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Subject: Government bill in Greece limiting trade union rights

A strike organized on 25 and 26 May in protest against the Greek Government’s bill on the trade unions received wide support in the tertiary sector and in factories, in which industrial disputes had already broken out.

The aim of this bill, which has been approved by the Greek Parliament, is to limit the right to strike and to tighten State control over Greece’s single trade union movement, still dominated by the right wing despite the large majority of the left wing forces at the last elections.

In order to defeat this popular workers’ offensive the hard-line right wing, assisted by local fascists, has organized a series of provocative acts, thus giving the police an excuse for tough retaliatory action in the working-class districts of the capital. A great many people have been injured and a hundred or so arrested.

1. Does the Council consider the new bill limiting the right to strike compatible with Greece’s application for membership of the Community?

2. If not, what conclusions does it think should be drawn from this state of affairs at a time when the negotiations on Greek membership are about to be opened?

Although the Council has already had occasion to stress the importance it attaches to the respect of democratic and social rights, it feels, that it is not within its competence to give an opinion on the issue referred to by the Honourable Member.
WRITTEN QUESTION No 289/76
by Mr Carpentier
to the Council of the European Communities
(2 July 1976)

Subject: Relations with the Council for Mutual Economic Assistance

In January 1976 the Council for Mutual Economic Assistance proposed opening negotiations to establish relations with the Community; can the Council already say if a reply is being prepared? Can a reply still be expected for October?

Is the Council in principle in favour of negotiations leading to a genuine agreement between the Community and COMECON?

Does it consider necessary both an agreement between the two blocks and also between certain countries individually and one or other of the two blocks?

Answer
(27 October 1976)

The Council can confirm that the question of relations between the Community and the CMEA, and with member countries of the CMEA, is still being studied by the Community Institutions.

For the time being the Council has nothing to add to the statements made on the subject by the President-in-Office during the Parliamentary sitting of 8 April 1976.

WRITTEN QUESTION No 294/76
by Mr Guerlin
to the Council of the European Communities
(2 July 1976)

Subject: Council decisions

Can the Council draw up a survey of the decisions it has taken following the various meetings of Heads of State or Government and of the European Council?
Answer  
(20 October 1976)

As the Council pointed out in its reply to Written Question No 293/76 (*) put by the Honourable Member, the European Council has not to date taken any decision intended itself to produce legal effects. It has, however, provided the political impetus necessary in certain areas, and drawn up guidelines for solving current problems.

The Honourable Member will understand that it is accordingly not possible to provide a comprehensive review of the decisions which have been taken subsequent to meetings of Heads of State and Government, and to meetings of the European Council. It would also falsify the picture to try and pick out from the Council’s decisions those which are the direct consequence of the discussions of the European Council.

(*) OJ No C 269, 15. 11. 1976, p. 6.

WRITTEN QUESTION No 356/76
by Mr Glinne

to the Commission of the European Communities

(27 July 1976)

Subject: Colloquies on environment-related topics

The Commission regularly holds colloquies on environment-related topics. The proceedings are generally reported in publications produced by the Office for Official Publications of the European Communities in Luxembourg. In some cases, however, the Commission arranges to have these publications produced and sold by private firms.

I should like to have the following information:

1. What criteria are used to decide whether publication and sales are undertaken by the Commission’s office or by a private firm?

2. Is the choice of private firms subject to public tenders to potentially interested publishers?

3. Is the cost of publication by private firms met entirely by these firms? If not, what share is borne by the Commission?

4. Why are the publications produced directly by the Commission generally less expensive and better presented?

5. In view of the fact that these publications are of great interest to numerous bodies with limited budgets, would it not be desirable to end the arrangements for their production by private firms?

Answer  
(10 November 1976)

1. Efficiency and cost. Often, the most efficient and economical way for the Commission to get specialist publications to interested quarters is to have them published and sold by a private publishing firm.
2. The publisher for a particular work is chosen after firms specializing in the topic in question have been consulted under the supervision of the Consultative Committee on Publications, which is responsible for coordinating the Commission's publications.

3. As a general rule, the cost of publication by private firms is met entirely by these firms. In addition, the Commission has the copyright and often requires that royalties be paid.

4. The Honourable Member's opinion is not the generally held view.

5. For the reasons explained above, the Commission's general policy on publications favours the use of private firms for specialist publications. For other reasons the Commission always reserves the right to send free copies to certain bodies.

WRITTEN QUESTION No 358/76
by Mr Bangemann
to the Council of the European Communities
(27 July 1976)

Subject: Encouragement of infringements of the rules of competition by Switzerland

What measures does the Council intend to take in response to the action of Switzerland, which enjoys the benefits of a free trade agreement with the EEC and encourages infringements of the rules of competition laid down by the treaties by imposing severe penalties — as shown by the Adams case — on employees of Swiss firms who report such infringements to the Commission of the European Communities?

