ISSN 0378–6986

Official Journal of the European Communities

C 325

Volume 33

24 December 1990

English edition

Information and Notices

Notice No | Contents | Page

I *Information*

European Parliament

Written Questions with answer

90/C 325/01 — No 2560/88 by Mr Dieter Rogalla to the Commission
Subject: Delimitation of broadcasting areas (supplementary answer) 1

90/C 325/02 — No 497/89 by Mr Vincenzo Mattina to the Commission
Subject: Implementation of Community programmes (Erasmus, YES for Europe, etc.) 2

90/C 325/03 — No 513/89 by Mr Domènec Romera i Alcàzar to the Commission
Subject: Controls on natural medicines 3

90/C 325/04 — No 839/89 by Mr Ben Visser to the Commission
Subject: Flight crews 3

90/C 325/05 — No 850/89 by Mr Juan Garaikoetxea Urriza to the Commission
Subject: Objective 2 of the reform of the structural funds (supplementary answer) 4

90/C 325/06 — No 1077/89 by Mr André Sainjon to the Commission
Subject: Registration of vehicles and their use throughout the European Community 5

90/C 325/07 — No 253/90 by Mr Karl von Wogau to the Commission
Subject: British regulations on health and safety at work (protective masks) 6

90/C 325/08 — No 272/90 by Ms Carole Tongue to the Commission
Subject: Problems posed by remanufacturing; that is where old failed units are broken down into components parts which are then re-examined, resold and reused 6

90/C 325/09 — No 278/90 by Mr Carlos Robles Piquer to the Commission
Subject: Assessment of specific programmes in the second framework programme for research and development 7

90/C 325/10 — No 284/90 by Mr Gianfranco Amendola to the Commission
Subject: Compliance with the Directive on the environmental impact assessment in respect of the siting of an industrial plant at Sestri Levante (Italy) 8

(Continued overleaf)

Notice No	Contents (continued)	Page

Notice No	Contents	Page
90/C 325/11	No 311/90 by Mrs Cristiana Muscardini to the Commission Subject: Carbon monoxide emissions	9
90/C 325/12	No 349/90 by Mr Karl von Wogau to the Commission Subject: Applicability of Council Directive 83/189/EEC to the main principles laid down by the German Food Register Committee	9
90/C 325/13	No 351/90 by Mrs Cristiana Muscardini to the Commission Subject: Creation of instruments to meet the need of the disabled (supplementary answer)	10
90/C 325/14	No 362/90 by Mr Jaak Vandemeulebroucke to the Commission Subject: Minority languages and cultures and the audiovisual media	10
90/C 325/15	No 429/90 by Mr Hemmo Muntingh to the Commission Subject: Harmful substances dumped or lost at sea in the past	11
90/C 325/16	No 430/90 by Mr François-Xavier de Donnéa to the Commission Subject: Time management seminar for Commission staff given by a Danish consultant	11
90/C 325/17	No 462/90 by Mr José Alvarez de Paz to the Commission Subject: Coal and the work programme for 1990	12
90/C 325/18	No 486/90 by Mr Juan de la Cámara Martínez to the Commission Subject: Seat of the European Environment Agency	13
90/C 325/19	No 532/90 by Mrs Marie Jepsen to the Commission Subject: Comparability and publication of Member States' investigations into the quality of bathing water	13
90/C 325/20	No 548/90 by Mr Francesco Speroni to the Commission Subject: Composition of airliner crews	13
90/C 325/21	No 567/90 by Mr Alonso Puerta to the Commission Subject: Contamination of the Avilés estuary	14
90/C 325/22	No 579/90 by Mr Gérard Monnier-Besombes to the Commission Subject: Special reserves for the capercaillie (tetrao urogallus) in the Pyrenees	14
90/C 325/23	No 593/90 by Mr Ian White to the Commission Subject: Minimum income	14
90/C 325/24	No 612/90 by Mr Llewellyn Smith to the Commission Subject: Waste-paper recycling	15
90/C 325/25	No 616/90 by Mr Gerhard Schmid to the Commission Subject: AIDS and the internal market	15
90/C 325/26	No 621/90 by Mr Ben Visser to the Commission Subject: Conditions for access to the road transport profession	15
90/C 325/27	No 774/90 by Mr Florus Wijsenbeek to the Commission Subject: Application of Community law	16
	Joint answer to Written Questions Nos 621/90 and 774/90	16

Notice No	Contents (continued)	Page

90/C 325/28	No 647/90 by Mrs Raymonde Dury to the Commission Subject: Promotion of carcinogenic barbecues by the EEC	16
90/C 325/29	No 661/90 by Mrs Hiltrud Breyer to the Commission Subject: Damage to the ozone layer	17
90/C 325/30	No 671/90 by Sir James Scott-Hopkins to the Commission Subject: Eurocodes	18
90/C 325/31	No 717/90 by Mr Luigi Moretti and Mr Fransceso Speroni to the Commission Subject: The independence of EC Commissioners	19
90/C 325/32	No 745/90 by Mrs Lissy Gröner to the Commission Subject: Education policy	19
90/C 325/33	No 751/90 by Mr Hemmo Muntingh to the Commission Subject: Progress report on the protection of monk seals in the National Park of the Northern Sporades	19
90/C 325/34	No 801/90 by Mr Victor Manuel Arbeloa Muru to the Commission Subject: Coordination of health policies against drugs	20
90/C 325/35	No 821/90 by Mr Kenneth Stewart to the Commission Subject: The environmental impact of recent and current dock related activities in the Bootle and Liverpool area of the United Kingdom	20
90/C 325/36	No 1544/90 by Mr Kenneth Stewart to the Commission Subject: The environmental impact of recent and current related activities in the Bootle and Liverpool area of the United Kingdom	21
	Joint answer to Written Questions Nos 821/90 and 1544/90	21
90/C 325/37	No 823/90 by Mr Reinhold Bocklet to the Commission Subject: Hormones in Belgian beef	22
90/C 325/38	No 827/90 by Mrs Sylviane Ainardi to the Commission Subject: Mediterranean fisheries	22
90/C 325/39	No 858/90 by Mr Joaquín Sisó Cruellas to the Commission Subject: Withdrawal of radioactive lightning conductors	23
90/C 325/40	No 862/90 by Mrs Winifred Ewing to the Commission Subject: Investigations into agricultural fraud	23
90/C 325/41	No 863/90 by Mr Alonso Puerta to the Commission Subject: Construction of a special drainage system for certain types of effluent in the municipality of Corvera (Asturias — Spain)	24
90/C 325/42	No 865/90 by Mr Carles-Alfred Gasòliba I Böhm to the Commission Subject: Life assurance contracts combining assurance on survival and assurance on death	24
90/C 325/43	No 866/90 by Mr Ernest Glinne to the Commission Subject: Accession of the Community to the European Convention on Human Rights	25
90/C 325/44	No 900/90 by Mr Luigi Vertemati to the Commission Subject: 'Clean products'	26

(Continued overleaf)

Notice No	Contents (continued)	Page

90/C 325/45	No 923/90 by Mr Ernest Glinne to the Commission Subject: Use of budget Article 636 to defend and promote the less common languages	26
90/C 325/46	No 931/90 by Mr Paul Staes to the Commission Subject: Involvement with CEADS	27
90/C 325/47	No 942/90 by Mr Filippos Pierros to the Commission Subject: New uses for flax	27
90/C 325/48	No 953/90 by Mrs Raymonde Dury to the Commission Subject: Standardization of RDS route guidance by radio for cars	28
90/C 325/49	No 978/90 by Mr Joaquin Siso Cruellas to the Commission Subject: Environmental impact of a projected plant for recycling aluminium salts in Alquife (Granada)	29
90/C 325/50	No 1053/90 by Mrs Mary Banotti to the Commission Subject: Hare coursing	29
90/C 325/51	No 1063/90 by Mr Ernest Glinne to the Council Subject: Pension funds in the iron and steel industry	29
90/C 325/52	No 1084/90 by Mrs Winifred Ewing to the Commission Subject: Community aid for nuclear industry job loss areas	30
90/C 325/53	No 1091/90 by Mr Jean-Pierre Raffarin to the Commission Subject: Homeopathic products	30
90/C 325/54	No 1107/90 by Mr James Ford to the Commission Subject: Portable pension rights	31
90/C 325/55	No 1116/90 by Mr Proinsias De Rossa to the Commission Subject: Nuclear safety inspectorate	31
90/C 325/56	No 1124/90 by Mr Thomas Maher to the Commission Subject: Statistics on net employment and net emigration and net migration	32
90/C 325/57	No 1210/90 by Mr François-Xavier de Donnea to the Commission Subject: Maximum levels for exposure to radon	33
90/C 325/58	No 1216/90 by Mr François-Xavier de Donnea to the Commission Subject: Creation of an EEC/India Business Council	33
90/C 325/59	No 1249/90 by Mr José Valverde Lopez to the Commission Subject: Programme for the recycling of saline sludge produced by aluminium refining plants	34
90/C 325/60	No 1292/90 by Mrs Johanna-Christina Grund to the Commission Subject: Discharge of waste substances into the Elbe	34
90/C 325/61	No 1336/90 by Mr Alonso Puerta to the Commission Subject: Radiation at the Energy, Environment and Technology Research Centre (Madrid — Spain)	35
90/C 325/62	No 1350/90 by Mr Llewellyn Smith to the Commission Subject: Euratom safeguards report — paragraph 27	35

Notice No	Contents (continued)	Page

90/C 325/63	No 1352/90 by Mr Llewellyn Smith to the Commission Subject: Euratom safeguards report — plutonium-contaminated material	36
90/C 325/64	No 1388/90 by Mr Jean-Claude Pasty to the Commission Subject: Proposal for a Council regulation on the marketing of game meat (COM(89) 496 final)	36
90/C 325/65	No 1403/90 by Mrs Christine Oddy to the Commission Subject: Right to strike in the European Community	36
90/C 325/66	No 1430/90 by Mr Alonso Puerta to the Commission Subject: The application of Directive 80/336/EEC in Spain	37
90/C 325/67	No 1449/90 by Mr Ian White to the Commission Subject: Cosmetics testing on animals	37
90/C 325/68	No 1522/90 by Mr Gordon Adam to the Commission Subject: Formaldehyde emissions	37
90/C 325/69	No 1553/90 by Mrs Christine Crawley to the Commission Subject: Centralized information to reduce animal tests	38
90/C 325/70	No 1583/90 by Mr Madron Seligman to the Commission Subject: Cost to local authorities of implementing directives	38
90/C 325/71	No 1589/90 by Mr Gérard Deprez to the Commission Subject: Assessment of the economic and social impact of German unification on the internal market	39
90/C 325/72	No 1633/90 by Mr Giuseppe Mottola to the Commission Subject: Water quality in Naples	39
90/C 325/73	No 1672/90 by Mrs Christine Oddy to the Commission Subject: Synroc	40
90/C 325/74	No 1682/90 by Mrs Guadalupe Ruiz-Gimenz Aguilar to the Commission Subject: Exportation of toxic waste to the Third World	40
90/C 325/75	No 1699/90 by Mr Bouke Beumer to the Commission Subject: Export of sal-ammoniac pastilles	41
90/C 325/76	No 1731/90 by Mr Herman Verbeek to the Commission Subject: Community aid for Philips	41
90/C 325/77	No 1741/90 by Mr José Alvarez de Paz to the Commission Subject: Statistics on immigrants from third countries	42
90/C 325/78	No 1788/90 by Mrs Mechtild Rothe to the Council Subject: Loss of citizenship by a Greek national for alleged refusal to perform military service in Greece	42
90/C 325/79	No 1893/90 by Mr Antoni Gutiérrez Díaz to the Council Subject: Murder of six Jesuits in El Salvador	43
90/C 325/80	No 1912/90 by Mr Victor Manuel Arbeloa Muru to the Foreign Ministers meeting in European Political Cooperation Subject: Human rights in Haiti	43

(Continued overleaf)

Notice No	Contents (continued)	Page
90/C 325/81	No 1915/90 by Mr Victor Manuel Arbeloa Muru to the Foreign Ministers meeting in European Political Cooperation Subject: Human rights in Guatemala	43
90/C 325/82	No 1930/90 by Mr Carlos Robles Piquer to the Commission Subject: New evidence of Europe's backwardness in the field of biotechnology	44
90/C 325/83	No 1945/90 by Mrs Hiltrud Breyer to the Commission Subject: Deliberate release into the environment of genetically modified organisms	44
90/C 325/84	No 1953/90 by Mrs Cristiana Muscardini to the Council Subject: Fire prevention and control in the Community	45
90/C 325/85	No 1959/90 by Mr Peter Crampton to the Commission Subject: Radiation dose limits for workers	46
90/C 325/86	No 2012/90 by Mr Alexander Langer to the Foreign Ministers meeting in European Political Cooperation Subject: Diplomatic initiatives concerning violent incursions by 'garimpeiros' into Yanomani native territory in the State of Roraima (Brazil)	46
90/C 325/87	No 2062/90 by Mr Ernst Glinne to the Council Subject: European Community contribution to the programme to safeguard Amazonia and the problems caused by mineral prospecting in Yanomami territory and by the Calha Norte and Calha Sud projects	47
90/C 325/88	No 2066/90 by Mr Ernest Glinne to the Foreign Ministers meeting in European Political Cooperation Subject: Restoration of a Duvalier-style regime in Haiti	48

I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 2560/88
by Mr Dieter Rogalla (S)
to the Commission of the European Communities
(17 March 1989)
(90/C 325/01)

Subject: Delimitation of broadcasting areas

1. Is it true that the Member States have and make use of the technical possibility of directing television or radio broadcasts from their territory so as to ensure that reception beyond their national boundaries is kept to a minimum?

2. Is it true that France uses similar technical devices to prevent broadcasts from the Federal Republic of Germany being received in Strasbourg, for example?

3. If so, what views does the Commission take of this in the European context, particularly in the light of Article 5, which calls for mutual support in the achievement of European integration?

4. Does the Commission have any legal or practical means of influencing the Member States with a view to securing improved cooperation and mutual support? Has it made use of these possibilities, to what extent and with what measurable degree of success?

Supplementary answer given by Mr Bangemann on behalf of the Commission
(31 July 1990)

Further to its answer of 16 May 1989 [1], the Commission is now able to inform the Honourable Member of its findings.

1. There is international planning of the allocation and introduction of frequencies for the transmission of radio and television broadcasts. In the case of over-the-air television and FM radio, the procedures laid down under the European VHF/UHF Broadcasting Conference (Stockholm 1961) are intended to prevent interference and disturbances, for example by limiting as far as possible the overspill of broadcast signals beyond the areas for which they are intended. Thus, where new frequencies are to be introduced in frontier areas, the applicant country must consult the authorities in neighbouring countries.

   However, the reception within a country of television and radio broadcasts transmitted from neighbouring countries does not benefit from the same safeguards as the reception of national broadcasts, and it may be the case that some new frequencies adversely affect the reception of broadcasts from neighbouring countries.

2 and 3. The French authorities have informed the Commission that, in the case of Strasbourg, a new FM frequency allocation has been introduced in Alsace, with the agreement of the authorities in the Federal Republic of Germany and after the 'Conseil Supérieur de l'Audiovisuel' had published the authorizations in January 1989. According to the French authorities, the changes have if anything helped to improve the reception of broadcasts from Germany, some of which had been adversely affected by the proximity of many FM stations in Strasbourg.

4. Community law provides a basis for ensuring the free movement of radio and television broadcasts. Under Article 59 of the EEC Treaty, broadcasting is covered by the principle of freedom to provide services. Application of this principle is facilitated, as far as television broadcasts are concerned, by Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities [2]. Community law does not allow Member States to take measures limiting the cross-frontier spillover of broadcasts where such measures cannot be justified by the exemptions provided for in the Treaty, as expounded in the case law of the Court of Justice of the European Communities.

[1] OJ No C 174, 10. 7. 1989.
[2] OJ No L 298, 17. 10. 1989.

WRITTEN QUESTION No 497/89
by Mr Vincenzo Mattina (S)
to the Commission of the European Communities
(12 October 1989)
(90/C 325/02)

Subject: Implementation of Community programmes (Erasmus, YES for Europe, etc.)

Various programmes for young people have been newly launched by the European Community or are well-established. Can the Commission indicate:

1. the stage reached in implementing the programmes throughout the EEC;
2. the number of young people involved in each programme in each country;
3. the universities so far involved in the Erasmus programme and the number of students in each university and faculty;
4. the resources earmarked by the governments of the twelve Member States — in addition to Community resources — with a view to increasing the number of young people participating in the programmes;
5. its plans with respect to making best use of existing programmes and launching new ones?

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

1. **Erasmus programme**

The first three-year phase of the Erasmus programme has met with great success as about 1 500 institutions participate in the inter-university cooperation network. In the academic year 1988/90 a total of 1 500 programmes received financial support. The distribution of these programmes is as follows; Belgium: 129; Federal Republic of Germany: 190, Denmark: 48; Spain: 135; France: 238; Greece: 31; Italy: 184; Ireland: 37; Luxembourg: 1; Netherlands: 140; Portugal: 41; United Kingdom: 288

Youth for Europe programme

The programme had its first operational year in 1989. All Member State have established the Agencies through which the programme is coordinated at national level, and these are in general functioning well. The Commission will transmit directly to the Honourable Member and to the Secretariat of Parliament the annual report as soon as it becomes available.

2. **Erasmus programme**

During the academic year 1989/90 a total of 27 452 students benefited from an Erasmus grant. The distribution of this total is as follows: Belgium: 1 358; Federal Republic of Germany: 4 235; Denmark: 538; Spain: 2 716; France: 6 103; Greece: 437; Italy: 2 296; Ireland: 748; Luxembourg: 15; Netherlands: 1 771; Portugal: 446; United Kingdom: 6 789. These figures represent the absolute number of students involved, but not the volume of financial support provided to each Member State since the period of study spent abroad varies considerably from case to case.

Youth for Europe programme

Provisional figures suggest that, up to the end of August 1989, some 20 500 young people had participated in the programme: Belgium: 1 223; Federal Republic of Germany: 2 331; Denmark: 792; Spain: 1 777; France: 3 778; Greece: 1 068; Italy: 1 514; Ireland: 444; Luxembourg: 833; the Netherlands: 669; Portugal: 1 318; United Kingdom: 3 248; Multilateral — 1 419.

3. **Erasmus programme**

The Commission publishes every year a directory of all inter-university cooperation programmes (ICPs) with the names of the universities involved (for 1989—90 the directory will be published in April 1990).

The Commission has no information on the number of students per university.

4. **Erasmus programme**

No precise figures are available on the supplementary funding for the Erasmus programme made available by individual Member States. However, the governments of France, Italy and Spain have announced a complementary provision of scholarships for Erasmus students of ECU 1 435 000, ECU 3 300 000 and ECU 1 000 000 per annum respectively. In addition various regional authorities have also introduced schemes of complementary funding. Certain other Member States have generous systems of national study abroad grants from which Erasmus students benfit (Federal Republic of Germany, Denmark, United Kingdom).

Youth for Europe programme

Since most Member States already had resources devoted to activities parallel to those of Youth for Europe (e.g., through bilateral cultural conventions), it is not possible to calculate additional resources made available in this way. The Community's contribution does not normally exceed 50 % of cost, and some Member States add additional funding to come up to 100 % of costs.

5. **Erasmus programme**

The extensive evaluation of the first three years of Erasmus highlighted certain problems that need to be addressed in Phase II of Erasmus and have already led to modifications introduced in the Council Decision of 14 December 1989, mainly:

(a) The introduction of pluriannual funding of Inter-university cooperation programmes.

(b) Confirmation that the programme includes students up to and including doctorate level.

(c) A call for an integrated period of foreign language preparation and whenever possible to be commenced in the country of origin before departure.

(d) Modifications in the parameters for allocating the student grants budget to each Member State which reflect the costs of travel and cost of living.

(e) The extension of the Erasmus programme to students seeking a further qualification in another Member State provided they do so within an Inter-university cooperation programme.

Youth for Europe programme

The Commission will present proposals for the extension of the activities carried out under the Youth for Europe programme before the end of 1990.

WRITTEN QUESTION No 513/89

by Mr Domènec Romera i Alcàzar (PPE)

to the Commission of the European Communities

(13 October 1989)

(90/C 325/03)

Subject: Controls on natural medicines

Has the Commission considered carrying out health controls at Community level on any types of natural medicines, in view of the possible toxicity of some active substances of plant origin?

Bearing in mind, moreover, that in the Federal Republic of Germany such measures have already been in force for some time, does the Commission not consider that such controls, which would also apply to Community imports from third countries, are absolutely essential?

Answer given by Mr Bangemann
on behalf of the Commission

(5 April 1990)

A distinction should be made between herbal medicinal products, which form part of conventional medicine, and homeopathic medicinal products, which are challenged by certain practitioners of conventional medicine. Conventional medicine eradicates a disease by combating the cause, or, if this is not possible, the treatment of the symptoms, whereas homeopathy claims to cure the patient by administering very small doses of a substance that produce symptoms similar to those caused by the disease.

1. Herbal medicinal products have been subject since 1977 to the general rules of Directive 75/318/EEC on marketing authorization [1]. In 1989, the Commission furthermore published, in agreement with the Committee for Proprietary Medicinal Products, a special explanatory note designed to ensure the quality of such medicinal products. However, old medicinal products which were already on the market before 1977 have to be re-examined by each Member State, in accordance with Commission rules, by the end of 1990 [2].

2. Homeopathic medicinal products are the subject of two proposals for directives [3], which the Commission recently adopted, one of them concerning medicinal products for human use, and the other medicinal products for veterinary use. In view of the very different medical opinions involved, the preparatory work proved to be extremely difficult, but finally led to a broadly favourable opinion being expressed by both the Consumers Consultative Committee and the directors of pharmacy of the Member States. The proposals do not take sides for or against a specific medical practice but, as the Honourable Member wishes, provide European consumers with guarantees as regards quality and above all the harmlessness of homeopathic medicinal products.

3. In both cases, Community legislation covers only medicinal products distributed on a large scale, i.e. those which are industrially manufactured and are likely to entail a risk to the general public, in particular through intra-Community trade. This does not affect the right, in accordance with the national legislation in force, to prescribe or to prepare medicinal plants gathered or used individually or alternative medicines produced in accordance with magistral or officinal formulae.

---

(1) OJ No L 147, 9. 6. 1975.
(2) Article 39 of Directive 75/319/EEC; OJ No L 147, 9. 6. 1975.
(3) COM(90) 72 final.

WRITTEN QUESTION No 839/89

by Mr Ben Visser (S)

to the Commission of the European Communities

(29 November 1989)

(90/C 325/04)

Subject: Flight crews

The European civil aviation authorities have jointly imposed additional safety standards for the granting of

certificates of airworthiness to Boeing 747-400 aircraft. While this initiative is to be welcomed the civil aviation authorities have not considered the question of the composition of flight crews. As early as 1980 doubts were expressed in the USA concerning aircraft operated by two-man flight crews. A presidential Task Force on Aircraft Crew Complement concluded that a two-man flight crew was safe provided the following conditions were met:

1. certification of software for digital avionics and flight control systems,

2. the possibility of direct communication, independently of the cockpit, between the cabin staff and ground services during flights;

3. improvement of air-traffic control.

According to the European Flight Engineers' Organization, none of these conditions has been fulfilled.

1. In view of the recent accidents involving Boeing 737-400 aircraft, does the Commission consider that a closer investigation should be made of the safety of aircraft operated by two-man flight crews?

2. Can the Commission investigate the extent to which the Europe civil aviation authorities took account of the conditions stipulated by the Task Force and inform us of its findings?

3. Does the Commission consider that a two-man flight crew is acceptable on long-distance flights also, when none of the conditions laid down by the Task Force has been fulfilled, given that the density of air traffic is rapidly increasing?

Answer given by Mr Van Miert on behalf of the Commission

(6 April 1990)

The majority of flights in civil passenger transport are effected by aircraft with two-man crews; experience does not show that such operations pose safety problems.

The aviation industry has carried out a considerable amount of research in the development of high technology avionics and control systems to reduce crew workloads in operations that have traditionally been carried out by three-man crews. It has been demonstrated, to the satisfaction of the aviation authorities throughout the world, that such operations are safe.

However, in addition to crew workload, account has to be taken of the length of flight and working environment. As part of this programme on safety and health at work, the Commission is undertaking an examination of the risks connected with transport activities, with a view to making proposals for a Council directive. This includes protection of aircraft crew against the risks to which they are exposed in the course of work, such as noise, changes in pressure and vibration, and to effects of particular patterns of shift work and the crossing of many time zones. The findings and criteria of the United States Presidential Task Force will be taken account of in deciding appropriate measures for Community action in this field.

WRITTEN QUESTION No 850/89
by Mr Juan Garaikoetxea Urriza (ARC)
to the Commission of the European Communities

(29 November 1989)

(90/C 325/05)

Subject: Objective 2 of the reform of the structural funds

What will be the overall total of the funds allocated to the Basque Country as an Objective 2 region over the next three years?

Can the Commission supply a list of the funds allocated to the other Community regions included under Objective 2 at NUTS II level?

Supplementary answer given by Mr Millan on behalf of the Commission

(7 May 1990)

Further to its answer of 31 January 1990 [1], the Commission is now in a position to give the information below.

The Community support framework for the areas of Spain covered by Objective 2 was adopted by the Commission on 14 March 1990.

The breakdown of Community amounts is as follows:

(in ECU million)

Aragon	21,41
Cantabria	15,24
Catalonia	130,08
Madrid	26,52
Navarre	10,94
Rioja	5,36
Basque Country	82,21
Multiregional	358,24
Total	650,00

These figures include funds from the ERDF and the ESF. The Objective 2 areas of Spain qualify also under ESF

projects for 1989 (ECU 29 million) and under the Community's STAR, VALOREN and RESIDER programmes now in hand.

(1) OJ No C 97, 17. 4. 1990, p. 32.

WRITTEN QUESTION No 1077/89

by Mr André Sainjon (S)

to the Commission of the European Communities

(19 December 1989)

(90/C 325/06)

Subject: Registration of vehicles and their use throughout the European Community

In the run-up to the internal market in 1992 two fundamental principles embodied in the Treaty of Rome, the free movement of goods and the free movement of persons, are being hampered by the lack of harmonization between the Member States in respect of the law on vehicle registration and customs formalities.

As a result, a company financing private and commercial vehicles on long lease (exceeding 12 months) for companies whose registered office is situated in France is now encountering almost insurmountable problems.

The vehicles are supplied in France and intended for use throughout the Community, since the companies renting the cars, which are constituted under French law, are established in one of the other 11 Member States. These vehicles will return to France on expiry of the rental period.

1. What rules apply to companies constituted under French law and established in one of the 11 other Member States wishing to hire private and commercial vehicles for long periods for use throughout the Community?

2. If these vehicles are registered in France, can they be used freely and continuously throughout the Community without being subject to taxation or customs formalities?

   If not, should the vehicles be registered in the host country and what procedures should be followed?

   Are Community rules being drawn up in this area harmonizing the relevant legislation in the different Member States?

Answer given by Mrs Scrivener on behalf of the Commission

(4 May 1990)

At present, the obstacles to the free movement of passenger and commercial vehicles constitute one of the most keenly perceived problems for the European citizen.

As regards passenger vehicles, a 1983 tax directive (1) represents a first major step towards resolving a good many of the practical problems associated with the temporary importation into a Member State of passenger vehicles registered in another Member State, even though it excludes in principle the use of such vehicles by a resident of the Member State of temporary importation.

Thus, for example, passenger vehicles used privately may be imported exempt from turnover tax, excise duties and any other consumption tax and also from a number of other taxes including, in France, the differential tax on motor vehicles and the tax on motor vehicles registered as private vehicles and powered by an engine with a rating for tax purposes of more than 16 hp. This exemption is granted for a period, continuous or otherwise, of not more than six months in any twelve months. In the case of passenger vehicles belonging to leasing firms whose registered office is situated in the Community, such vehicles may even be re-hired, with a view to being re-exported, to a non-resident or, if the Member State of temporary importation so permits, a resident, where they are in the country as a result of a leasing agreement which expired there.

This re-hiring constitutes a taxable activity in the Member State where it is carried out and where, in most cases, the practical circumstances enable a place of business or establishment to be identified. Moreover, it is laid down in the 1983 Directive that an employee who is resident in that State may return such vehicles to the Member State where they were originally hired.

Having been forced to acknowledge that this Directive could not resolve all the problems, the Commission transmitted a proposal for an amendment to the Council and the European Parliament (2). This proposal sought to rectify certain situations which were felt to be unacceptable. Among other things it proposed a longer period of temporary importation in the event of occupational ties in a Member State, extension of the exemption to persons other than the individual having temporarily imported the vehicle who are resident in the Member State of temporary importation, and the short-term hiring by a resident of the Member State of temporary importation of a vehicle registered in another Member State.

Unfortunately, this proposal is currently blocked in the Council. The Commission considers that this situation is all the more regrettable as the Court of Justice has also had occasion to rule in a number of cases, causing the Commission to address a communication to Parliament and the Council (3) aimed at unblocking the proposal.

There is as yet no Community tax legislation governing the temporary importation into a Member State of commercial vehicles registered in another Member State.

As regards the use of self-drive hire vehicles for the carriage of goods by road, Directive 84/647/EEC ([4]) lays down the general principle that each Member State must allow the use within its territory, for the purposes of traffic between Member States, of vehicles hired by firms established on the territory of another Member State, under the conditions laid down in Article 2 of the Directive.

This means for example that commercial vehicles registered in France and hired by a firm established in France may be used by that firm for the carriage of goods between Member States, provided that the conditions of Article 2 of the Directive are met.

([1]) OJ No L 105, 23. 4. 1983, p. 59.
([2]) OJ No C 40, 18. 2. 1987, p. 7, and OJ No C 181, 14. 8. 1988, p. 9.
([3]) OJ No C 278, 1. 11. 1989, p. 2.
([4]) OJ No L 335, 22. 12. 1984, p. 72.

WRITTEN QUESTION No 253/90
by Mr Karl von Wogau (PPE)
to the Commission of the European Communities
(19 February 1990)
(90/C 325/07)

Subject: British regulations on health and safety at work (protective masks)

In the Commission aware that last year Great Britain introduced new regulations whereby protective masks for use in British industry may in future be sold only if an additional inspection has been carried out in accordance with the British Health and Safety Executive's provisions, and only by the Institute of Occupational Medicine in Edinburgh.

Has Great Britain informed the Community of this new rule in the context of the notification procedure and is it compatible with the provisions on the free movement of goods?

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

Under the information procedure provided for by Directive 83/189/EEC ([1]) the United Kingdom authorities notified the Commission on 11 August 1986 of draft regulations on the control of substances which are dangerous to health, which laid down the conditions for approval of protective masks.

Neither the Commission nor the Member States made any comment at the time on the draft legislation notified.

In view of the facts mentioned by the Honourable Member, the Commission has asked the United Kingdom authorities to send it the text finally adopted. It will, of course, inform the Honourable Member of the results of its examination.

Meanwhile, acting on a Commission proposal, on 21 December 1989 the Council adopted a directive on the design and manufacture of personal protective equipment ([2]). The directive in question will enter into force on 1 July 1992. As it is a 'new approach' directive the Commission has requested the European Committee on Standardization (CEN) to draw up harmonized European standards. Pursuant to the abovementioned directive, the standards should ensure the free movement of goods to which the Honourable Member refers.

([1]) OJ No L 109, 26. 4. 1983.
([2]) OJ No L 399, 30. 12. 1989, p. 18.

WRITTEN QUESTION No 272/90
by Ms Carole Tongue (S)
to the Commission of the European Communities
(19 February 1990)
(90/C 325/08)

Subject: Problems posed by remanufacturing; that is where old failed units are broken down into components parts which are then re-examined, resold and reused

1. Is the Commission aware that non-genuine parts of inferior quality are widely used in the remanufacture of products such as vehicle components or domestic appliances and of the danger that this poses to consumers?

2. Is the Commission also aware of the economic implications for the commercial manufacturer whose original trade mark appears on a product which has been remanufactured by a third party where the remanufactured product is of inferior quality due to substandard workmanship or due to the use of inferior parts used in the remanufacturing process?

3. Is the Commission aware that the original manufacturer retains no liability under the national laws made as a result of the product liability Directive (85/374/EEC ([1])) where injury results from a defect in a remanufactured product and that an injured consumer

will be left without a remedy unless the remanufacturer can be identified?

4. Does the Commission agree that a possible solution to the problem would be the introduction of compulsory technical standards for all remanufactured products and that there should be a requirement to mark a remanufactured product in a conspicuous manner as to when, where and by whom it has been remanufactured? Does the Commission also agree that product liability insurance should be compulsory for remanufacturers and that this would be to the advantage of a person injured by a remanufactured product?

(1) OJ No L 210, 7. 8. 1985, p. 29.

Answer given by Mr Bangemann on behalf of the Commission

(14 May 1990)

1. The Commission is aware that non-genuine parts are widely used in the remanufacture of products, but has no specific information concerning the extent to which those parts are of such inferior quality as to endanger consumers.

2. The Commission considers that the provisions of the first Commission directive of 21 December 1988 on the approximation of Member States' laws on trademarks (1) and those in the draft regulation on the Community mark, which is under discussion in the Council (2), would enable the owner of an original trademark to institute infringement proceedings against third parties in the circumstances described by the Honourable Member.

3. It is true that the original manufacturer retains no liability under the national laws made as a result of the product liability Directive 85/374/EEC. It is the remanufacturer, not the original manufacturer, who is the 'producer' of the remanufactured item and therefore liable under the rules of that Directive. This is so even if the trademark, or any other mark which can be traced back to the original manufacturer, has not been removed from the product in the process of remanufacture. In principle it is up to the victim to identify the remanufacturer. However, if the remanufacturer cannot be identified the victim will not be left without remedy, for in such cases each supplier of the anonymously sold product would be liable (see Article 3 (3) of the Directive).

4. The Council is currently examining a proposal for a Directive on general product safety (3) which will cover the safety of products from the first time they are placed on the market throughout their forseeable time of use. This proposal expressly includes reconditioned products not supplied as new, insofar as such supply takes place in the ordinary course of business. The proposal enables action to be taken in specific circumstances if there are reasonable grounds for suspecting risks. This will be an important tool in the area of worker and consumer protection.

Therefore the Commission considers that many of the Honourable Member's concerns will be met. The introduction of compulsory technical standards in this area would pose great difficulty in practice because of the vast range of products involved. Under the new approach to technical harmonization and standardization, technical standards for new products are not rendered obligatory. A difference of treatment between new and reconditioned products would therefore be difficult to maintain.

The requirement to mark remanufactured products with sufficient information to identify the party responsible is an idea which the Commission supports; but, unfortunately, indelible marking is not always possible, owing to the nature of the materials which are employed in the remanufacture.

The Commission sees no need for distinction to be made between manufactured and remanufactured products as far as compulsory insurance is concerned. The product liability Directive does not impose a requirement of compulsory insurance; it has left this to the Member States.

(1) OJ No L 40, 11. 2. 1989.
(2) COM(84) 470 final.
(3) OJ No C 193, 31. 7. 1989, p. 2.

WRITTEN QUESTION No 278/90
by Mr Carlos Robles Piquer (PPE)
to the Commission of the European Communities

(19 February 1990)

(90/C 325/09)

Subject: Assessment of specific programmes in the second framework programme for research and development

In accordance with the provisions of the Council decisions adopting scientific research and development programmes as part of the second framework programme, just over 10 assessments have been carried out for 1989 and a similar number are to be carried out in 1990 and 1991.

This timetable of assessments and reviews not only indicates good general planning in the launching of specific programmes but also involves the European Parliament more closely, a move which should obviously be consolidated.

Can the Commission give details of the assessments carried out in 1989, and the timetable for the assessments to be carried out in 1990?

Answer given by Mr Pandolfi on behalf of the Commission

(29 May 1990)

The Council decision concerning the framework programme for Community activities in the field of research and technological development for the period 1987—1991 states in Article 2 that each specific programme shall be evaluated, while Article 4 of the same decision states that during the third year of execution of the framework programme the Commission shall assess its progress.

The dates for the specific programme evaluations are normally defined by the relevant Council decisions to coincide with third year of their execution.

In accordance with these decisions the Commission has issued in 1989 the report of the framework programme review board and the following specific programme evaluations:

— primary and secondary raw materials

— agricultural research

— radioactive waste

— radiation protection

— ESPRIT, phase I — Final report

— RACE — Mid-term review

— DELTA — Mid-term review

— DRIVE — Mid-term review

— AIM — Mid-term review.

In January 1990 the Commission issued (1) the opinion of the Board of Governors of the Joint Research Centre (JRC) on the mid-term evaluation of the JRC. The evaluation, performed in late 1989 by a panel, chaired by Mr H. L. Beckers, was included in this document.

The evaluations being undertaken in 1990 are:

— medical and health research

— aeronautics

— nuclear fusion

— stimulation-SCIENCE

— research on automatic translation (the Eurotra programme)

— DELTA — Final report

— AIM — Final report

— Fisheries and acquaculture research (the FAR programme).

Furthermore the Monitor/Spear programme requires the organization of horizontal evaluations whose aim is to analyse particular aspects common to several or all specific R&D programmes. Two such evaluations are now in progress. They cover the following subjects:

— the impact of Community R&D programmes on socio-economic cohesion.

— Community research fellowships.

(1) SEC(90) 35 final.

WRITTEN QUESTION No 284/90
by Mr Gianfranco Amendola (V)
to the Commission of the European Communities

(19 February 1990)

(90/C 325/10)

Subject: Compliance with the Directive on the environmental impact assessment in respect of the siting of an industrial plant at Sestri Levante (Italy)

Plans have been made to site a rolling mill for the production of cold-rolled coil annealed in hydrogen furnaces (5 million m^3 per annum). It is expected that approximately 70 tonnes of gases and mineral oils in suspended particles will be discharged into the atmosphere each year.

1. Does this plant comply with the provisions of Directive 85/337/EEC (1) on environmental impact assessments?

2. Does this plant comply with the provisions of Directive 82/501/EEC (2) and the successive amendments thereto?

3. What measures does the Commission intend to take should it emerge that Directive 85/337/EEC is being infringed?

(1) OJ No L 175, 5. 7. 1985, p. 40.
(2) OJ No L 230, 5. 8. 1982, p. 1.

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

(24 April 1990)

1. The Commission has requested the Italian authorities for more detailed information on the proposed plant and has asked whether an environmental impact study has been carried out on the project.

2. The plant should be subject to the general obligations laid down in Articles 3 and 4 of Directive 82/501/EEC on industrial impact. As for the

more strict and binding obligations under Article 5 (notification, safety report, emergency plan and public information), the Commission does not at present possess sufficient information to check whether such a plant would comply with that Article.

3. If the Commission finds that the abovementiond Directives are not being complied with it will initiate an infringement procedure under Article 169 of the EEC Treaty.

WRITTEN QUESTION No 311/90

by Mrs Cristiana Muscardini (NI)

to the Commission of the European Communities

(21 February 1990)

(90/C 325/11)

Subject: Carbon monoxide emissions

Given that carbon monoxide emissions are responsible for large numbers of casualties in Europe every year and that there are frequent leaks of this gas from defective equipment, will the Commission introduce specific Community standards for the installation and maintenance of the equipment concerned, together with legislation providing for its periodic inspection by qualified personnel?

Answer given by Mr Bangemann
on behalf of the Commission

(25 April 1990)

The Commission is aware of the casualties due to leaks of carbon monoxide from defective or wrongly installed and maintained equipment.

It has to be emphasized however that Community legislation concerns the equipment as such, whilst it is within the competence of the Member States to fix requirements for installation and, if need be, for periodic inspection.

Since the Commission is aware of the negative effects of occasional disregard of installation and maintenance requirements, it includes in its proposals for Community legislation, whenever possible, requirements which provide for intrinsic safety of appliances which will be effective even in cases where installation and maintenance requirements are ignored.

In fact, the Commission's proposal for a Council Directive for appliances burning gaseous fuels ([1]) whose adoption is expected before the end of this year, includes such specific requirements for intrinsic safety with regard to combustion products and to their dispersal. They concern in particular the carbon monoxide concentration, bearing in mind the foreseeable duration of exposure.

Other requirements oblige the manufacturers to set out clearly the necessary information for installation and maintenance in their instruction manual.

The requirements set out in the proposed Directive will be specified by volontary harmonized standards to be produced by the European Standardization Committee (CEN).

With regard to oil-fired appliances, European standards are being developed by CEN which will limit the maximum allowable toxic components in the combustion products particularly with regard to carbon monoxide.

([1]) COM(88) 786 final.

WRITTEN QUESTION No 349/90

by Mr Karl von Wogau (PPE)

to the Commission of the European Communities

(26 February 1990)

(90/C 325/12)

Subject: Applicability of Council Directive 83/189/EEC to the main principles laid down by the German Food Register Committee

1. Is the Commission aware of the answer given by the Federal German Government on 7 December 1988 to the written question by Mr Kossendey to the effect that the main principles laid down by the German Food Register are not covered by the provisions of Council Directive 83/189/EEC ([1]), laying down a procedure for the provision of information in the field of technical standards and regulations, concerning the obligation to supply information?

2. Does the Commission agree with the Federal Government's views?

3. What measures does the Commission intend to take to apply the provisions of this directive on the provision of information to the main principles laid down by the German Food Register?

([1]) OJ No L 109, 26. 4. 1983, p. 13.

Answer given by Mr Bangemann
on behalf of the Commission

(18 May 1990)

The Commission would thank the Honourable Member for pointing out the German authorities' reply to Mr Kossendey's question, of which it too has been informed in the mean time.

As regards barriers to trade, the Commission is looking into the impact on the marketing of food products of the system of main principles in the Food Register. If it appears that the system serves, in theory or in practice, to

reserve or impose a description or to impose excessive labelling requirements, the Commission will examine the entire monitoring system and the use made of the main principles in the light of Directive 83/189/EEC, as amended by Directive 88/182/EEC ([1]), Articles 30 *et seq.* of the EEC Treaty and the Community Directives on the labelling of foodstuffs.

([1]) OJ No L 81, 26. 3. 1988, p. 75.

WRITTEN QUESTION No 351/90

by Mrs Cristiana Muscardini (NI)

to the Commission of the European Communities

(26 February 1990)

(90/C 325/13)

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 the 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?

Supplementary answer given by Mrs Papandreou on behalf of the Commission

(18 July 1990)

Further to its answer of 3 April 1990 ([1]) the Commission is now in a position to inform the Honourable Member of the outcome of its inquiries.

Each country of the European Community has at least one tape library set up for use specifically by visually handicapped people. All facilities are run by voluntary organizations for blind people, but funding from Government sources varies between nil and 100 %. Even in a particular country, the proportion of statutory funding varies between services.

It is not so much the ratio of tape libraries to number of blind people that is significant, but the number of titles which can be made available in tape recorded form. This will only ever be a small proportion of the vast quantity of print publications available to sighted readers. The number of titles available in a particular library seems to be mainly dependent on how long the library has been established but must be influenced by availability of funding for expansion. Where facilities are national lending libraries, not providing exclusively specialist material, membership is open to all visually handicapped people in that country.

In most countries, provision is made for the following different categories of material:

(a) lending library facility providing fiction and lighter non-fiction for recreation;

(b) student facility for recording text books and material specifically requested for study;

(c) talking newspapers and magazines for leisure;

(d) specific-interest material produced for the membership by their interest group/organization.

Also, in the United Kingdom, there is an 'Express Reading Service' provided by RNIB (European Blind Union), which tape record on request short documents for individual blind people for their work, study, daily living or leisure pursuits.

([1]) OJ No C 125, 21. 5. 1990.

WRITTEN QUESTION No 362/90

by Mr Jaak Vandemeulebroucke (ARC)

to the Commission of the European Communities

(26 February 1990)

(90/C 325/14)

Subject: Minority languages and cultures and the audiovisual media

Further to my Written Question No 859/89 ([1]), does the Commission envisage any specific measures to try to guarantee access to the media for minority languages (information which was not given in answer to my previous question above)?

If so, what measures does it envisage?

([1]) OJ No C 171, 12. 7. 1990, p. 8.

Answer given by Mr Dondelinger on behalf of the Commission

(26 June 1990)

Although Community law contains no provisions guaranteeing the minority languages access to the media, the Commission has supported — as far as it can with the funds available — several initiatives aimed at encouraging the use of the mass media to promote and disseminate the less widely spoken languages.

With the MEDIA programme (measures to encourage the development of the audiovisual industry) the goal of seeking to preserve and disseminate the minority languages and cultures is taken into account in each and every measure. More specifically, the BABEL (Broadcasting Across the Barriers of European Languages) fund, which is intended to promote the dubbing and subtitling of European films, is a valuable instrument in disseminating the less widespread languages and cultures.

Furthermore, the Commission will be supporting projects by a number of periodicals and publications aimed at promoting the minority languages.

WRITTEN QUESTION No 429/90

by Mr Hemmo Muntingh (S)

to the Commission of the European Communities

(5 March 1990)

(90/C 325/15)

Subject: Harmful substances dumped or lost at sea in the past

In the past, a large volume of harmful substances, in a variety of containers, ranging from barrels to vessels, has ended up on the sea bed through dumping or accidents at sea or because cargo has been lost.

In this connection, much attention has been directed inter alia at the considerable quantities of war gases dumped at sea after the war. Recently, there have been a number of accidents where dangerous cargoes have been lost (such as the chlorine cylinders from the 'Sinbad', Dynoseb from the 'Dana Optima' and cargo from the 'Perintis') with no possibility of recovery.

All such containers holding hazardous substances are potential ecological time bombs, which, if they were to explode, could cause serious, long-term harm to the marine environment or prove detrimental to human health.

1. Is the Commission prepared to take the initiative in conducting an assessment of the volume of hazardous substances to be found on the sea bed in European waters, this assessment also to indicate which of these substances should be recovered in order to safeguard man and the environment.
2. Is the Commission prepared to consider how such hazardous substances might be recovered, who might carry out the operations concerned and how these operations could be funded?

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

(29 May 1990)

As regards the former practice of dumping munitions, the Commission would refer the Honourable Member to its answer to Written Question No 923/89 (1).

With respect to the large quantities of dangerous substances dumped or lost at sea in the past, the Commission could consider:

— conducting an assessment, as suggested, drawing on the information available under the relevant international conventions (such as the London Convention on dumping at sea and the Oslo Convention).

In this way the substances could be identified, with a view to determining which substances should be recovered, if any.

— making a limited contribution to a pilot project on the recovery of such substances. The problem of dangerous substances has also been mentioned within the context of the Bonn Agreement on cooperation in dealing with pollution of the North Sea by oil and other harmful substances. Moreover, accidental pollution by substances of this kind is covered by the Community action programme on serious marine pollution incidents.

The possible recovery of these substances and the funding of recovery operations can be examined at a later stage, on the basis of the results of the abovementioned initiatives.

(1) OJ No C 139, 7. 6. 1990, p. 14.

WRITTEN QUESTION No 430/90

by Mr François-Xavier de Donnéa (LDR)

to the Commission of the European Communities

(5 March 1990)

(90/C 325/16)

Subject: Time management seminar for Commission staff given by a Danish consultant

The Commission having asked each member of its staff to attend a two-day time management seminar, every official

and member of the temporary staff has attended a two-day training course given by a Danish consultant.

Could the Commission say:

1. How the consultant (or party providing services) was selected?

2. What was the total cost of this training activity and the number of persons attending in 1987, 1988 and 1989?

3. How the total annual cost breaks down into the following sub-items:

   — cost of the consultant (or party providing services);

   — cost of rental of premises;

   — other overheads.

4. What was the average cost per person attending?

5. How it rates this training measure?

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

(13 July 1990)

The seminars to which the Honourable Member refers form part of the second stage of the Commission's internal modernization policy, approved in July 1985.

The selection procedure was as follows:

(a) a notice was published in the Official Journal on 3 June 1987 inviting firms interested in tendering for the seminars to apply for documentation;

(b) a briefing session for firms that had expressed an interest was held in Brussels on 6 July;

(c) the invitation to tender was set out, with 27 August 1987 as the closing date for submission;

(d) 21 tenders were received, and a joint advisory group met to examine them on 28 and 29 September;

(e) a draft contract with the firm selected by the Administration, Time Manager International, was submitted to the Commission's Advisory Committee on Procurements and Contracts and approved on 20 October;

(f) the formal contract with TML was signed on 11 November.

The total cost of the project over the three years involved was:

1987: ECU	23 333,06
1988: ECU	2 190 395,77
1989: ECU	50 592,02

The annual figures break down into the following subitems (in ECU):

	1987	1988	1989
Persons attending	139	12 500	288
TMI	13 448,85	1 021 000,00	23 523,84
Rent of premises	4 467,38	990 894,34	24 216,39
Other expenses	5 416,83	178 501,43	2 851,79
Total	23 333,06	2 190 395,77	50 592,02
Average cost per person attending	167,86	175,23	175,67

Two assessment reports were compiled, one by the DG IX Training Unit, the other by TMI. It was on the information gathered during the Time Management exercise and from the survey carried out by Cegos in 1988 that the Commission based the main lines of the organization and management modernization programme it adopted in September 1988.

WRITTEN QUESTION No 462/90

by Mr José Alvarez de Paz (S)

to the Commission of the European Communities

(7 March 1990)

(90/C 325/17)

Subject: Coal and the work programme for 1990

In its work programme for 1990, the Commission does not mention coal, while under point No 120 it states that 'a new approach will be needed if the internal market in energy is to be achieved'.

What are the principal 'requirements' for achieving the internal market in energy with regard to policy in the coal sector?

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

(11 May 1990)

In its work programme for 1990 the Commission announced its intention to reexamine the notion of security of supply for each form of energy — including coal — in the new context of the internal energy market.

At this early stage the Commission cannot anticipate what conclusions it will draw.

The Commission would refer the Honourable Member to its answer to Written Question No 461/90 ([1]).

([1]) OJ No C 266, 22. 10. 1990, p. 31.

WRITTEN QUESTION No 486/90
by Mr Juan de la Cámara Martínez (S)
to the Commission of the European Communities
(7 March 1990)
(90/C 325/18)

Subject: Seat of the European Environment Agency

On the basis of what criteria does the Commission consider that the seat of the future European Environment Agency should be chosen?

Answer given by Mr Ripa di Meana on behalf of the Commission
(24 April 1990)

The Commission has made clear the basic technical requirements for the satisfactory establishment of the European Environment Agency. The Council has found that all the proposals submitted by the eleven applicant Member States meet these requirements.

WRITTEN QUESTION No 532/90
by Mrs Marie Jepsen (ED)
to the Commission of the European Communities
(16 March 1990)
(90/C 325/19)

Subject: Comparability and publication of Member States' investigations into the quality of bathing water

In its answer of 9 January 1990 to my previous question No 767/89 ([1]) on inspecting the quality of bathing water in the Member States of the Community the Commission stated that it made frequent reports based on tests carried out in the individual Member States.

Does the Commission consider that the results of the Member States' tests on the quality of bathing water are directly comparable and, if this is not the case, will the Commission take measures to improve the comparability of the tests? Will the Commission also endeavour to produce annual reports based on the previous year's tests so that more up-to-date information is available to the public than hitherto given that, in certain cases the Commission's reports have been based on results obtained almost two years previously?

([1]) OJ No C 125, 21. 5. 1990, p. 13.

Answer given by Mr Ripa di Meana on behalf of the Commission
(16 May 1990)

The information given in the reports on the quality of bathing water published by the Commission cannot be compared from one Member State to another. Some Member States have adopted more stringent national values for certain parameters than the mandatory values laid down in the Directive ([1]). The Commission is aware of this situation and the reports published contain a note to readers informing them that such a comparison cannot be made.

Furthermore, the Commission has already considered the introduction of a standard expediated procedure for the transmission of data to it.

Once the procedure has been introduced, it should be possible to process the information supplied by individual Member States to make it comparable and to publish the report sooner. In the light of the above, the Commission's aim is to publish an annual report based on information concerning the previous year.

([1]) OJ No L 31, 5. 2. 1976, p. 1.

WRITTEN QUESTION No 548/90
by Mr Francesco Speroni (ARC)
to the Commission of the European Communities
(16 March 1990)
(90/C 325/20)

Subject: Composition of airliner crews

The recent air disaster in India in which a European built A 320 aircraft crashed as it approached the runway at its destination raises the question once more of whether it is advisable, from the point of view of safety, to man medium-and long-range airliners with only two-man crews, excluding the flight technician.

The findings of the inquiry into the disaster are still not sufficient to make it possible to reconstruct what happened, but it seems clear that the new and sophisticated electronic components which are mainly responsible for flying the aircraft are not completely reliable, even though this reliability is one of the arguments used by manufacturers of high-technology aircraft to justify the exclusion of a third crew member. This explains why some companies using the same type of aircraft operate them with three-man crews.

Is the Commission considering an inquiry aimed at determining the differences in reliability and safety in operating aircraft with flight crews of two or three members?

Answer given by Mr Bangemann on behalf of the Commission

(6 April 1990)

The Commission would refer the Honourable Member to its answer to Written Question No 839/89 by Mr Visser ([1]).

([1]) See page 3 of this Official Journal.

WRITTEN QUESTION No 567/90

by Mr Alonso Puerta (GUE)

to the Commission of the European Communities

(16 March 1990)

(90/C 325/21)

Subject: Contamination of the Avilés estuary

Avilés (Asturias — Spain) has the sad distinction of having one of the highest levels of pollution in Spain, caused by both atmospheric emissions and effluent into its aquatic environment.

There can be no doubt that the Avilés estuary is particularly affected by pollution, which is being aggravated by the large quantities of ash and the approximately 10 tonnes of waste, lubricants and oils per month which the state undertaking ENSIDESA has, for a long time, been discharging into the estuary.

1. Does the Commission not consider that it is a matter of urgency to contact the authorities of Asturias in order to find a solution which will end the pollution of the Avilés estuary?

2. What measures does the Commission intend to adopt to ensure that ENSIDESA complies with Community law concerning the protection of the environment and in particular the following directives:

   (a) 76/464/EEC ([1]) on pollution caused by certain dangerous substances discharged into the aquatic environment and

   (b) 75/439/EEC ([2]) on the disposal of waste oils?

([1]) OJ No L 129, 18. 5. 1976, p. 23.
([2]) OJ No L 194, 25. 7. 1975, p. 23.

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

(5 April 1990)

The Commission has taken note of the problem of pollution in Avilés (Asturias — Spain) following the information supplied by the Honourable Member.

The Commission will therefore request information from the Spanish authorities on the points raised in the question, in particular regarding application of the Community Directives quoted.

WRITTEN QUESTION No 579/90

by Mr Gérard Monnier-Besombes (V)

to the Commission of the European Communities

(16 March 1990)

(90/C 325/22)

Subject: Special reserves for the capercaillie (tetrao urogallus) in the Pyrenees

What special reserves have been provided by France to ensure the conservation of the capercaillie (tetrao urogallus) in the Pyrenees under Directive 79/409/EEC ([1]).

What measures have been taken in the field of forestry management and what rules have been drawn up concerning access (access to forest paths and the opening up of such paths) to the areas still inhabited by this species?

([1]) OJ No L 103, 25. 4. 1979, p. 1.

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

(22 May 1990)

France has not yet set up a special reserve in the Pyrenees.

The Commission has not been informed of any particular forestry management or access measures to protect the capercaillie (Tetrao urogallus) in the Pyrenees.

The Commission will ask France to provide further information on this matter since the capercaillie is a species listed in Annex I to the Directive referred to by the Honourable Member.

WRITTEN QUESTION No 593/90

by Mr Ian White (S)

to the Commission of the European Communities

(16 March 1990)

(90/C 325/23)

Subject: Minimum income

Why is it possible for the Community to be able to insist on minimum legally enforceable water purity standards and yet not be able to implement legally enforceable minimum income provision throughout the Community?

Answer given by Mrs Papandreou on behalf of the Commission

(19 July 1990)

The Community's legislative action is circumscribed by the powers conferred on it by the Treaties.

This is the context in which the Community acts in the areas of social protection and the fight against marginalization and poverty, and thus of a minimum income.

The Honourable Member is referred to the Commission's answer to his Written Question No 171/90 (1) and his oral question H-269/90 (2).

(1) OJ No C 246, 1. 10. 1990, p. 9.
(2) Debates of the European Parliament No 3-388 (March 1990).

WRITTEN QUESTION No 612/90

by Mr Llewellyn Smith (S)

to the Commission of the European Communities

(20 March 1990)

(90/C 325/24)

Subject: Waste-paper recycling

With reference to Council recommendation 81/972/EEC (1) when will the Commission consider a proposal to make recycled paper in newsprint mandatory.

(1) OJ No L 355, 10. 12. 1981, p. 56.

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

(22 May 1990)

Council recommendation 81/972/EEC of 3 December 1981 recommends that the Member States define and implement policies aimed at promoting the use of recycled paper and carton. Old paper is not one of the priorities for the work of the Commission at the moment.

WRITTEN QUESTION No 616/90

by Mr Gerhard Schmid (S)

to the Commission of the European Communities

(20 March 1990)

(90/C 325/25)

Subject: AIDS and the internal market

At their meeting of 16 March 1989, the Council and the Ministers for Health of the Member States meeting in the Council asked the Commission to:

— consider the possibility, within the framework of the internal market, of technical harmonization to guarantee the necessary quality with respect to condoms available in the Member States and to submit a proposal on the matter to the Council;

— to consider the possibility, within the framework of the internal market, of harmonizing the technical requirements for fast HIV-testing sets and making them available on a limited basis, and submit a proposal on the matter to the Council.

1. What steps has the Commission taken with a view to carrying out these instructions?

2. What Directorates-General is (are) responsible?

3. Does the Commission intend to submit its proposals on this matter in accordance with the principles of the Single Act (Article 100 a — completion of the internal market) or in accordance with some other legal basis?

4. When does the Commission intend to submit its proposals, which are not yet included in the Commission's official programme?

Answer given by Mrs Papandreou on behalf of the Commission

(7 August 1990)

Several Commission departments are involved in the implementation of Community policy as regards the fight against AIDS with the help of an interdepartmental coordinating group.

In the work on the completion of the internal market, the Commission is preparing several proposals for directives on medical matters. It is planned that these proposals should cover both condoms and HIV-testing sets.

The abovementioned proposal for directives will be based on Article 100a of the EEC Treaty and should be ready for transmission to the Council in 1990-91.

WRITTEN QUESTION No 621/90

by Mr Ben Visser (S)

to the Commission of the European Communities

(20 March 1990)

(90/C 325/26)

Subject: Conditions for access to the road transport profession

On 1 February 1990 the Bureau of the Liaison Committee on Passenger Transport of the International Road Transport Union (IRU) held talks with European Commissioner Van Miert in which it called for uniform conditions for access to this profession in all Member States regarding professional competence, solvency and

reliability. Particular criticism was levelled at Italy, which, according to a report in 'Nederlands Vervoer' (3/1990), has not yet adopted any of the necessary legislative provisions.

1. Is it true that Italian legislation on access to the road transport profession does not contain any such provisions?
2. If so what measures has the Commission taken and what measures will it take to remedy this situation?
3. Does the Commission consider the relevant legislation in the other Member States to be satisfactory?

WRITTEN QUESTION No 774/90
by Mr Florus Wijsenbeek (LDR)
to the Commission of the European Communities
(29 March 1990)
(90/C 325/27)

Subject: Application of Community law

In paragraph 179 of the sixth annual report to the European Parliament on monitoring of the application of Community law [COM(89) 411 final] the Commission states that Italy has still not complied with a number of judgments of the Court of Justice concerning admission to the occupation of road haulier and road transport passenger operator and the Directive on mutual recognition of qualifications for road transport operators.

In my report for the European Parliament on the carriage of passengers (A 2-243/87) [1], and when I spoke in plenary on the report on admission to the occupation referred to above, I pointed this out. The Commission said at the time that it would act to make sure that Italy complied.

Can the Commission say what steps it has taken to hold Italy to its Community commitments, and can it also say whether it is in a position to apply sanctions to prompt Italy to abandon its recalcitrant stance, e.g. by cutting or not issuing Community transport permits?

Would the Commission be willing to respond to this suggestion to apply sanctions? If not, why not and what sanctions would the Commission be prepared to take?

(1) OJ No C 94, 11. 4. 1988, p. 135.

Joint answer to Written Questions Nos 621/90 and 774/90
given by Mr Van Miert
on behalf of the Commission
(29 June 1990)

Following action by the Commission, the Court of Justice has twice condemned the Italian Government for non-implementation of Directive 74/562/EEC [1] on admission to the occupation of road transport passenger operator in national and international transport operations and once for non-implementation of Directive 77/796/EEC [2] aiming at the mutual recognition of diplomas, certificates and other evidence of formal qualifications for goods, haulage and road transport passenger operators.

The Italian authorities have still not implemented these Directives but it is understood that they have now drafted legislation to this effect.

The Commission is looking at the position as regards the implementation of these Directives, concurrently with its examination of the measures by all Member States to implement Directive 89/438/EEC [3], which substantially amends them and the provisions of which applied from 1 January 1990.

(1) OJ No L 308, 19. 11. 1974.
(2) OJ No L 334, 24. 12. 1977.
(3) OJ No L 212, 22. 7. 1989.

WRITTEN QUESTION No 647/90
by Mrs Raymonde Dury (S)
to the Commission of the European Communities
(20 March 1990)
(90/C 325/28)

Subject: Promotion of carcinogenic barbecues by the EEC

In the March 1990 edition of the consumer magazine published by the organization *Test Achat* it is reported that the EEC has requested Belgium to lower its national quality standards for charcoal intended for barbecues to bring them into line with the Community standard. This standard, which takes the form of a directive, would reduce the percentage of carbon from 82 to 80% and, instead of being fixed at 12%, the content of volatile substances would vary between 10% and 14%. These new rules would be likely to endanger the health of consumers by increasing the risk of cancer.

Can the Commission confirm or deny this report?

Answer given by Mrs Papandreou
on behalf of the Commission
(5 June 1990)

The Commission has asked the Belgian Government to amend the Royal Decree of 29 October 1986 to lower the

carbon content of charcoal from 82 % to 80 % and the content of volatile substances from 12 % to 12 ± 2 %.

In so doing, the Commission has not lost sight of the objective of health protection, which is the legitimate purpose of the Decree. On the contrary, it wished to reconcile two fundamental objectives of the common market, namely the protection of health and the free movement of goods, both of which ought properly to be regarded as Community priorities.

The levels previously laid down by the Royal Decree had the effect of excluding from the Belgian market charcoal produced in other Member States, such as Spain and France. A very slight increase in these rates was all that was needed to eliminate this barrier to trade while at the same time maintaining the same degree of health protection.

The Commission considers that the difference between the levels of protection provided by a maximum content of 12 % of volatile substances and of 14 % is insignificant (as is the difference between carbon contents of 82 % and 80 %). On the other hand, measures less restrictive for trade than those setting an excessively low maximum content of volatile substances (and content of carbon) are capable of providing more effective health protection.

For example, consumer information on how to use the barbecue, or to promote more widespread use of the vertical grill, would be more likely to achieve the objectives and the Belgian authorities would be entitled to impose measures of that kind without raising any objection on the part of the Commission.

Member States were consulted by the Commission on the amendments it called for, and no objection whatsoever was raised.

It should be pointed out that there is no Community directive governing the content of volatile substances or of carbon in charcoal, and that the sole purpose of the Commission's action was to ensure compliance with Article 30 of the EEC Treaty and observance of the principle of proportionality.

WRITTEN QUESTION No 661/90
by Mrs Hiltrud Breyer (V)
to the Commission of the European Communities
(23 March 1990)
(90/C 325/29)

Subject: Damage to the ozone layer

1. What steps does the Commission intend to take as damage to the ozone layer is now known to be far more extensive? How does it intend to speed up its plans to restrict the compounds which are harmful to the ozone layer?

2. To what extent will chlorine compounds which are not CFCs but which are partly responsible for the destruction of the ozone layer be covered by these measures?

3. In the measures it has taken to date, does the Commission consider that it has done everything possible to prevent the destruction of the ozone layer by substances generated by humans?

Answer given by Mr Ripa di Meana on behalf of the Commission
(17 May 1990)

1. On 17 January 1990 the Commission proposed a draft Regulation [1] replacing Regulation (EEC) No 3322/88 [2]. This proposal recognizes the need to take more effective action on substances that deplete the ozone layer and calls for the elimination of CFCs and Carbon tetrachloride by 1997, halons by the year 2000 and a 40 % reduction of methyl chloroform by the same year. These proposals represent a considerable tightening of the measures foreseen by Regulation (EEC) No 3322/88.

The Community has also made very far reaching proposals for the revision of the Montreal protocol in June 1990.

2. In addition to the regulation of the production and consumption of ozone depleting substances, the Commission has issued recommendation 89/349 [3] for the reduction in the use of CFCs in aerosols by 90 % by the end of 1990. Two more Commission recommendations are to be adopted shortly for the limitation of use of CFCs in refrigeration by 50 % by 1993 and in foam plastics by 65 % by the end of the same year.

3. The only adequate response to the ozone layer problem is for all countries of the world to act together; which is why the Commission is aiming for the most stringent possible revision of the Montreal Protocol in June 1990.

(1) COM(90) 3 final.
(2) OJ No L 297, 31. 10. 1988.
(3) OJ No L 144, 27. 5. 1989, p. 56.

WRITTEN QUESTION No 671/90
by Sir James Scott-Hopkins (ED)
to the Commission of the European Communities
(23 March 1990)
(90/C 325/30)

Subject: Eurocodes

Does the Commission agree that the Eurocodes should recognize groundswell amongst practising engineers that these codes should include within them acknowledgement of the validity of permissible stress design?

Answer given by Mr Bangemann
on behalf of the Commission
(18 May 1990)

In the Eurocode programme, the Commission took the initiative to establish a set of harmonized technical rules for the design of building and civil engineering works which should serve as an alternative to the differing rules in force in the various Member States and ultimately replace them.

The Eurocodes are intended to constitute a consistent and comprehensive system of design standards which cover the requirements for resistance, serviceability and durability of the structures, in all types of building and civil engineering works in different construction materials (such as concrete, steel, timber or masonry) as well as the various methods of construction and other aspects of design which are of general practical importance.

The individual Eurocodes will be subdivided into separate parts, as far as appropriate. The first will deal with common design criteria for each construction material and with specific rules for ordinary buildings, further parts will contain special rules which complement the basic rules or adapt or modify them for specific types of building or civil engineering works, construction methods or particular aspects.

The Eurocodes are intended to serve, in the light of the relevant Council Directives ([1]) as reference documents to be recognized by the authorities of the Member States as:

— a means of proving the compliance of building and civil engineering works with essential requirements concerning mechanical resistance and stability,

— a basis for specifying contracts for the execution of construction works and related engineering services,

— a framework for drawing up harmonized technical specifications for construction products;

in order, to contribute to the achievement and functioning of the internal market as well as to improve the competitive position of the European construction industry and related industries and professions in countries outside the Community.

The basic idea of the Eurocode work was to provide for technical harmonization in two ways:

1. between Member States, in order to eliminate technical barriers;

2. between different construction materials, construction methods and types of buildings and civil engineering works, in order to achieve full consistency and compatibility of the various codes with each other and to obtain comparable safety levels.

For the second reason, the Eurocodes have been based on a common unified safety concept using:

— 'limit states' by which the limits of mechanical resistance, stability and fitness for use of buildings and civil engineering works can be defined in general terms of performance, and

— partial safety coefficients by which uncertainties, in particular concerning loadings and material properties, can be accounted for.

This safety concept represents the present state of the art in structural design which has been agreed world-wide (see International Standard ISO 2394). It has also been confirmed without exception by inquiries in the Member States of the Community (involving public authorities, standardization bodies, construction industry, consulting engineers and the relevant professional organizations) on the Eurocode concept and the contents of the Eurocodes prepared so far. A positive response was also received from EFTA countries.

This does not mean that the Eurocode parts prepared so far cannot be supplemented by further parts giving simplified rules for certain 'common' building structures, e.g. expressed in form of 'permissible stress methods', as long as full compatibility with the generally agreed limit state concept is ensured and the general design principles of the basic parts of the Eurocodes are met.

The work on the Eurocodes is being transferred to the European Committee for Standardization CEN. Thus the various interested parties will be more directly engaged in the further development of the Eurocode system, and they may propose initiatives with a view to the preparation of the supplementary Eurocode parts mentioned above.

Finally it should be noted that the use of the Eurocodes will not be mandatory in structural design. However design to Eurocode will have to be recognized by Member State authorities as a means of proving that requirements

relating to the mechanical resistance and stability of buildings and civil engineering structures have been fulfilled.

(1) Council Directive 89/106/EEC of 21 December 1988 on construction products (OJ No L 40, 11. 2. 1989) and Council Directives 71/305/EEC of 26 July 1971 and 89/440/EEC of 18 July 1989 on public works (OJ No L 185, 16. 8. 1971 and OJ No L 210, 21. 7. 1989 respectively).

WRITTEN QUESTION No 717/90

by Mr Luigi Moretti and Mr Fransceso Speroni (ARC)

to the Commission of the European Communities

(27 March 1990)

(90/C 325/31)

Subject: The independence of EC Commissioners

On the subject of the decree-law issued by the Italian Government regularizing, on an indiscriminate basis, the situation of clandestine immigrants from third countries in Italy, Commissioner Ripa di Meana has expressed his concern in view of the perplexity aroused by this measure in Community circles.

Mr Ripa di Meana has come under severe criticism for his stand from Socialist members of the Italian Government, especially from the Deputy Prime Minister, Mr Martelli, and the Minister of Foreign Affairs, Mr De Michelis.

Given that the EC Treaty explicitly states, in Article 157, that Member States shall not seek to influence the Members of the Commission in the performance of their tasks, does the Commission consider the attitude of the Italian ministers concerned to be in breach of the Treaty, and what action does it intend to take?

Answer given by Mr Delors on behalf of the Commission

(30 May 1990)

It is not the Commission's practice to comment on statements made by politicians from the Member States.

The Commission would point out that, under the terms of Article 10 (2) of the Treaty establishing a single Council and a single Commission of the European Communities referred to by the Honourable Members, 'the members of the Commission shall, in the general interest of the Communities, be completely independent in the performance of their duties. (...) Each Member State undertakes to respect this principle and not to seek to influence the members of the Commission in the performance of their tasks'.

WRITTEN QUESTION No 745/90

by Mrs Lissy Gröner (S)

to the Commission of the European Communities

(27 March 1990)

(90/C 325/32)

Subject: Education policy

In the development of a European Education Community does the Commission anticipate problems concerning competence with the German Länder, given that the latter, and not the central government, are responsible for education?

Answer given by Mrs Papandreou on behalf of the Commission

(9 July 1990)

The Federal Republic of Germany is represented in the European Community by the Federal Government. As a rule, therefore, problems of jurisdiction between the Community and the German Länder cannot rise.

Moreover, the Länder generally take part in or are represented on the German delegations to the various committees dealing with these matters and are accordingly involved in the information and consultation process.

WRITTEN QUESTION No 751/90

by Mr Hemmo Muntingh (S)

to the Commission of the European Communities

(27 March 1990)

(90/C 325/33)

Subject: Progress report on the protection of monk seals in the National Park of the Northern Sporades

The Community has taken steps to support measures to protect the monk seal in the National Park of the Northern Sporades. In a contract covering financial support for this project, it was agreed *inter alia* that a management plan for the park would be drawn up, that park 'rangers' would be employed, and that equipment would be made available for their use.

1. Has the Commission received a draft management plan for the Northern Sporades, following the conclusion of the above contract?
2. If not, does the Commission know whether such a management plan has been drawn up and submitted to the Greek Ministry of the Environment?

3. What steps can the Commission take to help ensure that a management plan for the Northern Sporades is established as soon as possible?

4. What is the situation as regards the rangers to be employed in the National Park and the equipment to be made available for their use?

5. Is it true that these people received no wages for several months in the summer of 1988 and that they were unable to use their patrol boats, due to lof petrol?

6. Is it true that the International Fund for Animal Welfare offered to supply petrol free of charge and that the Greek Government rejected this offer?

7. Why has the costly biological station in the Bay of Gerakas on Aloynissos remained uncompleted and empty for some years now?

8. Why is the Greek Government prepared to draw up measures on paper for the protection of the monk seal, while in practice leaving the animal to its fate?

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

(28 June 1990)

1 to 3. According to the Greek Ministry of the Environment's interim report, the Ministry and the Athens Polytechnic have agreed to work together to establish the scientific basis for action taken to protect the monk seal, its biotope and other species of fauna and flora in the region.

4. Three rangers were employed until October 1989. The Ministry of the Environment has initiated a procedure for the employment of six rangers.

5. According to the information received by the Commission, the rangers were paid up to October 1989 and petrol costs were covered.

6. The Commission does not have any information on this matter.

7. According to the information received from the Ministry of the Environment, building of the biological station has been completed and provisional acceptance was granted in March 1990.

8. The Commission believes that the creation of a marine park in the Northern Sporades is an important step towards the conservation of the monk seal. However, protection of the park depends entirely on the action taken by the Greek authorities concerned.

The Commission has sent the Ministry of the Environment an emphatic reminder of Greece's undertaking to ensure that the park is properly protected.

WRITTEN QUESTION No 801/90
by Mr Victor Manuel Arbeloa Muru (S)
to the Commission of the European Communities
(29 March 1990)
(90/C 325/34)

Subject: Coordination of health policies against drugs

How is the Community coordinating preventive health policies and social policies in respect of drug addicts?

Answer given by Mrs Papandreou on behalf of the Commission

(27 June 1990)

The Commission will present in the near future a comprehensive plan of action on drug demand reduction, in line with the European Parliament's resolutions, and the request of the Council and the Ministers of Health meeting within the Council on 13 November 1989 [1] for it to act against drug addiction.

[1] OJ No C 31, 9. 2. 1990, p. 1.

WRITTEN QUESTION No 821/90
by Mr Kenneth Stewart (S)
to the Commission of the European Communities
(4 April 1990)
(90/C 325/35)

Subject: The environmental impact of recent and current dock related activities in the Bootle and Liverpool area of the United Kingdom

Is the Commissioner aware of the relatively new practice by the Mersey Dock and Harbour Company (MDHC) of developing economic activity in the dock area through the open storage of coal and coke which is causing dust pollution for many thousands of the area's residents?

Is he further aware that the local authority for the area, Sefton Metropolitan Borough Council has:

(a) successfully prosecuted companies involved, yet the coal dumping and storage activity has intensified;

(b) has repeatedly requested the Mersey Dock and Harbour Company to carry out a non-statutory environmental impact assessment, without success;

(c) is in the process of preparing evidence for a legal injunction from the High Court for a stop in this particular economic activity by the MDHC because of the severe problems experienced by residents;

(d) that a dramatic increase in bronchial problems has been recorded amongst primary school children in the area?

Will the Commissioner clarify the legal obligations of the MDHC under Council Directive of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, 85/337/EEC, or any other Community legislation in this field that may be applicable?

Will the Commissioner liaise directly with the Borough of Sefton's Chief Public Protection Officer in order to facilitate a speedy remedy for the people of Bootle?

Will the Commissioner seek to close any loopholes in Community legislation that may be offered by UK national legislation of 'permitted development and General Development Orders' enshrined in UK planning regulations, in the event of such developments causing nuisance and or pollution to the environment?

WRITTEN QUESTION No 1544/90

by Mr Kenneth Stewart (S)

to the Commission of the European Communities

(27 June 1990)

(90/C 325/36)

Subject: The environmental impact of recent and current related activities in the Bootle and Liverpool area of the United Kingdom

Is the Commissioner aware of the relatively new practice by the Mersey Dock and Harbour Company of developing economic activity in the dock area through the open storage of coal and coke which is causing dust pollution for many thousands of residents who live in the area.

Further, that the local authority for the area, Sefton Metropolitan Borough Council:

(a) has successfully prosecuted companies involved, yet the coal dumping and storage activity has intensified;

(b) has repeatedly requested the Mersey Dock and Harbour Company to carry out a non-statutory 'Environmental Impact Assessment' without success;

(c) is in the process of preparing evidence for a legal injunction from the High Court for a stop in the MDHC activities in this particular economic activity because of the severe problems experienced by residents;

(d) and that a dramatic increase in bronchial problems has been recorded amongst primary school children in the area.

Will the Commissioner clarify the legal obligations of the MDHC under Council Directive of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, 85/337/EEC, or any other Community legislation in this field that may be applicable?

Will the Commissioner liaise directly with the Borough of Sefton's Chief Public Protection Officer in order to facilitate a speedy remedy for the people of Bootle?

Will the Commissioner seek to close any loopholes in Community legislation that may be offered by UK national legislation of 'permitted development and General Development Orders' enshrined in UK Planning Regulations, in the event of such developments causing nuisance and or pollution to the environment?

Joint answer to Written Questions Nos 821/90 and 1544/90 given by Mr Ripa di Meana on behalf of the Commission

(23 July 1990)

The Commission has taken note of the Honourable Member's observations.

It endorses the steps taken by Sefton Metropolitan Borough Council to ensure that an environmental impact assessment — within the meaning of Directive 85/337/EEC [1] — is carried out to evaluate the environmental effects of the activity in question.

The Commission takes the view that in the case of projects listed in Annex II to Directive 85/337/EEC, which include the surface storage of fossil fuels, Member States are not entitled to exercise the discretionary authority conferred upon them by Article 4 (2) of the Directive in such a way as to implicitly or explicitly exclude any obligation to assess such projects from national legislation.

On the basis of the assessment and consultation with the relevant environmental authorities and the public concerned, the national authorities must then decide which course of action is least harmful to the environment.

The Commission is not planning to propose Community measures in the area covered by 'General Development Orders', given that projects falling within the scope of Directive 85/337/EEC must comply with the requirements of the said Directive.

As announced in plenary session, Commission staff could visit the area to assess the situation at first hand.

(1) OJ No L 175, 5. 7. 1985, p. 40.

WRITTEN QUESTION No 823/90
by Mr Reinhold Bocklet (PPE)
to the Commission of the European Communities

(4 April 1990)

(90/C 325/37)

Subject: Hormones in Belgian beef

Every fifth beef steak recently inspected by the Belgian consumer organization 'Test Achat' contained residues of one or more sex hormones. This means that despite the Community-wide ban in force since 1988, hormones are still being added to animal feed in Belgium.

1. Is the Commission aware of the results of this inspection?

2. What specifically will the Commission do to stop infringements of the hormone ban in the Member States, and in the Kingdom of Belgium in particular?

3. How will the Commission ensure that the hormone ban is adhered to in future in all Member States?

Answer given by Mr Mac Sharry on behalf of the Commission

(9 July 1990)

1. An article entitled 'hormones in beef: new controls' appeared in the January 1990 edition of Test Achat's magazine and was studied by the Commission.

2 and 3. The Commission has decided to make an enquiry in each Member State in order to verify the implementation of the Community rules regarding residues, and in particular Council Directive 88/146/EEC forbidding the use of certain hormonal substances in animal production (1).

This implies above all contacts with the competent authorities, but also controls in situ notably on farms, in slaughterhouses and at laboratories.

This enquiry is currently underway in Belgium. It will take place in all Member States.

(1) OJ No L 70, 16. 3. 1988, p. 16.

WRITTEN QUESTION No 827/90
by Mrs Sylviane Ainardi (CG)
to the Commission of the European Communities

(4 April 1990)

(90/C 325/38)

Subject: Mediterranean fisheries

Fisheries play a major economic and social role in the Mediterranean regions. Yet despite their importance Mediterranean fisheries as a whole have been sidelined by the common fisheries policy.

Mediterranean fishers face numerous problems: resource management, inadequate and fluctuating prices, production costs inflation, difficulties associated with fleet modernization. The European Parliament has repeatedly adopted resolutions on Mediterranean fisheries which have remained without effect. On 19 January 1990 the European Parliament again called for conservation and management measures for Mediterranean fisheries and for international concertation with third countries. Will the Commission be at last prepared to take action on these requests by the European Parliament by proposing specific measures for Mediterranean fisheries in a concern to protect the resources and improve the incomes of fishers?

Answer given by Mr Marin on behalf of the Commission

(12 July 1990)

The Commission shares the Honourable Member's concerns over the situation of fisheries in the Mediterranean and intends to take an initiative shortly concerning the conservation and management of Mediterranean fishery resources.

Mediterranean fisheries also featured on the agenda of the first joint seminar between Parliament and the Commission which took place on 21 and 22 June.

Conservation and management and the necessity for international cooperation with non-Community countries were discussed at this seminar.

WRITTEN QUESTION No 858/90
by Mr Joaquín Sisó Cruellas (PPE)
to the Commission of the European Communities
(9 April 1990)
(90/C 325/39)

Subject: Withdrawal of radioactive lightning conductors

Although it has been proved that lightning conductors containing the radioactive isotope americium 241 are dangerous and their withdrawal has been ordered in most Community countries, the majority of them are still in place.

This is the case in Spain where, in spite of a Royal Decree of July 1987 providing for the withdrawal of such lightning conductors, only 787 out of a total of 25 000 have so far been removed. The explanation given by the 'Empresa Nacional de Residuois Radiactivos' is that the local administrations refuse to grant permission for their storage.

In view of its complexity, does the Commission think that a Community solution should be sought to the problem and that agreement should be reached on a single and definitive method of disposing of lightning conductors containing americium 241?

Answer given by Mr Ripa di Meana on behalf of the Commission
(29 May 1990)

The Community system of health protection of the general public and workers against the dangers of ionizing radiation is laid down in Council Directive 80/836/Euratom of 15 July 1980 [1]. This Directive subjects any activity involving ionizing radiation to a reporting or authorization procedure.

The Commission is unaware of the trend to abandon the use of americium 241 in the majority of Member States. The latter is used primarily in measuring and detection instruments. The Member States have subjected use of this radionuclide, in smoke detectors or industrial gauges, for example, to the abovementioned authorization procedure. Activities which make use of americium where its total activity is less than 5 000 Becquerels are exempt from this procedure. Also exempt are sealed sources approved by the competent authority which at no point 0,1 m from their accessible surface emit a dose greater than 1 micro-Sievert per hour.

The Commission therefore considers that it is possible to use americium 241 under certain conditions and in accordance with Directive 80/836/Euratom.

[1] OJ No L 246, 17. 9. 1980.

WRITTEN QUESTION No 862/90
by Mrs Winifred Ewing (ARC)
to the Commission of the European Communities
(9 April 1990)
(90/C 325/40)

Subject: Investigations into agricultural fraud

What is the procedure by which agricultural frauds are investigated and what role does the Commission play in the investigation? Are any sanctions imposed on the offenders?

Answer given by Mr Delors on behalf of the Commission
(26 June 1990)

Responsibility for investigating and combating irregularities lies first and foremost with the Member States. Article 8 of Regulation (EEC) No 729/70 [1] specifically states that the Member States are responsible for prevention and counteraction.

The Commission has a number of legal instruments at its disposal for the carrying out of inspections and inquiries, namely:

(a) Article 9 of Regulation (EEC) No 729/70 [1] for action by the Commission itself;

(b) Article 6 of Regulation (EEC) No 283/72 [2] under which the Commission may ask to hold administrative inquiries in which its officials may take part.

In the case of charges levied on imports of agricultural products, Regulation (EEC) No 1552/89 [3] provides for collaboration with the Member States on the prevention and combating of fraud, including on-the-spot inspections by agents authorized by the Commission.

Furthermore, in the more general context of mutual assistance [4], the Commission has special machinery at its disposal by means of which it is kept informed and, if necessary, can intervene or take steps to facilitate or improve action by the Member States.

The Commission attaches special importance to the use of sanctions to help protect the Community's financial interests. A number of regulations for the common organization of the markets in various products provide for specific action in the event of a failure to comply with their provisions, such as temporary exclusion from aid schemes, withdrawal of recognition, loss of deposits together with, in some cases, payment of an additional amount, or the application of measures with a financial

effect, such as those set out in Article 8 of Regulation (EEC) No 1738/89 (5). Furthermore, as the Court of Justice has just confirmed in its ruling in Case 68/88, Member States are required to combat fraudulent activities detrimental to the Community budget in the same way as fraudulent activities detrimental to their own budgets.

(1) OJ No L 94, 28. 4. 1970.
(2) OJ No L 36, 10. 2. 1972.
(3) OJ No L 155, 7. 6. 1989.
(4) OJ No L 144, 2. 6. 1981.
(5) OJ No L 171, 20. 6. 1989.

WRITTEN QUESTION No 863/90
by Mr Alonso Puerta (GUE)
to the Commission of the European Communities
(9 April 1990)
(90/C 325/41)

Subject: Construction of a special drainage system for certain types of effluent in the municipality of Corvera (Asturias — Spain)

As part of the programme of action for the treatment of industrial effluent a special drainage system is to be constructed in the municipality of Corvera (Asturias — Spain) for certain types of effluent. This project would be cofinanced by the Community.

The spokesman of the Asturias Environmental Agency is quoted by the press as saying that the effluent to be channelled through this drainage system as highly toxic and dangerous.

It is also possible that it will contain substances listed in Directive 78/319/EEC (1) in which case Member States are required under Articles 5 and 9 of the Directive to ensure that it is disposed of without endangering human health and without harming the environment, using authorized installations.

In addition, Directive 80/86/EEC (2) on the protection of groundwater against pollution by certain dangerous substances and Directive 85/337/EEC (3) requires Member States to carry out an environmental impact survey, taking particular account of the effects on groundwater.

1. Can the Commission ascertain from the Asturian authorities that Community legislation in respect of effluent containing toxic and dangerous waste is being properly implemented?
2. Can the Commission pass on all the information which it receives concerning this drainage system?

(1) OJ No L 84, 31. 3. 1978, p. 43.
(2) OJ No L 20, 26. 1. 1980, p. 43.
(3) OJ No L 175, 5. 7. 1985, p. 40.

Answer given by Mr Ripa di Meana
on behalf of the Commission
(9 August 1990)

The Commission has taken note of the matter raised by the Honourable Member and will ask the Spanish authorities to provide information on the application of Community directives in respect of the waste disposal facility at Corvera (Asturias).

It will pass on their comments to the Honourable Member.

WRITTEN QUESTION No 865/90
by Mr Carles-Alfred Gasòliba I Böhm (LDR)
to the Commission of the European Communities
(9 April 1990)
(90/C 325/42)

Subject: Life assurance contracts combining assurance on survival and assurance on death

Are the following considered to be insurance contracts within the meaning of Article 1 (1) of the first Council Directive of 5 March 1979 (79/267/EEC) (1): the operations in which two single premiums are paid together on entry into a contract with a company which undertakes to pay to a designated beneficiary:

1. In the case of survival of the insured person at the end of the term agreed (1, 2, 3, 6 or 10 years) deferred capital calculated in accordance with the type of insurance contract on the basis of recognized mortality tables and invariably combined with one of the contracts for assurance on death referred to under paragraph 2 below.
2. In the case of death of the insured person during the agreed term: Contract type A: (1) if the duration of the contract is one year a capital payment equal to the deferred capital, (2) if the duration of the contract is greater than one year, capital payments which vary annually depending on the premiums paid compounded at the end of each year at the agreed rate of interest.

   Contract type B: Option (a): variable monthly capital amounts determined by the corresponding mathematical reserves at the end of the previous month, Option (b): a capital payment equal to the premiums paid?

It should be noted that the policyholder is entitled to redemption from the month following the drawing up of the contract, the redemption being the daily linear

interpolation of the mathematical reserves calculated on a monthly basis.

(1) OJ No L 63, 13. 3. 1979, p. 63.

Answer given by Sir Leon Brittan on behalf of the Commission

(14 August 1990)

Under the First Council Directive 79/267/EEC on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of direct life assurance, the power to supervise and check insurance undertakings engaged in life assurance and to monitor the products which they intend to use was conferred on the competent authorities of the Member States (Articles 6 to 12 of the Directive). It is therefore for the supervisory authority of the competent Member State, pursuant to the Directive, to supervise the taking up and pursuit of the business of direct life assurance.

Similarly, on the basis of the division of powers laid down in this field by the Community legal system, it is also for the competent authorities of the Member States to check whether the products which authorized insurance undertakings intend to market constitute insurance activities or operations which such undertakings are permitted to carry on (Article 1 (1) and (2) of the Directive). The competent authorities of the Member States must also ensure that such products comply with the legal provisions applicable.

For the purposes of carrying out this task, Community law allows such authorities to require insurance undertakings to submit their general and special policy conditions, their insurance policies and their technical bases and the data needed to calculate premium rates and may even require the prior approval of such documents.

Under Community law as it stands at present, the Commission is not therefore competent to determine whether a particular product which an insurance undertaking intends to use may be deemed to be an insurance contract or not, since the Commission is not empowered to analyse the technical and contractual documentation on which the product is based.

In the context of the completion of the internal market in the insurance sector, the Commission is in favour of the free movement of all insurance products offered by insurance undertakings in the Member States. The Commission therefore intends, in the third Directive on direct insurance other than life assurance, which will be presented to the Council soon, to propose that policyholders be allowed to take out insurance policies authorized by the law of the Member State of the insurer, even if such policies are not marketed in the policy holder's home Member State, provided that such policies do not conflict with legal provisions protecting the general good in the Member State in which the risk to be covered is situated. The Commission also intends to propose the abolition of any prior approval of new insurance contracts.

WRITTEN QUESTION No 866/90

by Mr Ernest Glinne (S)

to the Commission of the European Communities

(9 April 1990)

(90/C 325/43)

Subject: Accession of the Community to the European Convention on Human Rights

In answer to my Written Question No 1792/88 (1) of 8 December 1988 the Commission refers to its memorandum of 10 April 1979 on the accession of the European Communities to the Convention for the Protection of Human Rights and Fundamental Freedoms, in which it stated that it was in favour of the accession desired by the Honourable Member. It reiterated its favourable stance in its communication to the European Parliament of 24 June 1989 on a People's Europe. In paragraph 410 of its Programme for 1990 the Commission announces that it will take action during the year with a view to the Community becoming a party to the Strasbourg Convention on Human Rights, thereby guaranteeing enhanced protection for citizens' rights in respect of Community acts in keeping with the principle of subsidiarity.

The Council has unofficially drawn attention to the following obstacles to accession:

1. Article 66 of the Convention as it stands precludes European Community accession to the Convention, making it necessary to renegotiate the procedures;
2. The role of the Court of Justice would be weakened and made more complicated and slower by the intervention of the institutions set up under the European Convention (Committee of Ministers and Court);
3. The scope of the European Convention is wider than the fundamental rights which the Community Institutions are required to respect in obscuring their powers under the Treaties: for example Article 3 on torture and Article 5 on the deprivation of liberty contained in the Convention exceed the field of competence of the Community, which has no policing powers.

Has the Commission already taken the measures it announced, in view of the possibility of invoking Article 235 and the need to promote a people's Europe within the framework of the Twelve, and the upheavals

which have taken place and continue to take place in Central and Eastern Europe, which regards the Community as a bastion of freedom?

(1) OJ No C 151, 19. 6. 1989, p. 36.

Answer given by Mr Delors on behalf of the Commission

(21 June 1990)

The Commission has not yet taken the action referred to in its programme.

It proposes to do so in the third quarter of 1990, when it will state its position on the obstacles which have been cited as standing in the way of accession, in particular those referred to by the Honourable Member. In so doing, it will update the guidelines set out in the memorandum of 1979 for adapting the 1950 Convention and its machinery for monitoring compliance with human rights to enable the Community to accede.

These adaptations could remove the obstacles referred to at points 1 and 3 of the question.

Accession would not weaken the Court of Justice of the European Communities or slow down its procedures. It would merely entail a review of the acts of the Community institutions by the Commission and the Court of Human Rights. The Constitutional and Supreme Courts of the Member States are subject to this process of review without their being weakened by it.

WRITTEN QUESTION No 900/90 by Mr Luigi Vertemati (S) to the Commission of the European Communities

(9 April 1990)

(90/C 325/44)

Subject: 'Clean products'

In its resolution of 19 June 1987 (1) on the waste disposal industry, the European Parliament called for the affective application of a Community label for 'clean products'.

Does not the Commission consider that a Community system to promote 'clean products', based on an assessment of their environmental impact during their entire life cycle, must be established as a matter of urgency and that such a system should be put into practice by drawing up lists of the uses of these products in order of priority?

(1) OJ No C 190, 20. 7. 1987, p. 154.

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

(27 June 1990)

The Commission is currently preparing a proposal for a Regulation on the setting up of a Community ecological labelling system. Its work takes account of the results of a feasibility study carried out in 1989. The study has been closely followed by a reference body made up of representatives of the groups concerned, i.e. the Union of Industries of the European Community (UNICE), the European Bureau of Consumers' Unions (BEUC) and the European Environmental Bureau (BEE).

The Commission will propose an integrated decentralized system operating at two levels:

— the Community level at which all uniform decisions (criteria, final selection of products, surveillance) are taken by a regulatory committee within the meaning of Article 2 of Council Decision 87/373/EEC of 13 July 1987 (1), and by a multipartite committee made up of all economic partners;

— the national level at which general management is carried out (submission of applications; notification to the Commission; preselection and recommendations; conclusion of contracts).

The Community criteria will be established by assessing the environmental impact of products during their entire life cycle, i.e. production, distribution, consumption and use as well as disposal after use.

(1) OJ No L 197, 18. 7. 1987, p. 33.

WRITTEN QUESTION No 923/90 by Mr Ernest Glinne (S) to the Commission of the European Communities

(17 April 1990)

(90/C 325/45)

Subject: Use of budget Article 636 to defend and promote the less common languages

In Belgium, budget Article 636 has been used to fund:

1. a symposium in Arlon on 17 and 18 January 1987 on the position in Belgium with regard to German and dialects thereof;

2. a symposium in Eupen on 26 and 27 March 1987 on the position in Belgium with regard to German and dialects thereof;

3. a conference in Butgenbach in October 1989 organized by the Further Training Institute for German-Speaking Communities.

In each instance, what amount was involved, what was the date on which payment was made from the Community budget, and what is the identity and amount contributed by the other cofinancing partners?

Answer given by Mrs Papandreou on behalf of the Commission

(20 June 1990)

Between 1986-1989 the Commission supported under budget line 636 for the safeguard and promotion of lesser used languages, several actions which took place in Belgium.

1. Action

Preparatory colloquium, held in Arlon on 17 and 18 January 1987 to prepare a general symposium on the situation of German as a minority language in five Member States (Belgium, Denmark, France, Italy, Luxembourg), gathering together delegates and experts from these Member States to exchange information.

Organizer: The Belgian Committee of the European Bureau for Lesser Used Languages.

Commission support: ECU 15 000 (or 77 % of the total cost) towards the organization of the colloquium.

Date of convention: 10 September 1986.

Other sources of revenue: Other national and regional Belgian authorities.

2. Action

Publication of the Report of the General Symposium on 'German as usual native or dialectal tongue in the countries of the European Community'. The general symposium was held in Eupen on 26-27 March 1987.

Organizer: The Belgian Committee of the European Bureau for Lesser Used Languages.

Commission support: ECU 6 150, to cover only printing and publication costs.

Date of convention: 17 December 1987.

Other sources of revenue: None for this part of the action.

3. Action

Conference, gathering young people from 20 European minorities, held at Bütgenbach in October 1989.

Organizer: IN ED — Institut pour la formation continue des Communautés linguistiques allemandes.

Commission support: ECU 11 500, 50 % of total cost.

Date of convention: 21 June 1989.

Other sources of revenue:

- Gemeinnützige Hermann Niermann Stiftung: Bfrs 1 900 000
- Deutschsprachige Gemeinschaft Belgiens: Bfrs 100 000
- Belgische Nationallotterie: Bfrs 50 000

WRITTEN QUESTION No 931/90
by Mr Paul Staes (V)
to the Commission of the European Communities
(17 April 1990)
(90/C 325/46)

Subject: Involvement with CEADS

The European Federation of Special Waste Industries (CEADS) was set up some time ago. One of the individuals involved with this body is Jean-Marie Junger (F), the Director in Commission DG XI responsible for waste management.

Since CEADS represents the crème de la crème of Europe's waste pedlars (some 100 strong), whose reputations has not always been of the most unblemished, I wonder whether the involvement of certain individuals is entirely right and proper.

How does the Commission view this, and can it say whether Mr Junger has ended up being involved on the instructions of the Commission as part of his duties?

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

(21 June 1990)

Mr Junger is an official of the European Communities, working for the Commission as Head of the Waste Management unit in DG XI. He is not involved in the activities of CEADS.

WRITTEN QUESTION No 942/90
by Mr Filippos Pierros (PPE)
to the Commission of the European Communities
(17 April 1990)
(90/C 325/47)

Subject: New uses for flax

The Commission has provided large subsidies (recently approximately ECU 5 million) to promote the use of flax

in the clothing sector. However, since this sector has now reached its limit for the absorption of flax and does not offer any further potential for the absorption of short fibres, does the Commission (DG VI) not consider that it should intensify its efforts to develop new uses of flax? What measures does it intend to take to develop new uses of flax in chemicals, plastics and raw material?

Answer given by Mr Mac Sharry on behalf of the Commission

(18 July 1990)

Community measures to encourage the use of flax include both promotional measures to encourage its use in traditional sectors such as clothing, furnishing and household linen and measures to find new outlets and improved products, in particular, to increase outlets for short fibres.

These measures have been taken under a programme presented to the Council by the Commission covering the 1987/88, 1988/89 and 1989/90 marketing years. It will run to the beginning of 1991.

The Commission intends to present a new multi-annual programme to the Council at the end of 1990. It will include information measures and measures to find new markets for flax.

Finally, the Council has granted ECU 37,50 per hectare for flax in the 1990/91 marketing year, which represents 10 % of all the aid granted for fibre flax during the year.

WRITTEN QUESTION No 953/90

by Mrs Raymonde Dury (S)

to the Commission of the European Communities

(25 April 1990)

(90/C 325/48)

Subject: Standardization of RDS route guidance by radio for cars

An efficient system of route guidance by radio reduces risks of traffic jams and resulting accidents. RDS (Radio Data System) and TMC (Traffic Message Channel) are automatic systems of route guidance by radio using an accessory equipped with a digital code to pick up traffic information from a central transmitter. This requires specialized equipment which, while not generally available today, is being more widely developed.

Will the Commission take the necessary measures to promote the standardization of the equipment and procedures so that this system can be easily used throughout the territory of the European Community?

Answer given by Mr Pandolfi on behalf of the Commission

(11 June 1990)

The Commission is aware of the value of route guidance systems in reducing risks of traffic jams and accidents and ensuring a more rational use of the road network. The Drive programme (Dedicated Road Infrastructure for Vehicle Safety in Europe) developed by the Commission has been designed to encourage research and development in this particular field, and its results should help speed up standardization.

One of the Drive projects is concerned specifically with the study of the transmission protocols of the RDS-TMC system (Radio Data System — Traffic Message Channel) for broadcasting information on the traffic situation. Although the system has limited transmission capacity (around 200 bits/second) it can provide a huge range of road services, from up-to-the-minute information on the traffic situation, accidents and the weather to tourist (hotels, restaurants, late-duty chemists, etc.) or cultural (exhibitions, etc.) information. The study involves close collaboration with the European Broadcasting Union and the European Conference of Ministers of Transport.

In addition, close attention is being given to the work of the CENELEC technical committee (TC 107) responsible for drawing up European standard EN 50 067, which defines the harmonized specifications of the basic system (RDS). The Commission intends to ask the European standardization bodies to draw up standards in this area taking account of the abovementioned research project and carry out any necessary further work on the harmonization of the RDS-TMC system reserved for road information and car route guidance. This initiative should facilitate the use of a harmonized system throughout the European Community and encourage its extension to the EFTA countries.

WRITTEN QUESTION No 978/90
by Mr Joaquin Siso Cruellas (PPE)
to the Commission of the European Communities
(25 April 1990)
(90/C 325/49)

Subject: Environmental impact of a projected plant for recycling aluminium salts in Alquife (Granada)

Plans exist in Spain for the construction of a plant for the recycling of aluminium salts near Alquife. It has been announced that this plant will receive a large amount of Community aid and that it is situated in an area covered by Objective No 1.

Since the Government of Andalucia is the regional administrative body which is competent to enforce or require the enforcement of Community environmental legislation and since an environmental impact survey of industrial projects must be carried out before Community investments are made, can the Commission say it has been informed of this project and, if so, whether the findings of the scientific and technical environmental impact study in respect of this plant for the recycling of aluminium salts are favourable or unfavourable?

Answer given by Mr Ripa di Meana on behalf of the Commission
(26 June 1990)

The Commission is not aware of the project referred to by the Honourable Member since it has not yet been submitted for ERDF financing as an individual project.

