valued by people all over the world?

WRITTEN QUESTION No 572/90

by Mr Alonso Puerta (GUE)

to the Commission of the European Communities

(16 March 1990)

(90/C 125/123)

Subject: Implementation of Community law in the Doñana National Park

Doñana is the most important and the largest of the Spanish national parks. It is a nature reserve of 75 765 hectares situated at the mouth of the Guadalquivir and consisting of three different types of natural habitat, salt marshes, Mediterranean scrub and dunes.

The Doñana National Park has suffered such serious environmental damage and, in certain respects, the situation is so critical that it is essential for the Commission to take urgent measures to ensure that the Spanish authorities effectively implement Community law on the protection of nature reserves.

The serious situation facing the Doñana National Park has been aggravated by the announcement that a large hotel and residential complex known as Costa Doñana is to be built in an area adjoining the national park.

Since, from the biological point of view, Doñana is one of the most important nature reserves in Europe and of great significance for the protection of wild birds:

1. Does the Commission not consider that it should make urgent representations to the Spanish authorities to ensure that Directives 85/337/EEC⁽¹⁾ on the assessment of the effects of certain public and private projects on the environment and 79/409/EEC⁽²⁾ on the conservation of wild birds are respected in connection with the 'Costa Doñana Project'?
2. What measures will the Commission adopt to prevent further ecological damage to the Doñana National Park?

⁽¹⁾ OJ No L 175, 5. 7. 1985, p. 40.

⁽²⁾ OJ No L 103, 25. 4. 1979, p. 1.

**Joint answer to Written Questions Nos 383/90 and 572/90
given by Mr Ripa di Meana
on behalf of the Commission**
(5 April 1990)

The Honourable Members are referred to the Commission's answer to Oral Questions H-169/90 put by Mr Pacheco Herrera and H-280/90 put by Mr Valverde López during question time at Parliament's March 1990 part-session.

WRITTEN QUESTION No 471/90
by Mrs Maria Santos (V)
to the Commission of the European Communities
(7 March 1990)
(90/C 125/124)

Subject: Democratization process in South Africa

President De Klerk recently took a number of measures aimed at abolishing apartheid, including the long-awaited release of Nelson Mandela and the legalization of the ANC and other political movements and parties.

Despite these positive steps, genuine political normalization and the establishment of a non-racial democracy cannot be achieved as long as human rights continue to be violated.

Does the Commission intend to continue to apply political pressure and, above all, appropriate economic sanctions until free and democratic elections are held, the state of emergency is lifted and all political prisoners are released in South Africa?

**Answer given by Mr Andriessen
on behalf of the Commission**
(6 April 1990)

The Commission would refer the Honourable Member to the reply to the Oral Question H-222/90 by Mr Papoutsis, which it gave during question time at Parliament's March 1990 part-session.

WRITTEN QUESTION No 505/90
by Mrs Christiana Muscardini (NI)
to the Commission of the European Communities
(7 March 1990)
(90/C 125/125)

Subject: Measures to combat poaching

The Bern Conventions have been infringed in many Community Member States including Italy, especially as regards the poaching of birds of prey, storks and protected species during the migration period, despite the many reports which have reached the Community from citizens, parliamentarians and environmental associations. In many cases, hunting wardens have failed to carry out their duties, as many reports have testified, for example in the Italian province of Reggio Calabria and Messina, and in some areas of the Community the persistence of poaching means that individuals are able to go around carrying firearms more or less legitimately and that poachers' hides (wooden or concrete huts) remain in place and could be used for other illegal purposes.

Does the Commission intend to press for more active intervention by national forestry guards and ministries of the environment? Does it intend to set up a Community education programme to combat poaching and a centre for gathering information on the situation as regards the capture or killing of animals belonging to protected species?

WRITTEN QUESTION No 547/90
by Mr Francesco Speroni (ARC)
to the Commission of the European Communities
(16 March 1990)
(90/C 125/126)

Subject: Poaching in southern Italy

Poaching in the provinces of southern Italy adjoining the Straits of Messina is largely concentrated on birds of prey and other migrant birds, amounting to a serious attack on European fauna since, frequently, more than 50% of migratory birds belonging to protected species are killed.

Since poachers of this kind operate mainly from fixed sites which are actually concrete bunkers, efforts to curb

this deplorable practice could be very effective, if only the authorities had the necessary motivation.

However, the authorities fail to act, coming up with various excuses which merely serve to mask their complicity with a despicable tradition which shows no sensitivity towards nature, so that the poachers are free to carry on this slaughter with impunity.

What steps does the Commission have in mind to end such uncivilized and illegal practices?

**Joint answer to Written Questions Nos 505/90 and 547/90
given by Mr Ripa di Meana
on behalf of the Commission**

(18 April 1990)

The Commission is currently carrying out a detailed study of the problem referred to by the Honourable Members and will inform them of the result of its research as soon as possible.

WRITTEN QUESTION No 570/90

by Mr Jean-Marie Le Chevalier (DR)

to the Council of the European Communities

(16 March 1990)

(90/C 125/127)

Subject: Immigration policy in the Community

With a view to the establishment of a single market in 1993 and the opening up of the Community's internal borders, in particular as a result of the Schengen

agreements, will the Council of Ministers publish a document on Community immigration policy?

Does the Council intend to combat illegal immigration, to put restrictions on visas and residence permits for immigrants from outside the Community and to step up controls at the Community's external borders?

What measures will it take to this effect?

Answer

(10 April 1990)

At their meeting in Paris on 15 December 1989 the Ministers concerned with immigration adopted a declaration which constitutes the general framework for the immigration policy pursued by those Ministers. The declaration falls within the public domain, and is available to the Honourable Member if he has not yet examined it.

In the declaration the Ministers expressed their intention to preserve the open attitudes of our States towards the rest of the world. They also affirmed that our States have the right and duty to combat illegal immigration in their respective territories and in the territory of the Twelve as a whole.

It should also be noted that at its Strasbourg meeting the European Council expressed its wish that an inventory of national positions on immigration be prepared with a view to a discussion of the issue within the Council.

The time required for such an inventory to be prepared precludes such a discussion from being held until the second half of this year.