Answer
(27 October 1976)

The Council draws the attention of the Honourable Member to the fact that the Swiss legal action against Mr Adams is a matter of Swiss criminal law, on which the Council is unable to comment.

As regards the behaviour of Hoffman-Laroche in respect of the provisions of the Treaty of Rome relating to rules of competition, the Commission of the European Communities is ensuring that Articles 85 and 86 of the Treaty of Rome are applied, together with the Regulations adopted pursuant to those Articles.

In the context of the EEC-Switzerland Free Trade Agreement, the Community delegation pointed out to the Swiss authorities within the Joint Committee established by the Agreement that certain practices of the Hoffman-Laroche group appear inconsistent with the proper functioning of the EEC-Switzerland Agreement as laid down in Article 23 thereof and could affect trade in vitamin products between the Community and Switzerland. On that occasion the Swiss authorities gave an assurance that they wished to see the letter and spirit of obligations arising under the Agreement respected.
WRITTEN QUESTION No 360/76
by Mr Blumenfeld

to the Council of the European Communities

(27 July 1976)

Subject: Relations between the Community and Uganda under the Convention of Lomé

How does the Council intend to develop relations between the European Community and Uganda in view of the fact that the president of that country is now clearly tolerating, or even actively supporting, international terrorism and the seizure of hostages by hijackers whom the governments of all Member States agree must be fought against by joining forces in concerted action?

Answer

(27 October 1976)

The fight against international terrorism, to which the Member States attach major importance, as demonstrated by the declaration made by the European Council on 12 July 1976, falls within a context outside that of the Convention of Lomé.

The Honourable Member is referred to the reply given by the President of the Council to the oral question put by Mr Normanton in the European Parliament on 15 September (!), to the effect that although it was difficult to make an objective judgment of the policy of the Ugandan Government, this policy was nonetheless giving rise to serious anxiety in the Community. The President of the Council also stated that the Council would follow most attentively developments in Uganda and the evolution of relations between Uganda and the Member States of the Community.

WRITTEN QUESTION No 361/76
by Mr Blumenfeld

to the Commission of the European Communities

(28 July 1976)

Subject: Relations between the Community and Uganda under the Convention of Lomé

How does the Commission intend to develop relations between the European Community and Uganda in view of the fact that the president of that country is now clearly tolerating, or even actively supporting, international terrorism and the seizure of hostages by hijackers whom the governments of all Member States agree must be fought against by joining forces in concerted action?
We would refer the Honourable Member to the answer given by Mr Cheysson to Oral Question H-124/76 (1) put by Mr Spicer during question time at the October part-session of the European Parliament.


WRITTEN QUESTION No 369/76
by Mr Berkhouwer
to the Commission of the European Communities
(4 August 1976)

Subject: Political balance in the European Community

1. Is the Commission aware of the various reports in the European press to the effect that the new Commission which is to take up its duties on 1 January 1977 will have nine members instead of 13?

2. Does the Commission think that it will be able to carry out its task more efficiently with nine members?

3. Does the Commission consider that a nine-member Commission will accurately reflect the balance of political power in the European Community?

Answer
(4 November 1976)

The Commission does not think that having 13 members has ever prevented it from properly performing its duties. What is more, Article 10 of the Treaty establishing a Single Council and a Single Commission of the European Communities determined how many members the Commission was to have and gave the Council — and only the Council — the power, acting unanimously, to alter the number of members, subject to the other provisions of Article 10.
WRITTEN QUESTION No 373/76
by Mr Noè
to the Commission of the European Communities
(4 August 1976)

Subject: Measures to be taken following the cloud of toxic agents that have formed in Seveso

Does not the Commission think that it might be useful and timely if all the specialized knowledge existing in the Community in this sector were made available as soon as possible to the Italian authorities, at a time when every effort is being made to mitigate the consequences of the cloud of toxic agents that have recently formed in Seveso, to the north of Milan?

Answer
(4 November 1976)

The Commission would refer the Honourable Member to the answers given to Oral Questions No 0-53/76 and No 0-56/76 (*) and supplementary questions on the Community action taken following the formation of a cloud of toxic substances at Seveso.


WRITTEN QUESTION No 378/76
by Mr Cousté

to the Commission of the European Communities
(13 August 1976)

Subject: Decision by the United Kingdom authorities to impose selective import restrictions

Following the Council's reply to Written Question No 862/75 concerning the decisions by the United Kingdom authorities to impose selective import restrictions (1), can the Commission say how it views the effects of the restrictions introduced by the United Kingdom, and whether it is in a position to estimate the effects of these measures on trade patterns between the United Kingdom and its EEC partners?


Answer
(27 October 1976)

The Commission thinks it unlikely that the import restrictions imposed by the United Kingdom authorities (and set out in the Council's answer to Written Question No 862/75) would have a significant effect on total United Kingdom imports, in view of the limited number of products and countries affected.
As the United Kingdom measures are concerned exclusively with imports from non-member States, their effect upon trade within the Community is not discernible.

WRITTEN QUESTION No 381/76
by Mr Laban

to the Commission of the European Communities

(17 August 1976)

Subject: Community regulation on veterinary standards

1. When may we expect a proposal for a Community regulation on veterinary standards applying to intra-Community trade in live poultry, including day-old chicks and hatching-eggs?

2. Can the Commission explain why it gives low priority to the drawing up of a new proposal for a Community regulation on the harmonization of requirements as to the quality of egg products, since this has prompted the Federal Republic of Germany and the Benelux countries to introduce their own national regulations? Is the Commission prepared to take effective action on this at an early date?

3. Will the Commission also state what difficulties still stand in the way of Community legislation on the harmonization of the requirements as to the quality of poultry for slaughter, when they will be resolved and when the final legislation will be enacted?

Answer
(10 November 1976)

1. The Commission has for some time been carrying out preparatory work on Community rules on veterinary legislation. The Council Resolution of 12 July 1974 on the veterinary, plant health and animal feedingstuffs sectors (*) envisaged adoption of proposals in this field by 1 January 1976.

In view of the number of proposals relating to the veterinary sector which are still pending in the Council and the difficulties which have arisen at this level in keeping to the timetable laid down, the Commission thought it advisable to slow down preparation of this proposal. It does, however, intend to submit a proposal to the Council during 1977.

2. The drawing up of a new proposal on marketing standards for egg products depends to a large extent on progress on veterinary legislation, and this has been very slow. The Commission hopes to be able to submit a proposal to the Council in 1977.

3. The proposal for a Regulation on marketing standards for poultrymeat was forwarded to the Council in 1971.(+) OJ No C 92, 6. 8. 1974, p. 2.

The proposal was held over at the time of the accession of the new Member States and re-examined in 1973 and 1974. In 1975 it became apparent that the first problem to be dealt with was the water content of frozen and deep-frozen chickens and the Commission immediately drew up a supplementary proposal.
Health considerations and the commercial terminology in use in the various Member States have meant that the work has taken longer than expected. As the proposal has to be examined by the Council, it is not yet possible to give a date for adoption of this Regulation.

WRITTEN QUESTION No 389/76
by Mr Lagorce
to the Council of the European Communities
(18 August 1976)

Subject: Statement by the Chancellor of the Federal Republic of Germany

Does it share the German Chancellor’s apparent belief that the USA is the mastermind or guiding power of the EEC?

The head of Government of one of the Member States stated recently that the industrialized countries (the Federal Republic of Germany, France, the United Kingdom and the USA) would not grant aid to Italy if the Communist Party entered the government.

Will the Council confirm that each Member State is free, within the limits of democracy, to choose whatever type of government it wishes?

Will it ensure that the provisions of the Treaties are applied in all the Member States, irrespective of which political parties are in power?

Will it urge the German Chancellor to be more discreet in his statements and to respect the most elementary rules of democracy?

Can the Council confirm that the Community and its Member States are under no compulsion to share all the USA’s delusions?

Answer
(27 October 1976)

It is not for the Council to make any pronouncement on the statements to which the Honourable Member is referring.

WRITTEN QUESTION No 391/76
by Mr Guerlin
to the Commission of the European Communities
(16 August 1976)

Subject: Sale of arms by Member States

Several Member States pursue a policy of arms sales to various countries of the world. Has the Commission studied the economic and social consequences of this policy? If so, what conclusions has it drawn?
Can the Commission state, for each Community country which sells arms, what impact this trade has had on the balance of payments?

Has the Commission also studied the effects of arms purchases on the economies of the developing countries and in particular the Associated States?

Have not the effects of part of the economic and financial aid from the Community to the Associated States been cancelled out by sales of arms to these states by certain member countries?

Answer
(25 October 1976)

Given the lack of accurate technical and statistical data, the Commission is unable to evaluate either the economic and social consequences of the sale of arms by Member States to various countries of the world, or the impact of this trade on the balance of payments.

For the same reasons the Commission is not in a position to assess the effects of arms purchases on the economies of the developing countries.

WRITTEN QUESTION No 398/76
by Mr Cousté
to the Commission of the European Communities
(20 August 1976)

Subject: Implementation of the 1976 Social Fund budget

1. Is it true that, of the Fund's budget of 440 million units of account, more than half was committed in advance? Could the Commission specify the amount of commitments made before the implementation of the 1976 budget and state their purpose?

2. Could it also specify the amount committed in 1976 from the 1976 budget and what are the principal measures thus funded?

3. