ISSN 0378-6986

Official Journal

of the European Communities

C 11

Volume 40

13 January 1997

English edition

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EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

(97/C 11/01)

WRITTEN QUESTION P-0028/96

by Clive Needle (PSE) to the Council

(19 January 1996)

Subject: Timescales for purification of mussels

Is the Council aware that Member States and third countries operate different timescales for purification of mussels? What steps is the Council taking to harmonize this within the single market, and what evidence is available that varying water qualities and temperatures affect the amount of purification needed?

Reply

(19 November 1996)

1. The Council is not aware of the timescales for purifications of mussels in Member States and third countries.

2. Directive 91/492/EEC [1] lays down the health conditions for the production and placing on the market of live bivalve molluses. These include requirements for purification of shellfish, but do not specify timescales. These are matters for Member States who will need to take account of a number of relevant factors.

3. Article 13 of Directive 79/923/EEC [2] on the quality required of shellfish waters specifies that any information necessary for the application of that Directive must be forwarded to the Commission.

[1] OJ L 268, 24.9.1991, p. 1.
[2] OJ L 281, 10.11.1979, p. 47.

(97/C 11/02)

WRITTEN QUESTION E-0698/96

by Peter Truscott (PSE) to the Council

(27 March 1996)

Subject: Mr Emerson and TACIS funding

Can the Council comment on the likely damage of the Michael Emerson affairs to the European Union's prestige in the Russian Federation and amongst other supporters of democratic and economic reform in Russia?

Reply

(19 November 1996)

The Council has no information which could lead to the conclusion that the matter referred to by the Honourable Member might damage the European Union's prestige in the Russian Federation.

(97/C 11/03)

WRITTEN QUESTION E-0765/96

by Nikitas Kaklamanis (UPE) to the Council

(1 April 1996)

Subject: Human rights

At this year's annual meeting of the UN Commission on Human Rights, the European Union will be tabling motions for resolutions concerning the human rights situation in various countries, such as Iran, Burma, Nigeria, Zaire and China.

Turkey is the third country having the closest ties with the European Union, thanks to customs union.

The human rights situation in this country is very serious and may readily be compared with that in other countries in respect of which European Union is tabling motions for resolutions as indicated above, indeed it may even be worse.

Given that the human rights situation in Turkey in the first months of 1996 is worse than it was in 1995, and that the so-called constitutional amendments in that country do not constitute an adequate response to the real situation obtaining there:

Will the Council say:

1. On the basis of what criteria has the Council decided not to submit a motion for a resolution on the human rights situation in Turkey at this year's meeting of the UN Commission on Human Rights?
2. Why has the Council never tabled a motion for a resolution in respect of that country?
3. Does it intend to table such a motion next year, if the human rights situation in Turkey fails to improve?

Reply

(19 November 1996)

The Council attaches the utmost importance to the respect of human rights in all countries and expresses its concern when violations of those rights occur.

The Council would like to draw the Honourable Member of Parliament's attention to the EU Presidency's statement at the 52nd Commission on Human Rights under item 10 of the Agenda. This statement conveyed to the Turkish Government the depth of the EU member's continuing concern about a number of human rights issues in Turkey and incorporated several steps which the Council hopes the Turkish Government will take to improve the human rights situation.

The Council does not hesitate to express its condemnation of violations of human rights in its contacts with the Turkish authorities.

(97/C 11/04)

WRITTEN QUESTION P-0892/96

by Anne André-Léonard (ELDR) to the Council

(3 April 1996)

Subject: Renewal of the exemption from Article 85(1) of the Treaty on European Union applied for in 1993 by UIP

The Commission has still not taken a decision on the renewal of the exemption from Article 85(1) of the Treaty on European Union applied for in 1993 by UIP.

UIP therefore continues to operate on the European market in contravention of the Community competition rules.

This state of affairs undermines the system for the production and distribution of European films, which is paradoxical in view of the policy which the EU is supposed to be following in the audio-visual sector (MEDIA II programme, cross-border television directive).

What action is the Council intending to take to establish effective competition rules for the European audio-visual sector?

Reply

(19 November 1996)

The Council is well aware of the need for competition rules to be complied with in the European audiovisual sector, whose specific nature should be preserved. Nevertheless, under Article 155 of the Treaty it is for the Commission to "ensure that the provisions of this Treaty and the measures taken by the institutions pursuant thereto are applied".

It is not for the Council to adopt a position on the case referred to by the Honourable Member regarding renewal of an exemption from Article 85(1) of the Treaty granted by the Commission to United International Pictures (UIP).

(97/C 11/05) **WRITTEN QUESTION E-0904/96**

by Pieter Dankert (PSE) and Carlos Pimenta (PPE) to the Commission

(23 April 1996)

Subject: New Tagus bridge financed from the Cohesion Fund

Pursuant to Article 5 of Annex IV of the decision on project 94/10/65/005 the Advisory Committee must check whether in the construction of the new Tagus bridge, partly financed from the Cohesion Fund, the Community rules in particular on the environment have been observed.

Has this committee taken action against the illegal dredging activities, against the dumping of sediments outside the designated sites, against activities on the salt marshes in the breeding season of the birds which nest there and against the lack of fences protecting birds and humans?

Has the Commission representative on this committee alerted the Commission to the infringements of the various rules with a request for action?

If so, why has the Commission not started an inquiry, as referred to in Article 10 of the decision on project 94/10/65/005?

If not, why has this committee and the Commission representative no knowledge of matters which are widely reported in the Portuguese media?

(97/C 11/06) **WRITTEN QUESTION E-0905/96**

by Pieter Dankert (PSE) and Carlos Pimenta (PPE) to the Commission

(23 April 1996)

Subject: New Tagus bridge financed from the Cohesion Fund

Pursuant to Article 5(4) of the Commission decision on Cohesion Fund financing for the new Tagus bridge (project 94/10/65/005), the decision does not affect the Commission's powers to initiate infringement proceedings pursuant to Article 169 of the EC Treaty.

Why has the Commission not started infringement proceedings for breaches of Directives 79/409/EEC [1] and 92/43/EEC [2] in view of the activitieduring the breeding season, the illegal dredging activities, the dumping of sediments outside the designated sites and the dumping of sediment within the protected area at high water?

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[1] OJ L 103, 25.4.1979, p. 1.
[2] OJ L 206, 22.7.1992, p. 7.

(97/C 11/07)

WRITTEN QUESTION E-0906/96

by Pieter Dankert (PSE) and Carlos Pimenta (PPE) to the Commission

(23 April 1996)

Subject: New Tagus bridge financed from the Cohesion Fund

In relation to the new Tagus bridge, partly financed from the Cohesion Fund, the Commission has repeatedly been informed since 1994, of the breaches of directives 79/409/EEC [1] and 92/43/EEC [2] and he measures listed in the relevant environmental impact assessment and Annex I of the Commission decision on project 94/10/65/005. Despite discussions between the Commission and the Portuguese authorities measures which should have been taken at the beginning of operations have still not been taken in 1996 and the infringements are continuing.

Does the Commission not consider that it should have undertaken an inquiry at an earlier stage, or should do so now, as referred to in Article 10 of its decision 94/10/65/005, under which the aid can be suspended, reduced or withdrawn?

If the Commission does not share this view, can it indicate when it will have reached the limits of its tolerance, given that two children have already drowned because the protective fencing required under the environmental impact assessment has still not been erected and that, according to newspaper reports the Portuguese government has now finally recognized that there are contraventions of the rules and has imposed a fine on Lusoponte for illegal dredging activities and dumping?

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[1] OJ L 103, 25.4.1979, p. 1.
[2] OJ L 206, 22.7.1992, p. 7.

(97/C 11/08)

WRITTEN QUESTION E-0907/96

by Pieter Dankert (PSE) and Carlos Pimenta (PPE) to the Commission

(23 April 1996)

Subject: New Tagus bridge financed from the Cohesion Fund

According to reports in the European Voice (7-13 March 1996) the Commission has written to the Portuguese authorities threatening to halt the Cohesion Fund financing for the new Tagus bridge. The letter apparently contains no deadline by which the Portuguese authorities must reply.

Is it to be understood that this letter should not be considered an inquiry, as referred to in Article 10 and the provisions of annex VI of the Commission decision on project 94/10/65/005 and also not as an examination as referred to in Article H of the implementing provisions of Council Regulation 1164/94 [1] of 16 May 1994 setting up the Cohesion Fund?

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[1] OJ L 130, 25.5.1994, p. 1.

(97/C 11/09)

WRITTEN QUESTION E-0908/96

by Pieter Dankert (PSE) and Carlos Pimenta (PPE) to the Commission

(23 April 1996)

Subject: New Tagus bridge financed from the Cohesion Fund

The Commission has been informed about the construction of new roads in the vicinity of the Tagus bridge and the special protected area. These roads already run partly through the protected area and/or stop at its edge although the land inside this area has already been levelled with a view to construction.

Were these roads partly financed from the Structural and/or Cohesion Funds?

If so, is the intention that these roads should run through the protected area, which would mean that once again a project has been financed which conflicts with Community environmental policy?

If not, what action does the Commission intend to take against the infringement of directives 79/409/EEC [1] and 92/43/EEC [2]?

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[1] OJ L 103, 25.4.1979, p. 1.
[2] OJ L 206, 22.7.1992, p. 7.

Supplementary joint answer to Written Questions E-0904/96, E-0905/96, E-0906/96, E-0907/96 and E-0908/96 given by Mrs Wulf-Mathies on behalf of the Commission

(26 September 1996)

Further to its answer of 9 July 1996, [1] the Commission can now provide the following information.

1. Implementation of the environmental clauses is discussed at meetings of the committee set up to monitor the project in question.

Both Gattel ('Gabinete da Travessia do Tejo em Lisboa') and the CAO ('Comissão de Acompanhamento da Obra'), a body created to monitor measures designed to minimize the project's environmental impact, submit regular progress reports to the committee on such activities.

Commission representatives have raised questions in the committee on the measures taken, prompted in many cases by letters from NGOs. Site visits have also taken place.

2. From the monitoring work done, the Commission concluded that the impact minimization measures taken were insufficient to protect wildlife habitats in the special protection area and that parts of the decision had not been implemented properly. Singled out in this respect were monitoring of impact reduction measures and the fencing-off of some more sensitive areas.

In addition, there were strong suspicions that other parts of the environmental impact procedure had not been observed, especially during dredging activities.

The Commission passed on its misgivings to the Portuguese authorities in two letters to Mr Cravinho, the Minister for Infrastructure, Planning and Regional Management, dated 20 February and 7 June this year.

These letters were not formal notices of complaint of the type referred to Annex VI of the decision to award aid. They did, however, give details of the Commission's intention to carry out a site check, which took place on 17 and 18 June. The Commission added that it might still be possible to work together with Portugal on satisfactory ways of tackling the problems encountered.

A memorandum of understanding was subsequently signed by Mrs Wulf-Mathies and Mr Cravinho, setting out compensatory measures including a 400 ha enlargement of the special protection area, tighter monitoring controls and full implementation of the measures set out in the evaluation procedure for assessing environmental impact.

3. The Commission did not take action under Article 169 of the EC Treaty in response to Portugal's violation of Directive 92/43/EEC [2] because it did not at that stage have enough evidence that the disruption cited by the Honourable Members was having a significant effect on the Tagus Estuary special protection area designated by the Portuguese authorities under Article 4 of Directive 79/409/EEC. [3]

Article 6.2 of Directive 92/43/EEC stipulates that Member States must take appropriate steps in special conservation areas to prevent any deterioration in natural or wildlife habitats and any disruption to the wildlife for which the areas have been created, if such disruption could seriously jeopardize the goals of the Directive.

Under Article 7 of the same Directive, the obligations imposed by Article 6.2 override those in Article 4.4 of Directive 79/409/EEC in cases such as this one which deal with special protection areas designated under Article 4.1 of the Directive.

4. Regarding written question 0908/96, the Honourable Members are asked to specify which roads they are referring to so the Commission can give an answer.

[1] OJ C 297, 8.10.1996, p. 46.
[2] OJ L 206, 22.7.1992.
[3] OJ L 103, 25.4.1979.

(97/C 11/10)

WRITTEN QUESTION E-1140/96

by Iñigo Méndez de Vigo (PPE) to the Commission

(13 May 1996)

Subject: Register of products protected against imitation

On 6 March 1996 the Commission approved two proposals to the Council for regulations containing lists of agricultural food products which should be protected against imitation.

Will the Commission say what products were included in this list? What criteria did the Commission use for selecting these products?

Answer given by Mr Fischler on behalf of the Commission

(3 June 1996)

On 6 March the Commission adopted the first proposal containing 320 names for registration as designations of origin or geographical indications under the procedure provided for in Article 17 of Regulation (EEC) No 2081/92 [1] applying to names already protected or established by usage in Member States.

The names proposed for registration are those recognized as conforming to Articles 2 and 4 of the Regulation following mature consideration by the Commission. Article 2 lays down definitions and criteria for 'designation of origin' and 'geographical indication.'

In order to obtain the protection conferred by a designation of origin it has to be substantiated that the quality or characteristics of the product are essentially or exclusively due to the geographical environment, with its natural and human factors, and that production, processing and preparation take place in the defined geographical area.

In order to obtain the protection conferred by a geographical indication it has to be substantiated that a specific quality, reputation or other characteristics are attributable to that geographical origin and that production, processing or preparation take place in the defined geographical area.

Article 4 requires a specification with which a name seeking registration must comply.

Note that under Article 3 of Regulation (EEC) No 2081/92 names that have become generic may not be registered.

The list of 320 names is being sent direct to the Honourable Member and the Secretariat of Parliament.

[1] OJ L 208, 24.7.1992.

(97/C 11/11)

WRITTEN QUESTION E-1191/96

by James Nicholson (PPE) to the Commission

(15 May 1996)

Subject: Population control programmes in developing countries

Will the Commission list:

1. All projects dealing with population control which are receiving European Community funding.
2. The name of each recipient organization, the amount of funding provided with the purpose for which the funding is intended, together with the country in which that funding is being used.
3. A list of all non-governmental organizations which receive EU funding for population control programmes.

Answer given by Mr Marin on behalf of the Commission

(17 June 1996)

A list of population control projects funded by the Commission is sent direct to the Honourable Member and the Parliament's Secretariat. The list covers the projects currently financed under various budget lines and financial protocols.

Since the focus on a reproductive and sexual health approach was incorporated in the programme of action of the International conference for population and development in Cairo (1) in September 1994, existing population programmes can no longer be defined as 'population control programmes', focusing on birth control only. These programmes move beyond this focus and include all information and services which enable women and men to have sexual relations without fear of infection, unwanted pregnancy, coercion or violence. They are thus enabled to control their fertility in the manner of their choosing without unpleasant or dangerous side effects and to enhance their ability to bear and raise healthy children.

A list of non-governmental organisations (NGOs) receiving funding is also sent direct to the Honourable Member and the Parliament's Secretariat. NGOs which have received direct funding in the past are included as well. As far as the NGO cofinancing scheme (B7-6000, ex-B7-5010) is concerned, most family planning projects (in addition to smaller such components in wider integrated projects) have been cofinanced with two NGOs, Marie Stopes international and Population concern, in a huge number of developing countries, for a global amount of more than 5 MECU in 1993-1995. In view of the bulky character of the information on those numerous projects, the documentation on these, including list of projects, name of beneficiary organisations, amounts and beneficiary countries, is sent direct to the Honourable Member and to the Secretariat General of the Parliament.

In the ACP countries a number of health programmes focusing on primary health carè supported by the Community do include family planning as an element of the minimum package of services which have to be secured at the primary level. The total amount for health projects under the 7th European development fund represents 310 MECU. In addition to this amount, some 500 MECU of the counterpart funds from the structural adjustment facility are targeted to support national health projects.

(1) Published by United Nations Department of Public Information DPI/1618/POP-95-93124-March1995-30M.

(97/C 11/12)

WRITTEN QUESTION P-1215/96

by Pervenche Berès (PSE) to the Commission

(10 May 1996)

Subject: Mad cow disease

The Commission has declared a total ban on British beef exports and called on the British authorities to take all the necessary measures to eradicate mad cow disease, which is suspected of being transmissible from animals to human beings.

Can the Commission provide a year-by-year account of the number of BSE cases recorded in the United Kingdom and, possibly, in the other Community Member States, since 1980 and the number of animals slaughtered by year and by country since the outbreak of the disease?

Will the Commission draw up a detailed calendar of the way in which this matter has been referred to it?

Can the Commission explain how it intends to monitor slaughter operations and from which budget line it will finance aid to the United Kingdom?

Answer given by Mr Fischler on behalf of the Commission

(14 June 1996)

Since the disease was fist discovered in 1986, the Commission and the Member States have been kept continually informed on the bovine spongiform encephalopathy (BSE) situation in the United Kingdom. The United Kingdom has presented data on the epidemiology of the disease and other scientific information. Measures have been taken on the basis of the advice of the scientific veterinary committee.

In June 1988, BSE was made notifiable in the United Kingdom. Commission Decision 90/134/EEC ([1]) made BSE notifiable by all Member States. Through the computerised animal disease notification system (ADNS), the Commission receives information on all new occurrences of BSE within 24 hours of confirmation. The United Kingdom however, because of the number of cases, reports BSE on a weekly basis.

BSE — Confirmed cases in Member States 1986-1996 (10 May)

	1985-1989	1990	1991	1992	1993	1994	1995	1996 to 10 May	Total
DK	0	0	0	1	0	0	0		1
DE	0	0	0	0	0	4	0		4
FR	0	0	5	0	1	3	3	5	17
IR	15	11	17	18	16	19	16	11	123
IT	0	0	0	0	0	2	0		2
PO	0	0	0	0	1	7	14	4	26
UK	9321	14181	25032	36681	37370	28944	14062	1714	167305

The number of animals slaughtered is not available, but will correspond approximately to the number of cases confirmed with the addition of suspects not subsequently confirmed (about 15% in the United Kingdom) and animals slaughtered in affected herds (Germany, France, Ireland and Italy).

Acting on the advice from the scientific veterinary committee, the Commission has adopted several measures to protect humans and animals in Europe from any possible risk from exposure to BSE.

On 28 July 1989, the Commission adopted Decision 89/469/EEC ([2]), banning the export of cattle born before the United Kingdom feed ban (18 July 1989) and offspring of affected or suspect animals. In March 1990, Decision 90/59/EEC ([3]) restricted the export of cattle further to those under 6 months of age which were to be slaughtered before that age. The United Kingdom, on its own initiative imposed a ban on specified offal and certain glands for pharmaceutical and chemical use. This was adopted by Commission through Decision 90/200/EEC ([4]).

In May 1992, Commission Decision 92/290/EEC ([5]) prohibited trade in embryos derived from BSE suspects, confirmed cases or their offspring.

In 1994 a ban on feeding of mammalian proteins to ruminants was introduced in all Member States through Decision 94/381/EEC ([6]). Systems for processing animal waste which were validated as effective for the inactivation of BSE agent were laid down in Decision 94/382/EEC ([7]).

In 1994, Decision 94/474/EEC ([8]) introduced new measures for beef exports from the United Kingdom, so that carcasses could only come from holdings with no BSE cases for 6 years. This was subsequently amended to permit trade in carcases from cattle less than 30 months of age at slaughter. All other meat was to be deboned and trimmed to remove the nervous and lymphatic tissues.

On 20 March 1996, the Commission was informed about the 10 cases of a new variant of Creudtzfeldt-Jacob disease. A ban on export of live cattle and products of bovine origin from the United Kingdom was introduced on 27 March 1996, to allow the situation to be fully evaluated.

In accordance with the conclusions of the Council on 4 April 1996, the United Kingdom on 20 May 1996 presented a proposal for the selective slaughter of animals most likely to have been exposed to infected meat and bonemeat in the United Kingdom.

The conclusions of 4 April 1996 also provide for financial assistance for eradication of BSE in all Member States. The United Kingdom will, within the framework of market support measures, be compensated by 392 ECU per animal over 30 months of age which is culled. Similar compensation is provided for animals to be slaughtered within the framework of a selective slaughter plan which is now under discussion.

Plans by other Member States will be treated in an equivalent manner. Portugal has recently presented an eradication programme, which is under discussion. The Netherlands, France and Belgium have been provided with financial assistance to cull calves of British origin which otherwise have no market, because of consumer concerns.

(1) OJ L 76, 22.3.1990.
(2) OJ L 225, 3.8.1989.
(3) OJ L 41, 15.2.1990.
(4) OJ L 105, 25.4.1990.
(5) OJ L 152, 4.6.1992.
(6) OJ L 172, 7.7.1994.
(7) OJ L 172, 7.7.1994.
(8) OJ L 194, 29.7.1994.

(97/C 11/13)

WRITTEN QUESTION E-1262/96

by Freddy Blak (PSE) to the Commission

(24 May 1996)

Subject: Athletes as employees

As a result of the EU Treaties athletes are increasingly regarded as employees.

Has the Commission therefore considered whether the status of employee might conflict with current regulations on doping, which can prevent athletes from exercising their profession?

Has the Commission considered clarifying the current regulations?

Supplementary answer given by Mr Oreja on behalf of the Commission

(31 October 1996)

Further to its answer of 18 July 1996, and after thorough investigation the Commission is glad to inform the Honourable Member that no questions or complaints have been received by the Commission dealing with the matter raised by the Honourable Member. Also, the Commission knows nothing about the cases to which the Honourable Member refers. Enquiries to some of the sports organisations indicate that no such cases are known at this moment.

On the general subject of doping the Commission would refer the Honourable Member to its answer to Written Question E-471/96 by Mr Boniperti (1) in which reference was made to the ongoing activities in the Community.

The Commission invites the Honourable Member to draw to the attention of the Commission any case in which doping and freedom of movement overlap. The Commission will be more than willing to make a preliminary assessment of the case.

(1) OJ C 217, 26.7.1996.

(97/C 11/14)

WRITTEN QUESTION E-1375/96

by Peter Truscott (PSE) to the Commission

(6 June 1996)

Subject: EU-approved collection centres

How many EU-approved collection centres have been notified by the competent authorities of (a) Britain, (b) France, (c) Spain, (d) Italy, (e) Ireland, to the Commission as required by EU Directive EEC/64/432 (1), Article 3(8)?

(1) OJ L 121, 29.7.1964, p. 1977.

Supplementary answer given by Mr Fischler on behalf of the Commission

(23 September 1996)

Further to its answer of 8th July 1996, the Commission can now give the Honourable Member the following information.

The authorities of the United Kingdom have approved 141 livestock collection centres for intra-Community trade. Approximately two thirds of these collection centres are livestock markets. The French authorities have informed the Commission that 167 livestock collection centres have been approved so far of which three are livestock markets. The list sent to the Commission is only a provisional one. Ireland has informed the Commission of the approval of 117 livestock collection centres, including 107 livestock markets. The Commission regrets to have to inform the Honourable Member that the Spanish and the Italian authorities have not responded in due time to the Commission's request for updated information in this field.

(97/C 11/15)

WRITTEN QUESTION E-1506/96

by Cristiana Muscardini (NI) to the Council

(19 June 1996)

Subject: Request for harmonization of the maximum weights of road vehicles

Community directives establish the maximum weight of road vehicles at 40 tonnes, but these directives are mostly ignored in the Member States, except the United Kingdom, which has its own limit of 38 tonnes.

The directives are ignored in that vehicles of excess weight are used, and some countries are calling for the limits to be increased, for example the Netherlands would like to see it raised to 50 tonnes and Denmark to as much as 60 tonnes. In view of this, does the Council of Ministers not consider it appropriate to draw up a regulation setting the maximum weight of road vehicles at 44 tonnes, bearing in mind the fact that the Commission is also in favour of harmonization to this effect?

Reply

(19 November 1996)

1. Directive 85/3/EEC of 19 December 1984 on the weights, dimensions and certain other technical characteristics of certain road vehicles ([1]) sets the maximum authorized weight for combined vehicles with 5 or 6 axles in international traffic at 40 tonnes.

2. In its proposal for a Directive of 15 December 1993 laying down maximum authorized weights and dimensions for road vehicles over 3,5 tonnes circulating within the Community ([2]) , as amended by its proposal of 27 June 1995 ([3]) , the Commission proposed raising the maximum authorized weight (MAW) for combined vehicles with 6 axles in international transport from 40 to 44 tonnes where they are equipped with road-friendly suspensions.

It is also proposed extending to national transport the maximum authorized weights in international transport for vehicles with 4, 5 or 6 axles. Harmonization in national and international traffic would thereby be achieved with a MAW of 44 tonnes for vehicles with 6 axles being authorized for the entire Community.

3. On the basis of the above proposal, on 8 December 1995 the Council adopted common position (EC) No 34/95 with a view to adopting a Council Directive laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic ([4]) .

The Council's common position covers most of the Commission's proposal but does not cover, in particular, either extension to national transport of the MAW of vehicles with 4, 5 or 6 axles or the abovementioned increase from 40 to 44 tonnes for 6 axles.

With regard to retention of the 40-tonne limit for the MAW of six-axled heavy goods vehicles in international transport, the Council took account of the Opinion delivered on 15 November 1994 ([5]) by the European Parliament, which considered that the MAW for the vehicles concerned should not be increased.

4. On 14 March 1996 the European Parliament adopted a decision on the Council's common position [6] which does not contain any new amendments with regard to the tonnage of heavy goods vehicles. In the light of the European Parliament's Decision and the re-examined proposal forwarded by the Commission to the Council on 14 May 1996, the Council adopted the abovementioned new Directive (96/53/EEC) on 25 July 1996.

[1] OJ L 2-3.1.1985, p. 14. Directive as last amended by Directive 92/7/EEC (OJ L 57, 2.3.1992, p. 29).
[2] OJ C 38, 8.2.1993, p. 3.
[3] OJ C 247, 23.9.1995, p. 1.
[4] OJ C 356, 30.12.1995, p. 13.
[5] OJ C 341, 5.12.1994, p. 39.
[6] OJ C 96, 1.4.1996, p. 233.

(97/C 11/16)

WRITTEN QUESTION E-1534/96

by Jessica Larive (ELDR) to the Council

(25 June 1996)

Subject: Herring quota

1. Is the Council aware of the research into herring fishing carried out by the International Council for the Exploration of the Sea (ICES)?

2. Can the Council confirm the research finding that the Danish fish meal industry, in particular, is responsible for a possible quota restriction because a considerable quantity of young herrings are caught along with sprats?

3. Can the Council also confirm that Scottish fishermen catch more than their permitted quota?

4. If so, does the Council agree that these points should be borne in mind when the quota is allocated and that other Member States should not have to suffer from the unacceptable practices of the Member States referred to above?

Reply

(19 November 1996)

1. The Council is aware that the International Council for the Exploration of the Seas (ICES) conducts regular research into a number of fish stocks, including herring. Indeed this scientific advice forms the basis for the Proposals made to the Council each year by the Commission to determine the levels of total allowable catches (TACs) and quotas. These are allocated according to the principle of realtive stability, and subject to certain technical catch restrictions.

2. The latest report from ICES on herring expresses grave concern on the state of the herring stocks and makes a number of recommendations, including reduction in catches and fishing mortality for all fleets exploiting the herring stocks, for both human consumption and industrial purposes.

3. The European Community held consultations with the Norwegian authorities, who are jointly responsible for the management of North Sea herring stocks, and on 25 July 1996 the Council adopted Regulation (EC) No 1602/96 [1] to reduce very considerably the 1996 TAC for these stocks.

4. The Council does not have any specific statistical information on the herring fishery which would make it possible for it to attribute overfishing to fishermen of particular Member States.

[1] OJ L 198, 8.8.1996, p. 1.

(97/C 11/17)

WRITTEN QUESTION E-1568/96

by Roberto Mezzaroma (UPE) to the Commission

(24 June 1996)

Subject: Mad cow disease

Mad cow disease is causing concern to millions of consumers who, whether justifiably or not, have over the past few weeks reduced their consumption of beef and veal.

1. Can the Commission state when the first case was recorded in the United Kingdom and how the disease is transmitted?

2. Can it state how many people have so far been directly affected by the virus and give details of the specialized prevention and treatment centres existing in Europe?

Answer given by Mr Fischler on behalf of the Commission

(27 September 1996)

1. Bovine spongiform encephalopathy (BSE) was recognized as a specific disease in cattle in November 1986. Some bovine animals in the United Kingdom may have had BSE prior to that date, without having been recognized.

The most likely scientific explanation for the origin of BSE is that the infective agent was present in animal feed containing meat-and-bone meal of ruminant origin. The meat-and-bone meal containing the infectious agent was not sufficiently treated to destroy it. The BSE agent is most probably derived from scrapie, a related disease of sheep. There is, however, recent statistical evidence that vertical transmission may occur although there is no biological explanation for the mode of transmission at present. If vertical transmission from mother to calf does occur it will probably be at relatively low levels.

2. Creutzfeldt-Jakob disease (CJD) is a rare disease of unknown origin; a viral aetiology is not thought to be involved. Its incidence is of the order of one case per million humans per year, in all countries. The new variant of this disease first described in March 1996 is much less common, with 12 cases to date worldwide. A link between this new variant and BSE has been suggested but not proven.

There is no specific treatment for this fatal disease. Cases are usually managed in neurological units of general hospitals.

Preventive measures against exposure of the human population to the BSE agent are undertaken at the level of abattoirs and processing plants, under the supervision of Member States' veterinary services.

(97/C 11/18)

WRITTEN QUESTION E-1587/96

by Amedeo Amadeo (NI) to the Commission

(24 June 1996)

Subject: European voluntary service

It would seem that the first work experience for the European voluntary service is to take place in South Africa.

Since the project is being financed by the European Commission, the German Government and South Africa itself, can the Commission say:

1. why other Member States are not involved in the co-financing;

2. what criterion is being used to select the young European doctors?

Answer given by Mrs Cresson on behalf of the Commission

(26 July 1996)

1. The initiative for the project came from the German organisation GTZ/CIM (Center for international migration), which proposed the project to the Commission for cofinancing. The Commission is following standard procedures dealing with proposals for cofinancing. These procedures do not imply the need to involve other cofinancing partners.

2. The candidates will be identified and preselected by GTZ/CIM in the Member States of the European Union. The final selection will be conducted by representatives of the ministry of health of South Africa at GTZ/CIM head office in Frankfurt am Main in Germany together with representatives of the Commission. The minimum formal requirement is the registration as medical practitioner and possession of the nationality of one of the Member States. Preference will be given to doctors specialising in anaesthetics, obstetrics and surgery under the age of 30 years. Furthermore, language skills and personal qualities, such as motivation and commitment, sense of responsibility and maturity, will be taken into account.

(97/C 11/19)

WRITTEN QUESTION E-1617/96

by Richard Howitt (PSE) to the Commission

(24 June 1996)

Subject: European Commission delegations in South America

Can the Commission indicate the size and location of its delegation in the countries of South America at present?

What is the total cost of these delegations?

Does the Commission plan any changes in its delegations to this region?

What reports are available to the European Parliament concerning the work of these delegations?

Answer given by Mr Van den Broek on behalf of the Commission

(9 September 1996)

The Commission would refer the Honourable Member to the table below setting out the information he requested.

Country	City	Local staff	Officials	Young experts being trained	Total
Argentina	Buenos Aires	13	4	1	18
Bolivia	La Paz	8	2	–	10
Brazil	Brasilia	11	6	1	18
Chile	Santiago	16	3	1	20
Colombia	Bogota	11	5	–	16
Guyana	Georgetown	11	4	1	16
Peru	Lima	11	4	2	17
Suriname	Paramaribo	8	3	1	12
Uruguay	Montevideo	11	4	1	16
Venezuela	Caracas	16	3	–	19
Total		116	38	8	162

This year the overall budget for running these delegations is ECU 7.5 million, excluding officials' salaries.

The Commission is not currently planning any changes in its delegations in the region.

It has no specific report on the work of these delegations in South America, but a report on the work of the Commission's external delegations (1) in general was sent to Parliament in May last year.

(1) COM(95) 68 final.

(97/C 11/20)

WRITTEN QUESTION E-1657/96

by Yannos Kranidiotis (PSE) to the Council

(24 June 1996)

Subject: The cold-blooded murder of a Greek Cypriot National Guard by the Turkish forces of occupation

On the morning of 3 June 1996 Turkish soldiers shot and cold-bloodedly killed a 19 year-old Greek Cypriot National Guard, Stelios Panayis Kallis. This killing took place in no man's land which is under the control of the UN's peace force in Cyprus and the Greek National Guard had gone there unarmed. It should be borne in mind that Stelios Panayis Kallis is the seventh person to have been killed in this way. This incident provides further proof of the aggressive attitude of the Turkish army of occupation and the danger it poses for the people of Cyprus.

Will the Council say whether it intends to raise this matter with the Turkish authorities at the next meeting of the EU-Turkey Association Council and to what extent it intends actively to support the proposal for the demilitarization of Cyprus which would both contribute to a solution to the problem of Cyprus and prevent incidents of this kind occurring in future?

(97/C 11/21)

WRITTEN QUESTION E-1712/96

by Konstantinos Hatzidakis (PPE) to the Council

(1 July 1996)

Subject: Cold-blooded murder of Greek Cypriot national guardsman by Turks in Cyprus

On 3 June 1996, the Turkish occupying forces in Cyprus killed in cold blood a 19-year old Greek Cypriot national guardsman, Stelios Panayis, who had entered no-man's-land to talk to a Turkish Cypriot soldier. He was the seventh Greek Cypriot national guardsman to be killed in this way, a victim of Turkish aggression and of the continued Turkish military occupation of part of the island of Cyprus.

What is the Council's position in this particular case and what steps will it take to ensure that such deplorable incidents do not reoccur in the future?

Joint Reply
to Written Questions E-1657/96 and E-1712/96

(19 November 1996)

1. The Council deplores the mortal wounding in the buffer zone of Stelios Panayis Kallis, a member of the Greek Cypriot National Guard, as well as the disproportionate use of force by the security forces in the north of Cyprus in response to unauthorized entry into the buffer zone.

2. The Council attaches the greatest importance to respect for human life and is resolute in condemning violence in whatever context.

3. The recent events have again highlighted the urgent need to intensify efforts to promote a comprehensive political settlement in Cyprus, under the aegis of the United Nations. The European Union reiterates its full support for the work of the Secretary-General and his special representative in this regard.

(97/C 11/22)

WRITTEN QUESTION E-1664/96

by Juan Colino Salamanca (PSE) and Jesús Cabezón Alonso (PSE) to the Commission

(24 June 1996)

Subject: Beef consumption

What is the estimated percentage slump in beef consumption in the countries of the European Union since the 'mad cow' crisis?

Answer given by Mr Fischler on behalf of the Commission

(5 September 1996)

The crisis caused by bovine spongiform encephalopathy (BSE) has resulted in a rapid, continuing decline in the market in beef and veal. Consumption has dropped sharply (by some 20% to 30% in some Member States), the prices paid to producers have fallen and large amounts have been bought into intervention.