Moreover, according to information from the competent national authorities, Andalucia's work programmes, which might include this project, will be sent to the Commission only during the next few months.

Should this project be one of the operations proposed by the regional government of Andalucia, the Commission will not fail to see that Community law on environmental impact is complied with.

WRITTEN QUESTION No 1053/90
by Mrs Mary Banotti (PPE)
to the Commission of the European Communities
(10 May 1990)
(90/C 325/50)

Subject: Hare coursing

Following the Schmid report on blood sports (Doc. A 2-0356/88), has the Commission taken any measures to control enclosed live hare coursing in Ireland?

Answer given by Mr Ripa di Meana on behalf of the Commission
(28 June 1990)

As the Honourable Member will be aware, the Schmid report on possible legal action against events involving cruelty to animals was adopted by the European Parliament's Environment Committee. This report was passed to the Petitions Committee as the Environment Committee's opinion on a series of petitions, but the European Parliament has not yet adopted a definitive position on it. Accordingly, the Commission has not received any official document from the European Parliament on this matter.

Given this situation and in view of Article 130 R of the Single European Act, the Commission believes that the practice of hare-coursing, which is carried out at a very localized level in two Member States, is best regulated at the level of the Member States concerned.

WRITTEN QUESTION No 1063/90
by Mr Ernest Glinne (S)
to the Council of the European Communities
(10 March 1990)
(90/C 325/51)

Subject: Pension funds in the iron and steel industry

During the severe crisis in the iron and steel industry several of the Community's Member States adopted special social measures for the workers in this sector when they were given early retirement following restructuring measures.

In Belgium the metals section of the FGTB union organization has been advocating a novel statute for steelworkers since 1979.

It involves granting early retirement to steelworkers who have 30 years service in the sector and to workers aged over 50 who have at least 10 years service in the iron and steel industry.

Such voluntary retirements would be offset by hiring wholly unemployed workers who are in receipt of benefits, except in the case of restructuring measures recognized by the trade union organizations.

The replacement income would be financed by a state contribution, ECSC grants and an employers' contribution calculated on the salaries subject to social security deductions.

These various resources would be paid into a national fund managed on a joint basis and responsible for making payments to the beneficiaries.

Could such a proposal be considered as a model for similar provisions for the iron and steel workers of the twelve Member States of the Community, in the Framework of the European social area?

Would such a project not help to place all iron and steel undertakings under the same financial constraints, eliminate the disastrous effects of rationalization and develop job opportunities for young people?

What financing could the ECSC provide for this national fund, referred to in the proposed statute for iron and steel workers?

What are the current provisions of this type (early retirement with benefits) adopted by the Member States?

Answer given by Mrs Papandreou on behalf of the Commission

(21 June 1990)

As regards the proposal which has been made, which is connected with the planned 'statute for steelworkers', the Commission would point out that these matters have already been studied, in particular within the context of the Joint Committee on the harmonization of working conditions in the steel industry. It became apparent from those deliberations that no consensus could be reached and that the proposal had not gained the support of all the delegations.

At Member State level, the tendency is more towards the withdrawal of the special measures introduced during the previous period in order to 'normalize' the steel sector in relation to other industries.

As for the Commission, it has just harmonized the terms and arrangements for ECSC assistance in the matter of worker readaptation aids provided for in Article 56 (2) (b) of the Treaty of Paris, the article which remains the legal basis for such assistance. Thus, aid for early retirement measures is granted only in so far as the workers concerned lose the job they held in an ECSC activity as a result of permanent measures for the cessation, reduction or change of activity, and the Member State makes a contribution which is at least equivalent to the amount granted by the ECSC. The amount of aid is henceforth subject to common ceilings, which are defined in the bilateral agreements.

These rules apply in all the Member States, whatever their internal systems of organization.

It would therefore in my view be appropriate for the deliberations on this matter to take account of this new framework.

WRITTEN QUESTION No 1084/90
by Mrs Winifred Ewing (ARC)
to the Commission of the European Communities

(10 May 1990)

(90/C 325/52)

Subject: Community aid for nuclear industry job loss areas

Having noted the Commission's recently announced RECHAR initiative to assist with the economic conversion of areas affected by the loss of mining jobs, will the Commission commit itself to the development of a similar programme to assist those areas affected by nuclear industry job losses, given the fact that as many as 50 nuclear power plants are to be shut down by the year 2000?

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

(21 June 1990)

The Commission does not share the view of the Honourable Member that nearly 50 nuclear power plants will be shut down by the year 2000.

What is more, when certain power stations do come to the end of their useful technical and economic life, they will be replaced by new nuclear or conventional power plants, which will absorb the qualified staff released by the shutting down of the old plants.

WRITTEN QUESTION No 1091/90
by Mr Jean-Pierre Raffarin (LDR)
to the Commission of the European Communities

(10 May 1990)

(90/C 325/53)

Subject: Homeopathic products

The Commission has submitted to the Council proposals for directives to guarantee the safe use of homeopathic products for human and veterinary medicine.

Does the Commission also intend to submit proposals for directives on measures to ascertain the effectiveness of such products?

Answer given by Mr Bangemann on behalf of the Commission

(21 June 1990)

In the proposals it forwarded to the Council and Parliament on homeopathic medicinal products [1], the Commission sought to avoid being drawn into the debate between supporters and opponents of the effectiveness of homeopathy. The eighth enacting term of the two proposals refers to the methodological problems which would arise in seeking to apply the clinical tests devised for conventional medicines to homeopathic products.

The proposals are designed first and foremost to protect the consumer as regards the quality and safety of these remedies, which are distinguished from other medicines by their different labelling.

As regards their therapeutic effect, the proposals provide for two separate procedures:

— under Article 7, a simplified procedure which requires no proof of therapeutic effect for certain products which are safe and are marketed without any specific therapeutic indication;

— under Article 9, proof of therapeutic effect is required for other homeopathic medicinal products, in particular those marketed as being effective against specific complaints.

[1] OJ No C 108, 1. 5. 1990, p. 10.

WRITTEN QUESTION No 1107/90
by Mr James Ford (S)
to the Commission of the European Communities
(14 May 1990)
(90/C 325/54)

Subject: Portable pension rights

In the run-up to 1992, has the Commission made provision to make migrant workers' pension contributions transferable and portable throughout their career? If not yet, will this be dealt with under the Single Act? If provision has already been made, would the Commission kindly advise upon the situation of the constituent in the enclosed correspondence?

Answer given by Mrs Papandreou on behalf of the Commission

(20 July 1990)

Basic state pension benefits were made portable many years ago in order to ensure the free movement of workers within the Community. According to Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 [1] however, only the transfer of the entitlement to social security benefit is possible, not the transfer of the accumulated social security contributions.

These regulations which coordinate the various social security systems of the Member States do not apply to occupational pension plans. The Commission fears that this lack of coordination may constitute an obstacle to the freedom of movement of persons and is currently studying the problem. In its action programme relating to the implementation of the Community Charter of Basic Social Rights for Workers the Commission has therefore announced its intention to submit a communication on this matter to the Council in order to stimulate a political debate.

This, however, does not apply to persons who are seeking the transfer of their contributions paid to a state pension scheme which is covered by Regulations (EEC) No 1408/71 and (EEC) No 574/72. These persons will be able to apply for a pension from each of the state pension schemes they contributed to during their careers at the moment when they reach the prescribed retirement age for a given state pension scheme.

This procedure has been working for many years and for a large number of migrant workers and it provides better safeguards against an erosion of the real value of an individual's contributions than a transfer into most private pension plans.

Such transfers would also be incompatible with the fact that state pension schemes are financed on a pay-as-you-go basis which means that contributions are not invested on behalf of an insured person until her or his retirement but that they are used to pay the pensions of current pensioners. The pensions of those who currently pay contributions to a pension scheme will be financed by a future generation of workers.

[1] OJ No L 230, 22. 8. 1983, as last amended by Regulation (EEC) No 3811/86 (OJ No L 355, 16. 5. 1986).

WRITTEN QUESTION No 1116/90
by Mr Proinsias De Rossa (CG)
to the Commission of the European Communities
(14 May 1990)
(90/C 325/55)

Subject: Nuclear safety inspectorate

Will the Commission state whether it favours the establishment of a transnational EC nuclear inspectorate with powers to inspect nuclear power stations and reprocessing plants in Member States to ensure compliance with European safety standards, what studies have been carried out on the feasibility of such a proposal, what timescale is envisaged for its implementation, which,

if any, governments of Member States have submitted proposals in this area, whether proposals or discussions have taken place or are envisaged with European countries outside the EC, which ones, and the response, if any from these States?

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

(9 August 1990)

On 20 December 1989, the Commission decided, under Article 35 of the Euratom Treaty, to restart inspections of installations in order to monitor the levels of radioactivity in the environment and verify the extent to which the basic standards are being respected (Directive 80/836/Euratom) [1]. In principle inspections will extend to any installations emitting radioactive effluents, but they will apply above all to nuclear power stations and retreatment plants.

These inspections will enable the Commission to know whether the basic standards are being uniformly applied in the Member States and will work in favour of their application being harmonized without requiring any change in the primary responsibility of the national authorities to ensure that the basic standards are being respected.

The Commission is currently holding a series of bilateral meetings with these Member States which have nuclear installations with a view to establishing the details for the organization of the inspections. The Commission envisages commencing the inspections before the end of the year.

Although the Commission decision is concerned solely with the Member States of the Community, who alone can be signatories of the Euratom Treaty, certain third countries, including Czechoslovakia, have shown an interest in this kind of monitoring. The Commission is currently examining how it might be possible to make the knowledge it has in the field of nuclear safety available to any third country that might request it.

[1] OJ No L 246, 17. 9. 1980, p. 1.

WRITTEN QUESTION No 1124/90

by Mr Thomas Maher (LDR)

to the Commission of the European Communities

(14 May 1990)

(90/C 325/56)

Subject: Statistics on net employment and net emigration and net migration

Recently the Commission stated that 8,5 million jobs had been created in the Community since 1984. In isolation, this figure does not reveal the full truth of the position. Could the Commission say what the position is in terms of jobs created and jobs lost for this period?

Furthermore, what is the figure for the net emigration of people, of a working age, from the Community and the net migration figure, for the same category of people, between Member States — over the same period?

Answer given by Mr Christophersen on behalf of the Commission

(29 June 1990)

The statistics compiled by the Community can provide reliable estimates of employment and population levels and of changes in these levels.

However, it is impossible in practice to monitor all individual movements, and this for various reasons — methodological (treatment of regrading of jobs), budgetary (cost of surveys) and legal (law on privacy).

Nevertheless, the Community labour force survey provides with a one-year time lag certain particulars on changes in people's employment situation.

The replies of those questioned in the Community (with the exception of Italy, where the question is not included) indicate the following annual changes:

(in millions)

	Spring 1986/87	Spring 1987/88
Those losing their job	6,09	6,15
Those finding their job	7,75	8,96
Those retaining their job	125,9	128,4
Net increase	1,66	2,81

These results are based on retrospective questions of limited reliability and do not record changes in the course of the period surveyed. They simply compare the situation at the beginning of the period with that at the end of the period.

Since Spain and Portugal began carrying out the Community labour force survey, only as of 1986, the above analysis cannot be made for the periods 1985/86 and 1984/85. For the period 1988/89, it can be made only once the questionnaires have been returned to the Statistical Office of the European Communities by all the national statistical institutes.

The survey, which covers the entire Community, does not provide any information on emigration from the Community. Furthermore, data on immigration from non-member countries and migration within the Community are systematically underestimated for technical reasons.

The two components (immigration and emigration) of the net position regarding migration cannot at present be identified in all Member States or broken down by age category. The net position for the Community is as follows:

(in thousands)

Period	Net position regarding migration
1983/84	+ 38
1984/85	+299
1985/86	+312
1986/87	+326
1987/88	+555

WRITTEN QUESTION No 1210/90
by Mr François-Xavier de Donnea (LDR)
to the Commission of the European Communities
(22 May 1990)
(90/C 325/57)

Subject: Maximum levels for exposure to radon

In February 1990 the Commission adopted a recommendation on protection from exposure to radon in buildings.

1. What provision has the Commission made to obtain full information from the Member States on their implementation of the recommendation?

2. In what circumstances, by what means and according to what timetable, does the Commission envisage reviewing its text to turn it into a directive?

3. Why did the Commission decide to submit a recommendation, rather than a proposal for a directive?

Answer given by Mr Ripa di Meana
on behalf of the Commission
(21 June 1990)

On 21 February 1990 the Commission adopted a recommendation on the protection of the public against indoor exposure to radon ([1]). The nature of the problem, the possible implications of the results of current scientific research into certain aspects of the problem and the lack of initiatives at national level, except in one Member State, led the Commission to consider a recommendation more appropriate than a directive for the time being.

Later this year the Commission will be bringing together representatives of the competent authorities of the Member States so as to gather information on the current implementation of the recommendation and on the action planned by the various Member States.

The Commission will continue to encourage scientific research in this field, particularly through four important multinational projects under the Radiation Protection Programme 1990-1991, and will follow national initiatives closely. On the basis of the information and experience it acquires, the Commission will re-examine the text of the recommendation, the provisions of which could be included in the directive on basic safety standards (Directive 80/836/Euratom) for the health protection of the general public and workers against the dangers of ionizing radiation ([2]) when next revised.

([1]) OJ No L 80, 27. 3. 1990, p. 26.
([2]) OJ No L 246, 17. 9. 1980, p. 1.

WRITTEN QUESTION No 1216/90
by Mr François-Xavier de Donnea (LDR)
to the Commission of the European Communities
(22 May 1990)
(90/C 325/58)

Subject: Creation of an EEC/India Business Council

On 6 March 1990, on the occasion of a visit to Brussels by the Indian Foreign Minister, Mr Matutes proposed the creation of an EEC/Indian Business Council.

1. How does the Commission intend to go about this?

2. Has the Commission already consulted industrial interests on this subject?

3. Has the Commission already carried out a feasibility study, particularly as regards legal aspects?

Answer given by Mr Matutes
on behalf of the Commission
(30 July 1990)

The EC-India Joint Commission, which took place in Brussels on 30-31 May 1990, examined further the idea of establishing a Business Forum (not 'Council').

The proposal is for a Business Forum meeting twice a year involving representatives of Indian Ministries and officials dealing with finance, commerce and industry, the Commission of the European Communities, National Chambers of Commerce, and leading business associations and industry.

The objective is to have an *informal* forum which discusses and reflects on business cooperation matters in the form of exchange of information, ongoing trends, broad strategy and policy questions.

In following up the subject, the Commission is in contact with the Government of India, Member States and the business community. No studies are envisaged at this stage.

WRITTEN QUESTION No 1249/90
by Mr José Valverde Lopez (PPE)
to the Commission of the European Communities
(22 May 1990)
(90/C 325/59)

Subject: Programme for the recycling of saline sludge produced by aluminium refining plants

In the context of the Community's environmental action programme approval was given for a project for the recycling of saline sludge produced by the rotary kilns in aluminium refining plants, to be carried out by the firm 'Andaluza de recuperación de sales SA'(Almería), which received financial aid totalling ECU 755 375. Can the Commission say what the capacity of the plant is and what volume of sludge is to be treated, or whether it is merely a pilot project? Can the Commission also say whether, when aid was granted, it had access to a study on the environmental impact of the plant and reports on the effects on the health of workers of the residues produced, including alumina and its contribution to causing 'Shaver's disease'?

Answer given by Mr Ripa di Meana
on behalf of the Commission
(20 September 1990)

The size of the projected installation, as stated in the proposal, will permit the treatment of 100 000 tonnes of slag per year.

In order to apply for financial support for demonstration projects within the ACE programme (actions by the Community relating to the environment) it is not required to include in the proposal any type of report on environmental impact assessment or on the measures to be taken in order to protect the health of the workers in the industrial installations, as the demand for these requirements falls within the responsibility of the competent authorities in Member States at the time of licensing an industrial installation. The ACE programme focuses on the development of technologies, as in this case for the recycling of waste.

WRITTEN QUESTION No 1292/90
by Mrs Johanna-Christina Grund (DR)
to the Commission of the European Communities
(22 May 1990)
(90/C 325/60)

Subject: Discharge of waste substances into the Elbe

According to information supplied by Greenpeace, Germed — a company manufacturing pharmaceuticals near Dresden in the GDR — has been discharging carcinogenic substances into the Elbe for decades.

1. Does the Commission now have information on the full extent of the scandalous discharge of harmful substances by Germed, and can it furnish the European Parliament with details of the risk from these substances to the people living along the river as far as its estuary?

2. Is the Commission aware that several thousand employees of Germed are at present technically unemployed because it has had to cease production?

3. Can Germed apply to the Commission for specific financial aid (funds for the GDR under the PHARE and BERD programmes) to improve its inadequately functioning waste water plant?

4. How soon could such funds be supplied to Germed to bring its waste water plant in line with statutory EC standards?

5. Can the Commission state precisely what procedure Germed has to follow, as an example to other enterprises in the GDR engaged in similar activities?

Answer given by Mr Ripa di Meana
on behalf of the Commission
(6 August 1990)

1 and 2. The Commission has not been informed of the discharge of carcinogenic substances into the Elbe by the company Germed, nor that it has ceased production.

3 and 5. Any application for Community aid should be submitted by the Government of the Federal Republic of Germany, not by the company itself. Germed should therefore take the appropriate action at national level.

As regards the EBRD, applications for aid may be submitted directly by the company concerned. This new bank, which will become operational during the first half of 1991, will be taking steps to ensure that the projects it supports are environmentally sound.

4. The Commission does not have the relevant information and is therefore unable to answer this point.

WRITTEN QUESTION No 1336/90
by Mr Alonso Puerta (GUE)
to the Commission of the European Communities
(11 June 1990)
(90/C 325/61)

Subject: Radiation at the Energy, Environment and Technology Research Centre (Madrid — Spain)

Any activity involving danger from ionizing radiation is subject in the Community sphere to the provisions of Council Directive 80/836/Euratom ([1]), which lays down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation.

In this connection, the situation which has developed at the Energy, Environment and Technology Research Centre, which has now been widely leaked to the public, is sufficiently serious for the EC Commission to make urgent representations to the Spanish authorities.

Given the magnitude of the allegations, there are grounds for supposing that application of the measures to protect workers at the research centre is seriously deficient.

1. What approaches does the Commission intend to make to the Spanish authorities to ensure correct compliance with Directive 80/836/Euratom at this research centre?

2. What urgent steps will the Commission take to safeguard the workers at the Research Centre whose health, together with that of their descendants is seriously threatened?

([1]) OJ No L 246, 17. 9. 1980, p. 1.

Answer given by Mr Ripa di Meana
on behalf of the Commission
(13 September 1990)

In its capacity as guardian of the Treaties, the Commission has ascertained that Spanish law on health protection against ionizing radiation complies in large measure with Council Directive 80/836/Euratom of 15 July 1980. Some minor divergences do still exist, however, and this has prompted the Commission to initiate an infringement procedure. For further information on this matter, the Honourable Member should refer to the answer given by the Commission to his Written Question No 1430/90 ([1]).

From the information received by the Commission from the Consejo de Seguridad Nuclear, the competent authority for ensuring that CIEMAT complies with the radiation protection standards, it emerges that the workers' safety is constantly monitored by the Consejo by means of inspections, evaluations and technical meetings.

After an industrial accident which occurred at CIEMAT on 9 April 1990 in which the annual dose limit for a worker exposed to ionizing radiation was exceeded, the Consejo studied the circumstances of the accident and took measures to limit its consequences in accordance with the requirements laid down in Directive 80/836/Euratom.

This being the case, the Commission is in no doubt that the Spanish authorities have taken and will continue to take all necessary measures to ensure that monitoring is properly conducted in the establishments for which they are responsible.

([1]) See page 37 of this Official Journal.

WRITTEN QUESTION No 1350/90
by Mr Llewellyn Smith (S)
to the Commission of the European Communities
(11 June 1990)
(90/C 325/62)

Subject: Euratom safeguards report — paragraph 27

Regarding paragraph 27 of the report on the operation of Euratom safeguards (SEC(90) 452 final), what instances have there been since (i) the founding of the European Atomic Energy Community in 1957 and (ii) since the implementation of Regulation No 3227/76 ([1]) of anomalies or infractions of the safeguards commitments being reported to the Commission, and will the Commission please set out full details of these?

([1]) OJ No L 363, 31. 12. 1976, p. 1.

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

(23 July 1990)

The Commission would refer the Honourable Member to its answer to Written Question No 1633/85 by Mr Ford [1] and to the 'Plumbat affair'.

[1] OJ No C 62, 17. 3. 1986.

WRITTEN QUESTION No 1352/90
by Mr Llewellyn Smith (S)
to the Commission of the European Communities

(11 June 1990)

(90/C 325/63)

Subject: Euratom safeguards report — plutonium-contaminated material

Regarding paragraphs 53-58 of the report on the operation of Euratom safeguards (SEC(90) 452 final), what account has been taken in developing the safeguards accountancy system of the reliability of accounting for plutonium contained in plutonium contaminated waste material (PCM)?

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

(23 July 1990)

Pursuant to Article 79 of the Euratom Treaty and to relevant provisions in Regulation No 3227/76, the Commission sees no need to develop a further system of safeguards accountancy for plutonium contaminated waste material.

WRITTEN QUESTION No 1388/90
by Mr Jean-Claude Pasty (RDE)
to the Commission of the European Communities

(13 June 1990)

(90/C 325/64)

Subject: Proposal for a Council regulation on the marketing of game meat (COM(89) 496 final)

There has recently been a trend towards the breeding of game, in particular deer and boar, for the purpose of marketing game meat in the Community.

This is an interesting diversification of agricultural activities and a means of combating surplus production.

However, the proposal for a regulation contained in COM(89) 496 final, which seeks to harmonize conditions for the marketing of game meat, is likely to hamper the development of these breeding activities. In order to avoid finding themselves relegated to a kind of ghetto, those engaged in the breeding of game request that the flesh of game bred in captivity be classified ad 'meat' under Directive 64/433/EEC [1] as subsequently amended.

A priori, there does not appear to be any reason for game reared subject to stringent quality controls not to be slaughtered and the carcasses cut and stored in the same way as traditional livestock, independently of the availability of local slaughtering facilities specified by the proposal.

What are the Commission's views on this matter and, if necessary, will it submit an amendment to its proposal to take account of recent trends towards the breeding of game, this being a development which should be encouraged?

[1] OJ No 121, 29. 7. 1964, p. 2012/64.

Answer given by Mr Mac Sharry on behalf of the Commission

(25 July 1990)

The proposal for a Council Regulation concerning game meat and rabbit meat (COM(89) 469 final) [1] extends to farmed game from big mammals like deer or wild boars the same conditions required for fresh meat according to Directive 64/433/EEC on health problems affecting intra Community trade in fresh meat.

Derogations are envisaged for personal consumption, small trade and shooting in the place of origin of farmed game.

[1] OJ No C 327, 30. 12. 1989, p. 40.

WRITTEN QUESTION No 1403/90
by Mrs Christine Oddy (S)
to the Commission of the European Communities

(13 June 1990)

(90/C 325/65)

Subject: Right to strike in the European Community

When will the Commission introduce legislative proposals to establish a Community-wide right to strike which

ensures that strikers will not be dismissed, victimized or penalized for striking?

Answer given by Mrs Papandreou on behalf of the Commission

(25 June 1990)

The Commission's action programme relating to the implementation of the Community Charter of Social Rights for Workers does not foresee any legislative measures on the approximation of the laws of the Member States concerning the right to strike.

WRITTEN QUESTION No 1430/90

by Mr Alonso Puerta (GUE)

to the Commission of the European Communities

(13 June 1990)

(90/C 325/66)

Subject: The application of Directive 80/336/EEC in Spain

In connection with my Written Question No 1336/90 on radiation at the Energy, Environment and Technology Research Centre (Madrid, Spain) I should like the following information.

In the sixth report on the application of Community law it emerges that the Spanish Government is not correctly applying Directive 80/836/EEC concerning health protection for workers against ionizing radiation. On 31 December 1988 the Commission sent the Spanish authorities a letter (A484/88) initiating infringement proceedings pursuant to Article 169 of the EEC Treaty.

1. Can the Commission say whether this case has been closed?
2. If not, can it say what stage has been reached in the proceedings?

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

(1 August 1990)

As part of the infringement procedure to which the Honourable Member refers the Commission contacted the Spanish authorities. In view of their reply, it decided to pursue the case.

WRITTEN QUESTION No 1449/90

by Mr Ian White (S)

to the Commission of the European Communities

(13 June 1990)

(90/C 325/67)

Subject: Cosmetics testing on animals

Will the Commission please state the scientific basis for the proposed compulsory testing of cosmetics on animals and whether such compulsory testing is applied at the present time in any EEC Member State.

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

(17 July 1990)

The Commission would refer the Honourable Member to its answer to Written Question No 609/90 by Mr Bryan Cassidy (1).

(1) OJ No C 266, 22. 10. 1990, p. 37.

WRITTEN QUESTION No 1522/90

by Mr Gordon Adam (S)

to the Commission of the European Communities

(21 June 1990)

(90/C 325/68)

Subject: Formaldehyde emissions

In the UK no regulations presently exist to cover the production of formaldehyde resin though emissions from this product are known to contain dioxins and furans. In the FRG, regulations covering this product do exist and there are plans to strengthen them by 1992.

According to information received from the European Commission, under EC definitions formaldehyde is a category 3 'carcinogenic substance' and as such is not covered by any EC Regulation on production. Could the European Commission confirm this in writing and explain in further detail the reason for the lack of emission controls on formaldehyde? Could the Commission also provide information on the control of formaldehyde in EC Member States, Austria and Sweden? Finally, will the Commission consider any changes to the present lack of controls to ensure that workers in a production plant and those living near a production plant are free from risks to their health?

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

(27 July 1990)

The Commission confirms that formaldehyde has been classified and labelled as a category 3 carcinogen in Council Directive 87/432/EEC of 3 August 1987 (1) on the eighth adaptation to technical progress of Directive 67/548/EEC (2). Carcinogens of category 3 are substances which cause concern for man owing to possible carcinogenic effects but in respect of which the available information is not adequate for making a satisfactory assessment. There is some evidence from appropriate animal studies, but this is insufficient to place the substance in category 2.

The main sources of formaldehyde emissions into the air are industrial processes using formaldehyde as a raw material and the use of products containing formaldehyde. Both of these sources cause primarily and mainly indoor air pollution, which may pose a risk to workers and consumers. As an outdoor air pollutant, formaldehyde plays a role as volatile organic compound (VOC) and undergoes relatively quick degradation by oxidation.

On 12 June 1989, the Council adopted Directive 89/391/EEC (3) on the introduction of measures to encourage improvements in the safety and health of workers at work. It contains a general strategy for the protection of health and safety at work in all sectors of activity and is based on the principles of primary prevention or protection at source.

Furthermore, in the framework of Council Directive 80/1107/EEC (4) amended by the Council Directive 88/642/EEC (5), the Commission is actually working on the establishment of limit values for occupational exposure. Future work may also include limit values for occupational exposure to formaldehyde.

(1) OJ No L 239, 21. 8. 1987, p. 1.
(2) OJ No L 196, 16. 8. 1967, p. 1.
(3) OJ No L 183, 29. 6. 1989, p. 1.
(4) OJ No L 327, 3. 12. 1980, p. 8.
(5) OJ No L 356, 24. 12. 1988, p. 74.

WRITTEN QUESTION No 1553/90

by Mrs Christine Crawley (S)

to the Commission of the European Communities

(27 June 1990)

(90/C 325/69)

Subject: Centralized information to reduce animal tests

Is the Commission aware of any centralized data bank of test information that could be used to reduce tests on animals, by reducing, for instance, duplication? If such a bank does not exist, would the Commission support the setting up of one? — and in what ways?

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

(1 August 1990)

There are several commercial data bases containing toxicological information for industrial chemicals, pesticides, drugs, etc., which can be used to avoid duplication of testing on live animals.

Some of the most important are:

1. MEDICINE (medical literature on line) which contains human, dental and veterinary data, both clinical and experimental;

2. TDB (Toxicology Data Bank) which contains toxicological and pharmacological data;

3. TOXLINE (Toxicology information on line) containing international documentation of toxicology, etc.

The Commission itself has set up a central data bank, ECDIN (Environmental Chemicals Data and Information Network) which contains relevant information on about 60 000 chemical substances which are produced in significant quantities.

All these data banks, together with many others, are easily accessible through Euronet, the European Telecommunication Network.

WRITTEN QUESTION No 1583/90

by Mr Madron Seligman (ED)

to the Commission of the European Communities

(27 June 1990)

(90/C 325/70)

Subject: Cost to local authorities of implementing directives

Many Community Directives need to be implemented and enforced at local government level at considerable cost. Does the Commission make an estimate of the cost of such implementation and enforcement and in-

form all those institutions which are involved in the legislative process?

By way of example, the Trading Standards Department of the West Sussex County Council assesses the additional cost of complying with Community-inspired legislation on Food Safety at £150 000 for West Sussex alone.

These costs assume particular importance when it is realized that they are inevitably passed on to the consumer in higher prices and/or higher taxes.

Answer given by Mr Bangemann on behalf of the Commission

(27 July 1990)

The implementation and enforcement of food law is the responsibility of the Member States, who participate in its adoption and are able to assess the costs of enforcement in the extensive consultations and negotiations preceding the various legal acts.

The Commission does not therefore make assessments of enforcement costs but draws the attention of the Honourable Member to the fact that its policy on food law [1] limits Community food law to essential matters, namely to protect public health and to provide consumers with information and protection in matters other than health, to ensure fair trading and to provide for the necessary controls. The costs involved in enforcement are therefore only those necessary to achieve essential objectives of public policy and the simplification and unification of food law will considerably ease the task of a controller currently faced with checking conformity with 12 national legislations.

Pursuant to its commitments in the control directive [2], the Commission is undertaking a programme of work which will considerably help the carrying out and coordination of public controls. In respect of the extra cost of £150 000 quoted by the Honourable Member as estimated by West Sussex County Council, on 23 November 1989, the Minister of Agriculture, Fisheries and Food of the United Kingdom said in relation to the enforcement of the new Food Act that, '... an additional £30 million a year would be taken into account in next year's Revenue Support Grant Settlement to local authorities...'. If this sum is allocated on a pro-rata population basis the share of West Sussex would amply cover the extra cost indicated by the Honourable Member.

(1) COM(85) 603 final.
(2) OJ No L 186, 30. 6. 1989, p. 23.

WRITTEN QUESTION No 1589/90

by Mr Gérard Deprez (PPE)

to the Commission of the European Communities

(2 July 1990)

(90/C 325/71)

Subject: Assessment of the economic and social impact of German unification on the internal market

Can the Commission give an assessment of the economic and social impact of German unification on the Community internal market (effects on institutional development, competition policy, Community budget costs and freedom of movement for workers and others...)?

Answer given by Mr Delors on behalf of the Commission

(5 October 1990)

The Commission would refer the Honourable Member to its communication on 'The Community and German unification', Volume III: Financial aspects [1].

(1) COM(90) 400.

WRITTEN QUESTION No 1633/90

by Mr Giuseppe Mottola (PPE)

to the Commission of the European Communities

(2 July 1990)

(90/C 325/72)

Subject: Water quality in Naples

For some time the inhabitants of Naples and many adjoining municipalities (Italy) have been confronted with the problem of drinking water of extremely poor quality.

In addition, the water supply programme provides for water to be gathered in areas which fail to offer adequate standards of health and hygiene to comply with the quality objectives embodied in Community law.

1. Are the following directives properly implemented in Naples:

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

   (b) 80/778/EEC [2] relating to the quality of water intended for human consumption;

(c) 79/869/EEC ([3]) concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States?

2. Does the mains water used to supply Naples comply with Community legislation on the quality of water?

3. Can the Commission ascertain who is responsible and initiate proceedings against them before the Court of Justice?

([1]) OJ No L 194, 25. 7. 1975, p. 34.
([2]) OJ No L 229, 30. 8. 1980, p. 11.
([3]) OJ No L 271 29. 10. 1979, p. 44.

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

(8 August 1990)

The Commission has received no information from the Italian authorities on the quality of surface or drinking water in the Naples area.

In the light of the complaint made by the Honourable Member regarding the poor quality of such water, the Commission shall enquire into the state of compliance with Directive 75/440/EEC, 79/869/EEC and 80/778/EEC in that area.

The Commission has registered the facts referred by the Honourable Member as an official complaint.

WRITTEN QUESTION No 1672/90

by Mrs Christine Oddy (S)

to the Commission of the European Communities

(4 July 1990)

(90/C 325/73)

Subject: Synroc

What steps is the Commission of the European Communities taking to encourage the nuclear industry to utilize synroc to dispose of nuclear waste?

Answer given by Mr Pandolfi on behalf of the Commission

(25 September 1990)

Techniques used for the conditioning of radioactive waste must suit the type of waste and the site selected for disposal. The role of the Commission in this area does not include intervening in the market to recommend the employment of particular techniques, such as that using SYNROC.

As part of its RDT programme on the 'Management and storage of radioactive waste', the Commission is attempting to characterize conditioned nuclear waste with a view to determining the essential requirements for safe disposal.

The results of this work are regularly circulated to all Community bodies responsible for this area.

WRITTEN QUESTION No 1682/90

by Mrs Guadalupe Ruiz-Gimenz Aguilar (LDR)

to the Commission of the European Communities

(4 July 1990)

(90/C 325/74)

Subject: Exportation of toxic waste to the Third World

Can the Commission say what steps it has taken to prevent toxic waste produced in Member States of the European Community from being exported to certain countries in the Third World?

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

(27 September 1990)

Under the terms of Directive 84/631/EEC, as amended by Directive 86/279/EEC, hazardous waste may not be exported to non-member countries until the competent authorities of the exporting Member State have acknowledged receipt of notification.

An acknowledgement of receipt may be issued only if certain conditions are fulfilled, including the requirement to provide proof of the existence of a contractual agreement with the consignee of the waste, who must possess adequate facilities for its disposal. The holder of the waste must also have the agreement of the non-member country of destination.

The Commission will be placing before the Council a proposal for a regulation to replace Directive 84/631/EEC and the amendments thereto, which will lay down common rules governing all movements of waste within the Community and from the Community to non-member countries.

The draft regulation prohibits all exports of waste from the Community to ACP countries, as provided for in the fourth Lomé Convention. Where other non-member countries are concerned, the regulation incorporates the provisions of the Basel Convention on wastes.

WRITTEN QUESTION No 1699/90
by Mr Bouke Beumer (PPE)
to the Commission of the European Communities
(5 July 1990)
(90/C 325/75)

Subject: Export of sal-ammoniac pastilles

1. Is the Commission aware that sal-ammoniac pastilles produced in Denmark and the Netherlands, which has an ammonium chloride content of between 6 and 8 %, may not be sold in the Federal Republic of Germany apart from in Schleswig-Holstein?

2. Is the Commission aware that this ban in based on the German Flavouring Ordinance, which stipulates that no more than 2 % in ammonium chloride may be added to liquorice?

3. Does not the Commission take the view that this ordinance puts up major trade barriers and is hampering free trade?

4. Does not the Federal Republic of Germany's ban on imports of sal-ammoniac pastilles with an ammonium chloride content of between 6 and 8 % come under the category of 'measures having equivalent effect' to quantitative restrictions (Article 30 of the EEC Treaty) within the meaning of the Court of Justice judgment in the 'Cassis de Dijon' case (Case 120/78)?

5. What action does the Commission propose to take in this regard?

Answer given by Mr Bangemann on behalf of the Commission
(14 August 1990)

1 and 2. Yes, the Commission has been informed that liquorice produced in Denmark and the Netherlands with an ammonium chloride content of 6 to 8 % may not be sold throughout the Federal Republic of Germany to the German Aroma-Verordnung which lays down an ammonium chloride content of 2 % for liquorice. It seems that by application of the general principles of the free movement of goods as laid down by the European Court of Justice in the judgment 'Cassis de Dijon' (explained in the Commission's communication about the conclusion of the judgment 'Cassis du Dijon' ([1])), Schleswig-Holstein allows the importation of liquorice with a higher content of ammonium chloride.

3 and 4. The Commission will examine the German regulation in the context of Articles 30 to 36 of the EEC Treaty (free trade of goods) with special regard to the protection of health.

5. Having completed this examination, the Commission will consider what steps might be necessary and implement them. The Commission will keep the Honourable Member informed.

([1]) OJ No C 256, 3. 10. 1980.

WRITTEN QUESTION No 1731/90
by Mr Herman Verbeek (V)
to the Commission of the European Communities
(5 July 1990)
(90/C 325/76)

Subject: Community aid for Philips

1. Did the Commission note reports in the Dutch press on 8 June 1990 that Philips, in its annual report for 1989, has concealed losses by failing to make reference to hundreds of millions of guilders in government subsidies that the company is supposed to have been granted *inter alia* under Eureka, Jessi and the 1 Megabit-Project?

2. Can the Commission say whether and, if so, in what form companies are required to make reference to or justify, in annual reports, financial aid from the Community? In this connection does the Commission believe that a provision should be drawn up to require explicit reference to be made in annual reports to Community aid?

3. Does the Commission propose to urge Philips to give a prompt, full and frank account of the Community aid it received in 1989 as part of Community innovation-related projects?

4. Can the Commission give an assurance that, in future, it will be more vigorous in ensuring that firms do not make improper use of Community aid by giving the public misleading information on their financial position?

Answer given by Mr Pandolfi on behalf of the Commission
(27 September 1990)

It is not for the Commission to comment on companies' results. The Commission too learned from the press that Philips' results for 1989 were not as good as might have been expected. It would point out, however, that the Eureka, Jessi and Mega-Chips projects referred to by the Honourable Member are not Community but inter-governmental projects, though the Community is involved to some extent in the first two.

There are currently no provisions in the accounting Directives ([1]) requiring companies to make specific reference in their accounts to financial aid granted by

public authorities, including the European Communities. However, if public authority subsidies have had a significant impact on the company's results, the question arises of whether the basic principle that accounts should give a true picture in fact obliges the company concerned to mention any sudsidies it has received.

(1) Fourth Council Directive of 25 July 1978 (78/660/EEC) concerning annual accounts, OJ No L 222, 14. 8. 1978, p. 11. Seventh Council Directive of 13 June 1983 (83/349/EEC) concerning consolidated accounts, OJ No L 193, 19. 7. 1983.

WRITTEN QUESTION No 1741/90
by Mr José Alvarez de Paz (S)
to the Commission of the European Communities
(12 July 1990)
(90/C 325/77)

Subject: Statistics on immigrants from third countries

What view does the Commission take of the lack of precise statistics on the numbers of migrant workers coming to Europe?

Do unofficial statistics exist gathered by the security services of the Member States, and if so what are the figures involved?

Answer given by Mr Christophersen on behalf of the Commission
(21 August 1990)

The Statistical Office of the European Communities (Eurostat) keeps statistics on net migration and numbers of non-nationals staying in the Community.

The available data, which are supplied on an official basis by the national statistical offices, can be found in the following Eurostat publications:

- censuses of population
- employment and unemployment
- labour force survey

Under Council Regulation (EEC) No 311/76 [1], Eurostat also receives statistics on foreign workers.

Problems of statistical consistency remain, however, and this has prompted Eurostat to embark on a detailed study of the measurement of migration between Member States. The final report will be discussed with representatives of the national statistical offices.

As far as the existence of any 'unofficial statistics' is concerned, the Commission is unable to assess the reliability of figures that are not in its possession; Eurostat works in partnership with the national statistical offices and is therefore not in a position to comment on any other data kept by law enforcement agencies or other bodies in the Member States.

(1) OJ No L 39, 14. 2. 1976, p. 1.

WRITTEN QUESTION No 1788/90
by Mrs Mechtild Rothe (S)
to the Council of the European Communities
(13 July 1990)
(90/C 325/78)

Subject: Loss of citizenship by a Greek national for alleged refusal to perform military service in Greece

Moustafa Tsolak, a Greek citizen who has been resident in the Federal Republic of Germany since 1973, was deprived of his Greek citizenship in 1981 for failure to report for military service, despite the fact that, in 1978, he registered for military service when called up by the Greek military authorities, was granted a one-year deferment for health reasons and in 1979 was prevented from reporting for military service by further illness, as evidenced by medical certificates forwarded to the Greek authorities.

Mr Tsolak was not given an opportunity to put his case and it was only by chance, when, having lost his passport, he applied for new identity papers, that he discovered that this measure had been taken.

Mr Tsolak's first application to the Greek Ministry of the Interior for renaturalization, filed under No 36695/84 E, Reference No 5463-84, dated from 1984. He renewed his application in 1989 under No 48.408.

Mr Tsolak's loss of citizenship has resulted in a considerable restriction of his personal rights and freedoms. He has been awaiting a decision for six years.

Does the Council know of any other cases in which the Greek authorities have taken similar action?

To what extent do the measures taken by Greece contravene the Convention for the Protection of Human Rights and Fundamental Freedoms, in particular Article 6 thereof, and Article 3 of Protocol No 4 to this Convention?

Does the Council see any means here of taking action to help Mr Tsolak recover his Greek citizenship?

Answer

(20 November 1990)

The Council has no knowledge of the case mentioned by the Honourable Member nor of any similar cases which are, in any case, matters outside the Council's field of competence.

WRITTEN QUESTION No 1893/90

by Mr Antoni Gutiérrez Díaz (GUE)

to the Council of the European Communities

(2 August 1990)

(90/C 325/79)

Subject: Murder of six Jesuits in El Salvador

According to Maria Julia Hernández, the Archiepiscopal Legal Adviser, the inquiry into the murder on 16 November 1989 of six Jesuits from the Central American University of El Salvador has practically closed and the soldiers who ordered the killings have gone unpunished.

Charges were brought by the legal authorities against eight soldiers, including the Director of the Military Academy, Guillermo Benavides.

What measures has the Council taken or does it intend to take to ensure compliance with its resolution calling on the Salvadorean authorities to see that these murders are fully elucidated and the guilty punished?

Answer

(23 November 1990)

Reports of complications in the conduct of the enquiry into last November's university murders led the Twelve to make a further démarche to the authorities in El Salvador last June to underline the importance which the Twelve attach to the correct carrying out of the judicial procedures which have been initiated in this case.

In the memorandum distributed as an integral part of the Presidency's speech to the UN General Assembly on behalf of the Community and its Member States, it was reiterated that in the context of the process of national reconciliation in El Salvador, the Community continues to attach importance to this investigation. As the Honourable Member knows, the Community and the government of El Salvador together reaffirmed their commitment to a process of dialogue and reconciliation within El Salvador in the Joint Political Declaration issued at the San José VI Ministerial Conference in Dublin in April.

The authorities in El Salvador are thus fully aware of the domestic and international attention that is focused on the investigation into the murder of Fr. Ellecuria and his co-workers, and of their corresponding responsibility to do everything within their power to enable this investigation to be brought to its proper conclusion.

WRITTEN QUESTION No 1912/90

by Mr Victor Manuel Arbeloa Muru (S)

to the Foreign Ministers meeting in European Political Cooperation

(2 August 1990)

(90/C 325/80)

Subject: Human rights in Haiti

What response has the Community received from the Government of Haiti to the many efforts recently made to advance human rights in that country?

Answer

(23 November 1990)

The Honourable Member is referred to the answer to Written Question No 2066/90 [1], which concerns Haiti.

[1] See page 48 of this Official Journal.

WRITTEN QUESTION No 1915/90

by Mr Victor Manuel Arbeloa Muru (S)

to the Foreign Ministers meeting in European Political Cooperation

(2 August 1990)

(90/C 325/81)

Subject: Human rights in Guatemala

What response has the Community received from the Government of Guatemala to its various recent representations on the matter of human rights in that country?

Answer

(23 November 1990)

The Honourable Member will recall that in reply to his previous question on Guatemala, No 1460/90, it was stated that the authorities in Guatemala are fully aware of the concern felt by the European Community and by its Member States and of the feeling expressed by the European Parliament at the violations of human rights in

Guatemala. Regrettably it still cannot be said that there has been a measurable improvement in the human rights situation.

However, as was also stated in reply to Question No 1460/90, the Community and its Member States welcome the Escorial agreement of 1 June and consider it essential that this opportunity for change is seized by all sides, both before and after the elections scheduled for the end of this year.

In this context, they take note of the meetings held in Ottawa between a delegation of the URNG and representatives of private enterprises (CACIF), as well as the meetings held in Quito between the URNG and representatives of Guatemala's religious institutions. On both occasions, a delegation of the National Reconciliation Council attended the talks.

WRITTEN QUESTION No 1930/90
by Mr Carlos Robles Piquer (PPE)
to the Commission of the European Communities
(1 September 1990)
(90/C 325/82)

Subject: New evidence of Europe's backwardness in the field of biotechnology

New evidence that Europe is increasingly being left behind in the field of biotechnology has been highlighted in the study entitled 'Community policy for biotechnology: Competitiveness and economic benefits' published by the Senior Advisory Group for Biotechnology of the CEFIC (European Council of Chemical Manufacturers' Federations).

It is being left behind as regards both the setting-up of new companies and the number of patents. The authors call for coordinated European action to tackle foreign invasion of basic sectors such as the pharmaceutical and chemical industries, agriculture and food and the management of the environment.

Does the Commission consider that it will be sufficient to strengthen coordination or that European research efforts in the field of the life sciences should also be intensified?

Answer given by Mr Pandolfi
on behalf of the Commission
(28 September 1990)

The Commission recognizes the weight of the arguments and statistics set out in the SAGB-CEFIC report referred to by the Honourable Member.

As regards Community research, it is true that the amounts involved represent only some 3% of national biotechnology budgets. However, account should be taken of the catalytic effect of international cooperation, thanks to which substantial progress has been achieved in many areas of the life sciences.

This progress should be given a major boost by the specific new programmes the Commission is planning to launch within the 'Life sciences and technologies' area of its Third Framework Programme for Community R&D.

It is also true that greater investment in terms of work and money in all sectors, including regulation and the protection of intellectual property, on which the blossoming of European biotechnology depends, should enable the Community to catch up more quickly with other industrialized countries.

WRITTEN QUESTION No 1945/90
by Mrs Hiltrud Breyer (V)
to the Commission of the European Communities
(1 September 1990)
(90/C 325/83)

Subject: Deliberate release into the environment of genetically modified organisms

Will the Commission provide a list of the 37 deliberate releases into the environment of genetically modified organisms (GMOs) which have taken place to date in France, specifying type of organism (host and engineered traits), company or institute responsible, location, size, and purpose?

On what legal or regulatory basis were the abovementioned GMO releases in France approved and by which competent authorities? Did the authorization procedure include an environmental risk assessment and was the public informed?

What regulatory procedures are being followed for the authorization of the deliberate release of GMOs in the framework of the FLAIR and ECLAIR programmes? Do they include environmental risk assessment and informing the public?

Answer given by Mr Ripa di Meana
on behalf of the Commission
(26 September 1990)

The Commission does not have the complete and detailed information requested by the Honourable Member

concerning the deliberate releases of genetically modified organisms into the environment which have taken place in France. Member State authorities are not obliged to provide information to the Commission on releases of GMOs until Directive 90/220/EEC (1) has been implemented, and at the latest by October 1991.

A certain amount of more general information on releases of GMOs in France is available in the report of activities for 1989 of the 'Commission du Génie Biomoléculaire' recently circulated (July 1990). This Committee was established by the Ministry for Agriculture and Forestry in 1986 in order to advise the Ministry on the safety of GMO products, and in particular on the risk of dissemination of live GMOs into the environment. A number of releases of GMOs have been reviewed by this Committee. Any further information on these releases, on the Committee's composition and mandate, and on its method of operation and assessment, should be requested directly from the French authorities.

The regulatory procedures for the authorization of environmental release of GMOs being followed by the ECLAIR and FLAIR participants are those enforced at present in the individual Member States. Environmental risk assessment and information to the public are, and will be, carried out accordingly. Finally, during the selection of ECLAIR and FLAIR projects, the possible environmental effects of the proposed research were taken into account by the experts and the Commission staff responsible for these programmes as a parameter for approval or rejection of the projects.

(1) OJ No L 117, 8. 5. 1990, p. 15.

WRITTEN QUESTION No 1953/90

by Mrs Cristiana Muscardini (NI)

to the Council of the European Communities

(1 September 1990)

(90/C 325/84)

Subject: Fire prevention and control in the Community

In reply to Written Question No 479/89 (1) the Council formally approved the setting up of a Community fire prevention and control body for the protection of forests and announced that existing structures would be strengthened. However, despite the Council's assurances concerning the setting up of a standing forestry committee and a community civil protection body to prevent fire provided with state-of-the-art technology, to date, that is to say at the beginning of this summer alone, thousands of hectares of forests and undergrowth in the Community have been destroyed by fire in much of Europe — the south of France, Corsica, Sardinia, Sicily and various regions of Italy, Spain and Greece.

Can the Council finally guarantee that it will take effective fire prevention and control measures, thereby moving out of the realm of discussion and statements of mere intent into that of genuine action?

(1) OJ No C 39, 19. 2. 1990, p. 22.

Answer

(14 November 1990)

The Council is fully aware of the situation referred to by the Honourable Member.

It may be pointed out in this connection that the Council has already adopted a large number of civil protection measures, in particular concerning the protection of forests against fire. These measures are listed in the reply given to Question No 479/89 put by the Honourable Member.

The Council would draw the Honourable Member's attention to its reply to Written Question No 479/89, in which it said that it had no specific Commission proposals before it concerning the introduction of a Community civil protection body.

The Commission is continuing its work within the Standing Forestry Committee which was set up on 29 May 1989. The aim is to achieve improved arrangements in Member States to eliminate the causes of fires and to protect forests against fire.

The desirability of Community action in respect of the specific problem of fire control has been seriously studied by the Working Party.

It seems that efficient fire control calls for highly decentralized land-based and airborne resources for swift deployment as strategy dictates in each case.

The Council is aware of the importance of Community action in this sphere and will examine with all due dispatch any proposals which the Commission submits to it.

Lastly, the Italian Presidency intends to convene a Council meeting specifically on civil protection, at which various subjects will be discussed, including a draft European agreement on cooperation regarding civil protection for the specific purpose of anticipating and preventing major risks and providing mutual aid in the event of natural or technological disasters.

WRITTEN QUESTION No 1959/90
by Mr Peter Crampton (S)
to the Commission of the European Communities
(1 September 1990)
(90/C 325/85)

Subject: Radiation dose limits for workers

The International Commission for Radiological Protection is currently reviewing its existing recommendations on dose limits for radiation workers, and is consulting with a number of organizations, including Friends of the Earth. Can the Commission comment on the desirability of the Friends of the Earth recommendations of dose limits of 10 milli-sieverts per annum for radiation workers, and 0,2 milli-sieverts per annum for members of the public (compared with the current limit of 50 MSV per annum, and 5 MSV per annum respectively)?

Answer given by Mr Ripa di Meana on behalf of the Commission
(13 September 1990)

The International Commission on Radiological Protection (ICRP), whose scientific competence is internationally recognized, is currently reviewing its recommendations and the Commission has actively assisted in the consultation process concerning the draft revision. On completion of this process ICRP will have available to it all of the proposals, counterproposals and supporting arguments submitted to it by *inter alia* representatives of the competent authorities of the Member States, of scientific, professional and trade union organizations as well as of other international organizations concerned with radiation protection. It will then be able to take a balanced view in finalizing its new recommendations, but it already seems fairly evident that the presently recommended dose limits will in effect be substantially reduced.

The Commission, for its part, is advised by the Group of Experts set up in pursuance of Article 31 of the Euratom Treaty, and a working party from that group has already started examining what revisions to the present Community Basic Safety Standards should be proposed. It would be inappropriate for the Commission to comment on any particular suggestion by a third party before receiving the advice of the group and that advice will only be possible following finalization of the new ICRP recommendations.

Indeed, since it has always been the Commission's aim to harmonize Community legislation in the field of radiation protection (in so far as practicable and consistent with an adequate level of safety) with those standards issued by other international organizations (such as the International Atomic Energy Agency) and by third countries, the new recommendations of ICRP will form the main point of reference for revision of the Community standards.

WRITTEN QUESTION No 2012/90
by Mr Alexander Langer (V)
to the Foreign Ministers meeting in European Political Cooperation
(1 September 1990)
(90/C 325/86)

Subject: Diplomatic initiatives concerning violent incursions by 'garimpeiros' into Yanomani native territory in the State of Roraima (Brazil)

The Brazilian Native Missionary Council (CIMI) has recently complained of fresh incursions by 'garimpeiros' (gold prospectors) into native territory, in particular Yanomani territory in the State of Roraima (Brazil), using secret landing strips illegally put into operation and involving the destruction of large areas of Amazon forest, poisoning the rivers with mercury, bringing disease and decay to the area and thereby jeopardizing seriously and irreversibly both the survival of the native population, which is already living in extreme hardship, and the highly delicate environmental equilibrium. Such aggressive and dangerous activities which had been at least partially rooted out after the awareness of a large section of the Brazilian and international community had been aroused, now appears to be starting up again with the apparent connivance or at least passive acquiescence of the local authorities and the police, according to trustworthy reports received by the CIMI or publications such as the 'Porantim'. President Collor recently delivered a number of important statements on this problem in Europe and elsewhere, which may be belied by the facts if these developments are allowed to continue uncurbed by the competent authorities.

What measures do the Ministers intend to take or have they taken through the appropriate channels to confirm that the Community is extremely concerned at such developments and that its relations with Brazil depend in no small measure on safeguarding the native people and their natural environment, which are currently under threat from 'garimpeiro' incursions and other dangers?

Answer
(23 November 1990)

While the case of the Yanomani Indians has not been the object of specific actions within the EPC framework, the

position of the European Community on human rights questions, including the protection of minorities, is well-known. The Community and its Member States have taken note of Parliament's clear statement on the Yanomani Indians and related issues in the resolution adopted on 18 January. Single Member States have taken up this issue bilaterally on different levels. They are also aware of, and encouraged by, the Brazilian President's expressions of concern over the plight of the Yanomani and other similar groups. In this connection, it should also be pointed out that President Collor is showing renewed sensitivity with regard to the native problem. He has strengthened the FUNAI, a body responsible for protecting the Indians in the Amazon forest and has replaced its top administrators. This renewed commitment on the part of the President was, moreover, reaffirmed in the speech he made recently at the 45th session of the United Nations General Assembly. The issues to which the Honourable Member refers in his question will continue to be kept under review by the Twelve.

WRITTEN QUESTION No 2062/90
by Mr Ernst Glinne (S)
to the Council of the European Communities
(5 September 1990)
(90/C 325/87)

Subject: European Community contribution to the programme to safeguard Amazonia and the problems caused by mineral prospecting in Yanomami territory and by the Calha Norte and Calha Sud projects

At its meeting of 9-11 July 1990 in Houston, the G-7 asked the World Bank and the European Community (Point 66 of the Declaration) to draw up a pilot programme to safeguard Amazonia in cooperation with Brazil, for submission to the Conference on the World Climate to be held in the United States next year and other conferences, and to be drawn up in time for the next economic summit at the latest.

1. The Yanomami territory in the frontier region of Roraima in the northern part of Amazonia is reserved for the Indian population by provisions of the constitution, legal decisions and the mandate given to the FUNAI, the somewhat ineffectual federal agency responsible for the protection of the Indians, and to the IBAMA, the Federal Environment Agency. Nevertheless, two-thirds of Yanomami territory has been opened up to mineral prospecting carried out by some 40 000 'settlers', which is a source of pollution. The evacuation order of 9 January 1990 issued by the outgoing President José Sarney was not implemented by the armed forces. What are the Commission's views on this violation of the written and oral guarantees given to the Indians and the dangerous conflict between the political authorities and the military high command? Is this compatible with the mandate given to the European Community in Houston?

2. In 1986, without securing the approval of, or even informing Congress, the armed forces embarked on a project known as Calha Norte, designed to 'Brazilianize', colonize and exploit a 6 500 km × 150 km corridor close to the frontiers of five neighbouring countries. Last year the same armed forces announced a Calha Sud project for western Amazonia. Congress was finally persuaded to provide funding, despite the fact that the Governor of Roraima is facing charges of corruption, while the armed forces and the National Security Council (SADEN) are setting themselves up as the main negotiators for the exploitation of Amazonia. Indeed, it was the SADEN which represented Brazil during the renegotiation of road projects with the Interamerican Bank! Are the abovementioned programmes compatible with the mandate given to the European Community in Houston and will it attempt to discuss proposals with the Brazilian political authorities which are in keeping with the country's constitution and laws?

Answer
(20 November 1990)

1. In the conclusions on environmental questions which it adopted at its Dublin meeting on 25 and 26 June the European Council expressed concern at the continuing and rapid destruction of the tropical forests. It welcomed the commitment of the new Government of Brazil to halt this destruction and to promote sustainable forest management and said that the Community and its Member States would actively support this process. The Council asked the Commission to open discussions as a matter of urgency with Brazil and the other Amazonian Pact countries with a view to developing a concrete action programme involving the Community, the Member States and these countries. Elements for priority consideration were to include debt for forest conservation exchanges; codes of conduct for timber importing industries; and the additional resources necessary to enable the forests to be preserved and managed on a sustainable basis, making optimal use of existing agencies and mechanisms. The Council appealed to other industrialized countries to join the Community in its efforts.

2. Concerning implementation of the mandate given in Houston to the World Bank in collaboration with the Commission, contacts are in progress between these two institutions and the Brazilian authorities and should lead to the establishment of a pilot programme to combat the threats to the tropical rain forest in the region.

The Honourable Member will, however, understand that it is not for the Council to interpret the terms of the mandate entrusted to the World Bank and to the Commission. The Council thanks the Honourable Member for the information contained in his question which could prove useful for the assessment to be made by the Commission.

WRITTEN QUESTION No 2066/90

by Mr Ernest Glinne (S)

to the Foreign Ministers of the Member States of the European Community meeting in European Political Cooperation

(5 September 1990)

(90/C 325/88)

Subject: Restoration of a Duvalier-style regime in Haiti

On 22 January 1990, General Prospère Avril, President of the military government of Haiti, instructed the Ministry of Information to introduce censorship of the media to check the 'truth and accuracy' of news and prevent it from being used to 'stir up the population'. Brutal paramilitary forces have been set up alongside the army, which has still not been purged of its worst elements, in addition to the presidential guard and the plain-clothes political police. All broadcasting is controlled, with the exception of weather, sport and non-subversive religious programmes, while brutal arrests, arbitrary detention and state-sponsored violence have again become commonplace (400 murders have been reported since January 1989 according to reliable sources).

A state of emergency has been declared and the articles of the democratic constitution of 1987 concerning fundamental human rights have been suspended. Democratic parties and associations are unable to function. In short, despite attempts to present a front to the outside world, Haiti has once again become a Duvalier-style regime four years after the departure of the notorious dictator and the intervening rule by General Namphy.

What are the Foreign Ministers' views on this matter, are they concerned at the serious violations of human rights and do they still consider that preparations should be made for fair elections in accordance with the letter and spirit of the 1987 constitution without any attempt to stifle public opinion and the right to communicate freely other than by 'bush telegraph' or 'teledyol' as it is known in the local dialect? In addition, what is the nature and scale of the aid given to Haiti by the Community and its Member States? How can the Republic of Haiti remain a Member of the Convention of Lomé when Articles 5 and 13 of that text require the signatories to respect the dignity and fundamental rights of individuals and peoples?

Answer

(23 November 1990)

As the Honourable Member will be aware, General Avril, to whom the question refers, left Haiti last March. A provisional Government headed by a Member of the Supreme Court, Madame Pascal-Trouillot, was then installed and given the task of leading the country towards elections which should enable democracy to be established in Haiti. The Community and its member States, in a statement on 29 June, reaffirmed their support for the holding of free, fair and democratic elections in Haiti. The United Nations and the international community are giving active support to the organization of these elections, of which the first round is scheduled for 16 December.

In general, it is the policy of the Community to encourage the authorities in Haiti to strengthen democratic institutions under which human rights will be protected and further steps taken to rectify the conditions of deprivation in which many of the people of Haiti live. While the European Community and its member States share the deep concerns of the Honourable Member at the violations of human rights which are still often reportes from Haiti, they are convinced that their contribution to Haiti's development through the Lomé Convention remains a positive opportunity to influence the course of events.

The precise nature and scale of the aid given to Haiti by the Community and its Member States is not under consideration in the framework of European Political Cooperation.