It is very difficult to put forward figures for the drop in beef and veal consumption in the Community, since the impact of the crisis differs greatly depending on the Member State, the products involved and the period covered. It is to be expected that Member States where cases of BSE have been recorded are the worst affected; the same applies to processed products and offal, consumption of which has dropped more than the consumption of the highest quality cuts and meat guaranteed by a quality label, sales of which have even increased overall. The fall in internal demand was greatest in the weeks immediately following the start of the crisis at the end of March and is now very gradually becoming less acute. The exceptional measures involving the slaughter of animals and destruction of by-products and meal through which BSE could be transmitted and the measures which will very shortly be taken to improve the means of identifying animals and meat labelling should help to limit the overall drop in beef and veal consumption in the Community.

(97/C 11/23)

WRITTEN QUESTION E-1695/96

by Amedeo Amadeo (NI) to the Commission

(24 June 1996)

Subject: Multiannual programme to promote energy efficiency in the European Union — Save II

In adopting the Commission proposal it emerged that a specific energy title should be included in the Treaty. Energy policy initiatives should pursue two priority objectives: economic and social cohesion and employment growth and particular attention must also be paid to measures to involve SMEs in the actions planned.

Does the Commission not therefore consider that it would be useful to examine:

1. the possibility of concentrating on integrated measures involving various sectors and geographical areas;
2. the importance of ensuring that final users are involved in studies and models with specific objectives;
3. the need to specify in invitations to tender the energy saving criteria required of firms responsible for energy management;
4. the importance of including in individual projects the specific objectives of reducing CO_2 emissions, which should be subject to ex-post verification?

Answer given by Mr Papoutsis on behalf of the Commission

(5 September 1996)

1. Within the Save II programme the Commission will use networks covering specific sectors and with a wide geographic coverage to disseminate energy efficiency information. Such networks might include European associations of architects or engineers or groupings of cities with common transport problems.

2. Save is a programme which aims to influence the final consumer's energy efficiency behaviour. It has, therefore, always been the policy of the Commission to involve the final consumer in pilot projects as much as possible. The Save II programme includes an initiative to improve energy management capability at regional and local level which will involve consumers in the most direct fashion.

3. The current guidelines for Save submissions seek to identify pilot projects having the greatest impact on energy efficiency. The energy efficiency experts of the Commission have also assisted other programmes (notably Phare, Tacis and the Community support framework) to include a mention of energy efficiency in specifications of individual projects.

4. Save is a programme to improve the rational use of energy and should consequently reduce CO_2 emissions. Ex-post evaluation of Save has concentrated essentially on the energy saving aspects but, in the future, a quantification of the reduction in CO_2 emissions could be considered.

(97/C 11/24)

WRITTEN QUESTION P-1710/96

by Monica Baldi (UPE) to the Commission

(17 June 1996)

Subject: Implementation of Directive 91/414/EEC by Italy

Council Directive 91/414/EEC [1] of 15 July 1991 was issued with the aim of establishing EU standards in respect of the use of plant protection products.

The Directive stipulates that plant protection products may not be placed on the market and used unless they have been authorized by the Member State following inspection.

The Directive does not contain any requirement to submit data concerning the use of plant production products by means of appropriate forms or registers.

Although Italy has issued a relevant legislative decree, it has not fully implemented that decree (No. 194 of 17 March 1994 'implementing Directive 91/414/EEC concerning the placing of plant protection products on the market') since it has not yet adopted appropriate national plans to assess and control the impact of the use of such products on public health and the environment.

1. Does the Commission agree that the different provisions currently applied in Italy by virtue of Ministerial Decree No. 217 of 25 January 1991 and Presidential Decree No. 236 of 24 May 1988, aimed at requiring all plant protection products to be declared and registered before use, failing which legal sanctions should apply, are incompatible with the aforementioned Community legislation?

2. Does the fact that Italy requires datasheets and stock registers to be kept in respect of plant protection products not constitute a distortion of competition and trade between States that is contrary to the common interest?

3. Would the judicial and administrative authorities be justified in repealing the aforementioned provisions, which is contrary to Community legislation on the use of plant protection products, in accordance with the consistent rulings of the Court of Justice?

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[1] OJ L 230, 19.8.1991, p. 1.

Supplementary answer given by Mr Fischler on behalf of the Commission

(26 September 1996)

1 and 3. Further to its answer of 2nd July 1996, the Commission is of the opinion that Directive 91/414/EEC concerning the placing of plant protection products on the market, does not prevent Member States from providing for a requirement for users and distributors to record and declare data concerning sales, purchases and uses of certain plant protection products. It results from several provisions in Directive 91/414/EEC, such as Article 3(2), Article 10(1) 2nd subparagraph, and Article 17, that Member States can take all measures necessary to ensure the proper use, storage, production and movement of plant protection products.

2. The Commission believes that for several reasons, such as ensuring adequate protection of human and animal health and the environment as well as preventing possible distortions of competition between companies in the different Member States, there may be an interest in developing a harmonised framework for such measures. The Commission is currently studying the possibilities for such harmonisation both within the framework of Directive 91/414/EEC and within the framework of the development of future policies for substainable use of pesticides as set out in the fifth environmental action programme.

(97/C 11/25)

WRITTEN QUESTION E-1726/96

by Joan Vallvé (ELDR) to the Commission

(25 June 1996)

Subject: Imports of agricultural produce in Valencian ports.

Many imports of agricultural products from third countries which do not belong to the European Union pass through the port of Valencia, e.g. wine, rice, vegetables, honey, dried fruit, tiger nuts and citrus fruit; these frequently arrive without having undergone any type of check or inspection as to whether they meet the phytosanitary standards demanded by the European Union.

In recent months, various cargos of Egyptian potatoes have been found to be carrying the bacteria responsible for 'yellow rot' (Pseudomonas solanacearum) -in the case of Valencia, in the port of Sagunto — with all the risks that this involves. The Commission Decision (96/301/EC) [1] taking additional measures in this connection has helped to reduce the risk.

Can the Commission tell me what type of analogous control measures are envisaged for imports of these products from third countries with regard to the application of the quality standards established by the European Union, phytosanitary legislation and the minimum permitted residue levels?

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[1] OJ L 115, 9.5.1996, p. 47.

Answer given by Mr Fischler on behalf of the Commission

(5 September 1996)

With regard to quality standards which reflect only the commercial quality aspect and not the plant health aspect, such standards have been determined for some 30 fresh fruit and vegetables. Responsibility for checking the conformity of the standards at all stages of marketing rests with the Member States and checks are to be carried out on the basis of Commission Regulation (EEC) No 2251/92. [1]

With regard to plant health standards, the Commission would inform the Honourable Member that Community plant health rules were introduced in Council Directive 77/93/EEC, [2] as last amended by Commission Directive 96/14/EC. [3] These rules are based on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community. They seek principally to provide protection against quarantine organisms, specifically in association with material for planting and certain material intended for use which impinge particularly on plant health, such as wood, potatoes and citrus fruits, as well as parts of plants used for decoration (e.g. cut flowers and branches) of certain species.

Among the agricultural products referred to by the Honourable Member which are imported from third countries into the Community via the Valencia region, only citrus fruits are subject to specific phytosanitary control. Upon importation of citrus fruits, Member States are required to carry out phytosanitary checks in order to verify compliance with the requirements.

With regard to the bacterium responsible for potato yellow rot, Commission Decision 96/301/EC authorizes the Member States to provisionally take additional protective measures against the spread of pseudomonas solanacearum originating in Egypt. Such additional measures include the obligation to comply with the following requirements:

— the potatoes must come from qualified areas where the bacterium is not known to exist;

— the potatoes must have been subject to an official inspection carried out on cut tubers, tested in Egypt, and declared free of pseudomonas solanacearum;

— they must also be inspected and tested at the point of entry into the Community.

With regard to maximum pesticide residue levels, the Commission would inform the Honourable Member that Directives 76/895/EEC ([4]), 86/362/EEC ([5]), 86/363/EEC ([6]) and 90/642/EEC ([7]) stipulate the maximum pesticide residue levels permitted in numerous agricultural products and the obligation of the Member States to ensure compliance with such maximum levels through sample checks and inspections carried out in accordance with Directive 89/397/EEC on the official control of foodstuffs. The maximum levels and control rules apply to products obtained in the Community just as to those imported from third countries.

In particular, Directive 90/642/EEC requires that the Member States communicate to the Commission all useful information concerning the checks carried out each year by their national authorities and that a coordinated inspection programme be drawn up each year at Community level in the form of a Commission recommendation ([8]). Lastly, the Commission proposal envisages improving the functioning of the aforementioned four Directives and extending their scope to cover processed agricultural products and foodstuffs made up of several agricultural ingredients.

([1]) OJ L 219, 4.8.1992.
([2]) OJ L 26, 31.1.1977.
([3]) OJ L 68, 19.3.1996.
([4]) OJ L 340, 9.12.1976.
([5]) OJ L 221, 7.8.1986.
([6]) OJ L 221, 7.8.1986.
([7]) OJ L 350, 14.12.1990.
([8]) COM(95) 272 final (OJ C 201, 5.8.1995).

(97/C 11/26)

WRITTEN QUESTION E-1727/96

by Joan Vallvé (ELDR) to the Commission

(25 June 1996)

Subject: Illegal driftnets in the Mediterranean

The problem of fishing with illegal driftnets recurs every summer in the Mediterranean, while the relevant authorities fail to take effective measures to put an end to this illegal practice, expressly prohibited by EU Regulation 345/92 ([1]).

In answer to Questions 2087/95ES and 2088/95ES ([2]) the Commission informed us that last year, the 'Northern Horizon' was chartered as an inspection vessel (and also that it operated for only a few weeks in September).

Last summer, over 600 fishermen were caught fishing with nets of over 2.5 km (according to the Ministerio della Marina Mercante Italiana).

This summer, illegal fisherman flying the Italian flag have already been detected, and large numbers of dead dolphins, sperm whales and sea turtles have been washed up in the Balearic islands.

This year, the Commission has chartered the 'Northern Desire' as an inspection vessel to monitor the situation, but plans to have it operating for only two weeks before sailing for the Bay of Biscay.

Does the Commission believe that these measures are enough to ensure that Community legislation is complied with? Does it believe that these measures will be effective in putting an end to this illegal practice? Does it intend to undertake other, more forceful action against fishing with illegal nets?

([1]) OJ L 42, 18.2.1992, p. 15.
([2]) OJ C 300, 13.11.1995, p. 44.

(97/C 11/27)

WRITTEN QUESTION E-1792/96

by Alexandros Alavanos (GUE/NGL) to the Commission

(3 July 1996)

Subject: Hazards of driftnets

On 28 May 1996, the Greek press reported Greenpeace as saying that a meeting had been called in Brussels between representatives of the Community and the Italian Presidency to settle the dispute over the use of

driftnets in the Mediterranean and the hazards this entails. The reports claim that four years after the European Regulation banning the use of driftnets more than 2.5 kilometres long, Italian fishing boats are constantly breaching this limit in the Ionian and Aegean, killing thousands of dolphins and other species, 80% of which are thrown back into the sea dead.

1. What was the outcome of the above-mentioned meeting?
2. What measures is the Commission taking to deal with this ecological disaster and enforce Community regulations?

Joint answer
to Written Questions E-1727/96 and E-1792/96
given by Mrs Bonino on behalf of the Commission

(9 September 1996)

Taking into account the specific problems related to the drift-net fishery in the Mediterranean as well as in other areas, the Commission presented in 1994 a proposal to the Council [1] that drift-net activitites be gradually reduced with a total cessation of these activities by 31 December 1997 at the latest. Despite the Commission's efforts to work actively together with the subsequent Council presidencies with a view to reaching a compromise solution on this issue, the Council has not been in a position to adopt the proposal.

Within the framework of the common fisheries policy each Member State is responsible for monitoring implementation of Community legislation [2] with respect to fishing activities conducted in its territory or in the waters under its jurisdiction and beyond by Community fishing vessels flying its flag. It is, therefore, up to the Member States concerned to ensure that their vessels engaged in drift-net fishing are complying with current Community legislation and particularly the requirement that drift-nets used by each vessel do not exceed 2.5 kilometers.

It is the task of the Commission to verify whether Member States fulfill their control obligations. To this end, the Commission chartered a vessel to operate as an inspection platform for national and Community inspectors, which patrolled the Mediterranean for a period of about six weeks in May and June 1996. As far as compliance is concerned, it is understood that the Italian government is taking measures with a view to ensuring proper enforcement and thus avoiding a repetition of the cases observed.

As in previous years, the Commission will draw up a report in which it will present its findings in detail.

A number of meetings have been organized between the Commission and the Italian authorities during which the question of a conversion programme for those boats fishing with driftnets has been discussed, and at which some suggestions as to the means of achieving the conversion of this fishing activity have been put forward. Now it is for the Italian government to formulate and present a conversion programme.

[1] OJ C 118, 29.4.1994.
[2] Council Regulation (EC) No. 2847/93 of 12.10.1993, OJ L 261, 20.10.1993.

(97/C 11/28)

WRITTEN QUESTION E-1784/96 by Nel van Dijk (V) to the Commission

(3 July 1996)

Subject: Harmful effects of the pharmaceutical Premarin

The pharmaceutical Premarin, used to replace oestrogens in women during the menopause, is manufacture by the multinational Wyeth-Ayerst from the urine of pregnant mares. The horses are kept continuously pregnant in order to produce as much as possible. In order to concentrate the oestrogens in the urine the horses are kept for long periods without water by many owners. The accommodation provided for the animals is also unsatisfactory in many cases. The urine is discharged after the production process into special urine reservoirs. Research by Dr Bill Paton, professor at the University of Brandon [1], shows that the high ammonia (NH_3) content of the waste is very damaging to the environment. Subsequent to the answers to questions by Stephen Hughes and Anita Pollack on this subject, I have the following additional questions:

1. Can the Commission confirm that the pharmaceutical Premarin is sold in the European Union?
2. Can the Commission state how big a share Premarin commands of the market in pharmaceuticals to counteract unwanted effects of the menopause?
3. Is the Commission familiar with the method of production and its impact on the horses concerned and on the environment?
4. Does the Commission not consider that consumers have the right to know that the manufacture of the product causes severe distress to animals and pollutes the environment?
5. What action will the Commission take to inform the consumer of these aspects?

(1) PMU Pollution, by Dr Bill Paton, in the quarterly 'The Protector', spring 1996.

(97/C 11/29)

WRITTEN QUESTION E-1785/96

by Nel van Dijk (V) to the Commission

(3 July 1996)

Subject: Unnecessary use of the pharmaceutical Premarin

The pharmaceutical Premarin is used to replace oestrogens in women during the menopause. Its manufacturing process causes severe distress to animals and is environmentally polluting. Premarin is nevertheless the most commonly prescribed pharmaceutical for counteracting unwanted side-effects of the menopause. Worldwide, 44 301 000 units of Premarin were sold last year. The prescription guidelines for this pharmaceutical are non-restrictive. The excessive use of Premarin is unacceptable, firstly because superfluous use of any pharmaceutical is undesirable from a health point of view, and secondly because the production of Premarin is particularly damaging to nature and the environment.

1. Can the Commission confirm that the prescribing of Premarin is not confined to restrictive indications?

2. What action will the Commission take to counteract the excessive use of pharmaceuticals in general and of Premarin in particular?

Joint answer
to Written Questions E-1784/96 and E-1785/96
given by Mr Bangemann on behalf of the Commission

(6 September 1996)

Premarin is a pharmaceutical product which contains natural conjugated oestrogen and is authorised in many Member States as an oestrogen replacement therapy for menopausal and post menopausal women.

The Commission has no information on the market share of Premarin.

The Commission does not have any information to indicate that there are farms within the Community where urine is collected from pregnant mares to produce hormones.

The method of production of Premarin is set out in the application dossier which is submitted to the authorities of the Member States when an application for marketing authorisation is requested and is reviewed in order to ensure that medicinal products meet the criteria of quality, safety and efficacy. The farming methods used are not included in the dossier for marketing authorisation for human use medicinal products.

The labelling provisions for pharmaceuticals have been designed to provide information to patients so as to ensure the correct use of the product rather than to give any reference to the manufacturing process by which the product was obtained. These provisions have been drawn up in consultation with consumer groups, health care professional groups and experts from the Member States.

The indications for which Premarin may be prescribed are set out at the time a marketing authorisation is granted. These have been determined by each Member State, since this product has been authorised nationally. The rational use of medicinal products, including the supervision of the prescription of medicines and their use within the approved indications, is ensured by the Member States especially through the pharmacovigilance procedures.

(97/C 11/30)

WRITTEN QUESTION P-1805/96

by Alman Metten (PSE) to the Commission

(26 June 1996)

Subject: Deliberate exportation of contaminated feed

1. What truth is there in the report carried by 'Nature' on 13 June 1996 that Great Britain exported large quantities of cattlefeed which could have been contaminated with BSE after its use had been banned in Britain itself?

2. Since when has the Commission been aware of these facts?

3. Has the Commission not hitherto had any inkling of these practices on the part of the British; did it not ask the British Government for any information or carry out any checks?

4. Does the Commission consider that either the British Government itself or the Commission was negligent in failing to ban exports of cattlefeed which could have been contaminated with BSE?

5. What procedures is the Commission currently using which might be able to prevent a possible recurrence of such a scandal?

6. Is the Commission sure that no contaminated meat products have ended up in other animal feed, for example catfood?

Answer given by Mr Fischler on behalf of the Commission

(6 September 1996)

When it was first revealed that the probable origin of bovine spongiform encephalopathy (BSE) was contaminated meat-and-bone meal which was not treated sufficiently to inactivate the agent, the Commission considered the possibility of a ban on the export of meat-and-bone meal from the United Kingdom. However this was a non-harmonised product and there was no legal base for such a ban. The Commission therefore advised the Member States during successive standing veterinary committee meetings that they should consider national measures. By early 1991, all Member States confirmed that they had introduced a national ban on import of this product from the United Kingdom. Most had taken the measures in 1988-1989. The British veterinary service, for its part, undertook not to issue certificates for export to Member States and third countries which had introduced a national ban.

It is also relevant to record that the United Kingdom itself introduced measures in 1990 to ensure that the specified bovine offals were not put into animal feed. Export of feed containing specified bovine offal was effectively banned by the United Kingdom in September 1990. This would have reduced the potential for contamination of feedstuffs significantly.

Furthermore the use of mammalian meat-and-bone meal in the Community is not and never has been prohibited for feeding to poultry or pigs, nor is the use of poultry material for ruminants banned. There was no reason, therefore, from the Community legal point of view, to prohibit export of this material from the United Kingdom for feeding to the appropriate species. In fact, once Community standards for processing animal waste with respect to BSE were introduced on 1 January 1995, British meat-and-bone meal produced after that date could be legally traded, under the provisions of Decision 94/474/EC [1]. It is the responsibility of the individual Member States to ensure that material is fed only to the species for which it is approved.

These facts must be taken into account when considering the questions put to the Commission. The questions can therefore be answered as follows.

1. The Commission has no data to confirm or deny the report in 'Nature'. Cattle feed can be legally exported from the United Kingdom although it should not contain material derived from mammalian waste, in common with cattle feed in all other Member States. The Commission was informed by all Member States in 1991 that they had prohibited the import of meat-and-bone meal from the United Kingdom, and the British authorities agreed to respect these measures.

2. The claims made in the 'Nature' report are the first information of this character received by the Commission.

3. The Commission has as yet no evidence that contaminated cattle feed was exported. Community inspections have been carried out, but spot checks are not likely to uncover infringements such as have been claimed. The implementation of all export and trade controls is the responsibility of the Member States themselves.

4. If the United Kingdom has not respected the bans legally introduced by the Member States, it would clearly have failed to meet its obligations in this respect. The Commission has asked the United Kingdom for full explanation of the circumstances.

5. Since the introduction of the overall ban on 27 March 1996, the Commission has intensified the level of Community inspections. The team which carries out the next inspection will be asked to make a special report on this matter.

6. Prior to the first diagnosis of BSE in 1986, there were no specific protection measures. Exposure of animals cannot be excluded. However, the level of infection at that time was probably low. In 1990, the United Kingdom introduced a ban on inclusion of specified bovine offal from animal feed. If properly applied, this measure would have significantly reduced this potential risk. The Commission is not in a position to say categorically that inadvertent or fraudulent contamination could not have occurred.

(1) OJ L 194, 29.7.1994.

(97/C 11/31)

WRITTEN QUESTION E-1875/96

by Florus Wijsenbeek (ELDR) to the Commission

(11 July 1996)

Subject: Sleeping periods for aircrews

Is the Commission aware that pilots of Air New Zealand are permitted to sleep for half an hour in the cockpit on international flights, because the airline considers that it is better to let a pilot sleep during a period when little is happening than for two or even three pilots to sleep at the same time, a phenomenon which has occurred several times on all airlines.

Does the Commission agree with the view that permitting this kind of 'controlled sleeping may be safer than 'unofficial, uncontrolled sleeping' by pilots?

If so, does the Commission intend to support such decisions if European airlines also start to permit 'controlled sleeping' by pilots?

Answer given by Mr Kinnock on behalf of the Commission

(26 September 1996)

The Commission is aware that some international companies allow pilots, under certain prescriptive conditions and with certain agreed safety precautions, to take controlled sleep during periods of little activity. It is not aware of any Community airline currently permitting such practices.

Where such practices are permitted, they appear to be based on the agreements made at company level and are not a part of the regulatory framework.

The Commission is unable, at this stage, to give an objective opinion on this issue, but if initiatives were taken to introduce such practices on Community airlines, careful consideration would have to be given to their regulation.

(97/C 11/32)

WRITTEN QUESTION E-1883/96

by Nikitas Kaklamanis (UPE) to the Commission

(11 July 1996)

Subject: Replacement of commercial vehicles

The Greek magazine 'Trochoi Kai Tir' says that the Commission has approved the granting of state aid by the Portuguese government to replace old, pollutant lorries in Portugal with new, more environmentally-friendly vehicles, owing to the stricter environmental standards required by countries such as Austria and others.

Will the Commission say if the Union could provide aid or subsidies of some kind for Greek road hauliers to replace their vehicles, given that they do not use non-pollutant technology and given the limited scope for the Greek government to achieve this?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(26 September 1996)

Part-financing could in theory be made available under the Structural Funds to replace commercial vehicles in the Greek haulage sector. First, however, the Commission would have to certify under Article 93 of the EC Treaty that the system of national aids was compatible with the competition rules, and secondly the Greek Government would have to submit a request for part-financing conforming to the priorities listed in the 1994-99 Community support framework for Greece.

(97/C 11/33)

WRITTEN QUESTION P-1889/96

by Luigi Florio (UPE) to the Commission

(5 July 1996)

Subject: Commission premises

1. How many buildings does the Commission currently occupy in the various EU countries?

2. How many buildings does the Commission currently occupy in non-EU countries?

3. What are the location (address) and size of the various buildings referred to in 1 and 2?

4. What is each of them used for?

5. On what basis is each building occupied (ownership, rental etc.)?

6. If occupied in return for payment but not owned, what was the annual cost for each building in 1994 and 1995?

7. How many officials work in each building?

8. What was the phone bill for each building in 1994 and 1995?

9. What was the electricity bill for each building in 1994 and 1995?

Supplementary answer given by Mr Liikanen on behalf of the Commission

(18 September 1996)

Further to its reply of 15 July 1996, [1] the Commission is now able to provide the following information:

1. The Commission currently occupies 61 buildings in Brussels, 13 in Luxembourg and 23 in the Member States.

2. The Commission currently occupies 233 buildings, of widely varying size, in non-member countries, which are used to house its external delegations.

3. The locations (addresses) of the various buildings referred to in 1 and 2 are to be found in the Commission telephone directory (1), for buildings in Brussels and Luxembourg, and in the official Directory of its departments, for other countries.

The surface area of each of the buildings in Brussels and Luxembourg is among the items of information communicated to Parliament each year in the course of the budgetary procedure. (2) The surface area of the buildings in other Member States of the Union is indicated in the table sent directly to the Honourable Member and to Parliament's Secretariat.

4. Most of the buildings occupied by the Commission are used as offices, others are used as the residences of heads of delegation, conference centres, social activity centres, premises for after-school child-minding services, kitchens or warehousing. The use to which each of the buildings is put is indicated in the document sent directly to the Honourable Member and to Parliament's Secretariat.

5. Currently, the Commission owns five buildings in Brussels, six in the Member States and 45 in non-member countries, which are used as delegation offices. It rents all other buildings.

6. The cost of buildings rentals paid by the Commission in 1994 and 1995 for buildings of which it is not the owner, is, for buildings in Brussels and Luxembourg, among the items of information communicated to Parliament each year in the course of the budgetary procedure (2). With respect to buildings in the Member States, this information appears in the document sent directly to the Honourable Member and to Parliament's Secretariat. For non-member countries, the cost of renting in 1995 is indicated in a document sent directly to the Honourable Member and to Parliament's Secretariat.

7. The number of occupants of each building is indicated in the documents sent directly to the Honourable Member and to Parliament's Secretariat.

8. The Commission's central telephone system in Brussels and Luxembourg does not allow a breakdown of the telephone bill by building. Overall, the bill for 1994 totalled ECU 14.6 million for Brussels and ECU 1.8 million for Luxembourg; in 1995, the bill for Brussels was ECU 13.3 million and ECU 1.8 million for Luxembourg. The telephone bills for the buildings in the Member States are contained in the document sent directly to the Honourable Member and to Parliament's Secretariat. For those in non-member countries, the total bills were ECU 4.8 million in 1994 and ECU 4.9 million in 1995.

9. The electricity bills for 1994 and 1995 are indicated in the document sent directly to the Honourable Member and to Parliament's Secretariat. For buildings in non-member countries, the total bills were ECU 1.4 million in 1994 and ECU 1.5 million in 1995.

(1) OJ C 305, 15.10.1996, p. 123.
(2) This document has been sent directly to the Honourable Member and to Parliament's Secretariat.

(97/C 11/34)

WRITTEN QUESTION E-1890/96

by Christian Rovsing (PPE) to the Commission

(11 July 1996)

Subject: Long-distance coach tours

Does the Commission think it is in keeping with the EU's rules of competiion for Danish coach regulations to enable public monopoly companies such as DSB (Danish state railways) to prevent the passenger traffic council from allowing private bus companies to operate long distance in Denmark as has just happened when the passenger traffic council rejected an application from a number of express coach companies to provide a long-distance service in Denmark?

Answer given by Mr Kinnock on behalf of the Commission

(7 October 1996)

The Commission considers, as a matter of principle, that Community competition rules should be respected by all transport modes including public undertakings. However, certain undertakings entrusted with the operation of services of general economic interest may be granted special or exclusive rights under certain conditions established in Article 90 EC Treaty. Such restrictions on access to the market might be justified especially when authorities impose on these undertakings public service obligations which are compensated through public funding.

Whether the Danish regulations and current practices concerning national regular bus services and railway systems are compatible with Community competition rules would have to be determined on a case by case basis. The Commission has so far not received information indicating a violation of these rules.

(97/C 11/35)

WRITTEN QUESTION E-1891/96

by Klaus-Heiner Lehne (PPE) to the Commission

(11 July 1996)

Subject: National shop closing times versus liberalization in the European Union

In the Commission's view, are the individual Member State laws on shop closing times and opening hours compatible with the rules on competition and liberalization laid down in the European Treaties?

Are the provisions of the above laws compatible with the rules on the freedom to provide services under Article 59 ff.?

Does the reduction in the legally permitted shop opening hours envisaged under the relevant amendment to the law in the Federal Republic of Germany, where shops are to close at 4 p.m. rather than at 6 p.m. on Saturday afternoon, contravene the ban on new restrictions laid down by Article 62 of the EC Treaty?

Does the Commission take the view that consideration should be given to harmonizing the law on shop closing times at European level?

Answer given by Mr Monti on behalf of the Commission

(9 October 1996)

On several occasions, the Court of Justice has been called on to give a preliminary ruling in the matter of national regulations on shop-opening hours, including bans on Sunday trading. ([1]) It confirmed that such national regulations were compatible with the provisions of the EC Treaty governing the free movement of goods and the right of establishment.

The Commission takes the view that examining this matter in the light of other provisions of the EC Treaty does not produce a different result. It is inconceivable that the introduction of regulations on shop-opening hours in a particular Member State could impede the provision of cross-border services given that Article 59 of the EC Treaty is applicable only where a trader does business in a Member State in which he is not established. Regulations on shop-opening hours would apply to any traders doing business in the territory of the Member State concerned. In addition, they are not designed to govern the conditions concerning the provision of cross-border services and, lastly, the restrictive effects they might have on the freedom to provide such services are too uncertain and too indirect for the obligation they impose to be regarded as being apt to impede the provision of cross-border services. Since such national regulations do not, in principle, infringe Article 59 of the EC Treaty, the same is also true of Article 62.

Articles 85 and 86 of the EC Treaty relate to the conduct of firms and not to the conduct of Member States (national legislation). Even so, the Court of Justice has consistently held that Article 85, taken in conjunction with Article 5 of the EC Treaty, requires Member States not to introduce or to maintain in force measures, even of a legislative or regulatory nature, that may render ineffective the competition rules applicable to firms. Such is the case in particular where a Member State requires or favours the adoption of agreements contrary to Article 85 or reinforces their effects. ([2]) It is unlikely that national regulations on shop-opening hours would fall into this category since any agreements between firms in the distributive sector resulting from such regulations could not conceivably affect trade between Member States. For, an agreement is caught by the Treaty's rules of competition only if it is likely to affect such trade significantly.

In spite of the disparity between national regulations on shop-opening hours, the Commission does not see any need for action to be taken at the moment. Leaving aside the possible expediency of a Community initiative, no such need can be justified on legal grounds. Any reduction in national regulations in respect of shops would not result in the removal of obstacles to intra-Community trade in goods and services.

(1) Ruling of 16.12.1992 in Case C-169/91 B&Q; ruling of 24.11.1993 in Cases C-267/91 and 268/91 Punto Casa and PVV; ruling of 20.6.1996 in Semeraro Casa Uno Srl; Cases C/418/93, C-419/93, C-420/93, C-421/93, C-460/93, C-461/93, C-462/93, C-464/93, C-9/94, C-10/94, C-11/94, C-14/94, C-15/94, C-23/94, C-24/94 and C-332/94.

(2) Judgement of 21 September 1988 in Case 267/86 Van Eycke and judgement of 17 November 1993 in Case C-2/91 Meng.

(97/C 11/36)

WRITTEN QUESTION E-1919/96

by Wolfgang Kreissl-Dörfler (V) to the Commission

(16 July 1996)

Subject: Animal consignments – Bavaria: crossborder consignments of animals for slaughter

1. Via what border crossing-points are consignments of animals for slaughter delivered?

2. On what days of the week are animal transporters predominantly dispatched?

3. What species of animals are included in crossborder consignments of animals for slaughter?

Answer given by Mr Fischler on behalf of the Commission

(6 September 1996)

The Commission is responsible for the approval of border inspection posts for veterinary checks of products and live animals arriving from third countries.

1) The border inspection posts Furth im Wald and Waidhaus in Bavaria are, in accordance with Commission Decision 95/357/EC (1) as last amended by Commission Decision 96/357/EC (2), approved for checking live animals for slaughter.

2) The Commission has no information as to the distribution of consignments of animals for slaughter during the week.

3) The approval of these border inspection posts covers all animals for slaughter.

(1) OJ L 211, 6.9.1995.
(2) OJ L 138, 11.6.1996.

(97/C 11/37)

WRITTEN QUESTION E-1929/96

by Gianni Tamino (V) to the Commission

(16 July 1996)

Subject: Discrepancies in translations of the most recent provisions on BSE

Following the EU's imposition of an embargo on exports from the UK of beef and veal and their derivatives and the events relating to the spread of bovine spongiform encephalopathy (BSE), it was decided on 11 June 1996 that the embargo on imports of gelatine derived from bovine tissue should be lifted (Decision 96/362/EC) (1).

The major disparities found in the various language versions of that directive could have extremely serious consequences. The Italian version states that gelatin may be produced from 'pelli, carnicci, tendini e nervi' (skins, fleshings, tendons and nerves) while all the other language versions refer only to 'hides, skins and tendons'. Nerve tissue and fleshings are believed to carry with them a high risk of contagion from BSE.

Is the Commission aware of the above situation?

Which language version is authentic?

Does the Commission believe that the words added were simply a mistake on the part of the translator or that, given the economic interests at stake, they were actually a deliberate misrepresentation of the original text?

(1) OJ L 139, 12.6.1996, p. 17.

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

1. Decision 96/362 is addressed to all Member States so all language versions are authentic.

2. As regards the word 'nervi', the Commission admits that there is a material error in the Italian version. As soon as it became aware of this mistake, it adopted and published a corrigendum (see OJ L 172 of 11.7.1996, p. 28, Italian version). The correct term was 'legamenti'.

3. As regards 'pelli e carnicci', the Commission believes that there is no error here as these are the appropriate technical terms in Italian in the light of the terms or words used in the other Community languages. 'Carniccio' is the technical term for adipose and connective tissues on the inside of the skin. The Commission does not deem it necessary to make a distinction, from the public and animal health point of view, between the skin in the strict sense of the term and the tissues naturally attached to it when it is removed from the carcass.

(97/C 11/38)

WRITTEN QUESTION E-1933/96

by Luigi Florio (UPE) to the Commission

(16 July 1996)

Subject: Italian translation of the decision of 11 June 1996 on mad cow disease

The Italian language version of Commission Decision 96/362/EC (1) of 11 June 1996 amending Decision 96/239/EC (2) on emergency measures to protect against bovine spongiform encephalopathy reads: 'che tutte le atre materie prime (pelli e carnicci, tendini e nervi) siano sottoposte a trattamento alcalino come indicato al precedente trattino, seguito da trattamento technico a 138-140°C per 4 secondi' (Annex, paragraph 1, second indent).

The word 'nervi' (nerves) appears only in the Italian version and in none of the other language versions.

1. Which language version is authentic?
2. Does the Commission believe that the word 'nerves' was included by mistake?
3. If it does, how would it explain such a mistake which, rather than being a mistranslation, actually involves the inclusion of a new word?
4. Who will be held accountable for any damage to health which this mistake may cause in Italy, given that it was promptly transposed in a decree issued by the Minister for Health?
5. Who was responsible for the Italian translation of the aforementioned provision?
6. Who checks the work of translators?

(1) OJ L 139, 12.6.1996, p. 17.
(2) OJ L 78, 28.3.1996, p. 47.

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

1. As Commission Decision 96/362/ EC is addressed to all Member States, all the language versions are authentic. (1)

2. and 3. The Commission acknowledges that there was a material error in the Italian text. As soon as it became aware of the discrepancy vis-à-vis the other language versions, and in particular the error cited by the Honourable Member, it adopted and published an corrigendum. (2)

4., 5. and 6. Where such errors occur despite the checks that are carried out, the Commission assumes responsibility for this and sets in train as swiftly as possible the procedures laid down for making the necessary corrections. In the particular case referred to by the Honourable Member, the Commission took the appropriate measures without delay to correct the mistake in the Italian version. It should be noted that the measure in question concerns gelatine and dicalcic phosphate produced in the United Kingdom and obtained from cattle slaughtered in the United Kingdom. The Commission has not yet fixed a date for resumption of consignments of the products listed in the Annex.

(1) OJ L No 139 of 12.6.1996.
(2) OJ L No 172 of 11.7.1996 (Italian version).

(97/C 11/39)

WRITTEN QUESTION E-1938/96

by Miguel Arias Cañete (PPE) to the Commission

(16 July 1996)

Subject: Delays in payment of export refunds

Under current Community legislation, there is no stipulated period within which payment of export refunds must be made. The period therefore varies from country to country, ranging from less than one month in the Netherlands or France, to 4 months in Spain or Italy.

This state of affairs clearly demonstrates the absurdity (which, furthermore, has been acknowledged by the EAGGF) of establishing a right for operators and at the same time reducing its effectiveness in practice. What is more, it is leading to distortions of competition.

Given the above, would the Commission agree that provisions establishing a maximum payment period should be incorporated into the relevant Community legislation?

Answer given by Mr Fischler on behalf of the Commission

(5 September 1996)

The Commission confirms the Honourable Member's assertion that, under current Community legislation, there is no stipulated period within which payment of refunds to operators must be made by paying agencies in the Member States: paying agencies must often await proof of arrival at destination in the third country of goods for which a refund has been applied before proceeding to settle payment. However, the Commission, in its relations with the Member States, monitors closely the processing and settlement of refund payments. It informs the paying agencies and, where applicable, the national authorities, without fail if the payment periods are subject to undue or improper delay. The Commission considers that payments should be made within a reasonable period so as not to prejudice the economic objective of the measure.

The Commission would also point out that, in order to mitigate the adverse consequences of prolonged refund payment periods, provision is made, in Article 22 of Regulation (EEC) No 3665/87, (1) for an exporter to obtain all or part of an advance on the refund following the lodging of a security.

(1) OJ L 351, 14.12.1987.

(97/C 11/40)

WRITTEN QUESTION E-1944/96

by Hiltrud Breyer (V) to the Commission

(16 July 1996)

Subject: BSE and water

1. Is the Commission aware that the BSE pathogen may enter drinking and ground water?

2. What action does the Commission intend to take to avert the danger of ground water contamination by the pathogen, especially in regions where knacker's yards are located?

3. How does the Commission rate this danger?

Answer given by Mr Fischler on behalf of the Commission

(16 September 1996)

1. The Commission has no information concerning the possibility that the bovine spongiform encephalopathy (BSE) agent can be transmitted via water.

2. The Commission has, through Decision 95/348/EC [1] laying down the veterinary and animal health rules applicable in United Kingdom and Ireland to the treatment of certain types of waste intended to be marketed locally as feedstuffs for certain animal categories, authorized the use of knackers' yards. In accordance with Article 3 of this Decision these establishments must have a waste-water disposal system meeting hygiene requirements. The sanitary situation of knackers' yards is the responsibility of the United Kingdom authorities. The United Kingdom has rules prohibiting the removal of the spinal cord and the brain from the carcase which also apply to knacker's yards. This should prevent any possible contamination of the environment around the knacker's yards. The Commission has during its two missions to the United Kingdom (21-24 April and 28-31 May 1996) visited knackers' yards and a problem regarding the sanitary situation in regard to the waste water was not observed.

3. The Commission has not received any scientific epidemiological information suggesting this possible way of transmission and no specific measures with regard to this aspect are taken. However, the Commission will, of course, upon any suspicion that there may be a risk to human or animal health due to knackers' yards, immediately assess the situation and take the appropriate measures.

[1] OJ L 202, 26.8.1995.

(97/C 11/41)

WRITTEN QUESTION E-1948/96

by Hiltrud Breyer (V) to the Commission

(16 July 1996)

Subject: BSE

1. Is it true that the decision to relax the export ban was based on a non-impartial study by the gelatin industry?

2. Who drew up the study?

3. Who financed the study?

4. What is the Commission's view of the scandal that a study evidently financed by the industry as a favour was taken as the basis for the relaxation of the export ban without regard for the serious health implications?

(97/C 11/42)

WRITTEN QUESTION E-1950/96

by Hiltrud Breyer (V) to the Commission

(16 July 1996)

Subject: BSE

1. After prohibiting exports for some three months, the Commission decided to relax the ban on gelatin, tallow and semen from British stocks.

(a) On what recent studies was this decision based?

(b) If there are no studies showing these products to be harmless, what was the basis for the revision within three months of a decision that was taken on scientific grounds?

2. Why was the decision to relax the export ban taken against the will of the Scientific Committee for Food?

Joint answer
to Written Questions E-1948/96 and E-1950/96
given by Mr Fischler on behalf of the Commission

(4 October 1996)

Commission Decision 96/239/EC on emergency measures to protect against bovine spongiform encephalopathy (BSE)SSSS [1] was taken as a safeguard measure in order to allow for re-evaluation of the situation. This Decision was based on the opinion of the scientific veterinary committee of 22 March 1996.

Commission Decision 96/362/EC [2] amending Decision 96/239/EC was based on a scientific assessment that gelatin and tallow produced in accordance with the rules laid down in the Annex to the Decision, and semen, were considered safe. One of the most important criteria in assessing the safety of the gelatin is the sourcing of the raw material. In this respect, therefore, all tissues which have been shown to contain infectivity or could be contaminated with the infective agent (skull, vertebral column, brain, spinal cord, eye, tonsil, thymus, intestines and spleen) are excluded. The skin and bones which may be used in gelatin manufacture are classified as low risk tissues.

An interim report by Inveresk research international limited, an independent research laboratory, on the validation of the clearance of scrapie from the manufacturing process of gelatin (IRI Project No 851180) was another element used in the risk-assessment of gelatin. The study was financed by the gelatine manufacturers of Europe, an organisation with members throughout Europe.

As a result of the final report by Inveresk research international limited, which was presented to the Commission after Decision 96/362/EC had been adopted, the Commission has asked its scientific advisers to re-assess the safety of gelatin. However, other scientific evidence supports the thesis that chemical and heat treatments used in gelatin manufacturing will contribute to the inactivation of any agent which could be present. Further research on the inactivation of the BSE and scrapie agents in gelatin manufacture are under consideration.

Decision 96/362/EC requires that the export of gelatin from the United Kingdom will not take place until the Commission has carried out inspections and found the production to be in accordance with the Decision. This will not be implemented until the scientific advice is clarified.

[1] OJ L 78, 28.3.1996.
[2] OJ L 139, 12.6.1996.

(97/C 11/43)

WRITTEN QUESTION E-1956/96

by Hiltrud Breyer (V) to the Commission

(16 July 1996)

Subject: Certification of genetically engineered seed varieties

1. Is the Commission aware that transgenic plants are showing no evidence of stability?

2. Is it aware, for instance, that in the case of the herbicide-resistant maize produced by the Agrevo company, more than half the test plants show no evidence of stability within a year and the herbicide-resistant property is lost?

3. Does a certified variety yet exist which has been shown to be stable?

4. If so, which?

5. In which Member State is this variety certified?

Answer given by Mr Fischler on behalf of the Commission

(16 September 1996)

1. The Commission has no evidence that varieties of transgenic plants are any less stable than those obtained by conventional breeding. However, it should be said that all varieties, the seed of which is marketed pursuant to the relevant Community legislation (in this case, Council Directives 66/402/EEC [1] and 70/457/EEC [2]), must in principle be stable.

2. Under current legislation, the Commission does not have to be informed of the results of particular trials. In the case of all hybrids the characteristics of the genealogical components are different (these characteristics may include herbicide resistance). The behaviour of test plants in such programmes should not be confused with the stability of the variety which may eventually be accepted for marketing. As a consequence, a plant variety, whether obtained by conventional or transgenic breeding, has to satisfy the stability requirement before it can be accepted for marketing. Moreover, if after such acceptance it is shown that the stability requirement is no longer fulfilled, the variety will be removed from the Member State's catalogue and will no longer be eligible for marketing.

3, 4 and 5. According to the information available to the Commission, no genetically modified plant varieties derived from material authorised to be placed on the market under Directive 90/220/EEC [3] have yet been accepted in any Member State's catalogue of agricultural varieties. The Commission proposal [4] to amend the seven basic seeds directives puts forward provisions in order to implement the 'one door, one key' policy in the seeds area, which would allow genetically modified plant varieties to undergo all the necessary assessments under the seed legislation.

(1) OJ 125, 11.5.1966.
(2) OJ L 225, 12.10.1970.
(3) OJ L 117, 8.5.1990.
(4) COM(93) 598 final.

(97/C 11/44)

WRITTEN QUESTION E-1961/96

by Peter Truscott (PSE) to the Commission

(16 July 1996)

Subject: Legislation on the implantation of human genes into animals

Can the Commission list any legislation in place to control the sale of animals that have been implanted with human genes for the purposes of medical research?

Answer given by Mrs Bjerregaard on behalf of the Commission

(16 September 1996)

There is no specific legislation in place to control the sale of animals that have been implanted with human genes for the purposes of medical research.

Council Directive 90/220/EEC [1] on the deliberate release into the environment of genetically modified organisms contains provisions for the marketing of products containing or consisting of GMOs which are intended for release into the environment. The animals to which the honourable MEP refers, are restricted to contained use but are not covered by Directive 90/219/EEC [2] on the contained use of genetically modified micro-organisms since this Directive applies only to micro-organisms.

All animals used for experimental purposes including those used for the purposes of medical research are covered by the Directive 86/609/EEC [3] on the protection of animals used for experimental and other scientific purposes.

(1) OJ L 117 of 8 May 1990, p. 15.
(2) OJ L 117 of 8 May 1990, p. 1.
(3) OJ L 358 of 18 December 1986, p. 1.

(97/C 11/45)

WRITTEN QUESTION E-1962/96

by Robin Teverson (ELDR) to the Commission

(16 July 1996)

Subject: BSE

Further to my Question E-0979/96 [1], is the Commission confident that all cases of BSE within the EU are being properly identified by the farmers and vets concerned, and that all such incidences are being notified to the national authorities and the Commission as required by Council Directive 82/894/EEC? [2]

What practical steps has the Commission taken to ensure that the existing notification system is actually working?

[1] OJ C 297, 8.10.1996, p. 59.
[2] OJ L 378, 31.12.1982, p. 58.

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

Bovine spongiform encephalopathy (BSE) was made notifiable within the Community by Commission Decision 90/134/EEC [1] amending Council Directive 82/894/EEC [2]. All Member States have confirmed that they have implemented Decision 90/134/EEC. Furthermore, the Commission has conducted training courses on the detection of BSE for experts in the Member States to ensure that diagnostic capabilities are sufficient throughout the Community. The scientific veterinary committee has drawn up detailed protocols for the laboratory diagnosis of BSE.

Commission Decision 94/474/EC [3] requires any animal which shows clinical signs of BSE during inspection prior to slaughter to be detained and its brain to be examined for evidence of BSE. As with other animal diseases, a 100% detection rate of BSE cannot be guaranteed since the clinical signs vary, there are several causes for nervous disorders and the animal may die before the clinical signs appear.

The application of the rules on a day-to-day basis is the responsibility of the authorities of the Member States. The Commission has no reason to suppose that diagnosed cases of BSE are not being reported by them. There is no practical method whereby administrations, including the Commission, could ensure that all suspect cases are reported to the authorities. This relies on the goodwill of the farmer which is dependent, at least in part, on the compensation available balanced against the possible penalties. Member States are able to provide compensation for the eradication of BSE and may ask the Commission for Community financial assistance.

[1] OJ L 76, 22.3.1990.
[2] OJ L 378, 31.12.1982.
[3] OJ L 194, 29.7.1994.

(97/C 11/46)

WRITTEN QUESTION E-1965/96

by Astrid Lulling (PPE) to the Commission

(16 July 1996)

Subject: Hunting insurance

In most Member States civil liability insurance ('hunting accidents') is an essential condition for obtaining a hunting licence.

There are, however, a considerable number of differences between the Member States, both from the point of view of the minimum guarantees provided in the case of material damage or physical injury and as regards the duration and cost of the insurance schemes and the geographical area covered. Furthermore, legislation in some Member States provides that the insurance scheme must be provided by a company established in the country in question.

All these arrangements hinder the freedom of movement of hunters and sports shooters on Community territory – when they go on hunting trips or where they live in frontier regions – and prevent insurance companies from freely offering their services in all the Member States, as provided for in Directive 92/49/EEC [1] 'direct insurance other than life insurance'.

Does the Commission agree that, in the interests of the smooth functioning of the internal market, the harmonization of national legislations on civil liability insurance for hunting is necessary, notably as concerns the minimum guarantees and periods covered, and that Community citizens should be able to take over an insurance policy with the company of their choice, regardless of the Member State in which it is established?

(1) OJ L 228, 11.8.1992, p. 1.

Answer given by Mr Monti on behalf of the Commission

(11 October 1996)

The Commission would inform the Honourable Member that, in accordance with the rules of the Treaty and with the relevant Council Directives, in particular Directive 92/49/EEC, (1) Member States are required to authorize the taking-out of an insurance contract written either under the right of establishment and by way of freedom to provide services, with a view to obtaining cover in respect of civil liability arising from hunting activities, with an insurance company duly authorized in its home Member State to write such insurance.

The Commission takes the view that the Member States are better placed to decide whether hunting activities carried out on their territory should be the subject of insurance covering the associated civil liability and, where appropriate, to determine the amount of the guarantees and the conditions of cover, having due regard to the differences that exist between Member States in the exercise of hunting activities.

If it transpired that the rules in Member States regarding civil liability insurance for hunting could create obstacles to the practice of the sport, the Commission could take any appropriate measures consistent with the principles of subsidiarity and proportionality.

(1) OJ L 228, 11.8.1992.

(97/C 11/47) **WRITTEN QUESTION E-1968/96**

by Friedrich-Wilhelm Graefe zu Baringdorf (V) to the Commission

(16 July 1996)

Subject: BSE

The Commission has repeatedly expressed the view that the various methods of testing for BSE which have been debated in the media are unsuitable and unreliable. What scientific research supports this Commission standpoint? In particular, what research has been undertaken into Dr H. Narang's live animal test and taken into account in the Commission's view?

The Commission, citing the World Health Organization, has expressed the view that, in certain circumstances, the production of gelatin is safe as regards exposure to infectious material. Is the Commission familiar with the scientific basis of the WHO's position? Is it true that sodium lye (NaOH) is often not used in the production of beef gelatin, and that even when it is, the concentration is around 20 times too low to inactivate the agent, according to the present state of knowledge?

Answer given by Mr Fischler on behalf of the Commission

(7 October 1996)

The Commission is aware of the live animal tests cited by the Honourable Member and has offered the scientist the opportunity to have his tests represented independently by the United Kingdom's authorities. He has not accepted the offer. Other test methods which have been discussed are based upon examining samples of cerebrospinal fluid. Such sampling is very difficult to perform in live animals and is consequently not appropriate for a large-scale screening programme. However, the Commission will of course assess any test methods for live animals which may be proposed. Recently, information has been received on a test for scrapie using tonsil biopsy. This is under scrutiny, and could prove useful for BSE.

The Commission has asked Professor Weissman of Zurich to set up a group of experts to advice on research needs, including the field of testing of live animals. His report is expected soon.

The report of a World health organization consultation on public health issues related to human and animal transmissible spongiform encephalopathies, of 2-3 April 1996, states:

> 'Gelatin in the food chain is considered to be safe if produced by a manufacturing process utilizing production conditions which have been demonstrated to significantly inactivate any residual infectivity that may have been present in source tissues.'

The scientific references on which this opinion was based are set out in the annex to the report.

The Commission is aware of various production methods for gelatin. For production of gelatin in the United Kingdom, Commission Decision 96/362/EC [1] requires that the raw materials may only be low risk tissues in accordance with the International office of epizootics criteria and that the process must include both alkaline and acid treatment or alkali alone for extended periods of time at high concentrations, followed by heat treatment. The methods are currently under review.

[1] OJ L 139, 12.6.1996.

(97/C 11/48)

WRITTEN QUESTION P-1974/96

by Hiltrud Breyer (V) to the Commission

(12 July 1996)

Subject: Simplified procedures

1. On the basis of what scientific data on the safety of experimental releases of genetically modified plants was the simplified procedure authorized?

2. Will the Commission make this information available?

3. How is it that the 15 day time limit in points 7.2 and 7.3 of the Annex to Decision 94/730/EC [1] is not a time limit for the authorities, after which release can no longer be prohibited, but a waiting period for the person making the release?

4. On the basis of what decisions of the European Curt of Justice does European law take precedence over national regulations in respect of Commission decisions, for example Decision 94/730/EC, even where the national laws implementing a decision require the approval of a constitutional body such as the German Bundesrat but that approval has not yet been given?

5. Under Article 7 of 90/220/EEC [2] are the Member States at liberty to require that the public are consulted even in the case of 93/584/EEC [3] and 94/730/EC procedures?

[1] OJ L 292, 12.11.1994, p. 31.
[2] OJ L 117, 8.5.1990, p. 15.
[3] OJ L 279, 12.11.1993.

Answer given by Mrs Bjerregaard on behalf of the Commission

(5 September 1996)

1. - 2. According to Commission Decisions 93/584/EEC establishing the criteria for simplified procedures concerning the deliberate release into the environment of genetically modified plants [1] and 94/730/EC establishing simplified procedures concerning the deliberate release into the environment of genetically modified plants [2], experimental releases under Council Directive 90/220/EEC [3] can be notified by simplified procedures if the recipient is a plant of well-known taxonomic status and biology and if there are scientific data from experimental releases of the same species showing that the genetically modified plants are safe for human health and the environment. The data may come not only from experience of the competent authority examining the release but also from international experience in similar ecosystems.

These scientific data on the impact on human health and the environment from experimental releases are published regularly in scientific journals or proceedings of national and international symposia and are therefore publically available. For more detailed information on specific releases and new experience, the competent authorities of the Member States could be contacted.

3. The question concerns the simplified procedure foreseen for certain genetically modified plants in the case of a whole programme of development work specified a priori. In such a case, as outlined in No 6 of the Annex to Commission Decision 94/730/EC, the simplification concerns the follow-up to any additional information provided by the notifier. According to point No 7.2 of the Annex the notifier can proceed with the release 15 days after the date of receipt by the authority of that additional information. According to point No 7.3 of the Annex to Decision 94/730/EEC, the authority, in specific cases, may indicate to the notifier within the same period that he may only proceed with the intended release if a consent is granted under the standard procedure laid down in the Directive 90/220/EEC. Therefore the period of 15 days concerns both parties, the notifier and the competent authority. It should be underlined in this context that even after the expiry of the period, the competent authority may in specific cases suspend or terminate the release, as foreseen in Article 6 paragraph 6 of Directive 90/220/EEC.

4. Community law prevails over national law. This rule has been stated by the Court of Justice continuously in its judgments (4) and applies irrespective of the nature of the Community provision. It therefore applies also to decisions such as Commission Decision 94/730/EC according to Article 189 paragraph 4 of the EC Treaty.

5. The possibility for a Member State to provide, according to Article 7 of Directive 90/220/EEC, that groups or the public shall be consulted on any aspect of the proposed deliberate release is not affected by the Decisions mentioned by the Honourable Member.

(1) OJ L 279, 12.11.1993.
(2) OJ L 292, 12.11.1994.
(3) OJ L 117, 8.5.1990.
(4) Case 6/64, ECR 585.

(97/C 11/49)

WRITTEN QUESTION P-1975/96

by Jimmy Goldsmith (NI) to the Commission

(12 July 1996)

Subject: Disinformation by the European Commission concerning mad cow disease

Can the European Commission explain how it has been able to assert officially, on several occasions, notably through its current President and his predecessor, Mr Jacques Delors, that it was not fully aware of mad cow disease and the risks of the disease being transmitted to humans, when an internal memo dated 12 October 1990, which was revealed by the French weekly 'Journal du Dimanche' of 30 June 1996, proves that it was, in fact, aware of the situation?

How does the European Commission explain the following statements by one of its 'representatives' at the meeting of the Standing Veterinary Committee of 9 and 10 October 1990, a copy of the minutes of which was sent to three of its officials:

- 'A cool approach is needed so as not to cause negative reactions on the market.'
- 'Stop talking about BSE.'
- 'We shall officially request the United Kingdom to stop publishing the results of its research.'
- 'This BSE business must be minimized by using disinformation. It is better to say that the press tends to exaggerate things.'

Finally, can the Commission state on what other occasions it has encouraged the use of 'disinformation'?

Answer given by Mr Fischler on behalf of the Commission

(25 September 1996)

The Commission has never stated that it was not aware of the situation regarding bovine spongiform encephalopathy, nor have any of its Presidents. The Honourable Member should refer to the statement made by the Commission during the July session of Parliament (16 July 1996). The Commission has kept itself fully informed of the situation ever since the disease was first recognised in the United Kingdom, and has taken appropriate measures for the protection of animal and human health.

The document reproduced in the 'Journal du Dimanche', to which the Honourable Member refers, is not an official account of the meeting in question. It is apparently the personal interpretation of an observer at the meeting, written on Commission headed paper but not officially registered. Members of the standing veterinary committee have confirmed, from their official records, that no such statements were made by the Commission.

In any case, the record of action on BSE by the Commission since the date of the meeting demonstrates that the allegedly proposed course of action was not followed. In particular, the Commission has held two major seminars on spongiform encephalopathies, to which British experts were invited to present the results of their studies, and the Commission has published the proceedings. These publications are:

'Sub-acute spongiform encephalopathies' — Proceedings of a seminar held in Brussels, 12-14 November 1990, Kluwer academic publishers, ref. EUR 13836 EN, and

'Transmissible spongiform encephalopathies' — Proceedings of a consultation held in Brussels, 14-15 September 1993, Commission document VI/413/94 EN.

It will be noted that the seminar in 1990 was held one month after a Commission representative is alleged to have stated that BSE would no longer be discussed and that the United Kingdom would be asked not to publish its research results.

Furthermore, BSE was discussed on the following occasions after the meeting of 10 October 1990:

Date	Committee	Subject
9-10/10/1990	Standing veterinary committee	Exchange of views on the evolution of BSE in Ireland and the United Kingdom
6-7/11/1990	Standing veterinary committee	Exchange of views... for Community project relating to an inactivation of the agent of scrapie and BSE
Nov. 1990	Chief veterinary officers — Standing veterinary committee	Project to obtain brains from scrapie-affected sheep for Community study on rendering processes
12/11/1990	Scientific veterinary committee	Review of research priorities for BSE
4-5/12/1990	Standing veterinary committee	Exchange of views... for Community project relating to an inactivation of the agent of scrapie and BSE
8/4/1991	Scientific veterinary committee	Development of a proposal for surveillance for human spongiform encephalopathies
5-7/6/1991	Standing veterinary committee	Exchange of views on national systems for the surveillance of BSE
26-27/6/1991	Scientific veterinary committee	BSE. Report on actual situation in research and epidemiology
11-13/9/1991	Standing veterinary committee	Miscellaneous: BSE — trade in breeding animals
23/9/1991	Scientific veterinary committee	Methods of surveillance and monitoring of national and individual herds and flocks for the presence of spongiform encephalopathies
15-17/10/1991	Standing veterinary committee	Miscellaneous: BSE-questionnaire — preliminary report distributed
5-7/11/1991	Standing veterinary committee	Exchange of views on the measures applied... surveillance for BSE, the use of meat and bone meal and other trade rules Exchange of views... to imports from third countries...
15/11/1991	Scientific veterinary committee group BSE-CJD surveillance	Surveillance of CJD
3-5/12/1991	Standing veterinary committee	Exchange of views on the information from Member States on BSE
14-16/1/1992	Standing veterinary committee	Exchange of views... in respect of additional measures for protein fro use in animal feedingstuffs with respect to bovine spongiform encephalopathy
17/1/1992	Scientific veterinary committee	Surveillance of spongiform encephalopathies
7/2/1992	Scientific veterinary committee	Presentation of report from sub-group BSE

(97/C 11/50)

WRITTEN QUESTION E-1995/96

by Odile Leperre-Verrier (ARE) to the Commission

(17 July 1996)

Subject: Status of nurses working in the psychiatric sector

Can the Commission say what measures are envisaged to accord professional status to nurses in the French psychiatric sector?

What progress could be made in the context of Directives 89/48/EEC [1] and 92/51/EEC [2]?

[1] OJ L 19, 24.1.1989, p. 16.
[2] OJ L 209, 24.7.1992, p. 25.

Answer given by Mr Monti on behalf of the Commission

(10 September 1996)

The Honourable Member is referring in his question to a complaint made to the Commission regarding the French legislation adopted in 1992 and 1993. According to that legislation, the holder of a psychiatric nursing diploma or a higher-grade psychiatric nursing certificate may, on request, obtain a state general-care nursing diploma subject to either undergoing and obtaining validation of three months' full-time training or undergoing full-time training in nursing in a general-care unit.

On 26 October 1994 a new Order was adopted concerning award of the state nursing diploma to holders of a psychiatric nursing diploma. The difference between it and previous Orders is that the state nursing diploma is now awarded as of right to persons holding a psychiatric nursing diploma. All they have to do is to ask for one from the regional Health and Social Affairs Office. Training in the new skills involved, which has to be undergone by persons who decide to change from one area of activity to another, is no longer subject to a validation requirement.

The Commission considers that this legislation is contrary to Community Directive 77/453/EEC, [1] which lays down minimum criteria for the training of nurses responsible for general care. The content of the training of psychiatric nurses in France seems to be excessively centred on specific care in mental pathology, and clinical teaching is provided mainly in psychiatric institutions. This being so, even a three-month training period is not likely to bridge the gap compared with training evidenced by a state general-care nursing diploma.

The Commission would point out in this connection that its observations on the French legislation on the training of psychiatric nurses are not aimed at monitoring the quality of that training as there is no Community legislation on the minimum training standards to be met by Member States in relation to psychiatric nurse training. Nor does the Commission's intervention have any consequences as regards the professional status of the nurses concerned in their capacity as psychiatric nurses. However, since the above-mentioned legislation seeks to award to psychiatric nurses the state diploma in general-care nursing and since training in the latter field is itself governed by binding Community provisions on minimum training standards (Directive 77/453/EEC), the Commission's intervention is justified because, in this case, training in psychiatric nursing must comply with those standards. Directives 89/48/EEC and 92/51/EEC are not applicable here.

Should France wish to retain the legislation in question, it will therefore have to amend it so that nurses about to make the career change may bring their training up to the minimum level required by Directive 77/453/EEC.

The Commission, having given the French Government notice to submit its observations in accordance with the procedure laid down in Article 169 of the EC Treaty, is currently studying those observations.

[1] OJ L 176, 15.7.1977, p. 8.

(97/C 11/51)

WRITTEN QUESTION P-2001/96

by Yves Verwaerde (PPE) to the Commission

(12 July 1996)

Subject: Commission decision of 12 July 1989 — UIP case

Commission Decision 89/467/EEC [1] of 12 July 1989 in the UIP case was favourable to UIP on condition that this subsidiary company and its parent companies encouraged production in Europe.

1. Does the Commission believe that this condition has been met?

2. If not, why not?

[1] OJ L 226, 3.8.1989, p. 25.

Answer given by Mr Van Miert on behalf of the Commission

(30 July 1996)

It is true that UIP's contribution to European production was one of the factors taken into account when the Decision of 12 July 1989 was adopted. With a view to determining whether or not this exemption should be renewed, the Commission is currently examining UIP's effects on the cinema market. Its impact on European production, as one of these effects, is being taken into account. The Commission has not as yet completed its investigations.

(97/C 11/52)

WRITTEN QUESTION E-2017/96

by Joan Colom i Naval (PSE) to the Commission

(17 July 1996)

Subject: Transposition of the directive on packaging into national law

European Parliament and Council Directive 94/62/EC [1] of 20 December 1994 on packaging and packaging waste should have been incorporated into national law by the Member States by 30 June 1996.

Can the Commission give details of how far the Member States have complied with this requirement and, if applicable, what measures it has taken to ensure full implementation?

[1] OJ L 365, 31.12.1994, p. 10.

Answer given by Mrs Bjerregaard on behalf of the Commission

(24 September 1996)

Article 22(1) of European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste requires the Member States to bring into force the laws, regulations and administrative provisions necessary to comply with the Directive before 30 June 1996 and to inform the Commission thereof immediately.

It should also be mentioned that Article 16 of the Directive requires the Member States, without prejudice to Directive 83/189/EEC, [1] to notify to the Commission the drafts of measures which they intend to adopt within the framework of the Directive, excluding fiscal measures, but including technical specifications linked to fiscal measures which encourage compliance with such technical specifications, in order to permit the Commission to examine them in the light of existing provisions following in each case the procedure under Directive 83/189/EEC.

Under that procedure, Member States are required to postpone the adoption of drafts notified by them for a three-month standstill period during which the Commission and the other Member States can react to the drafts in question and where appropriate deliver a detailed opinion obliging the Member State which made the notification to postpone the adoption of the drafts concerned for a further three-month period.

Member States have to communicate to the Commission the texts previously notified by them once they have been adopted. Clearly, they can only be adopted following expiry of the standstill period.

Consequently, pursuant to Article 16 of the Directive in conjunction with Article 22, any measure designed to implement the Directive has to be notified to the Commission in advance at the draft stage, and the final texts adopted are not be communicated until the notification procedure has been completed. However, national texts implementing the Directive which were adopted before the Directive entered into force are not, of course, subject to the prior notification requirement.

At the time of writing (26 August 1996), Austria, Belgium, Denmark, Finland, France, Luxembourg, the Netherlands, Spain and Sweden have notified to the Commission draft measures implementing Directive 94/62/EEC in whole or in part. These drafts have been or are being examined in accordance with the Directive 83/189/EEC procedure. Denmark and Germany have communicated measures adopted before Directive 94/62/EC entered into force. Denmark and Portugal have transmitted to the Commission measures adopted after Directive 94/62/EC entered into force.

The Commission will take steps to ensure that the 15 Member States comply with their obligations under the Directive as soon as possible using all the means available to it to ensure compliance with Community law including where appropriate the procedure laid down in Article 169 of the EC Treaty.

(1) OJ L 109, 26.4.1983.

(97/C 11/53)

WRITTEN QUESTION E-2046/96

by Martina Gredler (ELDR) to the Commission

(19 July 1996)

Subject: Commission position on Article 100a(4)

During the last EU enlargement the more stringent environmental standards of the new countries in certain sectors were accepted until their revision in 1998.

Can the Commission indicate whether insistence on these higher standards after 1998 for these areas which have been defined since 1994 will be accepted by the Commission, pursuant to Article 100a(4), or would the Commission interpret such action as arbitrary discrimination?

Would this attitude be permissible, even though these standards existed prior to accession?

Will Article 100a(4) need to be clarified in the revision of the Maastricht Treaty?

Answer given by Mr Bangemann on behalf of the Commission

(1 October 1996)

Certain provisions and annexes of the Accession Treaty provide for derogations for the application of a number of Community environmental requirements until the end of 1998. During this period the Commission is to undertake a review of the Community requirements. This review is at present in hand and its outcome should not be prejudiced.

The Commission, in its opinion to the intergovernmental conference, has not proposed revision of Article 100A § 4 of the EC Treaty.

(97/C 11/54)

WRITTEN QUESTION E-2053/96

by Jesús Cabezón Alonso (PSE) to the Commission

(19 July 1996)

Subject: Employment and the Florence European Council

The Florence European Council did not make any progress as regards a common employment policy. Since employment is the stated priority of the Member States' governments, the EU institutions and the social partners,

how does the Commission account for the fact that its proposals on the subject were rejected? What is the future of the Madrid and Essen Summit proposals concerning the inclusion of a chapter on employment in the revised Treaty on European Union to be produced by the 1996 IGC?

Answer given by Mr Oreja on behalf of the Commission

(21 October 1996)

In Florence, the European Council agreed on strategic guidelines on employment, growth and competitiveness reflecting the general integrated approach as well as several of the specific proposals put forward by the Commission in its communication of 5 June 1996 on a confidence pact (1).

The Dublin European Council of December 1996 will provide an opportunity to review progress achieved on the implementation of the European employment strategy at all levels, and to make recommendations for further steps, on the basis of a joint report from the Council and the Commission.

Many participants in the Intergovernmental conference, including the Commission, have proposed that there be included in the Treaty specific provisions in favour of a common strategy for employment. This proposal is being studied in the conference.

(1) CSE(96) 1 final.

(97/C 11/55)

WRITTEN QUESTION E-2060/96

by Glyn Ford (PSE) to the Commission

(26 July 1996)

Subject: Adoption of Directive 91/439/EEC

Can the Commission disclose how many Member States have adopted fully EC Directive 91/439/EEC (1) and how many have abolished their 'grandfather rights' to existing drivers?

(1) OJ L 237, 24.8.1991, p. 1.

Answer given by Mr Kinnock on behalf of the Commission

(12 September 1996)

Five of the fifteen Member States have fully implemented Council Directive 91/439/EEC on driving licences, and a further five are close to full implementation. There are difficulties involving five Member States. But, as Council Directive 91/439/EEC took effect from 1 July 1996, all European citizens can already enjoy their rights under this Directive, in particular profiting from the mutual recognition of all driving licences issued by Member States.

Directive 91/439/EEC does not include any provision for 'grandfather rights'. Such a provision was included in point i) of Annex III minimum standards of physical and mental fitness of Council Directive 80/1263/EEC of 4 December 1980 (1), but has not been retained in the same Annex III of Council Directive 91/439/EEC. Consequently, the absence of such a provision in Directive 91/439/EEC obliges all Member States to abolish their 'grandfather rights'.

(1) OJ L 375, 31.12.1980.

(97/C 11/56)

WRITTEN QUESTION E-2067/96

by Fernand Herman (PPE) to the Commission

(26 July 1996)

Subject: Counterfeit goods

Have all Member States designated the services competent to receive and deal with applications to the customs authorities pursuant to Article 3(8) of 'counterfeit goods' Regulation 3295/94 [1] of 22 December 1994?

What are the names and addresses of those services?

The Belgian customs authorities for instance tell holders of rights that there is no possibility of appeal when counterfeit goods are seized.

Has the Commission abandoned its duty to ensure that the Member States properly apply Union regulations?

[1] OJ L 341, 30.12.1994, p. 8.

Answer given by Mr Monti on behalf of the Commission

(11 October 1996)

Council Regulation (EC) No 3295/94 of 22 December 1994 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit or pirated goods and the associated Commission implementing regulation (Regulation (EC) No 1367/95 [1]) have been in force since 1 July 1995.

In accordance with Article 3(8) of the basic regulation and Article 5(1) of the implementing regulation, the Member States have sent the Commission the names and addresses of the departments to which owners of the relevant intellectual property rights or their representatives should apply for action to be taken. We are forwarding the list to the Honourable Member and to Parliament's Secretariat direct.

As regards the problems with Belgian customs referred to by the Honourable Member, the Commission will enquire into the circumstances and if necessary initiate proceedings under Article 169 of the EC Treaty. As far as it is aware, however, holders of intellectual property rights are entitled to appeal to the Belgian courts against a refusal of customs to take action. The courts are competent to hear actions against any breach of intellectual property rights.

[1] OJ L 133, 17 June 1995.

(97/C 11/57)

WRITTEN QUESTION P-2069/96

by Carlos Pimenta (PPE) to the Commission

(16 July 1996)

Subject: Tagus bridge

It is now undeniable that there were serious violations of the environmental provisions of the funding Decision on the Tagus bridge.

It is also known that the most important requirement of the EIA, the preparation of a land use plan for the area affected by the bridge, has still not been completed and its preparation may not even have started. However, the EIA required this plan to be ready in the first half of 1995.

The lack of such a plan is allowing wild land speculation caused by the new accessibilities generated by the bridge, which will have irreversible effects in the region.

Will the Commission continue its payments until the plan is ready and approved?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(8 October 1996)

Discussions between the Commission and the Portuguese government have identified satisfactory basis for dealing with the land use problems concerning the new Tagus bridge:

- the possible problems linked to urban developments that may have an impact on the special protection area should be solved according the indications of the approved environmental impact assessment;
- the Portuguese government confirms that the provisions of the laws referred to in Article 5/3 of the funding decision have been and will be properly applied, in particular with regard to the zone 'non aedificandi' referred to in point 8 of annex 1 of the funding decision and the control of land use on the south bank of the Tagus;
- the Portuguese government will inform the Commission of the way in which future land use plans for the part of the Lisbon area including Alcochete covered by the environmental provisions of the funding decision, take account of the zone 'non aedificandi' and the land use control on the south bank of the Tagus in full respect of Community legislation;
- the Portuguese government will continue to inform the Commission of any problem which might be detected as regards the provisions of the laws referred to in Article 5/3.

(97/C 11/58)

WRITTEN QUESTION E-2073/96

by Hiltrud Breyer (V) to the Commission

(26 July 1996)

Subject: BSE

Concerning the approaches being made to Switzerland (the Swiss veterinary authorities) with a view to learning more of the BSE situation in that country; has it been established that all Swiss BSE cases are attributed to cattle imported from the UK, or are home-bred cattle involved? If the latter, to what is the BSE attributed?

Answer given by Mr Fischler on behalf of the Commission

(17 October 1996)

The Swiss authorities confirm that all cases of bovine spongiform encephalopathy (BSE) in their country have occured in native Swiss cattle. None were imported from the United Kingdom. The Commission has carried out a mission to examine the situation in Switzerland. The team was of the opinion that there is no endemic source of BSE in Switzerland.

The occurence of BSE is attributed to use of feed contaminated with the infectious agent and processed insufficiently to destroy it. Switzerland, like the United Kingdom, has in the past used relatively high levels of meat-and-bone meal in ruminant rations. The origin of this contaminated feed is difficult to determine. Direct imports from the United Kingdom were very low, but imports from many of the adjacent Member States have taken place.

(97/C 11/59)

WRITTEN QUESTION E-2084/96

by Glyn Ford (PSE) to the Commission

(26 July 1996)

Subject: Fight against Racism

Why does Commissioner Liikanen continue to try and impose his view that the Commission has no competence in the fight against racism and xenophobia by slashing budget lines when the Commissioner named responsible has already admitted competence in this area?

Does he always try and impose his views by slashing budget lines in such a manner?

Answer given by Mr Liikanen on behalf of the Commission

(14 October 1996)

The Honourable Member does not accurately reflect the views of either Mr Liikanen or the Commission.

On the contrary, the Commission's preliminary draft budget for 1997 provides for ECU 4.7 million to combat racism (heading B3-4114), despite the particularly tight constraints affecting this budget.

The Honourable Member is also reminded that the Commission operates on a collegiate basis.

Last but not least, on the basis of a Commission proposal 1997 has been declared European Year against Racism.

(97/C 11/60)

WRITTEN QUESTION E-2090/96

by Iñigo Méndez de Vigo (PPE) to the Commission

(26 July 1996)

Subject: European technical harmonization standards

The European Parliament recently held a public hearing on the harmonization of technical standards, which is needed in order to ensure free movement of goods within the European Union.

The SMU representative pointed out that the existence of three different standards bodies (ECS, CENELEC and ETSI) responsible for establishing European standards in this sector makes the task of SMU very difficult, since they are faced with time, financial and linguistic constraints.

Does the Commission plan to take any measures to make it easier for SMU to comply with European standards regulations?

Answer given by Mr Bangemann on behalf of the Commission

(7 October 1996)

Standards, by their nature, are made by and for those operating in the market. They provide a means to facilitate trade between enterprises, including small and medium sized enterprises (SMEs). They are for voluntary application.

Where there is European technical harmonization, especially within the context of directives adopted under the 'new approach', enterprises placing products on the market are bound to follow the essential requirements set out in the directives. However, European standards facilitate compliance with these requirements by providing a recognised, open specification that gives the product presumption of conformity with the essential requirements of the directive. In various cases, they will allow for easier conformity assessment procedures. This helps SMEs by providing a specification that they can follow in confidence.

The participation of small and medium sized enterprises in the standardizing process is helped by the Commmission's financial contribution to Normapme, representing federations of SMEs, to increase their role in European standardization work. The European standardization organisations are currently establishing close contacts with Normapme.

Finally, the Commission has started on the implementation of a programme that will enhance visibility and market knowledge of European standards, in close collaboration both with Normapme and with the European standards organisations.

(97/C 11/61)

WRITTEN QUESTION E-2091/96

by Pedro Marset Campos (GUE/NGL) to the Commission

(26 July 1996)

Subject: Planned installation of a desalination plant in the municipal district of Pulpí (Almería)

A plan to instal a desalination plant at Playa de las Palmeras in the municipal district of Pulpí (Almería) has been submitted.

All the indications from the reports submitted are that the aim is to build a power station, since all the power generated is to be sold to 'Sevillana de Electricidad', while the desalination plant will only be a by-product of the power station's cooling system.

Activities of this kind pose a threat to the environment, as well as to sectors such as agriculture and tourism, and the project could be funded partly from ERDF funds allocated by the Commission.

Has a prior environmental impact assessment been carried out for this project?

Does the Commission not believe that the content and implications of the plan should be made known as a matter of urgency?

What representations will the Commission make to the Spanish authorities to persuade them to carry out a wide-ranging study into this project to ensure that Community legislation is being observed?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(24 September 1996)

The project referred to by the Honourable Member is not currently the subject of any application for co-financing by the European Regional Development Fund. Were such an application to be lodged, the Commission would ensure that it complied with the Community legislation in force.

Under Article 4(1) of Council Directive (EEC) 85/337 on the assessment of the effects of certain public and private projects on the environment, [1] thermal power stations with a heat output capacity of at least 300 MW are subject to the environmental impact assessment procedure set out in the Directive.

The Commission will request information from the Spanish authorities to ensure that the aforementioned Directive has been properly applied in the case in question.

[1] OJ L 175 of 5.7.1985.

(97/C 11/62)

WRITTEN QUESTION E-2093/96

by Joan Vallvé (ELDR) to the Commission

(26 July 1996)

Subject: PACTE programme (exchange of experience)

The PACTE programme (exchange of experience) was highly successful with cities and regions in 1995 and 1996.

Since the programme cannot be financed under budget heading B2-600 because of an interinstitutional agreement, what alternative is the Commission proposing to ensure co-financing of the programme under the 1997 budget? Is heading B2-182 (transitional measures and innovatory schemes) a possible way of ensuring Community co-financing, in conjunction with local and regional authorities of PACTE projects which, by definition, are innovatory schemes for those authorities?

(97/C 11/63)

WRITTEN QUESTION E-2149/96

by Richard Howitt (PSE) to the Commission

(2 August 1996)

Subject: Future of the PACTE programme in 1997

Given the Commission's proposal to merge budget line B2-600 into the Article 10 Programme, can the Commission confirm its intention to retain support for the PACTE Programme for 1997 at its current level of funding and with its current administration by the local authority associations themselves?

(97/C 11/64)

WRITTEN QUESTION E-2151/96

by Richard Howitt (PSE) to the Commission

(2 August 1996)

Subject: Article 10 Programme

Is it true that Danish local authorities have written to the Commission complaining that they are unable to make applications for interregional cooperation under the Article 10 Programme because of the high amount of match-funding required, and that they prefer smaller interregional cooperation projects of the type supported by the PACTE Programme?

What has been the Commission's response to this comment? And why in these circumstances is the Commission seeking to merge the PACTE Programme into the Article 10 Budget line for 1997?

Joint answer to Written Questions E-2093/96, E-2149/96 and E-2151/96 given by Mrs Wulf-Mathies on behalf of the Commission

(22 October 1996)

The Commission appreciates the Parliament's concern about the financing of projects for initiating interregional cooperation, and in view of the budgetary situation it is studying the possibility of funding these projects under Article 10 of Regulation (EEC) No 4254/88 as amended, which relates to the European Regional Development Fund. (1) These projects could involve a Community contribution of ECU 150 000 to 300 000.

The Commission will not fail to inform Parliament at the appropriate time of the results of its study, which must take account in particular of the Court of Auditors' criticisms of partially delegated management of Community appropriations.

(1) OJ L 193, 31 July 1993.

(97/C 11/65)

WRITTEN QUESTION P-2094/96

by Niels Sindal (PSE) to the Commission

(16 July 1996)

Subject: Road haulage

A number of Danish road hauliers have contacted us anonymously in the hope that we might be able to help them.

The situation in the road haulage sector in the EU is one of complete lawlessness, in which every man is for himself. The resulting distortions of competition are forcing Danish hauliers and drivers to drive unlawfully, the alternative being to be out of work.

What will the Commission do to ensure that the provisions on driving and rest periods are complied with?

On 25 July 1995, in its answer to my question no. E-1417/95 (1), the Commission agreed that problems do exist.

Will it, in line with the decision taken at the Council meeting of 19 and 20 June 1995, submit a revised proposal concerning the Council Directive on recording equipment in road transport?

(1) OJ C 270, 16.10.1995, p. 25.

Answer given by Mr Kinnock on behalf of the Commission

(13 September 1996)

The Commission agrees that compliance with Community rules on driving time and rest periods for drivers should be improved and considers that this could be facilitated if national control systems were upgraded and made more homogeneous throughout the Community. In pursuit of that purpose, the Commission met with national experts of the Member States in October 1995 and, as a follow-up to that meeting, initiatives are under way with the aim of achieving more uniform implementation and interpretation of the social rules between and within Member States.

The Commission proposal to which the Honourable Member makes reference (1), as amended after the first reading of the Parliament (2), provides for the introduction of a new generation of tachographs. The main element is the introduction of drivers' smart cards on which the essential data for the enforcement of the drivers hours' Regulation 3820/85 (3) will be stored.

The Commission agrees with the Honourable Member that improvement of the equipment is urgently needed and will continue to press the Council for an early adoption of a common position.

(1) OJ C 243, 31.8.1994.
(2) OJ C 25, 31.1.1996.
(3) OJ L 370, 31.12.1985.

(97/C 11/66)

WRITTEN QUESTION P-2095/96

by Elisabeth Schroedter (V) to the Commission

(16 July 1996)

Subject: TRANSRAPID/Germany — Article 92 of the EC Treaty

The German Hamburg-Berlin magnetic suspension train project (TRANSRAPID), which has been described on various official occasions as the benchmark line for better export opportunities for German industry, receives support from the German state budget of DM 5.6 billion for track construction and possibly also larger amounts.

Does the Commission share the view that this is a form of public export assistance and that this state support contravenes the principle of Article 92 of the EC Treaty?

What does the Commission intend to do in this case?

Answer given by Mr Kinnock on behalf of the Commission

(13 September 1996)

In April 1996 Germany decided to build a magnetic levitation train between Berlin and Hamburg. The project will entail costs of almost 9 000 million DM (4 740 MECU) over the next 9 years. The train will reach close to 500 kmh and the distance of 285 km between the two cities will be covered in less than an hour. The train will provide mainly passenger services and to a small extent light goods services.

A test site for the project has been in operation in Emsland since 1984. The Versuchs- und Planungsgesellschaft für Magnetbahnsysteme Gmbh — MVP — (research and development enterprise for magnetic levitation train systems) is responsible for the project. MVP and six industrial enterprises are providing the relevant test, design, planning and construction work.

In the period from 1994-1999 a budget of 460 million DM (295 MECU) is foreseen to be used on research and development costs generated by MVP, the undertakings involved and research institutes. The Commission in its Decision n° 175B/94 of 12 June 1996 agreed not to raise any objections with regard to this budget. It had been assessed that only about a quarter will be aid in the meaning of Article 92(1) of the EC Treaty. The rest will be payments for the supply of goods or services under normal market prices, awarded after having undergone a tendering procedure. The amount which was considered to be aid was cleared after reference to the specific rules applicable to research and development.

Even if the project may be promoted as generating export possibilities, the Commission considers that compensation for research and development costs deriving from the planning of this inner German passenger railway line does not involve export aid.

(97/C 11/67)

WRITTEN QUESTION P-2107/96

by José Valverde López (PPE) to the Commission

(16 July 1996)

Subject: Infringement of the ban on the export of British beef

It has been reported in the press that the German health authorities have complained that the ban on the sale of British beef imposed by the European Union is being violated. According to the Health Minister of the state of Hesse, it has been confirmed that animals slaughtered after the ban to combat 'mad cow disease' was imposed have been exported to France and Italy via Scotland and Ireland.

What information does the Commission have on these reports? What measures can be taken to prevent further infringements of the ban?

Answer given by Mr Fischler on behalf of the Commission

(17 September 1996)

The Commission has been in contact with the authorities of the Member States concerned by reports of fraudulent movement of British beef and has asked them to investigate the allegations and take any appropriate measures. They have also been asked to report their findings to the Commission.

The Commission will continue to keep itself informed of progress in this matter, and will keep the Parliament informed of any developments.

(97/C 11/68)

WRITTEN QUESTION E-2110/96

by Carlos Pimenta (PPE) to the Commission

(26 July 1996)

Subject: Alqueva dam

In order to be used in large-scale irrigation, the water of Alqueva will have to be elevated about 100 meters, which will make it very expensive. In the current market situation such cost of the water will make irrigation economically unprofitable.

Has the Commission evaluated the possibility of financing a smaller dam, which would fulfil Alqueva's objectives other than the large-scale irrigation, while preparing the structure for raising the dam in the future, in case the prices for farm products make irrigation economically feasible?

This would result in substantial savings in the construction and minimize the environmental impact of the project, while keeping all its potential.

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(23 September 1996)

The Alqueva project submitted by the Portuguese authorities provides for the construction of a hydroelectric power station that would produce the amount of energy needed for the area to be irrigated.

Going on the technical and economic data provided by the Portuguese authorities and the additional expert studies carried out, there is no guarantee that the building of one or more small dams would meet objectives in terms of irrigation, community water supply and overall economic development in the Alqueva area.

(97/C 11/69)

WRITTEN QUESTION E-2111/96

by Carlos Pimenta (PPE) to the Commission

(26 July 1996)

Subject: Alqueva dam

A sustainable use of water resources requires that particular efforts go into water-saving measures. Has the Commission compared the cost/benefits of building Alqueva with that of putting to work the partially idling irrigation schemes existing in southern Portugal? Or of repairing the leaking existing water distribution systems that waste tremendous amounts of water?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(24 September 1996)

Like the Honourable Member, the Commission believes that good water resource management should as far as possible include measures to minimize water loss and waste. This being so, special attention will have to be paid where necessary to the water distribution networks in the south of Portugal.

According to the expert studies available to the Commission, one of the reasons for the under-utilization of some of the existing small dams for irrigation purposes is their chronic water shortage. The project presented by the Portuguese authorities, which is currently being scrutinized by the Commission, is designed not only to ensure that the right quantities of water are available for irrigation but also to ensure that there are adequate drinking water supplies and to foster the overall economic development of the area concerned.

(97/C 11/70)

WRITTEN QUESTION E-2115/96

by Miguel Arias Cañete (PPE) to the Commission

(26 July 1996)

Subject: Illegal exports of BSE-contaminated meat

The Italian Minister for Foreign Affairs has admitted that a consignment of meat from 'mad cows' has been detected while passing through Italian customs, having been declared as a consignment of potatoes. This is not the first time we have read in the press recently of illegal exports of such meat.

Given the clear danger of such practices to the health of the EU public and given the warning issued by Community inspectors that UK measures to prevent exports of such meat leave room for improvement, what measures has the Commission taken to prevent illegal exports of British beef and veal and ensure that the UK carries out genuinely effective inspections?

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

The Commission has carried out several inspections in the United Kingdom, including one on 22-26 July 1996. During this mission, the United Kingdom measures to prevent illegal exports were studied in detail. The British authorities have confirmed that it is an offence under national legislation to export a product of animal origin unless it meets the necessary health requirements. As a result of the recent information on illegal exports of bovine meal from the United Kingdom in contravention of the export ban, the Commission has made contact with officials from the British ministry of agriculture who informed the Commission, having investigated the matter, that they could find no confirmation of the alleged illegal exports. The Commission has requested that physical spot checks be carried out on export consignments and that regular information be provided to the Commission and the Member States on their findings. The British authorities have agreed.

Community inspections will continue and this matter will be reviewed again.

(97/C 11/71)

WRITTEN QUESTION E-2116/96

by José Valverde López (PPE) to the Commission

(26 July 1996)

Subject: Non-prohibition of the use of meal in feed for poultry, pigs and fish

According to various sources, France is considering precautionary measures which will soon prohibit manufacturers of meat-and-bone meal from using by-products of abattoir-slaughtered ruminants as inputs unless they have been declared fit for human consumption. However, the measures will not impose restrictions on the use of meat-and-bone meal in feed for poultry, pigs and fish.

What is the Commission's position on this issue?

Answer given by Mr Fischler on behalf of the Commission

(23 September 1996)

The Commission has asked the scientific veterinary committee and the newly-established multi-disciplinary committee to make recommendations for measures to be taken in the Community as a whole in relation to the use of animal by-products for food and feed.

The Commission always bases its proposals on the best possible scientific advice, and therefore prefers not to take a position on the reported French measures until these committees have finalised their dicussions.

(97/C 11/72)

WRITTEN QUESTION E-2117/96

by José Valverde López (PPE) to the Commission

(26 July 1996)

Subject: Health and hygiene responsibilities in connection with transmission of BSE

Given that ten years have elapsed since the existence of an epidemic of bovine spongiform encephalopathy was reliably detected and that the 'competent authorities' in the UK did not manage to control the spread of the epidemic in their own country nor prevent it spreading to other EC countries, who are 'the competent authorities' in this area in the UK and has the government set in train any enquiry, investigation or official report to establish administrative or legal liability?

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

The competent authority for the measures to control bovine spongiform encephalopathy in the United Kingdom is the state veterinary service of the Ministry of agriculture, fisheries and food. The recently-formed National meat hygiene service is responsible for the implementation of certain measures in the abattoirs.

The Commission is not aware of any official action of the nature mentioned.

(97/C 11/73)

WRITTEN QUESTION E-2120/96

by José Valverde López (PPE) to the Commission

(26 July 1996)

Subject: Early detection and diagnosis of cases of BSE and CJD

In all the statements it has issued, the UK Government has insisted that there is no scientific proof of transmission of BSE to human beings and that the need is to regain consumer confidence.

However, it is clear that, to restore consumer confidence, it is not enough to lift the total or partial ban on exports of meat and meat products. What is needed is to inform consumers clearly about the health and hygiene measures which will be taken to ensure that meat and meat products are free of BSE-transmitting agents.

It appears that there is no laboratory test at present which can guarantee detection of BSE and that the only health and hygiene inspections are histopathological tests on each slaughtered animal.

How long does a vet take to carry out such a test?

Are individual tests conducted in abattoirs under veterinary supervision now a requirement in the UK, together with a register of the tests and identification of each cow slaughtered?

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

It is clear that a laboratory test which could identify the presence of the agent of bovine spongiform encephalopathy (BSE) in an animal during life or at slaughter would be a useful tool in preventing human exposure to the agent and, thereby, improving consumer confidence.

However, there is at present no practical test which can achieve this. The currently available methods are time consuming and not appropriate for use at slaughter and are only suitable for the confirmation of clinical cases, or animals in the very late stages of incubation. Work is handicapped by the lack of knowledge about the nature of the agent. Existing techniques rely on the identification of other markers for disease such as histopathological changes or the presence of abnormal protein in tissue biopsy samples or fluids such as cerebrospinal fluid. So far no marker has been identified in blood or other more easily available material. At least one laboratory has developed a test which is useful in predicting the eventual onset of scrapic in sheep, using tonsil material. This will be evaluated in respect of BSE.

Meanwhile, therefore, it is not possible to carry out routine tests in abattoirs. This is why the United Kingdom and the Community policy is based on the assumption that every bovine animal over the age of six months in the United Kingtom is potentially infected. Measures are then taken to remove the tissues which could contain infectivity, i.e the specified bovine material.

The Commission will do all it can to assist research and development of a suitable test for the future.

(97/C 11/74)

WRITTEN QUESTION E-2121/96

by José Valverde López (PPE) to the Commission

(26 July 1996)

Subject: Veterinary inspections on British farms to detect cases of BSE

The plan adopted to control and eradicate BSE provides for a detailed study to be carried out by a vet on each farm where BSE cases are detected, so as to identify all the animals to be slaughtered on the basis of epidemiological tests.

Who are the 'authorities' in the UK responsible for imposing this requirement and, should they fail to do so, what civil liability do they incur under British law?

Answer given by Mr Fischler on behalf of the Commission

(23 September 1996)

The state veterinary service, which is part of the Ministry of agriculture, fisheries and food, is the authority responsible for imposing the requirement for an epidemiological study.

The Commission cannot advise on liability incurred under English law for a possible breach of this duty.

(97/C 11/75)

WRITTEN QUESTION E-2123/96

by Jean-Claude Martinez (NI) to the Commission

(26 July 1996)

Subject: Request for information on prosecution of those responsible for contaminating beef and veal with meat and bone meal containing a substance causing BSE

Can the Commission state what has happened to the plant manufacturing meal from animal proteins which is situated at Doncaster, Yorkshire and owned by the De Mulder brothers? This plant, using the C. G. Anderson machine without a steam sterilizer and not using an organic solvent bath, was behind the appearance of meal contaminated with the pathogenic agent of the staggering disease.

Is this plant still in operation? If so, have the owners, Messrs De Mulder, been required to install a sterilizer in their plant?

Does the Commission propose to take legal action for liability against the company facing these charges?

Does it intend to take legal action or encourage proceedings against the French importers of banned meal, after making the necessary efforts to identify the importing companies based in Brittany, France, by examining customs documents available from permanent archives?

Answer given by Mr Fischler on behalf of the Commission

(17 October 1996)

It is not possible to determine at this time whether any particular establishment produced, at some point in the past, meat-and-bone meal containing the scrapie agent. In any case, a series of national and Community measures have been adopted in recent years laying down the processes which must be used for the treatment of waste material derived from animals. If the Honourable Member has evidence that any establishment is operating in breach of these requirements, he should in the first instance pass the evidence to the authorities of the Member State concerned.

The Commission is not aware of illegal imports of meat-and-bone meal into France but, if the Honourable Member has evidence of such imports he should inform the French authorities.

(97/C 11/76)

WRITTEN QUESTION E-2142/96

by Giuseppe Rauti (NI) to the Commission

(3 August 1996)

Subject: Support for Italian fruit and vegetable growers

Does the Commission intend to speed up the introduction of the new rules on Community aid in the fruit and vegetables sector, which are liable to be further delayed, as there is an urgent need for a policy of providing special forms of aid to support the hard-pressed Italian fruit and vegetable sector which, particularly in southern Italy, is in serious crisis,with productivity falling by between 20 and 60% for a wide range of fruit?

In particular,guarantee funds are required for small producers in southern Italy because, as the rules stand at present, almost all of the over Lire 600 billion the European Union spends each year in the sector are paid to larger undertakings, resulting in big profits for the sole benefit of organizations on the distribution side.

Answer given by Mr Fischler on behalf of the Commission

(8 October 1996)

The Commission has put forward proposals for three regulations, one establishing a common organization of the market in the fruit and vegetable sector, another for a common organization of the market in the processed fruit and vegetable sector and a third establishing a system of aid to certain citrus producers. [1] In the light of the growing concentration of demand it feels a corresponding concentration of supply via producer organizations, by involving growers more closely on the commercial side, would strengthen the growers' position on the market.

The figures for the execution of the 1995 budget show that under Chapter 15 (fruit and vegetables) the guidance section of the European Agricultural Guidance and Guarantee Fund transferred ITL 917 000 million to Italy's disbursing agencies. Of this, ITL 103 000 million went to export firms in the form of export refunds, ITL 78 000 million was paid out as retirement benefit and ITL 736 000 million, in the form of aid for the processing of fruit and vegetables (ITL 291 000 million for the processing of citrus fruit), benefited growers indirectly.

Under the existing rules, aid for processing is paid to processing firms which have paid growers a minimum price (set above the market price) for the raw materials. but in the citrus fruit sector, with the recently-approved reform, the payments will henceforth go direct to growers.

[1] COM(95) 434 and COM(96) 177.

(97/C 11/77)

WRITTEN QUESTION E-2146/96

by Eryl McNally (PSE) to the Commission

(3 August 1996)

Subject: Saturation planting of oilseed rape in the UK

Is the Commission aware of the strong public concern at health risks from rape planting?

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

A similar written question was put in 1991 [1]. The Commission is still not aware of any demonstrated health risk from rape planting. Nevertheless, the Commission knows there is some concern about alleged links between allergic symptoms in humans and the flowering of oil seed rape. Therefore, the Commission is interested in the results of a new investigation using novel scientific procedures at the Crop research institute near Dundee.

[1] No 2414/91 – OJ C 159, 25.6.1992.

(97/C 11/78)

WRITTEN QUESTION E-2147/96

by Richard Howitt (PSE) to the Commission

(2 August 1996)

Subject: Article 10 Programme

Could the Commission outline the number of applications it has received under the Article 10 Programme 1994-99 according to the number of partners in each Member State of the European Union?

What special action has been taken to ensure equal participation from local and regional authorities in the most recent accession countries of Finland, Sweden and Austria?

Answer given by Wulf-Mathies on behalf of the Commission

(19 September 1996)

The Commission has received some 900 applications, 840 of them eligible, concerning pilot schemes under Article 10 of the Regulation concerning the European Regional Development Fund [1]. The following table provides a breakdown by field and Member State.

Member States	RIS (*)	RTT (*)	IS 1 (*)	IS 2 (*)	NSE (*)	Culture (*)	Total
Belgium	1	–	2	4	12	7	26
Denmark	–	–	–	2	1	2	5
Germany	4	9	5	8	22	16	64
Greece	7	6	5	22	28	25	93
Spain	12	14	5	21	97	53	202
France	3	11	6	17	47	32	116
Ireland	1	1	4	5	13	13	37
Italy	5	17	5	16	82	41	166
Luxembourg	–	–	–	1	–	–	1
Netherlands	–	–	2	1	9	4	16
Austria	2	–	2	1	3	2	10
Portugal	–	3	–	5	8	14	30
Finland	(**) 2	1	3	4	2	1	12
Sweden	(**) 2	1	3	3	1	6	15
UK	6	10	5	7	7	12	47
Total	43	73	47	117	332	228	840

(*) RIS stands for 'regional innovation strategies'.
RTT stands for ' regional technology transfer' (regional pilot schemes).
IS 1 stands for 'information society – area 1 (strategies).
IS 2 stands for 'information society – area 2 (regional pilot schemes).
NSE stands for 'new sources of employment'.
'Culture' comprises interregional cooperation networks for economic development with a cultural slant.
(**) Finno-Swedish projects

A special effort was made in the three new Member States to promote December 1995's Directoria, an event which provided 72 delegations from local and regional authorities and agencies in these countries with an opportunity to learn about Article 10 programmes and seek potential partners. It is also worth noting that the application forms and associated check-lists were drawn up in all eleven Community languages.

[1] OJ L 193, 31.7.1993.

(97/C 11/79)

WRITTEN QUESTION E-2148/96

by Richard Howitt (PSE) to the Commission

(2 August 1996)

Subject: Article 10 Programme

What progress has the Commission made under the Article 10 Programme in response to Parliament's recommendation that urban pilot projects are made available to smaller towns under the previous 10 000 population threshold, and for the setting up of a European network of local authorities cooperating on issues of democratic initiatives and citizen participation?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(20 September 1996)

Following the Parliament's recommendation the Commission reworded the call [1] for urban pilot project proposals under Article 10 of the European regional development fund Regulation [2].

As far as the 100,000 population threshold is concerned, the above call specified that '... smaller towns could also be accepted, provided they have a marked urban economy and social structure, play a central role within a region, or are adjacent peri-urban conurbations of large cities.'

Concerning issues of democratic initiatives and citizen participation, the same call made explicit mention, among other possible themes for action, of 'the establishment of partnerships and citizens' participation'.

[1] OJ C 319, 31.11.1995.
[2] OJ L 193, 31. 7.1993.

(97/C 11/80)

WRITTEN QUESTION E-2152/96

by Mark Killilea (UPE) to the Commission

(2 August 1996)

Subject: Banning of driftnet tuna by Basque fisheries

Can the Commission comment on a report which appeared in the fishing industry journal 'Le Marin', of 28 June 1996, which states that as a result of a boycott no French or Irish albacore tuna caught with driftnets will be accepted by canneries in the Spanish Basque region for the coming season?

What action does the Commission suggest should be taken to ensure that such restriction of the market for tuna catch is not allowed to take place?

Answer given by Ms Bonino on behalf of the Commission

(10 October 1996)

No complaint has been received by the Commission relating to the point raised by the Honourable Member.

As to the substance of the report, the Commission stresses that in refusing to accept certain categories of product for its supply of raw materials, the canning industry has not acted contrary to any current legislation, provided that such action does not constitute a barrier to the free movement of goods.

The Commission has asked the Spanish authorities for further information.

(97/C 11/81)

WRITTEN QUESTION E-2156/96

by Bárbara Dührkop Dührkop (PSE) to the Commission

(2 August 1996)

Subject: Commission action on intercultural education

According to the remarks against Line B3-1001 of the EU 1996 General Budget, ECU 5 m is intended for the 'education of children of migrant workers, as well as children of occupational travellers, travellers and gypsies; and intercultural education' (Chapter II, Action 2 of the Socrates programme).

Can the Commission say what action it has taken in this area?

What are the financial commitments and actual expenditure with regard to this budget line?

Has the Commission taken account of the intercultural education initiatives which predated the Socrates programme?

Answer given by Mrs Cresson on behalf of the Commission

(16 September 1996)

Pursuant to Article 4 of Parliament and Council Decision 819/95/EC (14 March 1995) [1] and in consonance with the opinion of the Socrates Committee delivered at its meeting of 28 and 29 February 1996, the Commission has prepared a work plan and the budgetary allocations for the current year. Hence the budget allocated to Socrates Action II in Chapter II (intercultural education, education of the children of migrant workers, as well as the children of occupational travellers, travellers and gypsies) is 6 million ecus, broken down in two instalments earmarked partly for the new projects and partly for the 1995 multiannual projects, subject to renewal on 1 September 1996.

At 1 March 1996 the national agencies had approved and submitted to the Commission 68 new projects for a total budget of 3.8 million ecus. The Commission, in line with the opinion delivered by the 'School Education' sub-committee at its meeting of 28 June 1996 approved and financed 42 projects for a total budget of 1.64 million ecus. Moreover, by common accord with the Socrates Committee, the Commission financed the renewal of three projects submitted by European associations for a total budget of 865 000 ecus.

In 1995 the Commission selected and financed 166 projects for a total of 5.45 million ecus out of 239 projects submitted by the members of the ad hoc group, representing initiatives launched before adoption of the Socrates Programme. Since most of the projects were multiannual ones the Commission estimates that at 1 September 1996 over 100 projects will be submitted for renewal, representing a total demand for funding that exceeds the amount of 3.5 million ecus reserved for this purpose.

The Commission is directly forwarding to the Honourable Member and the Secretariat-General of the Parliament a list of projects financed by the Commission in 1995 and at the first expiry date in 1996.

[1] OJ L 87, 20.4.1995.

(97/C 11/82)

WRITTEN QUESTION E-2157/96

by Bárbara Dührkop Dührkop (PSE) to the Commission

(2 August 1996)

Subject: Implementation of Budget line B3-2003: 'Other cultural measures in the Community and cultural cooperation with third countries'

The remarks against Line B3-2003 of the 1996 General Budget assign the major part of this amount (ECU 4 710 000 out of a total of ECU 6 000 000) to certain specific activities.

Can the Commission say how much of the remaining ECU 1 290 000 is intended for third countries, and how much for the Community?

How much is intended for Latin American countries which have a cultural clause in their agreements with the EU?

How much is intended for countries which do not have agreements with the Community?

What proportion will go to third countries in Europe and the rest of the world?

According to what criteria are projects selected?.

Answer given by M. Oreja on behalf of the Commission

(16 October 1996)

First of all, the Commission would like to point out that it is difficult to provide exact figures in the course of the financial year. However, it can give some indications of the pattern so far.

The Community has agreements containing cultural clauses with 112 non-member countries, but its budget does not permit it to meet all its commitments. Therefore, the Community currently tends to distinguish between countries participating in European cultural projects – at the moment ten Central and Eastern European countries and Cyprus and Malta are involved – and other countries.

The Commission has set aside approximately ECU 600 000 for projects in the associated countries of Central and Eastern Europe as an interim measure until protocols making provision for cultural programmes are added to the Treaties of Association. These projects must fit in with existing cultural projects.

In the particular case of Latin America, very few cultural projects have been referred to the Commission; some have been supported, such as 'La casa de los tres mundos' project, which has received ECU 100 000.

Grants of ECU 30 000 (Tibet) and ECU 40 000 (the European Union Baroque Orchestra's tour of South Africa) have been made to support cultural projects regarding other non-member countries.

The Commission also plans to run joint projects in the cultural sphere with UNESCO and the Council of Europe. To this end, a coordination meeting will shortly be organized.

(97/C 11/83)

WRITTEN QUESTION E-2159/96

by Miguel Arias Cañete (PPE) to the Commission

(2 August 1996)

Subject: Checks on peaches and nectarines withdrawn from the market in Greece

In its 1994 Annual Report the Court of Auditors observed that inspections of operations to withdraw fruit and vegetables from the market in Greece had revealed consistent excess payments of compensation for peaches and nectarines, amounting to ECU 30 m in both 1993 and 1994. This was due to erroneous application of a coefficient of 0.90 by the Greek authorities, corresponding to market presentation after classification and packaging, while the correct coefficient, according to the Court of Auditors, would have been 0.65, as the crates used for withdrawals are the same as those in which the fruit was harvested, not those for final presentation on the market.

In view of the Commission's reply to the Court of Auditors, that its inspectors would carry out a detailed investigation into this matter, what have been the results of these inspections, what measures have been taken by the Commission to rectify the situation, and what were the financial implications with regard to winding up the accounts?

Answer given by Mr Fischler on behalf of the Commission

(11 September 1996)

The Commission has carried out a number of inspections at producers organisations in the fruit and vegetables sector in Greece. These controls have included the procedures for the withdrawal of produce from the market.

This audit work has revealed various weaknesses, particularly in respect of the procedures for recognising and supervising producers organisations operating in this sector. As regards peaches and nectarines, financial consequences will be drawn in the clearance of the accounts of the 1994 financial exercice.

As regards the specific problem referred to by the Honourable Member, the Commission has requested the Greek authorities to provide detailed information concerning the follow-up measures taken by them in response to the remarks of the Court of auditors. Furthermore, by means of Regulation (EC) No 872/95 (1) the Commission has since deleted the packaging coefficient of 0.90 so as to rectify the situation.

(1) OJ L 89, 21.4.1995.

(97/C 11/84)

WRITTEN QUESTION E-2162/96

by Miguel Arias Cañete (PPE) to the Commission

(2 August 1996)

Subject: Checks on withdrawals of fruit and vegetables in Italy

The Court of Auditors' 1994 Annual Report states that irregularities were detected with regard to strict monitoring of fruit and vegetables withdrawn from the market in Italy, which possibly indicated that the Italian authorities were not carrying out sufficiently thorough quality controls.

In view of the Commission's reply to the Court of Auditors, that its inspectors would carry out a detailed investigation into this matter, what have been the results of these inspections, and what were the financial implications?

Answer given by Mr Fischler on behalf of the Commission

(25 September 1996)

In its 1994 Annual Report the Court of Auditors did indeed express doubts regarding the thoroughness of the quality controls carried out by Italian authorities.

The Court did not say that the financial compensation for the withdrawals should not have been paid but the Commission will take account of the Court's observations when carrying out checks on the withdrawals of fruit and vegetables in Italy and will draw any financial implications necessary when settling the 1994 accounts.

(97/C 11/85)

WRITTEN QUESTION E-2167/96

by Per Gahrton (V) to the Commission

(2 August 1996)

Subject: Final storage of nuclear waste in another EU country

According to a study recently carried out by a firm of consultants in Brussels (EuroGreen Services Ltd: 'Can the EU Member States export their nuclear waste for final storage?', 23 May 1996), there are no directives or legal precedents governing the export of nuclear waste for final storage among the Member States. According to the report, this means that 'Sweden could become an importer of nuclear waste'. Inquiries to the responsible Commission officials (Yvon Slingenberg DGXI, C7; Mr Taylor, DG XI, C3; Karl Horst Schaller, DG XI, C3), were met with the response that 'the Commission believes that in future a very few countries in Europe will be responsible for final storage and therefore sees nothing negative about such a scenario'.

Is it the Commission's objective that the final storage of nuclear waste should be confined to a small number of countries? Does the Commission consider that EU countries which have not themselves produced nuclear waste can and should be used for final storage? Will a Member State which has nuclear power, and therefore its own waste to deal with, be able to refuse waste from another Member State simply on the basis of a political decision not to allow imports of nuclear waste for final storage? Or will such a course of action be regarded as a breach of internal market principles and prompt the Commission to intervene?

Answer given by Mrs Bjerregaard on behalf of the Commission

(10 October 1996)

While there are no Community legal provisions governing the 'export of nuclear waste for final storage among Member States', the Directive on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community' (92/3/Euratom of 3 February 1992) [1] covers all waste shipments for whatever purpose. This requires that shipments of radioactive waste between Member States be subject to prior authorization by the Member State of origin. This authorization can only be issued after the Member State of destination has granted its approval.

The communication from the Commission to the Council, the Parliament and the Economic and social committee of 3 March 1994 'A Community strategy for radioactive waste management' [2] states that 'treatment and storage facilities and final repositories for radioactive waste will have to be centralized in many cases for economic, safety and environmental protection reasons and their number will remain very limited'. The Commission takes the view that the option of voluntary cooperation between Member States to limit the number of repositories should remain open.

While only those Member States with nuclear power programmes produce 'nuclear waste', all Member States produce radioactive wastes. These come from medical, research, industrial and other activities. The Council Resolution of 19 December 1994 [3] on radioactive waste management states that 'each Member State is responsible for ensuring that the radioactive waste produced on its territory is properly managed' but notes that 'the possibility of a mutually agreed cooperation between Member States exists'.

The Community has so far not obliged a Member State to accept a shipment of radioactive waste from another Member State. The Commission is of the opinion that this practice should also be pursued in the future.

[1] OJ L 35, 12.2.1992.
[2] COM(94) 66 final.
[3] OJ C 379, 31.12.1994.

(97/C 11/86) **WRITTEN QUESTION E-2174/96**

by Christine Crawley (PSE) to the Commission

(2 August 1996)

Subject: The primate trade

Would the Commission explain what action it plans to take to prevent the cruel practice of certain European airlines which import monkeys into Europe for experimentation?

(97/C 11/87) **WRITTEN QUESTION E-2243/96**

by Jessica Larive (ELDR) and Doeke Eisma (ELDR) to the Commission

(9 August 1996)

Subject: Primates transported by Sabena and Air France for research purposes

Primates captured in the wild are still being transported under wretched conditions to laboratories in Europe by Sabena and Air France. 80% of the animals die before they reach their final destination.

1. What action is the Commission planning to take to prohibit the transporting of these primates to Europe in order to tackle the root problem, i.e. the capturing of wild primates for research purposes?
2. What proposals will the Commission make to improve the transport of animals in general?

Joint answer to Written Questions E-2174/96 and E-2243/96 given by Mrs Bjerregaard on behalf of the Commission

(13 September 1996)

The importation of primates and their transport into the Community by airlines is a legal activity. There are current needs for primates, judged by the appropriate authorities to be essential, which cannot be met by the supply and use of animals already available in the Community.

If the transport of these animals by air were banned, while their importation into the Community were still permitted, the result would be greatly increased suffering, as animals would be flown to third countries then imported into the Community by land or sea. This would result in much longer journeys for them and more suffering. Indeed, this is already happening, as many airlines have yielded to pressure and have stopped transporting primates.

It is not possible to deal in a piecemeal way with the undoubted difficulties inherent in the use of primates as laboratory animals. The Commission is therefore developing a comprehensive strategy which would:

a. require a much stronger justification for the use of primates in laboratories, as a way of reducing the numbers required,

b. improve communication with regard to the availability of animals already in Member States, as a way of reducing the need to import them from outside,

c. encourage, where possible, the provision of purpose-bred animals within the Community, to meet genuine needs.

This strategy should be combined with a determination by all concerned to seek a progressive reduction in the need for primates to be used as laboratory animals, the ultimate goal being the elimination of any such need.

These matters will be considered at a conference to be organised by the Commission in early 1997, at which the Community policy of 50% reduction in the use of animals for experimental and other scientific purposes by the year 2000 will be discussed.

(97/C 11/88)

WRITTEN QUESTION E-2177/96

by Richard Howitt (PSE) to the Commission

(2 August 1996)

Subject: Asbestos compensation

Is the Commission aware that there are still many people such as my constituent, Mr Ayton, who have suffered from asbestos related concerned and have still not been compensated?

The insurance company, The London and Manchester, deny that they have the necessary insurance certificate.

Mr Ayton has lost his wife, his sister, his brother, his niece and his friends who all worked in the same asbestos contaminated environment with him. After his great pain and suffering are there any measures proposed at European level to safeguard against victims of disasters such as the asbestos one being denied their rights?

Answer given by Mr Flynn on behalf of the Commission

(24 October 1996)

In the United Kingdom diseases linked to exposure to asbestos are among those recognised as occupational diseases liable for compensation, and subject to preventive measures.

Whether or not the diseases of the Honourable Member's constituent and his family were occupational diseases, the system of compensation is a matter for the Member State.

The Honourable Member's reference to an insurance certificate is not understood.

(97/C 11/89)

WRITTEN QUESTION E-2184/96

by Undine-Uta Bloch von Blottnitz (V) to the Commission

(2 August 1996)

Subject: Bird protection – cruelty to animals – the 'chaffinch manoeuvre' in the Harz mountains

In the Harz mountains a curious competition, the 'chaffinch manoeuvre', each year provokes clashes between 'traditionalists' and animal protection groups. In this competition the singing of chaffinches is judged and prizes awarded. Preparatory to the event the birds are kept by their owners for long periods in small, darkened cages. As soon as the birds see sunlight again on the day of the competition, they burst into song. Exactly how long the birds are kept caged in the dark varies from region to region. In the Eastern part of the Harz mountains the birds are kept for several months in complete darkness in cages 25 x 16 x 25 cms in order to stimulate their singing.

1. Does the Commission believe these competitions are compatible with the bird-protection directives currently in force in the European Union?

2. If not, will the Commission initiate infringement proceedings against Germany for tolerating such competitions and the attendant cruelty to birds on their soil?

Answer given by Mrs Bjerregaard on behalf of the Commission

(13 September 1996)

The Commission does not consider the facts as put forward by the Honourable Member to be in contradiction with Community law. It is true that Directive 79/409/EEC [1] on the conservation of wild birds prohibits keeping birds of species the hunting and capture of which is prohibited, included finches. However, this prohibition concerns wild birds and not those bred in captivity.

[1] OJ L 103, 25.4.1979.

(97/C 11/90)

WRITTEN QUESTION E-2187/96

by Ian White (PSE) to the Commission

(2 August 1996)

Subject: UK Hum

Scientists have identified a phenomenon of a perceived low frequency sound known as the 'UK Hum' which is said to affect 6% of the UK population. 2% of the population of the USA is said to be affected by a similar phenomenon.

Is the Commission aware of any occurrences in other Member States of the European Union and, if so, does it have any information as to the geographical distribution?

Answer given by Mrs Cresson on behalf of the Commission

(24 September 1996)

The Commission has no information about this perceived low frequency sound.

No research is currently in progress on this question at Community level.

(97/C 11/91)

WRITTEN QUESTION E-2189/96

by Ole Krarup (NI) to the Commission

(2 August 1996)

Subject: Environmental impact assessment directive

I regret that the Commission's answer to question E-0771/96 [1] does not deal with all the points raised. I would therefore ask the Commission to consider whether a developer can be considered entitled to proceed with a

project so long as permission has not been given by all the competent authorities under national legislation; in Article 1(2), development consent is defined as 'the decision of the competent authority or authorities which entitles the developer to proceed with the project'.

Can a national authority legitimately grant a developer such consent when the approval of one or more other national authorities, required under the environmental impact assessment directive and/or national legislation, has not been granted?

(1) OJ C 322, 20.10.1996, p. 6.

Answer given by Mrs Bjerregaard on behalf of the Commission

(24 September 1996)

Under Council Directive 85/337/EEC of 27 June 1985 on the assessment of the affects of certain public and private projects on the environment (1) there is only a requirement to carry out an environmental impact assessment (EIA) before development consent is granted. It follows from the principle laid down in the definition of development consent that the EIA shall be carried out before the developer is entitled to proceed with the project. The Directive leaves it to the Member States to integrate the EIA into existing planning procedures or into procedures to be established.

The Directive does not require that the developer can only proceed with the project when all authorizations under national law concerning the project have been granted. This is a matter of national competence. The matter raised therefore only relates to national law and the Commission has no comments on the precise question asked.

(1) OJ L 175, 5.7.1985.

(97/C 11/92)

WRITTEN QUESTION E-2196/96

by Karl-Heinz Florenz (PPE) to the Commission

(2 August 1996)

Subject: Hospital waste

Is it true that no report has been submitted to the Commission on hospital waste since no reports pursuant to Directive 91/156/EEC (1) have been received from the Member States?

Is the Commission aware of the risks of microbiological contamination through hospital waste, and what action does it intend to take to control this source of risk at Community level?

(1) OJ L 78, 26.3.1991, p. 32.

Answer given by Mrs Bjerregaard on behalf of the Commission

(26 September 1996)

The Commission is not aware of an obligation to make a specific report on hospital waste. This type of waste is covered by Directive 75/442/EEC on waste, as amended by Directive 91/156/EEC. The Commission is drawing up, on the basis of Member States' reports, a consolidated report on the implementation of Directives 75/442/EEC (waste), 91/689/EEC (hazardous waste), 75/439/EEC (waste oils) and 86/278/EEC (sewage sludge), which will shortly be publicly available.

The Commission is aware of the risk of microbiological contamination by hospital waste and a special project group, including representatives from governments, the Commission, industry, environmental and consumer protection organizations, was created within the priority waste streams programme which studied the particular problems posed by hospital waste for several years.

On the basis of the results of this project group, which finalised its work in 1995, the Commission is currently examining the need to take action at Community level.

(97/C 11/93)

WRITTEN QUESTION E-2199/96

by Ben Fayot (PSE) to the Commission

(2 August 1996)

Subject: External staff employed by the Commission

The Commission is making increasing use of external staff to perform the tasks entrusted to it. In particular, in Directorate-General V (Employment, Industrial Relations and Social Affairs) in Luxembourg there are a large number of staff officially designated 'external staff' although in fact they are completely integrated in the work of the services. Although until recently these staff were recruited direct by the Commission, they were passed on, as far as c conclusion of the contracts is concerned, to private firms with a close business relationship with the Commission which perform a purely administrative role for the staff in question.

On a number of occasions the attention of the Commission has been drawn, in particular by trade unions, to the conflict with Community law, Luxembourgish employment law and company criminal law.

1. What measures has the Commission taken to resolve the legal conflicts that have arisen?

2. Should the Commission find any possible way of employing these staff on a legal basis, how many posts could be saved by this privatization measure?

Answer given by Mr Liikanen on behalf of the Commission

(18 September 1996)

In the framework of technical subcontracting for various activities, the Commission may conclude works contracts with legal persons for the provision of services relating to its operational requirements. Such contracts, which must comply with the Financial Regulation and the legislation on public contracts, are usually funded from appropriations under budget item A-1178. Such contracts allow the Commission to have certain technical tasks carried out independently, with acceptance conditional on the proper execution of the work. In some cases, the performance of such tasks requires that the contractor's staff work on Commission premises. Such individuals are, however, linked solely to the contractor, through the private law contract between the two parties, and have no employer-employee relationship with the Commission whatsoever.

In October 1994, with a view to improving the utilization of appropriations under item A-1178, the Commission approved a series of provisions governing the relations of its departments with certain categories of outside staff, in the form of a good practice guide, which reminds departments of the purpose of service provision. In particular, it specifies that the usual form of arrangement for the utilization of service providers is the framework contract, which may not be used for purely administrative tasks or for the subcontracting tasks inherent in the exercise of public authority. Following a transition period which ended at the beginning of 1996, the provision of administrative support services is no longer authorized. In view of this rule, the Commission no longer allows contractors to use staff comparable to category 'C' Commission staff, who, by definition, perform administrative work.

To complete this change of policy, the Commission is also preparing a new framework contract, which will ensure that the code of good practice is correctly applied. A notice of invitation to tender will be published in September, with a view to awarding a general contract at the end of the year.

The use of appropriations from item A-1178 must be viewed in the light of the Commission's general policy on outside staff. To reduce the institution's dependence on outside staff, the Commission has since 1992 pursued a policy of converting appropriations for the remuneration of such staff into permanent posts, with the assistance of the budgetary authority. In 1996, there has been a reduction of ECU 75 million, compared with 1993, for all budget headings in Part A used for funding outside staff, of which ECU 39 million was accounted for by item A-1178.

The Directorate-General for Employment, Industrial Relations and Social Affairs has benefited greatly from this policy — it has been granted a total of 133 posts between 1993 and 1996 as a result of the conversion of appropriations into posts, and there has been a reduction of more than ECU 9 million in appropriations used for external resources over the same period in the same Directorate-General.

(97/C 11/94)

WRITTEN QUESTION E-2201/96

by Alexander Falconer (PSE) to the Commission

(2 August 1996)

Subject: Suspension of the starch refund

In reply to my letter, DG VI stated that the starch production refund was fixed at zero from 12 April 1996 as the current high price on the world market for the raw materials which are used to make starch no longer allow the granting of a refund to benefit the European starch industries.

Many paper companies purchase large quantities of starch from the EU each year. As a result of last year's severe weather conditions, European starch prices have risen by up to 30%, greatly increasing costs to the industry. To alleviate this situation, companies wish to import starch from outside the EU, for instance from the Far East. It has been drawn to my attention that some 20 000 tonnes of tapioca starch has already been imported duty-free into the EU by a European starch producer and sold as European starch.

Would the Commission confirm that other shipments of this produce into the EU will be given similar duty-free status?

If not, will the Commission confirm that the starch refund will be restored?

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

The Commission is very surprised to learn that a European starch producer has imported duty-free some 20.000 tonnes of tapioca starch into the Community and would welcome any further information the Honourable Member may be in a position to provide.

The current import duty for tapioca starch (CN Code 11081400) is 228.7 ECU per tonne. Under a tariff quota of 17.875 tonnes (of which 7,500 tonnes are reserved for imports from Thailand), there is indeed a possibility to import, in the current year, tapioca starch at a duty of 128.7 ECU per tonne (that is 100 ECU per tonne less than the current duty). Imports outside these duties or tariff quotas are not allowed.

The Commission does not intend to grant any duty free status for shipments of this produce into the Community and continues to respect the GATT commitments which foresee a gradual reduction of the import duties.

As regards the refunds, starch is currently benefiting from an export refund. Production refunds may be restored as soon as the prevailing market conditions allow.

(97/C 11/95)

WRITTEN QUESTION E-2203/96

by Gerardo Fernández-Albor (PPE) to the Commission

(2 August 1996)

Subject: Position of the Commission regarding the creation of a CFSP Secretariat

A number of prominent European political figures have called for the CFSP to have a Secretariat of its own, with a specific status, which would operate under the direction of the Council and play a similar role with regard to the common foreign and security policy to that played by the Commission with regard to Community policies: identifying the common interest, proposing decisions, monitoring their implementation and representing the Union at international meetings which are not the responsibility of the Council.

This arrangement would require a redefinition of certain areas of international relations, in conjunction with the Commission, so as to preserve overall consistency and prevent an artificial separation or a serious lack of coordination between economic and monetary policy and foreign and security policy.

Can the Commission state its position on the above proposal, which is supported by numerous pro-European political figures?

Answer given by Mr Van den Broek on behalf of the Commission

(8 October 1996)

In its opinion on preparations for the intergovernmental conference, (1) the Commission took the view that the Council Presidency and Commission should ensure effective cooperation between the two institutions responsible in their different ways for the Union's foreign policy. For the sake of consistency, continuity and efficiency, it is vital that such cooperation is maintained from the moment common foreign and security policies are drafted right up to the adoption and implementation stages.

Greater clarity in this area could bolster interinstitutional dialogue and make external action more consistent, as recommended in Article C of the Union Treaty.

Strengthening the Council Secretariat to give the Presidency the support it undoubtedly needs could not, however, result in the creation of a new institution. The Secretariat's role cannot be divorced from that of the Council Presidency.

In any case, the creation of a separate secretariat general for common foreign and security policy (CFSP) could represent a step back to the time before the Union Treaty, which set up a single institutional framework for the Union. There is no way such a secretariat could take the place of the Council Presidency-Commission 'tandem', which is still vital in ensuring that the various areas of foreign policy keep in step with each other.

(1) Doc. COM(96) 90.

(97/C 11/96)

WRITTEN QUESTION E-2207/96

by Eolo Parodi (UPE) to the Commission

(9 August 1996)

Subject: PDO label for Ligurian pesto

Genoese pesto, an authentically Ligurian sauce, is not protected in any way at Community level. Most seriously, the various non-Ligurian products sold under the name of pesto and the like have altered the nature of 'genuine typical Genoese pesto' resulting from the ingredients from which it is made, namely Ligurian basil, extra virgin olive-oil, garlic, and Parmesan and Pecorino cheeses.

The Commission has recently announced the 318 Community products which have been awarded the 'protected designation of origin' (PDO) label. Ligurian pesto is not included.

What criteria does the Commission observe when selecting products to be protected and promoted?

Can it arrange immediately for the genuine, unique Genoese and Ligurian sauce to be placed on the list of 'PDO' products, since this is a product that is prized throughout the world on account of its geographical origin and therefore deserves to be protected and promoted, not least at Community level?

Answer given by Mr Fischler on behalf of the Commission

(25 September 1996)

'Pesto' was not included in the first lists of registered products as the Commission did not receive a request for registration under the procedures laid down in Regulation 2081/92 relating to the protection of geographical indications and designations of origin for agricultural products and foodstuffs. (1)

To be registered:

- the pesto must come within the scope of the Regulation, that is to say it must be one of the agricultural products listed in Annex II to the Treaty;
- there must be a link between the product and a geographical area delimited by objective natural and human factors or it must be a known geographical name.

Another approach would be to have recourse to Council Regulation (EEC) No 2082/92 on certificates of specific character for agricultural products and foodstuffs designed to protect traditional recipes without requiring a link between the product and a delimited area.(1)

These two Community schemes are voluntary so it is up to a producer group to define its product in accordance with specifications laid down and to lodge the registration request with its national authorities. If the request fulfils the criteria and definitions laid down, the national authorities forward it to the Commission. Community protection can be granted only when the criteria laid down in Articles 2 and 4 of Regulation 2081/92 and Articles 2, 4, 5 and 6 Regulation 2082/92 have been met.

(1) OJ L 208 of 24 July 1992.

(97/C 11/97)

WRITTEN QUESTION E-2216/96

by Roberta Angelilli (NI) to the Commission

(9 August 1996)

Subject: China — nuclear tests and human rights violations

A number of environmentalist and human rights organizations (Amnesty International, Greenpeace, Fare Verde, etc.) have been staging demonstrations in Italy in recent months in order to draw the attention of the public and national and international bodies both to the numerous Chinese nuclear tests (China has never complied with the nuclear Non-Proliferation Treaty and carried out its 44th underground nuclear test in June) and to the fact that 68 crimes carry the death penalty (imprisonment for reasons of conscience has led to downright oppression of the Tibetan minority).

Has the Commission formally expressed its disapproval to China on account of the nuclear testing and the continual human rights violations? If not, does it intend to take the necessary steps?

Answer given by Sir Leon Brittan on behalf of the Commission

(4 October 1996)

The Commission welcomes the recent adoption by the UN Security Council of the nuclear test ban treaty to which China reacted positively. As one of the nuclear powers it has been party to the Non-Proliferation Treaty since 1992.

China and the EU have established a framework for regular dialogue on the issue of human rights in which all matters of concern to either party are broached in a constructive spirit.

(97/C 11/98)

WRITTEN QUESTION E-2222/96

by Johanna Maij-Weggen (PPE) to the Commission

(9 August 1996)

Subject: Conditions in Romanian prisons

1. Is the Commission aware of what is in the report 'Ill-Treatment and Conditions of Detention in Romania' written by the Association for the Prevention of Torture, and is the Commission aware of the fact that this is not the first report on poor conditions in Romanian prisons and in the Romanian legal system?

2. What are the Commission's views on the substance of the report and on the human rights violations in Romania, and what conclusions does it draw?

Answer given by Mr Van den Broek on behalf of the Commission

(7 October 1996)

1. Yes.

2. Romania has ratified the United Nations convention against torture and other cruel, inhuman or degrading treatment or punishment and the European convention for the prevention of torture and inhuman or degrading treatment or punishment. As a signatory Romania is obliged to comply with the standards set out in those conventions.

The Commission follows with particular attention the human rights situation in Romania, including the question of prison conditions, particularly in the light of the visit to Romania by the committee for the prevention of torture of the Council of Europe at the end of 1995. The findings of the committee are the subject of confidential discussions between the government of Romania and the Council of Europe. The Commission will closely follow the outcome of these discussions.

The protection of human rights is one of the criteria for membership of the Union established by the Copenhagen European Council in 1993. In its opinion on Romania's application for membership of the Union, the Commission will pay particular attention to Romania's ability to take on the rights and obligations of membership in this regard.

(97/C 11/99) **WRITTEN QUESTION E-2228/96**

by Sérgio Ribeiro (GUE/NGL) and Honório Novo (GUE/NGL) to the Commission

(9 August 1996)

Subject: Poseima-agriculture programme — support for banana production in Madeira

Banana production is of particular importance to the economy of the autonomous region of Madeira, where banana growing has a long tradition and involves thousands of small farmers producing low yields.

Can the Commission say whether the Community support measures for banana production in the autonomous region of Madeira are still being granted under the Poseima-agriculture programme or whether the support measures are now entirely derived from the implementation of the on-going provisions of the common organization of the market for bananas? In the latter case, can the Commission say whether there are any differences between the support measures provided under the COM for the various banana-producing regions in the Community? If so, what are the reasons for such differences?

Answer given by Mr Fischler on behalf of the Commission

(26 September 1996)

Banana production in the autonomous region of Madeira benefits from two kinds of Community support measures, one of a structural nature, the other as part of the common organization of the market for bananas.

The structural support measures are designed to increase competitiveness and quality and are granted under the regional development programme.

The support measures provided for under the common organization of the market for bananas, notably the compensatory payments, are in principle identical to those granted to other Community production regions. However, pursuant to Article 12(6) of Regulation (EEC) No 404/93, [1] production in Madeira benefited from additional support measures for 1993 and 1994 as earnings were significantly lower than the average for the Community.

[1] OJ L 47 of 25.2.1993.

(97/C 11/100) **WRITTEN QUESTION E-2234/96**

by Sérgio Ribeiro (GUE/NGL) and Honório Novo (GUE/NGL) to the Commission

(9 August 1996)

Subject: Poseima-fisheries programme

In accordance with Section 14.9 of the Poseima programme, on 30 July 1992 the Commission adopted a measure for the fisheries sectors in the Azores and Madeira with a duration of two years (1992 and 1993) and an allocation of ECU 8.04 million in addition to the CSF appropriations. ECU 2.5 million of these appropriations, equally divided between the two autonomous regions, were earmarked for structural investments, while the remainder was to be used to maintain fishing activities and the tuna-processing industry. The Poseima-fisheries measure was extended at least until the end of 1994.

Can the Commission say whether it was extended again for 1995 and 1996? Were the appropriations used for these extensions (in 1994 and, possibly, 1995 and 1996) also in addition to the CSF in force?

Can the Commission say why it did not initially and still does not consider it necessary to support fishing for and processing of small pelagic and demersal species, which play an important role in the two autonomous regions, in line with, for example, the fisheries measures introduced under the Poseican (Canary Islands) programme?

Answer given by Mrs Bonino on behalf of the Commission

(7 October 1996)

The support scheme for marketing fishery products from the Azores and Madeira under the Poseima programme was approved by the Council on 2 October 1995 when it adopted Regulation (EC) No 2337/95, which extended the system introduced in 1992 until 31 December 1997. [1]

The scheme is financed from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and is therefore additional to the Community support framework.

As regards the other species to which the Honourable Members refer, I would point out that the scheme is intended to compensate for the additional costs incurred in marketing certain products outside the regions concerned; it has yet to be shown that such additional marketing costs apply to other species.

[1] OJ L 236, 5.10.1995.

(97/C 11/101) **WRITTEN QUESTION E-2235/96**

by Sérgio Ribeiro (GUE/NGL) and Honório Novo (GUE/NGL) to the Commission

(9 August 1996)

Subject: Poseima-agriculture programme — support for wine production in Madeira

Wine production is of crucial importance in the autonomous region of Madeira.

Can the Commission say whether the current support framework for wine production in Madeira is being implemented strictly as part of Poseima or whether this support is being granted through other Community policies? If the latter is the case, can the Commission say what specific measures and amounts have been provided under the support framework for wine production in Madeira?

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

Council Regulation (EEC) No 1600/92 [1] provides for Community assistance for the production of Madeira liqueur wines via aid towards the purchase of rectified concentrated must (ECU 12.08 per hectolitre for a

maximum amount of 3 600 hectolitres per growing season) and wine alcohol and aid for the ageing process of these wines (currently ECU 0.02379 per hectolitre per day for a maximum of 20 000 hectolitres per annum); it also provides for a lump sum to support the cultivation of vines aimed at producing quality wines in traditional growing areas. The lump sum is currently ECU 476.76 ECU per hectare.

The intervention measures under Title III of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine and the Community grubbing arrangements do not apply to Madeira.

Under the multifund operational programme for the autonomous region of Madeira approved by the Commission on 4 March 1994, ECU 1.8 million was set aside in assistance towards improving winegrowing structures.

This programme is part of the Community support framework for structural intervention schemes in Portugal for the period 1994-99.

(1) OJ L 173, 27.6.1992.

(97/C 11/102)

WRITTEN QUESTION E-2236/96

by Per Stenmarck (PPE) to the Commission

(9 August 1996)

Subject: Shipping Fees

In 1994 the Swedish Government received a 'letter of formal notice' from ESA regarding Swedish shipping fees, which in ESA's opinion have the same effect as a tax. The Swedish domestic shipping lines were at this point exempted from these fees as well as direct calling transoceanic liner shipping.

The Swedish Government has now decided to change the system, to the effect that both direct calling transoceanic liner shipping and the Swedish domestic lines have to pay a fee based on the vessel's gross weight tonnage and the number of calls per year. The fee is unique to Sweden and does not exist in any other EU country. The new fee is to be paid twelve times per calendar year for a cargo vessel and eighteen times for a ferry calling at a Swedish port. It is impossible for a transoceanic shipping vessel that perhaps calls a maximum of 10 or 11 times a year at a Swedish port to enter the freeways free. For a ferry in the Sound the 18 calls will already be completed on 1 January each year. Feeder ships may take a few weeks to reach 12 calls. This also discriminates against new ventures and new tonnage using Swedish ports, given the high cash-flow requirements when new traffic is starting up. Moreover, ocean vessels have a much higher gross tonnage than feeder ships but undertake the same transportation work.

The Swedish export industry will be charged the additional fee by the ocean lines when shipping their goods out of Sweden with ocean carriers. This will prove a very costly disadvantage for the Swedish export industry compared to the export industry in continental Europe.

The Swedish Government states that no exemption from this can be made for the direct calling transoceanic shipping lines due to EU regulations. Can the Commission state whether this is correct? Does the Swedish Government have the right, under EU legislation, to impose fees that are aimed solely at Swedish companies and not other companies which are based within the Union?

Answer given by Mr Monti on behalf of the Commission

(7 October 1996)

The Honourable Member's questions concern the Swedish system for taxing port services.

Under current Community law, Member States are free to establish their own systems for taxing port services provided they keep within certain limits. The taxes must inter alia abide by the provisions of Articles 9 et seq., 92 and 95 of the EC Treaty. In other words, they must not be taxes having an equivalent effect to customs duties, constitute aid for Swedish products or discriminate against products originating in other Member States to the benefit of similar or competing domestic products. A Member State may, if it so chooses, tax its own goods more heavily than those coming from other countries.

The Commission has, however, established that the Swedish system for taxing port services contains a 'farledsvaruavgift', a fee levied only on goods originating in or bound for third countries, including other Member States; this fee is therefore a tax having equivalent effect to customs duties. The Commission has contacted the Swedish administration with a view to aligning the situation on Community law. According to the information provided, the matter is now being rectified by the Swedish authorities as part of a review of the taxation system in question due to be completed at the end of the year.

(97/C 11/103)

WRITTEN QUESTION E-2237/96

by Peter Skinner (PSE) to the Commission

(9 August 1996)

Subject: Sale of baby squid and immature fish in EU Mediterranean countries

I have received eyewitness reports from one of my constituents concerning the widespread sale of baby squid and immature fish in restaurants and fish markets in the EU countries bordering the Mediterranean.

Can the Commission please comment on these reports? If these reports are true, can the Commission please comment on its position concerning this trade in young fish, etc. which must surely be contrary to any conservation policy that has been put forward by the European Commission on fish stocks?

What does the Commission intend to do to ensure that young fish are not caught and sold in these countries?

Answer given by Mrs Bonino on behalf of the Commission

(10 October 1996)

From the point of view of the conservation of fish resources, it would be desirable that any commercial catch should consist exclusively of adult fish. In reality, however, and despite the strongest management action, the catch of immature fish in certain proportions is inevitable. This phenomenon is not solely limited to the Mediterranean.

One must, however, take into account that Mediterranean fisheries often exploit local stocks where individual fish never reach such large sizes as their counterparts in Atlantic and Northern waters. This is especially true for squids, of which a large proportion of the catch is mature individuals of the genus Alloteuthis, generally much smaller than those caught in the Atlantic, the majority of which are represented by the genus Loligo. On the other hand, fish from the same species can reach sexual maturity at much smaller sizes in the Mediterranean, and this is the case for hake and other finfish.

Nevertheless, the protection of small sized individuals remains of crucial importance for Mediterranean fisheries. The existence of local markets for small sized fish makes such protection even more necessary.

Up to 1994, no European regulation addressed this issue. However, in 1994 the Council adopted a first set of technical measures for the Mediterranean (Regulation (EC) n° 1626/94) [1] defining among other factors, minimum landing sizes for a number of species. Due to geographical specificities as described above, these minimum sizes may be smaller than their counterparts in other fisheries. The introduction of this regulation nevertheless offers now the basis for real protection of juvenile fish in the Mediterranean.

[1] OJ L 171, 6.7.1994.

(97/C 11/104)

WRITTEN QUESTION E-2239/96

by Anita Pollack (PSE) to the Commission

(9 August 1996)

Subject: Pollution in the Gulf of Thailand

Is the Commission aware of the level of heavy metal pollution in the Gulf of Thailand and is it aware of the source of this pollution? How much fish product is imported into the EU from this region? Is it used for human consumption as well as pet food?

Answer given by Mr Marin on behalf of the Commission

(7 October 1996)

The Commission has no official information regarding the level of pollution in the gulf of Thailand.

The import figures from the four countries bordering the gulf of Thailand are shown in the table below. However, since all these countries save Cambodia have fishing grounds outside the gulf, no estimate can be made of the share of imports originating in the gulf and the final use of these products.

	1993		1994		1995	
	Quantity (000 kgs)	Value (000 ECU)	Quantity (000 kgs)	Value (000 ECU)	Quantity (000 kgs)	Value (000 ECU)
Thailand	133 068	397 226	134 052	458 770	132 390	461 836
Vietnam	5 523	22 609	9 980	34 960	9 754	31 176
Cambodia	32	132	75	395	0	2
Malaysia	10 643	46 303	12 562	59 120	14 841	71 174

(97/C 11/105)

WRITTEN QUESTION E-2242/96

by Cristiana Muscardini (NI), Gastone Parigi (NI) and Spalato Belleré (NI) to the Commission

(9 August 1996)

Subject: Slovenian law banning the repurchase of houses formerly belonging to Istrian exiles

The Slovenian Parliament has rejected the proposal to allow Istrian exiles to repurchase the houses they abandoned after the Second World War, without respecting the Solana plan approved on 11 April last, which was to allow them to do so if they had lived in Slovenia for at least three years.

The Government established the liberalization of the property market for foreigners who had lived in Slovenia for at least three years following Ljubljana's declaration of independence from Belgrade on 25 June 1991, thereby automatically excluding the Istrian exiles who had lived there before, during or after the Second World War.

In view of the Association Agreement between Slovenia and the European Union, can the Commission ascertain whether Slovenia is acting in accordance with the Solana plan and with European legislation on property?

Answer given by Mr Van den Broek on behalf of the Commission

(7 October 1996)

The conclusion of the Europe Agreement was deferred on several occasions by the Council, before it was finally signed on 10 June 1996.

This Agreement includes an exchange of letters with the Slovenian government which specifies the compromise agreed upon to solve the last outstanding issue. This exchange of letters is fully in line with the proposal tabled jointly by the Commission and the Council under the Spanish Presidency.

Through this exchange of letters the Slovenian government committed itself to liberalize the Slovenian property market four years after the ratification of the Europe Agreement and, with the entry into force of the Europe Agreement, to grant all Union citizens (including former Italian residents) with three years of residence in Slovenia the right to purchase property.

In addition, the Slovenian government committed itself to introduce the necessary constitutional changes and legal provisions, in accordance with the above mentioned exchange of letters, before ratification of the Europe Agreement. This legislation is currently before Parliament and the Slovenian government has undertaken to include the necessary modifications for the second reading. The above liberalization of the property market would be in accordance with the 'acquis communautaire'.

(97/C 11/106)

WRITTEN QUESTION E-2246/96

by Jens-Peter Bonde (NI) to the Commission

(9 August 1996)

Subject: School milk

At the present time, healthy milk products such as skimmed milk and buttermilk are not subsidized, whereas full cream milk, which has a higher fat content, receives a bigger subsidy than low-fat milk. Will the Commission submit a proposal for a flat-rate subsidy per litre of milk or, possibly, completely abolish the bureaucratic school milk system and leave subsidy schemes to the Member States?

Answer given by Mr Fischler on behalf of the Commission

(13 September 1996)

It is not, in the Commission's view, sound policy to pay a flat-rate amount per litre of milk for the full range of milk products distributed under the Community school milk programme, regardless of the composition, and hence the price, of the individual products.

The Commission believes the existing range of subsidized milk products is extensive and varied enough to form part of a healthy, varied and balanced diet for pupils.

The rules for implementation of the school milk programme were radically streamlined by the reform in 1993, which also gives Member States considerable leeway in the organization of their domestic schemes.

(97/C 11/107)

WRITTEN QUESTION E-2249/96

by Umberto Bossi (ELDR) to the Commission

(9 August 1996)

Subject: Disparities in the dates of publication in the various national languages of information and application forms relating to participation in Community programmes

With reference to the brief answer given to Written Question E-1257/96 (1) I should like to ask the following questions.

The Commission publishes calls to tender, invitations to submit applications and expressions of interest concerning Community programmes simultaneously in all the official languages of the EU in the Official Journal. Companies or private individuals, after seeing specific documentation distributed by the various directorates-general, can submit their applications using specific forms also published by the directorates-general.

All this material is only very rarely available in all the national languages, but is available in English, French and German. Sometimes it is available in the other languages only weeks later.

How does the Commission justify choosing these particular languages? Does the Commission not consider that this selection criterion effectively penalizes individuals and firms in the Member States whose official languages are not those mentioned above? Does the Commission not consider this choice to be a tacit endorsement of unfair competition within the Union?

Since the deadline for submitting applications and requests is the same for all (as laid down in the Official Journal) but, in practice, creates differences between countries based on the choice of language, can the Commission say how it intends to remedy the disparity in the amount of time available to those interested in submitting applications for access to Community programmes?

If, as is often claimed, delay in publishing material in all the official languages are due to 'mere' translation problems, does the Commission not consider that these technical shortcomings in effect undermine the principles of transparency and equality, which form the ideological basis of the European Union?

(1) OJ C 305, 15.10.1996, p. 69.

Answer given by Mr Santer on behalf of the Commission

(23 October 1996)

While in certain cases documents may become available first in the languages used for their drafting or preparation within the Commission, the Commission intends to avoid the problems to which the Honourable Member refers by ensuring to the maximum of its ability that published documents directly relating to competitions, calls for proposals and manifestations of interest should be published simultaneously in all the Community languages.

(97/C 11/108)

WRITTEN QUESTION E-2257/96

by Katerina Daskalaki (UPE) to the Commission

(9 August 1996)

Subject: Problems concerning subsidies for olive oil producers

Is the Commission aware of the serious problems Greek olive oil producers will face if producer subsidies are fixed by tree (and not by kilo of product – the practice hitherto) and if the related changes set out in its new proposals aimed at restructuring the olive oil market are adopted?

Is it aware also that the yield in olives and oil depends on many factors apart from the country of production (for example, climate, soil, variety, care taken by the producer, etc.)? Are these proposals based on a scientific study or merely on auditing data? How does it view the fact that Greece has no olive oil register and what does it intend to do to remedy this situation?

Answer given by Mr Fischler on behalf of the Commission

(23 September 1996)

The Commission has not yet adopted a position and therefore has not yet adopted a proposal on the forthcoming reform of the common organization of the market in olive oil.

Various drafts will be considered. The Commission is also aware of the fact that olive and olive oil yields depend on various parameters, as the Honourable Member points out. However, its choice in presenting a proposal to the Council will be determined in the light of all the factors and all aspects of the question in the interests of Community growers and other socio-professional groups.

Given recent experience with the common organization of the market, especially in each of the olive-growing Member States (the biggest consumers), this proposal will seek to simplify the scheme and take greater account than before of the social and environmental dimensions of olive growing.

(97/C 11/109)

WRITTEN QUESTION E-2259/96

by Yiannis Roubatis (PSE) to the Commission

(9 August 1996)

Subject: The problem of the burial of nuclear and toxic waste in the FYROM

European nuclear scientists and the relevant scientific periodicals suggest that, in response to a request by the German Government, a site in the FYROM (Mavrovo) may be used for the burial of nuclear and toxic waste. Apart from the consequences the burial of such waste will have for the FYROM itself, it will pose very serious dangers for its neighbour, Greece, given that the two countries have common rivers, lakes and groundwater supplies. The very strong seismic activity in the region aggravates these dangers.

Will the Commission say:

1. Does it have any knowledge of this matter and, if not, does it intend to verify this information?
2. How does it view the problem of the uncontrolled burial of nuclear and toxic waste in non-Community European countries which lie on the borders of EU countries, and what pressure does it intend to exert on the former, and particularly those which receive Community funds, such as the FYROM (PHARE)?

Answer given by Mrs Bjerregaard on behalf of the Commission

(17 October 1996)

The Commission does not possess any information on a plan for waste disposal at the Mavrovo site in the Former Yugoslav Republic of Macedonia.

The export of toxic waste is regulated by Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community [1]. This Regulation does not cover radioactive wastes. In accordance with Article 14 of this Regulation, export of hazardous as well as non-hazardous waste for disposal to third countries is prohibited, except to the European free trade association (EFTA) countries which are a party to the Basel Convention on the control of transboundary movement of hazardous waste and their disposal [2]. Consequently, irrespective of any link with the Phare programme, export of hazardous waste destined for final disposal (e.g. landfilling, incineration) from a Member State to the Former Yugoslav Republic of Macedonia is prohibited under Community law.

As regards radioactive waste, Council Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community [3] requires that, where radioactive waste is to be exported from the Community to a third country, the shipment has to be authorised by the authorities of the Member State of origin (Article 12.2). Article 11, paragraph 2 of the Directive requires that the Member State concerned shall not authorize shipments of radioactive waste to a third country which, in the opinion of the authorities of the country of origin, does not have the technical, legal and administrative resources to manage the radioactive waste safely.

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[1] OJ L 30, 6.2.1993.
[2] OJ L 39, 16.2.1993.
[3] OJ L 35, 12.2.1992.

(97/C 11/110)

WRITTEN QUESTION E-2261/96

by Yiannis Roubatis (PSE) to the Commission

(9 August 1996)

Subject: The problem of illegal immigrants

Over the last five months the number of illegal immigrants coming from Asian countries via Turkey who have been arrested on their arrival in Greece or afterwards, has been five times higher than during the corresponding period in 1995. Although this is a serious problem which is a matter of concern in all European countries, Turkey has rejected the repeated requests by the Greek authorities for cooperation in oppressing it.

Will the Commission say:

1. Does it intend to provide Greece with financial assistance so that controls can be stepped up on its eastern borders which, being maritime borders, are difficult to control?
2. Given that the majority of illegal immigrants enter Greece from Turkey and are smuggled in by Turks under inhuman conditions, does it intend to exert pressure on the Turkish authorities to clamp down on illegal immigration and the trade in human beings in cooperation with the relevant Greek authorities?

Answer given by Ms Gradin on behalf of the Commission

(7 October 1996)

1. The rules governing the crossing of external frontiers by persons who are not citizens of the Union or members of their families, the implementation of border controls and the fight against illegal immigration are all questions which the Member States consider to be of common interest, and are the subject of cooperation within the framework of Title VI of the Treaty on European Union. The Commission, which is fully associated with the work in these areas, shares the Honourable Member's concerns on the risks resulting from the flow of illegal immigrants from non-member countries and on the need to combat the trade in human beings.

In 1993, the Commission presented a proposal for a convention [1] which laid down common rules for the implementation of border controls. In its recitals, the draft proposal stipulates that 'the introduction of a system of controls at external frontiers requires that particular attention be paid to the questions of infrastructure and frontier surveillance on the part of countries which, because of their geographical position and configuration, are exposed to increased migratory pressure'. The Commission regrets that, despite the position taken by the European Council on several occasions (most recently at Florence in June 1996), the Council has been unable to reach a consensus on the matter. Consequently, controls in relation to persons who do not enjoy the right of free movement in the Community are exercised in accordance with national laws or international agreements between two or more Member States.

2. Within the framework of the Interreg Community initiative, Greece has received Community funds to be used for transfrontier cooperation aimed at strengthening its external borders. Such arrangements are currently in place with Albania and Bulgaria.

[1] OJ C 11, 15.1.1994.

(97/C 11/111)

WRITTEN QUESTION E-2263/96

by Glyn Ford (PSE) to the Commission

(27 August 1996)

Subject: Qualifications for computer operatives

Is there a recognized EU-wide standardized qualification for computer operatives?

Answer given by Mr Monti on behalf of the Commission

(4 October 1996)

Most occupations are not regulated at Community level; a few (mainly in the health-care sector) are subject to minimum standards laid down in 'sectoral' directives. Each Member State is responsible for regulating all aspects of taking up and pursuing a given occupation.

However, since the discrepancies between Member States' regulations risked impeding the free movement of persons, a general system for the recognition of qualifications was introduced. Subject to certain conditions, the system applies to all occupations that are not covered by a specific directive (and hence to the occupation of computer operative).

The system was set up by Directive 89/48/EEC [1] on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration and by Directive 92/51/EEC [2] on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC. Whether the one or the other applies in a specific case depends on the level of qualification required in order to take up the occupation concerned. The first Directive covers university-level education and training, while the second covers qualifications obtained on completion of a secondary or technical course or of a post-secondary course lasting at least one (and possibly two) years following the award of an advanced level school-leaving certificate.

The system applies whenever an occupation is regulated in a Member State, i.e. whenever taking up a given occupation is subject to legislative or administrative rules requiring possession of a qualification. The basis for recognition is that the occupation which a migrant wishes to pursue in the host Member State must be identical to that for which he/she has been trained in his/her home Member State. The system neither requires Member States to regulate the pursuit of occupations that might be covered by the Directives, nor does it coordinate education and training. The two Directives merely lay down the necessary and sufficient requirements that an applicant must satisfy in order to obtain recognition. Member States remain free to determine the minimum qualifications required in order to take up and pursue a given occupation.

The general system also provides for a migrant whose education and training differs substantially from that required in the host Member State to choose whether to take an aptitude test or to complete an adaptation period. For the system to apply, the migrant has to be fully qualified in his/her home Member State to pursue the occupation in question, i.e. he/she is required to have completed all the necessary formalities and periods of work experience after obtaining the qualification itself.

[1] OJ L 19, 24.1.1989.
[2] OJ L 209, 24.7.1992.

(97/C 11/112) **WRITTEN QUESTION E-2281/96**

by Joan Colom i Naval (PSE) to the Commission

(27 August 1996)

Subject: Quality of bathing water in Holland

According to the Commission's thirteenth report on the quality of bathing water in 1995, in Holland none of the samples of coastal waters and only 18% of those of inland waters met the necessary quality standards.

Has the Commission taken any steps to remedy this situation?

(97/C 11/113)

WRITTEN QUESTION E-2282/96

by Joan Colom i Naval (PSE) to the Commission

(27 August 1996)

Subject: Quality of bathing water in Germany

According to the Commission's thirteenth report on the quality of bathing water in 1995, only 46% of the inland waters met the necessary quality standards.

Has the Commission taken any steps to remedy this situation?

Joint answer
to Written Questions E-2281/96 and E-2282/96
given by Mrs Bjerregaard on behalf of the Commission

(25 September 1996)

The unsatisfactory quality of bathing water in the Netherlands was indicated in the recently published Commission report on the quality of bathing water in 1995.

The Commission has decided to question the Dutch authorities on this matter through a letter of formal notice – the first step in the procedure laid down in Article 169 of the EC Treaty.

Regarding the poor quality of inland bathing waters in Germany, the Commission, having identified the situation some time ago, has instituted infringement proceedings. A reasoned opinion, the last step in the Article 169 procedure before the matter goes before the Court, has already been notified. Proceedings are continuing.

(97/C 11/114)

WRITTEN QUESTION E-2286/96

by Ben Fayot (PSE) to the Commission

(27 August 1996)

Subject: Systran translation system developed by DG XIII – Position of the system development team

Since 1976, the Commission in Luxembourg, and more specifically DG XIII, has been developing the Systran automatic translation system, for which it obtained the public sector rights from the start of operation.

After twenty years' operation it would seem that the Commission is proposing to phase out the Systran programme maintenance over a three-year period (1996-1998) from DG XIII to the Commission's translation service in Luxembourg. The budget allocated for the development of this system was substantially reduced in 1996.

Given that:

- since the start of the linguistic and computer development of this system, which has always been done by means of exclusive contracts of limited duration, there has been an uninterrupted sequence of contracts,
- over those twenty years the development team, consisting of linguists, translators and computer specialists, has increased from two persons to about forty,
- despite the frequent change of contractors, the Commission has always wanted to keep the team together in view of the special nature of the work and training needs, and
- most of the staff making up this team have more than ten years' seniority – and some have been working on this project from the outset –,

the question arises as to whether the Commission does not have a moral, if not legal obligation towards the Systran development team.

Given the high level of specialization of the staff concerned, the know-how accumulated in more than twenty years' work and the validity of the Systran system, which is used by institutions such as NATO, should the team not be incorporated into the Translation Centre for the bodies of the Union?

Answer given by Mr Liikanen on behalf of the Commission

(11 October 1996)

As the Honourable Member points out, the Commission acquired the Systran automatic translation system for the French-English language pair in 1976. Since then, it has commissioned further development of the system by private contractors to improve the quality of translation of Commission texts and to increase the number of language pairs. There are currently 16 language pairs considered as being operational, at different levels, and one further language pair is in the early stages of development.

Over the last twenty years, study and development contracts have been concluded, following invitations to tender, with the following five firms:

World Translation Center	(United States)	1977
Franklin Institute	(Germany)	1978
Systran Institute	(Germany)	1979-1983
Informalux	(Luxembourg)	1984-1989
Telindus	(Luxembourg)	1990-1996

The specialized nature of the services provided has meant that these companies have sometimes employed team members from the preceding contract. The most recent contracts defined the Commission's objectives and left the contractor the freedom to choose how they would be achieved.

Currently, a feasibility study is underway to define the Commission's future strategy in the field of automatic translation, particularly the transition from a development to a maintenance phase in an operating environment.

Recruitment of staff by the Translation Centre for the bodies of the Union is the sole responsibility of the Centre, which has legal personality and is the only authority which can decide whether the qualifications of the staff of the above-mentioned firms correspond to its needs.

(97/C 11/115)

WRITTEN QUESTION P-2289/96

by Peter Truscott (PSE) to the Commission

(30 July 1996)

Subject: Insulin research and BIOMED funding

Can the Commission please give details of research that it is aware of into the use of human insulin as opposed to animal insulin in the treatment of insulin-dependent diabetics? Would the Commission agree that this is a priority area for future research, possibly using BIOMED funding?

Answer given by Mrs Cresson on behalf of the Commission

(24 September 1996)

The Commission agrees that diabetes mellitus is indeed a priority area for funding, within its Biomedecine and health research programme among others. The current Biomed-2 programme already supports within its area 4.4 nine research projects on various aspects of diabetes research (details are forwarded direct to the Honourable Member and to the Secretariat General of the Parliament).

None of these specifically address the topic of treatment with human or animal insulin, but there is another opportunity to apply for funding in this field during the third call of the Biomed-2 programme, which closes on 17 December 1996. Full details are set out in the scientific work programme for Biomed-2, available to all interested applicants.

(97/C 11/116)

WRITTEN QUESTION E-2295/96

by Erich Schreiner (NI) to the Commission

(27 August 1996)

Subject: Trade policy of the CEEC

The EU's Europe Agreement with the Central and Eastern European countries makes provision for free trade structures.

How does the Commission explain the fact that Poland, Bulgaria, Hungary and Slovakia have introduced additional import levies (duties) of up to 10%, which chiefly harm EU exporters and are not justified by the macro-economic data (balance of payments) of Poland and Slovakia?

Poland has free access to the EU market for trade in steel. As a result it achieves an annual export surplus of over 1.2 million tonnes with the EU, to the detriment of the European steel industry. At the same time Poland is levying import duties of 9-10% on imports of steel from the EU and is considering extending these duties, in contravention of the agreement.

Whilst cars made by the Korean manufacturer Daewoo can be imported duty-free into Poland, cars imported from EU manufacturers are subject to a 35% import duty.

What steps does the Commission intend to take against this discrimination?

What further initiatives will the Commission adopt in this connection against other obstacles to trade which harm Community exporters?

Answer given by Mr Van den Broek on behalf of the Commission

(15 October 1996)

Chapter II of Title V of the Europe Agreements referred to do allows signatory countries to levy additional import charges but only if this can be justified by balance of payments considerations. Countries which introduce such levies must submit as soon as possible to their partners a schedule for abolishing them. The charges may be levied only for a limited period and must not go beyond what is strictly necessary to remedy any balance of payments difficulties. Below is a full list of additional import levies so far imposed by Central European countries.

The Europe Agreement stipulates that Poland must abolish all remaining duties on Community imports of steel products from 1 January 1999 (the duty on some steel goods having been abolished when the Agreement came into force (see Annex II to Protocol 2 of the Agreement)). Last year, Poland, which has an overall trading deficit with the Community of around ECU 2 400 million, nevertheless recorded an export surplus of around ECU 80 million for metals and metal goods (Section XV of the Combined Nomenclature). However, Community exports in the sector rose 42% on the previous year compared with only 28% for Poland.

As for car imports into Poland, the Commission has been keeping a close eye on the arrangements adopted by Poland and will continue to do so to ensure that the Europe Agreement and the tariff abolition measures laid down in it are strictly adhered to. Under the programme, all customs duties on cars must be abolished by 1 January 2002. On the point about the treatment given by Poland to the Korean firm, Daewoo, the Commission is following the matter very closely to ensure that Poland abides by its international obligations.

All trade barriers and forms of discrimination are addressed bilaterally on a regular basis by the institutions set up under the Agreements, especially the Association Councils, committees and subcommittees, which try to resolve any problems. The Agreements also provide for arbitration if necessary.

On wider Community initiatives to combat damaging trade barriers, the Commission would refer the Honourable Member to the 1994 Council Regulation on trade obstacles. (1)

ADDITIONAL IMPORT LEVIES IN CENTRAL AND EASTERN EUROPE

	Levy in force since:	Rate
1. Poland	December 1992	6% 5% (1.1.1995) 3% (1.1.1996) 0% (1.1.1997)
2. Hungary	March 1995	8% 7% (1.7.1996) 6% (1.10.1996) 4% (1.1.1997) 2% (1.4.1997) 0% (1.7.1997)
3. Slovakia	March 1994	10% 7.5% (1.7.1996) 0% (1.1.1997)
4. Bulgaria	June 1996	5% 4% (1.7.1997) 2% (1.7.1998) 1% (1.7.1999) 0% (1.7.2000)

(1) Regulation No. 3286/94, OJ L 349, 31.12.1994; OJ L 41, 23.2.1995.

(97/C 11/117) **WRITTEN QUESTION E-2324/96**

by Sebastiano Musumeci (NI) and Spalato Belleré (NI) to the Commission

(27 August 1996)

Subject: Security measures to combat terrorism in air transport

The latest of many air disasters, this time near New York, where a TWA jumbo jet exploded, killing 230 passengers, highlights once again the problem of security in air transport on national and international routes.

Those working in the air transport sector agree that security controls at airports are shockingly inadequate, with insufficiently trained staff being employed and equipment – including electronic equipment – being used which often proves incapable of detecting weapons and explosive devices and substances.

Can the Commission say what steps it intends to take to ensure that security is finally guaranteed in air transport, by adopting stringent measures and strict rules – to be introduced in agreement with countries outside the Community too – to prevent further tragedies caused by terrorist acts (as seems to have happened in this case), in response to which official expressions of condolence and good intentions are useless and are only prompted by the emotional reaction immediately following such disasters?

Answer given by Mr Kinnock on behalf of the Commission

(26 September 1996)

The Commission is not at present legally able to intervene in the matter of aviation security, as suggested by the Honourable Members.

While Title VI of the Treaty on European Union established a cooperation between Member States in the areas of justice and home affairs, the initiative for action in the fields of judicial cooperation in criminal matters and police cooperation lies only with the Member States. In both common foreign and security policy, and justice and home affairs, Member States have working groups devoted to the fight against terrorism.

In addition, aviation security is dealt with in the framework of the European civil aviation conference (ECAC), which indeed covers a much wider territory than the Community. The Commission attends the meetings of the ECAC working group as an observer and is confident of the commitment of Member States to the implementation of ECAC security standards and recommended practices.

(97/C 11/118)

WRITTEN QUESTION E-2328/96

by Gianni Tamino (V) to the Commission

(27 August 1996)

Subject: Checking of statistics on animal experiments

In reply to Written Question E-2641/95 (1) the Commission said (on 6 December 1995) that an investigation would soon be carried out with the Italian authorities on the findings which had emerged from the various statistics produced by Italy on the number of animals used in experiments (Directive 86/609/EEC (2)).

Can the Commission now tell us the results of this appraisal and what steps, if any, it intends to take?

(1) OJ C 79, 18.3.1996, p. 12.
(2) OJ L 358, 18.12.1986, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(1 October 1996)

The Commission met the Italian authorities to discuss the information required by Articles 13 and 26 of Directive 86/609/EEC on the number of animals used for experimental and other scientific purposes.

At the meeting the Italian Ministry of Health indicated the changes it had introduced, via an administrative circular, to the collection of statistical data, the format of tables and the frequency of collection.

The Italian authorities have thus complied with the provisions of Directive 86/609/EEC as regards the collection of statistical data and have therefore met the requirements of Articles 13 and 26 thereof.

(97/C 11/119)

WRITTEN QUESTION E-2330/96

by Marie-Paule Kestelijn-Sierens (ELDR) to the Commission

(27 August 1996)

Subject: BSE aid

By the end of the year the Commission will have spent ECU 1.5 billion to overcome the BSE crisis, including ECU 850 million in direct aid to beef producers.

1. What amount will be going to Belgium?

2. What is the breakdown in Community aid between beef producers and veal producers? Or is the decision taken independently by the governments of the Member States of the Union?

Answer given by Mr Fischler on behalf of the Commission

(27 September 1996)

Of the ECU 850 million set aside by the Community (1) to compensate cattle farmers for the effects of the Bovine Spongiform Encephalopathy (BSE) crisis, some ECU 30 million went to Belgium to pay compensation to producers.

It is up to the Belgian authorities to allocate that money, plus any national payments not to exceed an equivalent amount, in line with two distribution schemes laid down in the regulation. For further particulars the Honourable Member is asked to refer to the Commission's answer to written question E-1509/96 by Mr Musumeci. (2)

(1) Council Regulation (EC) No 1357/96 of 8 July 1996 providing for additional payments to be made in 1996 with the premiums referred to in Regulation (EEC) No 805/68 on the common organization of the market in beef and veal and amending that Regulation (OJ L 175, 13 July 1996, p. 9).
(2) OJ C 305, 15.10.1996.

(97/C 11/120)

WRITTEN QUESTION E-2332/96

by Amedeo Amadeo (NI) and Gianfranco Fini (NI) to the Commission

(27 August 1996)

Subject: Frozen embryos

At the end of July, 3 300 human embryos frozen at the request of their parents, who then abandoned them, are to be destroyed. Under UK law, embryos may be kept in a frozen for no more than five years; this limit may be extended only at the specific request of the parents.

The couples who had asked for the 3 300 embryos to be frozen have disappeared without trace and decline all responsibility. It has proved impossible to contact 650 of the 910 couples concerned, while the remaining 260 have not replied to letters from the EFEA asking them to take a decision on the matter. It would be 'unacceptable' to continue to store the embryos without the consent of the parents and beyond a fixed limit. The authorities maintain that a limit is necessary in order to safeguard the integrity of frozen embryos, since it is still not known how long they can be maintained in that state without jeopardizing their future development.

In the light of what amounts to a massacre, would the Commission take legislative action to harmonize the existing laws and regulations in this extremely sensitive area, with due regard to the fact that natural laws may not be overturned by scientists, who have all too often shown their limitations, or by some visionary or other?

Answer given by Mr Flynn on behalf of the Commission

(16 October 1996)

The matters raised by the Honourable Members fall within the competence of the Member States. The Commission has no intention to bring forward proposals to harmonise laws and regulations in this field.

The Commission is, however, well aware of the ethical issues linked to the applications of biotechnology. Under the fourth Community programme on research and technological development, a working group has been set up to deal with the ethical and legal issues of the protection of the human embryo and foetal tissue. The scope of this group is limited to Community research projects and does not cover United Kingdom legislation.

(97/C 11/121)

WRITTEN QUESTION E-2342/96

by Joaquim Miranda (GUE/NGL), Sérgio Ribeiro (GUE/NGL) and Honório Novo (GUE/NGL) to the Commission

(27 August 1996)

Subject: Human rights in Turkey

In view of reports in the last few days of the tragic death of political prisoners in Turkey following their hunger strike to protest against prison conditions, the acts of torture inflicted on prisoners and the persecution of their families; given that there are some 300 prisoners in this situation and that further deaths are to be expected;

in view of the recent Customs Union Agreement between the European Union and Turkey;

in view of previous resolutions, which clearly set out the conditions to be met by the Turkish Government with respect to human rights;

how does the Commission intend to react to this blatant failure to respect the conditions laid down and the violation of human rights and basic democratic freedoms, in accordance with the positions it has adopted?

Answer given by Mr Van den Broek on behalf of the Commission

(2 October 1996)

The Commission was very aware of the recent hunger strikes in Turkish prisons and the unfortunate deaths, and fully shares the Honourable Members' concern. On 25 July, the relevant Member of the Commission sent a letter to Turkey's Deputy Prime Minister and Foreign Affairs Minister, Mrs Tansu Çiller, expressing the feelings aroused in Europe by the hunger strikes and urging her to do her utmost to avoid further loss of life.

The Commission was heartened by the news that the hunger strikers and the authorities had reached an agreement on 26 July, putting an end to the suffering; it nonetheless deplores the fact that it took so much time, loss of life and an international outcry before a solution was finally found.

The Turkish authorities have also invited the Council of Europe's Committee for the Prevention of Torture to visit Turkey and conduct an in-depth study, particularly in detention centres. The Commission will follow its work with interest.

(97/C 11/122)

WRITTEN QUESTION E-2344/96

by Richard Howitt (PSE) to the Commission

(27 August 1996)

Subject: Commission representatives at national Structural Fund monitoring committees

How would the Commission describe the role of its representatives at Structural Fund monitoring committees within individual Member States, and precisely which regulations and policy guidelines (with reference numbers) govern the conduct of Commission staff in this capacity?

In accordance with the principles of parliamentary accountability, will the Commission ensure its representatives provide full information regarding project selection, selection criteria as well as the effective use of the funds?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(23 September 1996)

Article 25 of Council Regulation (EEC) n° 4253/88 of 19 December 1988, laying down provisions for implementing Regulation (EEC) n° 2052/88 as regards coordination of the activities of the different structural funds between themselves and with the operations of the European investment bank and the other existing financial instruments (as amended) [1] provides for the setting up of monitoring committees, within the framework of the partnership, by agreement between the Commission and the Member States.

The composition, duties, procedures and responsibilities of these committees are detailed in the provisions forming an integral part of each Commission decision approving the individual operational programmes. These provisions include the participation of the Commission as a full member of such committees.

Apart from this formal participation, the Commission representatives also have an important role to play in providing regular help and guidance to the authorities concerned, notably where questions of project eligibility or the respect for Community legislation and policies are concerned.

However, according to the rules governing structural funds interventions, and reflecting the principle of subsidiarity, it is the Member States responsible for programme implementation which have primary responsibility for assuring project eligibility and for defining criteria to prioritise their choice of projects for approval. In establishing these criteria they are assisted by the Commission, which seeks to ensure thereby that the projects selected will be compatible with the overall objectives of the programme and that Community resources will be used effectively and efficiently, Community law respected and financial errors and irregularities avoided.

(1) OJ L 193, 31.7.1993.

(97/C 11/123)

WRITTEN QUESTION E-2346/96

by Richard Howitt (PSE) to the Commission

(27 August 1996)

Subject: European finance given for mental health

What amount of money has been allocated to psychiatric/mental health institutions from the Community budget over the last ten years? Please identify the amounts sent to which institutions and/or Member States and for what reasons.

What facilities or use was this money intended for?

Does the Commission have evidence that the money was spent on the stated purpose?

Answer given by Mr Flynn on behalf of the Commission

(24 October 1996)

The 'Programme of Community action on health promotion, information, education and training within the framework for action in the field of public health (1996-2000)' (1), adopted on 29 March 1996, provides only for actions to promote mental health, not support for mental health-related care.

In the framework of the Helios II Programme for the disabled, pursuant to Decision No 93/136/EEC (2) of 25 February 1993, these activities closely involve disabled people, their families, representative organisations, experts, researchers, professionals working in the field, voluntary helpers and the two sides of industry. In the context of this programme, which provides for the exchange of information and good practices between various European partners to promote the integration of and equal opportunities for disabled people, there is no provision for funding psychiatric and mental health institutions.

However, in implementing this programme the Commission works closely with the European Regional Committee of the World Federation for Mental Health which, in addition to belonging to the European Forum for the Disabled, represents the 'psychological deficiency' sector and the views and needs of the persons involved in this area. The Commission also supports an annual programme of European activities designed by the non-governmental organisations for the exchange of experience and good practices in the field of mental health.

(1) OJ L 95, 16.4.1996.
(2) OJ L 56, 9.3.1993.

(97/C 11/124)

WRITTEN QUESTION P-2348/96

by Bernie Malone (PSE) to the Commission

(8 August 1996)

Subject: EU audit of the sub-operational programme for the re-integration of the socially excluded

Noting that the Belcamp Estate Steering Committee and others have withdrawn from the EPIC programme, could the Commission supply me with a copy of the recently completed EU Audit on the Dublin Corporation's (Ireland) implementation of the sub-operational programme for socially excluded?

Answer given by Mr Flynn on behalf of the Commission

(12 November 1996)

The sub-programme for the socially excluded, to which the Honourable Member is presumed to refer, is receiving European social fund assistance under the Human resources development operational programme in Ireland. The Commission is not aware of any recent audit on this sub-programme. In adddition, Dublin Corporation is not responsible for implementing measures under this sub-programme. Therefore additional information is required on the operational programme and the structural fund through which this specific project receives assistance from the Community, before it will be possible to respond to the Honourable Member's request.

For the Honourable Member's general information, Commission audit reports or letters giving the main findings of audits are sent to the Member State concerned. The national authorities are given the opportunity to respond on the issues and conclusions raised. It is the responsibility of the Member State to allow the audited beneficiaries to be informed of the observations and conclusions of the reports.

(97/C 11/125)

WRITTEN QUESTION P-2349/96

by Bernd Lange (PSE) to the Commission

(8 August 1996)

Subject: Implementation of EU environment directives

In the Federal Republic of Germany it is increasingly being claimed – especially by business organizations and farming associations – that German industry suffers competitive disadvantages because EU environment directives are implemented very promptly and fully in the Federal Republic.

1. What is the Commission's view on the state of implementation of Community environment legislation in the Federal Republic compared with other Member States?

2. What are its views on the distortion of competition if EU environment directives are implemented in one Member State much earlier than in another?

3. Does it consider German industry suffers competitive disadvantages as a result of the late implementation of EU environment directives in other Member States?

4. Can it quantify such competitive disadvantages?

Answer given by Mrs Bjerregaard on behalf of the Commission

(20 September 1996)

1. The implementation of Community law in Member States is the subject of the annual report on monitoring the application of Community law. According to the last report ([1]), in contrast to the assumption of the Honourable Member, Germany is not taking the lead in promptly implementing Community environmental legislation.

2. It cannot be ruled out that in specific circumstances a Member State may have a competitive advantage in not implementing in due time a directive related to the environment. Therefore the Commission as guardian of the Treaty has to ensure that Community legislation is applied by Member States. In case a Member State does not fulfil its obligation to implement Community law in time the Commission may take action before the European Court of Justice which may confirm an infringement.

However, it should be underlined in this context that differences in implementation are often due to the fact that directives related to the protection of the environment set up minimum standards. Member States then have the option to go beyond this level of protection. As far as directives are based on Article 130 s of the EC Treaty (environment) Member States may apply Article 130 t. This allows Member States under specific conditions to adopt stricter measures. These measures may also have an impact on competition.

3/4. The Commission does not have pertinent information on this issue. Furthermore, in a view of what has been said above, the Commission does not assume that German industry suffers specific disadvantages due to late implementation of environmental directives by other Member States.

(1) COM(96) 600 final.

(97/C 11/126)

WRITTEN QUESTION P-2350/96

by Karin Riis-Jørgensen (ELDR) to the Commission

(8 August 1996)

Subject: Simplification of rules within the internal market

The Commission's priority tasks include simplification of rules, deregulation and easing the administrative burdens on European businesses, in particular small and medium-sized enterprises (SMEs). The Molitor report and the new SLIM project are important initiatives in this connection.

However, the Commission proposal of 3 April 1995 for a Council regulation concerning structural business statistics (COM(95) 99 final) (1) puts forward a series of far-reaching requirements for very detailed information to be submitted by businesses to Eurostat via the Member States.

In view of the above proposal for a regulation, can the Commission say whether a prior cost-benefit analysis together with an assessment of the administrative and financial implications for SMEs have been carried out and, if so, with what outcome?

Does not the Commission consider the proposal to be at odds with the principles laid down in the SLIM project, including the plans to simplify the INTRASTAT system?

How does the Commission propose to prevent too great a margin of unreliability as regards the information submitted on, for instance, investment in pollution control and cleaner technologies?

In Denmark, the proposal will mean a 50% increase in the number of businesses subject to mandatory reporting with, at the same time, considerably more information being required.

(1) OJ C 146, 13.6.1995, p. 6.

Answer given by Mr de Silguy on behalf of the Commission

(3 October 1996)

As noted by the Honourable Member, the draft regulation on structural business statistics (SBS) would require Member States to compile statistical information on the business community and transmit it to the Commission. The Commission carried out an assessment of the impact on businesses of its proposals by asking for details of the time spent or cost incurred by enterprises in providing the necessary information to the statistical offices of the Member States which will normally carry out this work. The results of this investigation are contained in the impact assessment report submitted with the Commission's proposal. In addition, a study of current practice in the Member States that collect data from small enterprises shows that these enterprises are only included in surveys once every ten years on average when sampling is used.

The Commission's proposal would repeal two existing directives and permit Member States to compile statistical data in a more flexible manner than the existing legislation. Member States may compile results using data from administrative sources or using sample surveys, neither of which are possible under the existing legislation. The text brings together a broad number of survey areas which had traditionally been managed separately and hence would reduce the risk of duplication and redundancies between different business surveys. The text foresees a review procedure whereby the Commission will report regularly to the Parliament and the Council on the implementation of the text, including measures of cost and quality. The Commission regularly reports developments in this field to the business community. All of these changes are in accordance with the principles and objectives of the Slim project.

The Commission has consistently recognised the problems of measuring the efforts made by the business community to protect the environment. However, it is necessary to try to measure this phenomenon. For a number of years Member States, aided by the Commission have carried out pilot studies in order to develop a methodology in this domain. The problems linked to cleaner technology are well known to the Commission. Member States are agreed to continue with pilot studies in this area rather than to compile data which could not be compared.

The number of enterprises subject to surveys in Denmark will certainly increase as the Danish statistical office expands its survey system from the traditional industrial domains to cover the service sectors of the economy. The decision by the management board of the Danish statistical office (Danmarks Statistik Styrelse) to expand coverage to the service sectors reflects practice in all Member States which have accepted the need to cover this section of the economy which contributes to 66% of GDP across the Community. The Danish statistical office has been conducting pilot studies in these sectors during the last few years. This proposed regulation will therefore ensure consistency between Danish results and those for other Member States.

The list of variables to be transmitted to the Commission was drawn up by assessing the need for data by the European institutions and other users of European data whilst taking into account the cost and burden of data collection. The draft legislation proposes the compilation of the more burdensome and difficult variables on a multi-yearly basis or as part of pilot studies. The impact of new variables is therefore considerably reduced.

(97/C 11/127)

WRITTEN QUESTION E-2354/96

by Ian White (PSE) to the Commission

(27 August 1996)

Subject: DG XI Legal Unit – handling of environmental complaints

Is DG XI Legal Unit using national experts to handle environmental complaints who have had direct experience of defending these complaints on behalf of their national government? Given that this would breach professional conduct rules on legal cases in many of the Member States, does the Commission agree that this is likely to compromise its ability to deal with these complaints objectively? What steps are being taken to correct this unacceptable situation?

Answer given by Mrs Bjerregaard on behalf of the Commission

(17 October 1996)

It is general Commission policy to use national experts to assist in particular tasks. Experts are chosen on the basis of their special expertise and the needs of the Commission.

In line with this policy, the Directorate general for environment, nuclear safety and civil protection uses national experts to assist its permanent staff. At the beginning of September 1996, there were three national experts seconded to the unit dealing with legal matters, legislation and application of Community law, as against sixteen other A grade staff.

The Commission ensures that no conflicts arise between the role of these experts and their former roles at national level.

(97/C 11/128)

WRITTEN QUESTION E-2356/96

by José Pomés Ruiz (PPE) to the Commission

(27 August 1996)

Subject: French neoprotectionist practices in the seed and plant sector which are hindering the entry of Spanish companies on to the French market

There is a Community list of all seed varieties marketable in the European Union. This enables European companies, including French companies, to market their seed varieties and mixtures in Spain subject only to the condition that they are registered on the European list (a compilation of national catalogues).

The French authorities continue to require varieties marketed in France to be registered in their national catalogue, which is clearly illegal in the light of Council Directive 70/457/EEC [1] of 29 September 1970 which provides for the creation of a single European list valid for all the Member States.

French distributors trading with Spanish companies must be entered on a special register, entailing an annual payment of FF 3185, something which is not required if they only market seeds and mixtures of other French companies.

In addition, a special annual levy per kg. of imported seed must be paid. In order to pay this levy, French clients must complete and send to the GNIS ('Groupement national interprofessionnel de semences et de plantes') a periodic declaration of their imports.

Is the Commission aware of the restrictive practices imposed on Spanish companies by French companies which market seeds and plants? Would it be possible to abolish immediately the red tape and levies which are hindering free trade in our products on Community soil?

[1] OJ L 225, 12.10.1970, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(24 September 1996)

The Commission has been informed recently that for seeds in the form of mixtures to be marketed in France the following is required:

1. The mixtures of varieties of grasses for green spaces must be composed of seeds from varieties registered in the French catalogue.
2. The Groupement national interprofessionnel de semences et plantes (GNIS) levies a parafiscal tax on the first sale of seed mixtures. It also levies a tax in the case of non mixed seed.
3. Operators introducing seed in France are bound to register themselves at a cost of 3 185 FF per year.

The Commission takes note that the Honourable Member has referred in his written question to the requirement described in 1. above extending it from mixtures of seeds to all seed varieties. The requirement stated in 3. is also covered by the written question, albeit limiting it to French operators in their transactions with Spanish firms. Furthermore, the Honourable Member alleges that an annual tax per kilogramme of seed introduced in France is levied.

The Commission is looking into the above matters in order to establish whether such requirements are compatible with Community law. The Commission will seek the observations of the French authorities on this matter and its conclusions will be made available to the Honourable Member in due course.

(97/C 11/129)

WRITTEN QUESTION E-2366/96

by Thomas Megahy (PSE) to the Commission

(27 August 1996)

Subject: EMU and unemployment in construction

Does the Commission accept the conclusion of the recent report from the European Construction Industry Federation (ECIF) that over a quarter of a million jobs will be lost in the EU construction industry before the end of 1997 as a result of the application of limits on public borrowing and debt imposed by the EMU convergence criteria?

If not, could it give the arguments upon which it bases its denial of the ECIF assertion, and the data upon which those arguments are based?

Answer given by Mr de Silguy on behalf of the Commission

(15 November 1996)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(97/C 11/130)

WRITTEN QUESTION E-2367/96

by Wolfgang Kreissl-Dörfler (V) to the Commission

(27 August 1996)

Subject: Calves

1. Can the Commission state how many calves have been imported annually into the European Union from Bulgaria since 1990:

(a) for fattening,

(b) for consumption,

(c) in transit to third countries?

2. Can the Commission state how many calves have been imported annually into the European Union from the Federation of Independent States since 1990:

(a) for fattening,

(b) for consumption,

(c) in transit to third countries?

3. Can the Commission state how many calves have been imported annually into the European Union from Slovakia since 1990:

(a) for fattening,

(b) for consumption,

(c) in transit to third countries?

4. Can the Commission state how many calves have been imported annually into the European Union from Slovenia since 1990:

(a) for fattening,

(b) for consumption,

(c) in transit to third countries?

(97/C 11/131)

WRITTEN QUESTION E-2368/96

by Wolfgang Kreissl-Dörfler (V) to the Commission

(27 August 1996)

Subject: Calves

1. Can the Commission state how many calves have been imported annually into the European Union from Romania since 1990:

(a) for fattening,

(b) for consumption,

(c) in transit to third countries?

2. Can the Commission state how many calves have been imported annually into the European Union from the Czech Republic since 1990:

(a) for fattening,

(b) for consumption,

(c) in transit to third countries?

3. Can the Commission state how many calves have been imported annually into the European Union from Hungary since 1990:

(a) for fattening,

(b) for consumption,

(c) in transit to third countries?

4. Can the Commission state how many calves have been imported annually into the European Union from Poland since 1990:

(a) for fattening,

(b) for consumption,

(c) in transit to third countries?

Joint answer to Written Questions E-2367/96 and E-2368/96 given by Mr Fischler on behalf of the Commission

(24 September 1996)

As regards points (a) and (b), Community statistics do not distinguish between calves imported for fattening and those imported for consumption. In the Commission's view, where calves originating from the countries in question are concerned, there is not in general any demand on the market for immediate consumption. The calves are mainly destined for fattening. The relevant figures broken down by country of origin and year have been sent to the Honourable Member and to Parliament's Secretariat.

As regards (c), the pertinent figures are not available to the Commission.

(97/C 11/132) **WRITTEN QUESTION E-2373/96**

by Gianfranco Dell'Alba (ARE) to the Commission

(27 August 1996)

Subject: 1997 preliminary draft budget

The European Atomic Energy Community (EAEC) receives appropriations under Article A-300 for the Supply Agency. Can the Commission provide the European Parliament with details of the nature of the activities carried out by the EAEC and the results of these activities?

Answer given by Mr Papoutsis on behalf of the Commission

(4 October 1996)

At its 23rd session on 1 and 2 February 1960, the Council of the European Atomic Energy Community (EAEC) decided unanimously that the Commission should postpone the levying of the charge originally provided for in Article 54 of the Euratom Treaty and intended to cover the operating expenses of the EAEC's Supply Agency. Since then, a subsidy, intended to balance the estimates of the Agency's revenue and expenditure, has featured in the Commission budget under heading A-300. This covers the operating expenses of the Agency, excluding the costs of staff and office rental, which are included in the Commission budget.

For an explanation of the activities of the Agency, the Honourable Member is referred to Chapter VI of the Euratom Treaty. A hard copy of the text describing the Agency on the Internet and the Agency's most recent annual report are being sent directly to the Honourable Member and to Parliament's General Secretariat.

For the activities of the EAEC in general, the Honourable Member could usefully refer to Title I of the Euratom Treaty, while the results of its activities are described in the relevant sections of the Commission's General Report.

(97/C 11/133) **WRITTEN QUESTION E-2374/96**

by Gianfranco Dell'Alba (ARE) to the Commission

(27 August 1996)

Subject: 1997 preliminary draft budget

In the light of the breakdown of appropriations in line B7-6210 (North-South cooperation in the fight against drugs), can the Commission say when and how it decides to take action (selection of projects, beneficiaries, resources made available by the EU and/or third parties etc.) and indicate the amount allocated by the Community to the United Nations programme for the international control of drugs?

Answer given by Mr Marín on behalf of the Commission

(2 October 1996)

Further to its communication of 6 July 1994 to the Council and Parliament, (1) in June 1995 the Commission sent both institutions a proposal for a Regulation governing the use of budget heading B7-5080 (re-numbered B7-6210 as of January 1996). (2) The original Commission proposal was recently amended on 9 September, under Article 189a(2) of the Treaty, in the light of Parliament's opinion of 19 April. The adoption procedure will continue, in accordance with Article 189b.

The main principles governing project financing under budget heading B7-6210, set out in the proposal, are that Community operations should complement those of the Member States, within the overall framework of priorities set by the European Council, and support partner countries' national strategies for combating drugs. They should be consistent with internal Community measures and policies crucial to the effective combating of drugs, for example action to combat money laundering and the diversion of trade in chemical precursors, and they should support operations in the partner countries by the United Nations or other international agencies involved in the fight against drugs.

These factors are considered, together with the intrinsic value of each project and the Commission's experience to date, when selecting projects for financing each year under the said budget heading. The projects selected are either identified by the Commission or proposed by non-governmental organizations, countries requesting cooperation, research institutes or other organizations.

Between 1987 and 1995, ECU 76.6 million was spent under budget heading B7-6210, of which 45% was allocated to projects run by NGOs. The United Nations International Drug Control Programme received roughly a quarter of that heading's funds and should continue to do so.

Project selection for 1997 is still in progress, and will reflect not only the criteria and principles outlined above but also the conclusions of the Florence and Dublin European Councils, particularly as regards projects in the Caribbean and Latin America.

(1) SEC(94) 1106.
(2) OJ C 242, 19.9.1995.

(97/C 11/134)

WRITTEN QUESTION E-2377/96

by Gianfranco Dell'Alba (ARE) to the Commission

(27 August 1996)

Subject: 1997 Preliminary draft budget

In the 1977 preliminary draft budget there are appropriations of ECU 13 270 000 for item A-238 (operating expenditure related to technical and administrative assistance) including ECU 11 451 000 for the 'social area'. Can the Commission explain what is included in this social area, and can it provide reasons for the appropriations (breakdown of expenditure by building, equipment and function)?

Answer given by Mr Liikanen on behalf of the Commission

(7 October 1996)

The appropriations requested for budget article A-238 are mainly intended to meet the expenditure of the Directorates-Generals concerned with the 'social area', namely DG V (Employment, Industrial Relations and Social Affairs) and DG XXII (Education, Training and Youth).

This heading covers the administrative expenses of the technical assistance bureaus with which the Commission has contracts for the implementation of programmes in the following fields:

— employment (Miser, Sysdem, European employment survey, post Essen);

— equal opportunities for women and men;

— social welfare (the elderly, the handicapped, social security survey, the family, and action against poverty);

— public health and health and safety at work (Safe);

— Socrates, Leonardo, and Youth for Europe.

On the basis of the likely expenditure for 1996, the breakdown of appropriations can be expected to be 25% for buildings, 10% for equipment and 65% for administrative expenses. The nature of these administrative expenses can be very different according to the contract; they consist largely of publishing costs, and the costs of organizing conferences and meetings, and to a lesser extent of real administrative expenditure such as telephone and fax charges and consumables.

(97/C 11/135)

WRITTEN QUESTION E-2380/96

by James Provan (PPE) to the Commission

(6 September 1996)

Subject: Brucellosis in Italy

What steps is the Commission taking to control the outbreak of brucellosis among water buffalo in the Naples region of Italy?

Answer given by Mr Fischler on behalf of the Commission

(25 September 1996)

A national brucellosis eradication programme (test, compulsory removal of infected animals, compensation, disinfection and movement control) is currently being applied by the Italian veterinary services to all water buffalo herds in Italy.

The number of infected holdings in 1995 was twenty eight. In the first half of 1996 thirty six holdings were identified as infected. These figures are well within the expected range. The Commission is examining the possibility of giving Community financial aid to this programme.

(97/C 11/136)

WRITTEN QUESTION E-2382/96

by Glenys Kinnock (PSE) to the Commission

(6 September 1996)

Subject: European Union development cooperation with Ethiopia

In view of the alarming conclusions of the report commissioned by the EC on its development cooperation with Ethiopia, what action does DG VIII propose to take?

Answer given by Mr Pinheiro on behalf of the Commission

(28 October 1996)

The Commission does not agree that the conclusions of the report on development cooperation with Ethiopia are alarming.

The report recognises that practically all Community aid to Ethiopia over more than 20 years was very relevant. In the context of the political instability, war and severe natural crisis faced by the country, the prospects for long term effectiveness and sustainability of aid were limited. It concludes that much of Community aid was a success in terms of meeting objectives, and in terms of the efficiency with which it was provided. As regards the failures, the report identifies reasons which are partly internal to Ethiopia and partly internal to the Community (including over-complex procedures — some of which are beyond the Commission's direct control — and organisational weaknesses due to a lack of specialised man-power). Comparison with similar large-scale country evaluations conducted by other donors shows their experience is very similar, even in contexts less extreme that those of Ethiopia in the 1970's and 1980's.

The report recommends simplifying and focusing the range of aid instruments, strengthening strategic planning at the country level, improving macroeconomic and sectoral policy analysis and policy dialogue, reinforcing the project cycle (better project preparation and supervision), decentralising and simplifying aid administration including procedures for disbursement, tendering and procuring programme aid, improving standards of reporting, and better deployment of resources, including more staff.

The report recognises 'some of these problems are currently being tackled'. The need for more coherent and integrated use of the different instruments and forms of aid, for an intensified dialogue on policies with the government, and for a more comprehensive country strategy were taken into account by the Commission in preparing for the negotiations leading to the conclusion of the 8th European development fund indicative programme for Ethiopia. Sectoral policy dialogue is already the context for the Community intervention in the road sector and substantial efforts are being made to improve the Community intervention in the structural adjustment process. In some areas quick progress is limited by a number of factors, (not exclusive to Ethiopia) including the problem of human resources, simplifying and focusing the range of instruments, and decentralising and simplifying administration and procedures.

Working methods and delegation of authority need to be examined within the framework laid down for Community decision making, which involves consultation with Member States prior to decision and implementation. Improvements can be expected in project preparation, monitoring and reporting, and the deployment of resources of all kinds.

(97/C 11/137)

WRITTEN QUESTION E-2384/96

by Ian White (PSE) to the Commission

(6 September 1996)

Subject: Bones for meat

In response to Question E-0751/91, [1] the Commission advised that 'further discussion with the experts of Member States on food labelling will be held shortly'.

Have such talks taken place and, if so, will the Commission respond in detail on any plans to protect the consumer by way of appropriate labelling?

[1] OJ C 217, 26.7.1996, p. 105.

Answer given by Mr Bangemann on behalf of the Commission

(25 September 1996)

Consultations with Member States within the framework of the standing committee for foodstuffs on 26 June 1996 have led to the conclusion that, in accordance with Article 6 paragraph 5 point b) of Directive 79/112/EEC [1] relating to labelling of foodstuffs, mechanically recovered meat (MRM) has to be declared as such in the list of ingredients.

This conclusion appears in the form of a statement in annex of the minutes of the meeting and will be transmitted for information to the socio-economic interests concerned.

[1] OJ L 33, 8.2.1979 amended by Directive 93/12/EC OJ L 291, 25.11.1993.

(97/C 11/138)

WRITTEN QUESTION P-2393/96

by Alexandros Alavanos (GUE/NGL) to the Commission

(2 September 1996)

Subject: Immediate measures to eradicate child prostitution

In its reply (20.7.1995/1594/95) [1] to my previous question on the eradication of child pornography, the Commission asserted that: 'The Commission does not have competence to propose or take measures in this area, since such measures would come in the categories of judicial cooperation in penal matters and police cooperation.'

The shocking events in Belgium have exposed the unpardonable gaps in Community law on this matter. In the light of these events, will the Commission request the Intergovernmental Conference, in revising the Treaty on European Union, also to incorporate in the sections on citizens' and children's rights the obligation 'to protect children from all forms of secual exploitation and sexual abuse' as set out in Article 34 of the UN Convention on the Rights of the Child and in line with the demands of the European Forum for Child Welfare?

This procedure would create the appropriate legal basis for pursuing the measures that Parliament has repeatedly proposed such as increasing the penalties for those who procure children for prostitution, banning pornographic material depicting children, combating sex tourism and providing social and psychological support for children who are victims of sexual violence.

(1) OJ C 270, 16.10.1995, p. 37.

Answer given by Mrs Gradin on behalf of the Commission

(15 October 1996)

The Commission is determined to take an active part in the fight against sexual abuse of children. In particular, actions directed at assisting children may receive financial aid including support for a number of projects initiated by non governmental organizations and research institutions. These aim to raise awareness of sexual abuse of children, to help prevent it and to encourage the exchange of good practice between Member States. However, the sums available will depend on next year's budget allocation. Work is under way to study the control of child pornography on the Internet, with a communication due shortly, and the Commission presented a paper contributing to the follow up of the declaration and agenda for action adopted at the world congress on sexual abuse of children in Stockholm, to ministers of justice and the interior on 27 September 1996.

As the Honourable Member correctly states, the Commission does not have direct competence with regard to the penal protection of children. It is, nonetheless, evident that the fight against this form of odious crime, involving sexual exploitation and abuse of children, requires more effective coordination between Member States and the Union in their respective areas of competence. It is for this reason that in the intergovernmental conference the Commission seeks:

- the consolidation in the Treaty of a direct protection of fundamental rights within the Union, with the insertion of a general clause on anti-discrimination that will provide better protection to our most vulnerable citizens, especially children;
- a reinforcement mechanism of cooperation in justice and home affairs matters between the Member States in the areas that remain intergovernmental, and between the Member States and the Union on subjects which will eventually be communitarised.

(97/C 11/139)

WRITTEN QUESTION E-2406/96

by Michl Ebner (PPE) to the Commission

(11 September 1996)

Subject: Tolls for the Arlberg tunnel

In view of the fact that the company Alpen Strassen SG of Innsbruck envisages the introduction of a yearly season ticket for the use of the Arlberg tunnel for Austrian citizens only, can the Commission say what steps it intends to take to ensure that all EU citizens have equal rights as regards the tolls charged by Alpen Strassen AG?

Answer given by Mr Kinnock on behalf of the Commission

(2 October 1996)

On 30 July 1996 the Commission adopted an opinion concerning an Austrian draft law on the introduction in Austria of a nation-wide toll system on the existing and planned trunk road network. The issue of annual toll tickets only being obtainable by holders of a car registered in Austria was addressed in the opinion. The Commission stated that annual toll tickets should be available to cars registered throughout the Community (and not only in Austria).

The Commission has contacted the Austrian authorities and asked them to confirm that Austria will adapt the regulation governing the purchase of annual toll cards in order to comply with Community law.

(97/C 11/140)

WRITTEN QUESTION E-2408/96

by Johanna Maij-Weggen (PPE) to the Commission

(11 September 1996)

Subject: The required renovation of Paramaribo

Has the Commission received reports concerning the disastrous fire that destroyed the Suriname parliament building?

Is the Commission aware that the wooden parliament building was one of the most beautiful old buildings in the capital, Paramaribo, and that, together with many other wooden buildings, it formed part of the cultural heritage of Suriname?

Is the Commission aware that many other wooden buildings are also in an advanced state of disrepair and, in the long term, will have to be regarded as being lost for ever unless they are renovated promptly?

Does the Commission realize that the renovation and reconstruction of Paramaribo could provide a large number of jobs in a city which has a high rate of unemployment and that, in this way, the city could become more attractive as regards tourism, a sector which could also provide the required jobs?

How much money does Suriname receive annually from the development aid resources earmarked for the ACP States, and is it possible, should the Suriname Government so wish, to allocate some of that money to the reconstruction of the Suriname parliament building and the renovation of Paramaribo?

Answer given by Mr Pinheiro on behalf of the Commission

(15 October 1996)

The Commission is aware of the fire that destroyed, on 1 August 1996, the historic buildings housing the National assembly and the ministry of foreign affairs in Suriname's capital Paramaribo. The Commission understands that following the fire, the Netherlands has written to the government of Suriname to indicate that it is prepared to finance the reconstruction of the National assembly and foreign affairs buildings. The Dutch government has already been involved in the rehabilitation of other historic buildings such as the presidential palace and fort Zeelandia.

As far as Community aid is concerned, Suriname has received in the last five years 27 MECU under the first financial protocol of the Lomé IV Convention. Discussions will begin in the near future with the government of Suriname on the priorities for the programmable resources available to Suriname as national indicative programme under the Lomé IV second financial protocol. Whilst not wishing to prejudge the outcome of these discussions, and taking into account the willingness of the Netherlands to participate in the reconstruction of the buildings, it would appear unlikely that the rehabilitation of historic buildings will be identified as a focal sector for future European development fund support.

(97/C 11/141)

WRITTEN QUESTION E-2412/96

by Anita Pollack (PSE) to the Commission

(11 September 1996)

Subject: ESF Objective 4

If the UK continues to refuse to use Objective 4 funding, what will happen to the £250 million to which the UK is entitled?

Answer given by Mr Flynn on behalf of the Commission

(23 October 1996)

The indicative share between Member States of the resources available under objectives 3 and 4 of the European social fund (ESF), outside objective 1 regions, for the period 1994 to 1999 was decided by the Commission on 19 January 1994. The share for the United Kingdom was set at 3377 MECU (in 1994 prices). This figure represents the sum available to the United Kingdom over the six year programming period under the joint financial envelope for objectives 3 and 4.

The revised regulations governing the structural funds approved in July 1993 (1) allowed the Member States some flexibility to propose the relative amounts going to objective 3 and objective 4. While the British authorities did not submit a plan for objective 4 expenditure, a single programming document (SPD) was approved under objective 3 for the three year period 1994 to 1996. The ESF financial allocation to this objective 3 SPD totalled 1 501 MECU (in 1994 prices).

The Commission is currently in negotiation with the British authorities on the use of the remaining resources over the period 1997 to 1999. The final split of resources between objectives 3 and 4 is a key element in these negotiations. Although the British authorities submitted a new plan for objective 3 in February 1996, the Commission has not yet received a plan for objective 4.

The implementation of effective measures to anticipate, and thereby prevent, job losses means that objective 4, designed to facilitate the adaptation of workers to industrial change and to changes in production systems, is a key instrument in the more pro-active employment strategy being developed in the framework of the Essen European Council conclusions. In this context the Commission will continue to push for an appropriate level of resources for objective 4 in the United Kingdom in the 1997-1999 period.

(1) OJ L 193, 31.7.1993.

(97/C 11/142) **WRITTEN QUESTION E-2425/96**

by Claude Desama (PSE) to the Commission

(11 September 1996)

Subject: European War Victim's Card and European Major Disability Card

Is the Commission intending to introduce at an early date (a) a European War Victim's Card and (b) a European Major Disability Card?

Answer given by Mr Flynn on behalf of the Commission

(21 October 1996)

The Commission has no plans to create in the near future a European Card either for war victims or for people with severe disabilities. With regard to the latter, it is the case that the question of defining disability is decided at Member State level, in accordance with the principle of subsidiarity. There is no common Community level definition.

(97/C 11/143) **WRITTEN QUESTION P-2428/96**

by Christian Jacob (UPE) to the Commission

(11 September 1996)

Subject: Bacteria Xanthomonas Campestris p.v. Phaseoli

In 1992 the Commission proposed that several harmful organisms, including Xanthomonas Campestris p.v. Phaseoli, should be transferred from Directive 77/93/EEC (1) and included under the directives on the marketing of seeds. Following this proposal, the Committee on Plant Health agreed that the organism should be included in Directive 70/458/EEC (2).

Does the Commission intend to transfer Xanthomas from Directive 77/93 to Directive 70/458 and, if so, what measures has it taken, or will it take, to do so?

What measures will the Commission take to carry out a standard and harmonized laboratory test on Xanthomonas on bean seeds?

Does the Commission agree that the current quarantining of Xanthomonas in the European Community imposes a needless economic burden on bean seed producers operating in climactic zones where the disease has not been detected or has caused only very limited damage?

(1) OJ L 26, 31.1.1977, p. 20.
(2) OJ L 225, 12.10.1970, p. 7.

Answer given by Mr Fischler on behalf of the Commission

(26 September 1996)

The Commission would inform the Honourable Member that when revising the Community phytosanitary arrangements, particularly the technical annexes, in connection with the setting up of the internal market, it did indeed examine where it was necessary to keep certain harmful organisms such as the xanthomonas campestris pv. phaseoli in Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (last amended by Commission Directive 96/14/EC (1)). In this context, it considered 'transferring' these organisms from the phytosanitary directive to the directives on the marketing of seeds, which would mean fixing a certain tolerance and monitoring compliance at the production stage.

To this end, the Commission organized a number of meetings with experts from Member States at which the participants discussed parameters for inclusion in Commission Directive 70/458/EEC regarding the marketing of vegetable seeds, particularly the tolerance level and method of analysis. However, it has not yet been possible to define a standard, harmonized method for detection of xanthomonas campestris pv. phaseoli in bean seeds. Furthermore, the problem of phytosanitary risks which vary depending on the soil and climate in different regions of the Community is currently unresolved. Discussions on all of these matters are continuing.

The Commission does not share the Honourable Member's views about the economic consequences of maintaining these bacteria in quarantine, as this harmful organism, albeit of restricted distribution in the Community, can cause significant damage to bean producers in regions where the conditions of high humidity and temperature encourage the spread of bacteria; a scheme providing for the organism's control is therefore of utmost importance.

(1) OJ L 68 of 19.3.1996.

(97/C 11/144)

WRITTEN QUESTION E-2437/96

by Irene Soltwedel-Schäfer (V) to the Commission

(18 September 1996)

Subject: Council Regulation (EC) No. 3281/94 of 19 December 1994 applying a four-year scheme of generalized tariff preferences (1995 to 1998) in respect of certain industrial products originating in developing countries

1. Is it likely that India will continue to figure among the countries to benefit from Regulation (EC) No. 3281/94 (1) from 1 January 1998?

2. Is the Commission report referred to in Article 7(2) on the results of the studies carried out in international fora on the relationship between trade and labour rights already available?

3. Has the Commission already submitted the proposal for a Council decision referred to in Article 7(3)?

4. Will additional preferences be granted to certain groups of products only or to all exports from countries which fulfill the conditions set out in Article 7?

5. Has India applied for preferences on the basis of adopting and applying domestic legal provisions incorporating the standards laid down in ILO Convention No. 138 concerning minimum age for admission to employment?

6. Is an application for preferences admissible only if submitted by the government of a country or is it possible for a private organization to apply for preferences if it can be shown by the award of a product mark that the goods in question have been produced in compliance with, for example, ILO Convention No. 138 concerning minimum age for admission to employment?

(1) OJ L 348, 31.12.1994, p. 1.

Answer given by Mr Marín on behalf of the Commission

(14 October 1996)

1. Yes.

2. No. Article 7(2) states that the Council will consider the report in 1997.

3. No. Article 7(3) requires the Commission to submit a proposal to the Council in the light of the Council's review, i.e. in 1997.

4. Article 7 is not limited to particular products.

5. No.

6. Article 7 provides for additional preferences to be given to countries which request them in writing. The rules for applying Article 7 to particular export operations in practice will be set out in the Commission proposal referred to in point 3; however, it is a basic rule of the generalized system of preferences that government bodies of beneficiary countries, not private organizations, are responsible for ensuring that the conditions for granting preferences are fulfilled.

(97/C 11/145)

WRITTEN QUESTION P-2440/96

by Umberto Bossi (ELDR) to the Commission

(11 September 1996)

Subject: Procedures for the accession of Padania to the European Union

Within Italy two systems exist with fundamentally different performance levels in terms of productivity, Padania being somewhere between the tenth and fifteenth most competitive in the world, while southern Italy is situated between 150 and 200 places from the top, the two being linked together by a system of economic aid which the Government in Rome has failed to utilize properly to promote the development of southern Italy and which nevertheless constitutes enormous additional burden for Padania in the form of contributions to the State.

Furthermore, Italy is not in a position to participate in the single currency which has serious implications for the economy of Padania and is causing the country to divide.

In view of this, the introduction of two separate currencies for the two systems referred to above with their different levels of productivity and consequently independence for Padania have become inevitable.

Matters are now coming to a head and the Declaration of Independence and the convergence of the Federal Republic of Padania with its own provisional government is scheduled for 15 September 1996 in Venice.

What procedures exist at Community level with regard to Padania, which is already part of a Member State, particularly with regard to its accession in its own right to the European Union, given its determination to be in the vanguard of European integration, as dictated by its history, economy and culture?

Answer given by Mr Santer on behalf of the Commission

(30 September 1996)

The Commission would inform the Honourable Member that no provision is made in the Community framework for the procedures to which he refers.

(97/C 11/146)

WRITTEN QUESTION E-2455/96

by Nel van Dijk (V) to the Commission

(23 September 1996)

Subject: Lynx outlawed in the Netherlands

Is the Commission aware that the lynx (Lynx lynx) is once again resident in the Netherlands? (1)

Is the Commission aware that the Netherlands still has not adopted any measures to protect the lynx, even though the habitats directive (2) provides for strict protection?

Is the Commission prepared to call on the Netherlands government to provide statutory protection for the lynx?

Is the Commission also prepared to call for statutory protection for the wildcat (Felis silvestris) which is found in the border region of Southern Limburg and Belgium and for which the habitats directive also provides for strict protection?

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(1) Algemeen Dagblad, 18.7.1996; Natuurhistorisch Maandblad of the 'Natuurhistorisch Genootschap in Limburg', September 1996 (being printed).

(2) Council Directive 92/43 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7.

Answer given by Mrs Bjerregaard on behalf of the Commission

(16 October 1996)

The Commission has approached the Dutch authorities for information on the possible presence in the Netherlands of Lynx lynx and Felis silvestris. It has also asked what strict measures have been taken, where necessary, to protect these two species in accordance with Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

The Commission will examine the matter in the light of the information it receives from the Dutch authorities.

(97/C 11/147)

WRITTEN QUESTION E-2471/96

by Johanna Maij-Weggen (PPE) and Peter Pex (PPE) to the Commission

(23 September 1996)

Subject: Commercial espionage using the Commission's computers

Can the Commission confirm the report in the Telegraaf of 6 August 1996 that the American intelligence services have hacked into computers owned by the Commission (and Parliament) to obtain confidential commercial information?

Can the Commission confirm that last year, during the talks on a new world free trade agreement, the American negotiators were privy to highly confidential information belonging to the Commission?

Has the Commission received information from other countries (e.g. the ACP countries) on the USA obtaining and using confidential commercial information?

What can the Commission do to prevent this, both within its own services and in the civil services of the developing countries belonging to the ACP?

Answer given by Mr Santer on behalf of the Commission

(23 October 1996)

The Commission possesses no evidence, apart from press claims, on any of these allegations.

The Commission has made stringent efforts over recent years to improve the security of its computer networks and these efforts continue. It cannot answer for internal measures of African, Caribbean and Pacific countries.

(97/C 11/148)

WRITTEN QUESTION P-2477/96

by Johanna Maij-Weggen (PPE) to the Commission

(13 September 1996)

Subject: Work done by women

Has the Commission read the ILO Women and Work report, which reveals that, in the EU, women do more work than men (unpaid work included) and, in the case of paid work, earn less than men?

Does it have its own figures comparing the number of hours worked by women and men and, broken down by Member State, for the average pay of women and men?

Do its figures agree with those of the ILO?

Answer given by Mr Flynn on behalf of the Commission

(30 October 1996)

The Commission would request the Honourable Member to provide more detailed information on the title of the report in question, since the ILO has published several reports on women and employment.

(97/C 11/149)

WRITTEN QUESTION P-2478/96

by Antonio Tajani (UPE) to the Commission

(13 September 1996)

Subject: Trade in olive oil with Tunisia – restatement of Written Question No E-1737/96 following the Commission's reply of 16 July 1996

On 27 March 1996 the Commission replied to a first written question, which was tabled in February 1996 (No E-0470/96) [1]. In June 1996, that question was restated and a number of specific points for discussion were put forward (Written Question No E-1737/96) [2]).

Given that the reply to that question can only be seen as extremely evasive and totally unacceptable, would the Commission not agree that it should:

– clarify its reply of 27 March 1996, given that the questions asked were transparently clear; and

– recommend that the relevant Tunisian authority confirm the effects of the Presidential Decree of 25 December 1995 and, thereby, the blocking of exports of olive oil?

It should be pointed out the above decree expires on 31 October 1996 and that the Commission's continuing failure to take a decision on the matter at a time when the Community's oil-producing capacity has fallen is causing consumer prices to rise, with direct implications for real inflation rates.

Would the Commission therefore make representations to the Tunisian authorities, and if necessary impose sanctions for breach of the Euro-Mediterranean Agreement of 17 May 1995?

(1) OJ C 280, 25.9.1996, p. 33.
(2) OJ C 297, 8.10.1996, p. 133.

Answer given by Mr Fischler on behalf of the Commission

(2 October 1996)

Further to the Commission's answer to the Honourable Member's written question E-1737/96, (1) it should be pointed out that the Commission does not consider the Tunisian Presidential Decree of 25 December 1995 to be incompatible with the bilateral agreement between the Community and Tunisia in effect since 1978. This agreement is still applicable, and consequently, the Commission has no intention of asking the Tunisian authorities to annul the decree.

However, the new agreement concluded in 1995 between the Community and Tunisia provides for the adjustment of state monopolies of a commercial nature. There will be a five-year period for this to be effected, beginning when the agreement takes effect. The agreement will enter into force as soon as the parliamentary ratification process is concluded. The Commission will ensure that Tunisia complies with the new agreement.

The Commission believes that price increases in the olive oil sector can be put down to the decline in Community and international supply.

(1) OJ C 297 of 8.10.1996.

(97/C 11/150)

WRITTEN QUESTION P-2480/96

by Willy De Clercq (ELDR) to the Commission

(23 September 1996)

Subject: Barriers in the Japanese market for consumer photographic materials

After an extensive, year-long investigation, the United States has requested consultations with Japan in the World Trade Organization (WTO) regarding laws and measures which severely impede the ability of foreign producers to compete effectively in the market for consumer photographic materials. European exporters could benefit tremendously from a favourable precedent established in this case that would lead the government of Japan to open its economy and distribution network to foreign products. I understand that the Commission has been following this case closely.

1. What efforts has the Commission taken to date with respect to distribution and pricing barriers which restrict the ability of European and other exporters to compete equally in the Japanese film market?
2. What steps does the Commission plan to take that would lead the Japanese Government to dismantle laws and measures which discriminate against imports of film and other consumer products?
3. What does the Commission plan to do in the light of the WTO action initiated by the United States?
4. Does the Commission plan to participate in this action, and if so, in what capacity?

Answer given by Sir Leon Brittan on behalf of the Commission

(1 October 1996)

1. The Commission has repeatedly requested the government of Japan e.g. in its deregulation proposals, to abolish or substantially amend the large scale retail stores law. Its liberalization is considered potentially beneficial for imports, and it should produce important structural changes in the Japanese distribution system which will be of benefit inter alia to European exporters of films.

2. The Commission supports the United States decision to pursue the issue of access to the Japanese market for photographic film and paper through multilateral channels. World trade organisation (WTO) activity on trade and competition is welcomed. The case confirms the link between trade and competition as set out in the recent communication on an international framework on competition rules (1). The European interest is thus both systemic and economic. The Commission is at present studying how best to advance these interests.

3. The Commission requested on 4 July 1996 that it be allowed to join in the consultations concerning certain business practices in the Japanese consumer photographic film and paper markets that are considered to restrict competition in international trade by adversely affecting the channels of distribution and limiting price competition in the Japanese market, which the government of the United States requested with the government of Japan on 13 June 1996, pursuant to the decision on 'Restrictive business practices: arrangements for consultations' under the General agreement on tariffs and trade (GATT). The United States government has announced acceptance of the Community proposal to join these consultations. The Japanese government has not yet given its answer either to the United States or to the Community.

4. The United States trade representative has also announced that the United States will ask the WTO to establish two dispute settlement panels, one to review United States complaints under GATT regarding Japanese government barriers to market access in Japan for foreign photographic film and paper products, and a second under the General agreement on trade in services (GATS) regarding Japan's large scale retail stores law. As to participation in these panels, the decision will be taken once the panels have been established.

(1) COM(96) 284.

(97/C 11/151)

WRITTEN QUESTION E-2496/96

by Salvador Garriga Polledo (PPE) to the Commission

(25 September 1996)

Subject: 1997 budget – category 2 payments

Is the Commission prepared to submit a supplementary budget in 1997 if the payment appropriations in category 2 prove insufficient?

Answer given by Mr Liikanen on behalf of the Commission

(17 October 1996)

If payment provisions in the 1997 budget as a result of the cuts operated in the draft budget prove insufficient to ensure that the commitments are covered by payments in the areas of objectives 2, 3, 4, 5, the Commission will introduce a supplementary budget at the beginning of October 1997.

The Commission made a declaration along these lines on the occasion of the budget Council on 25 July 1996.

(97/C 11/152)

WRITTEN QUESTION P-2506/96

by Frode Kristoffersen (PPE) to the Commission

(23 September 1996)

Subject: Dialogue between the Commission and the national parliaments

In its answer to an earlier question (H-0542/96) (1) on information for the national parliaments, the Commission pointed out that it regards the Member States' Permanent Representatives in Brussels as the 'normal' channel for

transmission of documents to the authorities of the Member States. However, in a working document of 25 July 1996 (PE 218.746) the European Parliament's Committee on Institutional Affairs proposes to change this practice so as to ensure that proposals for various EU initiatives are transmitted direct to the national parliaments (preferably by electronic means) and the national parliaments are thus informed of the proposals at the same time as the European Parliament is. It also proposed a more systematic practice of the Members of the Commission appearing before national parliaments (or presenting major new Commission proposals).

Can the Commission, further to its answer of 16 July 1996, state whether it regards a dialogue with the national parliaments as a valuable part of the effort to increase public interest in the workings of the European Union and, if so, whether it is contemplating action to strengthen contacts with the national parliaments, including following the recommendations in the working document?

(1) Debates of the European Parliament N° 4-487 (July 1996).

Answer given by Mr Oreja on behalf of the Commission

(24 October 1996)

The Commission can only confirm that it considers that the normal initial channel of transmission to national authorities is for the moment the permanent representatives of the Member States in Brussels.The Commission has received demands from national parliaments that it should make available legislative proposals immediately after we submit them to the Council and the European Parliament. The most recent demand is from the Danish Parliament which has asked that the Commission should make these texts available electronically. This would of course be possible technically but, since it raises a question of relations between national governments and national parliaments, the Commission has raised the question with the Council and is awaiting its reaction.

Members of the Commission and senior officials do from time to time attend committee meetings of national parliaments at their invitation to explain proposals. However, the Commission would point out that its primary constitutional responsibility is to the European Parliament.

(97/C 11/153)

WRITTEN QUESTION E-2518/96

by Graham Watson (ELDR) to the Commission

(25 September 1996)

Subject: The dumping of cheap footwear on the European market

Can the Commission confirm that it will take the strongest possible action against footwear manufacturers found to be guilty of dumping cheap exports on the European market as a result of its current investigations?

Answer given by Sir Leon Brittan on behalf of the Commission

(15 October 1996)

Two proceedings concerning footwear are currently being dealt with by the Commission. One concerns footwear with leather and plastic uppers originating in the People's Republic of China, Indonesia and Thailand, while the other concerns footwear with textile uppers originating in the People's Republic of China and Indonesia.

Although no decision has yet been taken, the Commission can confirm in respect of both of these proceedings, that if injurious dumping is found, and if the Community interest so requires, remedial measures provided in the Community's anti-dumping legislation will be put in place.

(97/C 11/154)

WRITTEN QUESTION E-2532/96

by Amedeo Amadeo (NI) to the Commission

(8 October 1996)

Subject: Competition policy

Industries evolve in anticipation of the emergence of new markets. New alliances with global implications have been have been submitted to the Commission for approval. An analysis of these cases demonstrates that, if applied in a realistic manner, the existing competition rules allow due account to be taken of the processes of innovation and globalization. However, an alliance should not necessarily be authorized simply because it is intended to provide access to emerging markets. Although alliances of this kind should be permitted, or even encouraged, when they stimulate competition, they are unacceptable when they obstruct or undermine the process of dismantling monopolies.

Given the above, how does the Commission intend to prevent alliances between large companies from excluding smaller companies (particularly SMEs) from the market?

Answer given by Mr Van Miert on behalf of the Commission

(18 October 1996)

The Commission takes account of technological change and globalization of the economy when analysing and hence defining the relevant market. It is also aware that rapid technological change may call for new forms of cooperation between businesses.

When vetting mergers in the light of Regulation (EEC) No 4064/89 [1] or examining agreements in the light of Article 85 of the EC Treaty, the Commission is vigilant, however, in ensuring that the practical effect of such agreements is not to seal off markets or to damage efficiency.

In the case of mergers, the Commission verifies that they do not create or strengthen a dominant position on the relevant market. In the case of alliances caught by Article 85(1), it would examine whether the conditions for an exemption under Article 85(3) were met. In other words, the agreement in question must contribute to promoting technical or economic progress while allowing consumers a fair share of the resulting benefit. The restrictive features of the agreement must, however, be indispensable and must not afford the firms concerned the possibility of eliminating competition in respect of a substantial part of the products in question.

Taking these elements into account ensures that, following a merger or some other form of cooperation, effective competition is safeguarded for all firms, including small and medium-sized enterprises.

The Commission recently arranged for some forty studies to be carried out into the impact of measures relating to establishment of the internal market (Single Market Review 1996). Some of them examine the links between the single market and competition, particularly in the case of alliances. The Commission intends to send to the Council before the end of the year a communication summarizing the findings of the studies.

[1] OJ L 395, 30.12.1989.

(97/C 11/155)

WRITTEN QUESTION E-2559/96

by Riccardo Garosci (UPE) to the Commission

(11 October 1996)

Subject: Revision of customs tariffs in the precious metals sector with a view to protecting Italian and European goldsmiths

Customs tariffs have a very strong impact on the profitability of goldsmiths.

The final act of the Uruguay Round, which was signed in Marrakesh, did not produce the desired results for the precious metals sector, given that it brought only a minor reduction in the customs tariffs which the main importing countries may apply to European products.

The European precious metal sector's main commercial opportunities derive from the reductions made in the industrialized nations.

The reductions made are far from reciprocal (-30% by the EU as against -15% by the USA) and, over the past few years, the share of the US market held by Italian and European products has fallen by more than 20%.

Given the above, would the Commission not agree that it should take steps to:

1. safeguard jobs in the sector, where lay-offs are already a fact of life;
2. prevent the probable transfer of production facilities to non-Community countries which are at an advantage; and
3. renegotiate the customs tariffs applying to the sector, either as part of the bilateral talks already in progress (the USA Transatlantic Business Dialogue) or at multilateral level (WTO — revision of the Uruguay Round at the Singapore Conference in December 1996)?

Answer given by Sir Leon Brittan on behalf of the Commission

(29 October 1996)

The Commission is seeking to improve the access of Community industry to the markets of its trading partners. The guiding principles of such a strategy are contained in the Commission communication entitled 'The global challenge of international trade: A market access strategy for the European Union' (1). In the spirit of the communication, the Commission has made contacts with the European jewelers associations, with a view to seeking improvements in the access to the Community's major export markets for their jewellery products.

The Commission shares the concerns expressed by the Honourable Member both with respect to employment and relocation of manufacturing activities outside the Community and will bear in mind the importance of seeking improvements at multilateral level in the present tariff situation. Furthermore, the Commission deems it important that, in the context of the Transatlantic business dialogue, the interested parties raise this question in the appropriate issue group dealing with trade liberalization, including tariffs.

(1) COM(96) 53.

(97/C 11/156)

WRITTEN QUESTION E-2576/96

by Amedeo Amadeo (NI) to the Commission

(11 October 1996)

Subject: Public health

Would the Commission agree that, in the proposal for a European Parliament and Council decision adopting a programme of Community action on health monitoring in the context of the framework for action in the field of public health (COM(95)0449) (1), inadequate financial provision is made for the collection and dissemination of data, given the importance of such activities for health policy at national and EU levels? In view of the fundamental importance of this programme, might the appropriations not be increased?

(1) OJ C 338, 16.12.1995, p. 4.

Answer given by M. Flynn on behalf of the Commission

(5 November 1996)

The Commission shares the views of the Honourable Member concerning the importance of the proposed programme on health monitoring. In its proposals on the overall envelope of future appropriations in respect of this programme, the Commission had to strike the right balance between current margins and short and medium-term perspectives with regard to rubric 3 expenditure and the minimum requirements for the development of a health monitoring system in the Community. Accordingly, the actions proposed under the programme are designed to allow intensification of relevant activities should future developments permit an increase in the allocation of funds in the course of the annual budgetary procedure.

(97/C 11/157)

WRITTEN QUESTION E-2578/96

by Amedeo Amadeo (NI) to the Commission

(11 October 1996)

Subject: Public health

The Community action programme on health monitoring provides for the establishment of a network for the collection and dissemination of health data and indicators making use, inter alia, of the new opportunities provided by telematics and new tools for the analysis of health data and the drawing up of reports, studies and other documents on the subject. The new system will be based on criteria such as speed of access to European health data and indicators, such as those in the possession of Member States and international organizations, and the greatest possible degree of flexibility in order to enable appropriate adjustments to be made to the system and to ensure that data are comparable and may be progressively harmonized.

With a view to the above, would the Commission not agree that it is extremely important for know-how available in the Member States and the Community committees which deal with health and safety statistics to be put to good use during the selection of 'domains' and 'sections' for the indicators, and for the Consultative Committee on Safety, Hygiene and Health at Work to be asked for its opinion?

Furthermore, part A of the annex should be included in the proposal, so as to ensure that it contains details of the domains within which the various indicators fall.

Answer given by Mr Flynn on behalf of the Commission

(6 November 1996)

The Commission considers it important to use expertise available in the Member States and in Community bodies concerned with health and safety. A recital to that effect has been included in the preamble of the amended proposal for a decision on a health monitoring programme [1]. In addition, as indicated in paragraph 94 of the communication concerning a Community action programme on health monitoring in the context of the framework for action in the field of public health [2], the Commission intends to have recourse, where appropriate, to the advice of relevant committees, including the advisory committee on safety, hygiene and health protection at work.

Annex A of the communication has been included as Annex II in the amended proposal, as the Honourable Member suggests.

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[1] COM(96) 222 final.
[2] COM(95) 449 final.

(97/C 11/158)

WRITTEN QUESTION E-2579/96

by Amedeo Amadeo (NI) to the Commission

(11 October 1996)

Subject: Public health monitoring

The general purpose of the five-year action programme on health monitoring is to set up a high quality system geared to the establishment of a properly planned health policy. This system is intended to provide Member States with background data and indicators for use in their own health policies and to facilitate the planning, monitoring and assessment of Community programmes and measures, in accordance with the subsidiarity principle.

Would the Commission not agree that, with a view to implementing this programme, it should cooperate with the WHO (World Health Organization), the OECD (Organization for Economic Cooperation and Development) and the EMCDDA (European Monitoring Centre for Drugs and Drug Addiction), as well as with other European organizations including the European Environment Agency, and that it would be useful to obtain comparable data from non-Community countries?

Answer given by Mr Flynn on behalf of the Commission

(7 November 1996)

The Commission shares the view of the Honourable Member that it is essential to establish cooperation between the Community and the World health organization, the Organization of economic cooperation and development and other relevant organisations, such as the European monitoring centre for drugs and drug addiction and the European environment agency. The Commission has included relevant provisions in its proposal for a decision adopting a health monitoring programme (1).

The Commission wishes to emphasize that cooperation in this area already exists with the aforementioned international organisations, as well as with a number of third countries, and it would be further encouraged under the proposed programme.

(1) COM(95) 449 final; modified proposal COM(96) 222 final.

(97/C 11/159)

WRITTEN QUESTION E-2594/96

by Glyn Ford (PSE) to the Commission

(11 October 1996)

Subject: The letting of holiday homes in Tenerife

Is the Commission aware of new legislation in Tenerife that will prevent foreign owners from letting their properties to holiday workers?

Is this not discriminatory and therefore illegal?

Answer given by Mr Monti on behalf of the Commission

(13 November 1996)

The Commission is conducting a detailed investigation of the problem raised by the Honourable Member and will inform him of the outcome as soon as possible.

(97/C 11/160)

WRITTEN QUESTION E-2597/96

by Glyn Ford (PSE) to the Commission

(11 October 1996)

Subject: Health and safety and the working time directive

Is the Commission aware that trans-national oil companies operating in Europe are apparently unable to establish a representative body concerning the working time directive?

Does the Commission agree that such apparent inability should not be sufficient reason to avoid full involvement of workers' representatives in agreeing arrangements to control and limit working time in the interests of health and safety?

Answer given by Mr Flynn on behalf of the Commission

(24 October 1996)

The Commission is aware that organisations of companies in the off-shore sector state that they are not mandated to take part in social dialogue at European level. It will therefore be difficult for agreements to be reached in this sector at European level on arrangements to control and limit working time in the interests of health and safety. The Commission hopes, however, that employers' and workers' representatives in the Member States will be able to agree such arrangements, at the appropriate collective level, where they have not already done so.

The Commission is currently preparing a white paper on the sectors and activities excluded from the working time Directive 93/104/EC of 23 November 1993 [1], including 'other work at sea'. This will set out the Commission's views on the way forward on this matter. Trade union organisations at European level, as well as the organisations representing the oil companies, will be invited to give their views on the course of action proposed.

[1] OJ L 307, 13.12.1993.

(97/C 11/161)

WRITTEN QUESTION P-2600/96

by Frédéric Striby (NI) to the Commission

(24 September 1996)

Subject: Anti-dumping law

I have been informed that the Commision intends to introduce anti-dumping customs duties, exclusively in respect of raw materials (unbleached fibres and fabrics).

Does the Commission not consider that applying this decision to finished products would be sure to create more work for Community workers, whereas applying it solely to raw materials will raise the price of finished products manufactured in Europe. Are we not running the risk of no longer being competitive, which will only serve to boost imports of finished products?

Answer given by Sir Leon Brittan on behalf of the Commission

(15 October 1996)

The Honourable Member's information is correct. The Commission has completed three anti-dumping investigations concerning polyester yarn and unbleached cotton fabric and expects to take a decision shortly on defensive action.

The Commission can assure the Honourable Member that it is well aware of the downstream problems that can be caused by the adoption of measures relating to semi-manufactures. Under the current Community regulations anti-dumping measures can only be adopted where they can be shown to be in the Community interest. Such a finding can only be made on the basis of a comprehensive examination of all the factors at stake, including the interests of users of the dumped products. The law allows those users, and other interested parties, to state their case, obtain a hearing from the Commission and comment on the submissions by other parties. In taking its decision the Commission is therefore aware of the sort of issues raised by the Honourable Member.

Regarding the application of anti-dumping measures to finished textile products, the Commission would point out that it is not allowed to initiate anti-dumping investigations, let alone adopt any defensive measures, except on the basis of a complaint submitted in writing by Community producers of the type of product concerned. To date the Commission has received only one such complaint, in respect of cotton bedlinen originating in Egypt, India and Pakistan. The complaint was lodged on 30 July this year and proceedings were initiated on 13 September.

(97/C 11/162)

WRITTEN QUESTION E-2611/96

by Johanna Maij-Weggen (PPE) to the Commission

(11 October 1996)

Subject: Visit by the Troika to Israel

Is the European Union Troika planning to visit Israel and Orient House in East Jerusalem?

Has the Israeli Government indicated to the Troika that it will not be received unless it refrains from visiting Orient House?

If so, what consequences might the attitude of the Israeli Government have on EU policy with regard to visits to Orient House?

Answer given by Mr Marin on behalf of the Commission

(28 October 1996)

The declaration of the Union on the Middle East peace process adopted on 1 October 1996, states that the Union is currently preparing a ministerial Troika visit to the Middle East. As for the Israeli government indications to the Troika with regard to visits to Orient House, the Council Presidency is best suited to provide the relevant information to the Honourable Member.

(97/C 11/163)

WRITTEN QUESTION P-2627/96

by Xaver Mayer (PPE) to the Commission

(2 October 1996)

Subject: Car manufacturers cutting commission on sales to non-EU countries

In April 1995 a German company ordered a vehicle from a car dealer with registered offices in Germany. The vehicle was delivered to the company in August 1995 and registered. Because of the difficult sales situation a considerable discount was allowed following consultation with the manufacturer. In November 1995 the vehicle was transferred to a branch of the company in Hungary and reregistered. Because of this change of location the manufacturer asked the dealer to repay a customer service commission of 3% of the German list price for the basic model of the vehicle.

Is this claim compatible with Commission Regulation (EC) No 1475/95 of 28 June 1995 [1] on the application of Article 85(3) of the Treaty to certain categories of motor vehicle distribution and servicing agreements?

If so, can the Commission explain why, even though the vehicle was sold to a German company and the firm in Hungary is a branch of a company with registered offices in the European Union?

Is the manufacturer's claim compatible with the Association Agreement between the European Union and Hungary?

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[1] OJ L 145, 29.6.1995, p. 25.

Answer given by Mr Van Miert on behalf of the Commission

(18 October 1996)

The Commission is examining whether, in the case in question, the provisions of Regulation (EC) No 1475/95 concerning motor vehicle distribution have been infringed. It will inform the Honourable Member of its findings as soon as possible.

(97/C 11/164)

WRITTEN QUESTION P-2628/96

by Richard Howitt (PSE) to the Commission

(8 October 1996)

Subject: Allegations of environmental despoliation by BP in Columbia

What investigations have and will the Commission undertake into allegations that oil extraction by BP in the Casanare region of Columbia is causing unacceptable levels of environmental despoliation?

Will the Commission further investigate allegations that the company is collaborating in human rights abuses against local protesters against BP?

Can the Commission identify all current and past European development and cooperation projects with Columbia in relation to this region and comment on any consequences in respect of the environmental impact?

Finally, can the Commission see alarming parallels with the treatment of the Ogonis in Nigeria and give this issue the highest possible priority?

Answer given by Mr Marín on behalf of the Commission

(31 October 1996)

According to the information available to the Commission, the activities of British Petroleum (BP) at Casanare are in conformity with the relevant Colombian legislation. In particular, BP carried out an environmental impact assessment before receiving an extraction licence from the Colombian authorities.

The Commission does not have evidence on the allegation, referred to by the Honourable Member, that British Petroleum is involved in violations of the human rights of protesters. According to the information available to the Commission, British Petroleum takes the necessary measures, in collaboration with the Colombian authorities, to protect the installation, which is located in an area which is particularly vulnerable to guerrilla activities.

The other information requested by the Honourable Member would require lengthy and costly research that the Commission is unable to undertake at the present time because of other priorities.

(97/C 11/165)

WRITTEN QUESTION E-2645/96

by Hilde Hawlicek (PSE) to the Commission

(15 October 1996)

Subject: The Leonardo programme

The Leonardo programme offers new opportunities in Europe.

How is the programme running?

How many States are participating?

How many projects are being supported?

Is there a risk of too many applications leading to projects being under-funded?

Answer given by Mrs Cresson on behalf of the Commission

(6 November 1996)

Following the first call for proposals launched in 1995, a total of 4 656 proposals from promoters in the 18 countries participating in the programme were submitted. All types of promoter (businesses, training bodies and establishments, universities, social partners, public authorities, research centres or institutes) submitted transnational proposals involving more than 30 000 participating partners. The second call for proposals launched in 1996 brought 3 107 proposals involving almost 25 000 partners. The five Community priorities set out by the Commission for the purposes of this action enabled the proposals submitted to be better targeted and focused.

18 countries are participating in the programme, namely the 15 Member States plus Iceland, Norway and Liechtenstein. Pending their full integration into the programme, the 1996 call for proposals was open to partners from the countries of Central and Eastern Europe, the Baltic States, as well as Slovenia, Cyprus and Malta in their capacity as 'associated partners', i.e. associated with the projects submitted by partners from the 18 countries mentioned above while funding their participation in the project themselves and without there being any financial or legal obligations on the Commission.

Of the proposals submitted in response to the 1995 call for proposals, 749 have been selected and are receiving Community cofinancing. These consist of 581 transnational pilot projects, 121 transnational placement and exchange programmes and 47 surveys and analyses. To these 749 selected proposals should be added 1 403 mobility schemes benefiting 18 500 people, which are run by the national coordinating bodies of the countries themselves on the basis of operational plans approved by the Commission. In 1996, it is planned that 19 500 people, mainly young persons, should benefit from these mobility schemes.

The main criterion applied when assessing and selecting proposals is quality. The number of proposals submitted does not determine the number approved. Nevertheless, in order to ensure that the programme has a real impact as regards vocational training schemes in the Member States, the Commission is aware of the need to involve a sufficiently large number of promoters and partners in each Member State in order to achieve a critical mass and establish project networks. Accordingly, the Commission, in consultation with the Member States, applies a financing rate for the approved projects which enables this critical mass to be achieved without thereby having any adverse effect on the setting-up and running of a project, the partnerships involved or the quality of a project and its intended results or outcome.

(97/C 11/166)

WRITTEN QUESTION E-2646/96

by Hilde Hawlicek (PSE) to the Commission

(15 October 1996)

Subject: Participation in the Lingua programme

During a discussion on the White Paper on Teaching and Learning, the Committee on Culture, Youth, Education and the Media was informed that the Lingua programme is very successful and is used particularly by apprentices.

How many courses and seminars are being organized this year?

How many apprentices are taking part in the Lingua programme?

How many States are participating?

Answer given by Mrs Cresson on behalf of the Commission

(30 October 1996)

The Lingua programme aims to improve the quality and the quantity of language-learning within the Community. It operates in all Member States and in the other three countries of the European economic area (EEA).

It promotes all the official languages of the Community (Danish, Spanish, German, Greek, English, French, Italian, Dutch, Portuguese, Finnish and Swedish), together with Irish, Letzeburgesch, Icelandic and Norwegian. A high priority is attached to supporting the teaching and learning of the less widely used and less widely taught languages of the Community.

The five actions within Lingua encourage teacher training institutions jointly to develop curricula, materials, and training schemes to improve the training of language teachers, to provide grants for language teachers to attend

training courses abroad, to enable future language teachers to spend a period as a language teaching assistant in a school in another participating country, to encourage transnational cooperation in the development of instruments for language-teaching and to enable groups of young people at educational or training establishments in two Member States to work together over a period of time.

It is this latter action (E) which most affects apprentices and young people in vocational training, though courses and seminars are not a part of this action.

The joint educational project (JEP) is jointly designed and is always closely related to their education and training. Direct communication between the young people of the different groups is the primary focus of the project. In working together, the young people become more interested in learning and communicating in a language other than their own, and become more motivated to do so. In addition, at the end of the project, they have the benefit of a tangible piece of work which relates their learning to the experience of other European cultures.

Latest figures available show that in the school year 1995/1996, over 1 800 joint educational projects took place under Lingua action E. These involved some 40 000 pupils and some 4 000 teachers from schools and vocational training establishments in the 15 Member States and the 3 EEA countries. The vocational and technical education sector is given priority in this action, and over 50% of participants come from this sector.

(97/C 11/167)

WRITTEN QUESTION P-2656/96

by Amedeo Amadeo (NI) to the Commission

(8 October 1996)

Subject: Anti-dumping measure for cotton textiles

The European Commission is proposing anti-dumping duties on the import of raw cotton (unprocessed) textiles from a number of third countries (Pakistan 27.9%, Indonesia 16.9%, Egypt 13.3%, etc.).

Initially the proposal covered category 2MFA, i.e. all cotton textiles both raw and processed (dyed, bleached, whitened, etc.).

The final proposal includes only some of these products, i.e. raw cotton textiles, and no longer includes processed cotton. This measure would obviously upset the Commission's plans and in fact it would not only bring no benefit to European producers of raw cotton but adversely affect all the firms working in the textile treatment sector.

Can the Commission ensure that the anti-dumping measures are extended to the whole 2MFA category or else suspend the provision and discuss the issue in greater detail with organizations representing the textile industry?

Answer given by Sir Leon Brittan on behalf of the Commission

(23 October 1996)

The question refers to two distinct anti-dumping proceedings which have been initiated by the Commission following the respective complaints lodged by the Community industry, which defined the scope of the investigation in respect to the product and the countries concerned. The first concerned cotton fabrics in general (both bleached and unbleached) imported from China, India, Indonesia, Pakistan and Turkey and was terminated in February 1996, after the withdrawal of the complaint by the Community producers. The second refers exclusively to flat unbleached cotton fabrics containing at least 85% in weight of cotton and includes, in addition to the countries mentioned above, also Egypt.

This second proceeding is currently under investigation by the Commission and — after intensive investigations performed in co-operation with the producers and exporters of the countries concerned — is at a stage of consultations within the Commission to decide if provisional anti-dumping measures should be applied. If provisional measures are to be imposed this should be done no later than 21 November 1996.

The Commission can assure the Honourable Member that in order to decide on the necessity, or otherwise, for protective measures, the Community interest will be carefully considered as a whole, including the interests of its domestic industry, users and consumers. For this purpose ample opportunity is given by the anti-dumping legal framework i.e., the basic anti-dumping Regulation (1) to all interested parties to come forward and express their views.

Concerning the question on bleached, printed or dyed cotton fabrics, the attention of the Honourable Member is drawn to the fact that the Regulation only allows the Commission to initiate an investigation – and consequently to propose the imposition of any measures – upon presentation of a properly documented complaint by the Community industry. Therefore, without such complaint, there is no legal ground for an extension of any anti-dumping measures to all multifibre arrangement category 2 products.

The only other current proceeding involving cotton concerns bed-linen imported from Egypt, India and Pakistan and was started on 13 September 1996.

(1) Council Regulation (EC) N° 384/96 of 22.12.1995, OJ L 56, 6.3.1996.

(97/C 11/168)

WRITTEN QUESTION E-2683/96

by José Valverde López (PPE) to the Commission

(15 October 1996)

Subject: Moves by te Junta de Andalucía to exclude the municipalities of Sanlúcar de Barrameda and Trebujena from the Doñana Regional Coordination Plan

Ecological organizations in Andalusia have protested against moves by the Junta de Andalucía to exclude the municipalities of Sanlúcar de Barrameda and Trebujena from the Doñana Regional Coordination Plan, claiming that this is a manoeuvre to allow the construction of a luxury housing development on the land known as 'Loma de Martín Miguel'. This development might be compared to the controversial 'Costa Doñana' plan.

Given that the Doñana II Programme is now being implemented with an EC contribution of more than ECU 40 m, in addition to the extraordinary grant of ECU 105 m for the period 1994-97 agreed at the 1992 Edinburgh European Council, what information does the Commission have on any such action and would it be compatible with the Doñana Regional Plan?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(15 November 1996)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(97/C 11/169)

WRITTEN QUESTION P-2694/96

by Bill Miller (PSE) to the Commission

(9 October 1996)

Subject: Milk subsidies

Aware of the health benefits of the calcium in milk for school children and the subsidies that are available for full fat milk distributed in schools and aware that recent studies suggest that the fat content of this milk may be detrimental to health, will the Commission agree to subsidise the provision of semi-skimmed milk in schools at least to the same extent as that of full fat milk?

Answer given by Mr Fischler on behalf of the Commission

(24 October 1996)

The Commission would refer the Honourable Member to its answer to Written Question E-2246/96 by Mr Bonde (1).

(1) See page 71.

(97/C 11/170)

WRITTEN QUESTION E-2825/96

by Michl Ebner (PPE) to the Commission

(25 October 1996)

Subject: Recognition of the profession of occupational therapist in Italy

Directive 92/51/EEC, governing the general system for the recognition of professional education and training to be applied by Member States, has been in force since 18 June 1992. [1]

In Member States such as Greece, the Netherlands, Ireland, Sweden, and the United Kingdom persons can qualify as an occupational therapist by taking a bachelor's or equivalent degree and may undertake further research by studying for a master's degree or doctorate.

Occupational therapy is not regarded as a specialized branch of physiotherapy in any Member State, but is a separate discipline with its own official representative body, COTEC (European Committee of Occupational Therapists for the European Community).

In the judgment handed down on 25 July 1991 the Court of Justice already ruled against Italy because Law 752/84, in conjunction with the later implementing decree issued on 16 July 1986, whereby entitlement to recognition in Italy of diplomas leading to admission to health professions awarded in other Member States is restricted to Italian nationals, is contrary to Articles 48, 52, and 59 of the Treaty, which enable workers within the EU to enjoy freedom of movement, freedom of establishment, and the freedom to provide services.

What steps will the Commission take to make Italy comply with the above-mentioned European Directive, thus ensuring that the Ministry of Health, responsible for this matter, can confer official status in Italy on occupational therapy qualifications obtained in other Member States?

[1] OJ L 209, 24.7.1992, p. 25.

Answer given by Mr Monti on behalf of the Commission

(13 November 1996)

The Commission would refer the Honourable Member to its answer to Written Question E-2139/95 by Mrs Muscardini [1].

[1] OJ C 326, 6.12.1995.

(97/C 11/171)

WRITTEN QUESTION E-2886/96

by Wolfgang Kreissl-Dörfler (V) to the Commission

(31 October 1996)

Subject: Milk exports from Great Britain

What milk products, and in what quantities, have

1. entered the individual Member States,
2. been exported to non-EU countries (please specify target countries)

from Great Britain each year since 1988?

Answer given by Mr Fischler on behalf of the Commission

(14 November 1996)

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

(97/C 11/172)

WRITTEN QUESTION E-2906/96

by Klaus Rehder (PSE) to the Commission

(31 October 1996)

Subject: Cultivation and import of maize and soya beans

1. What developments have there been in the cultivation of maize and soya beans in the individual countries of the European Union in the last five years?

2. What has been the volume of maize and soya bean imports from the USA into the individual Member States over the last five years?

Answer given by Mr Fischler on behalf of the Commission

(20 November 1996)

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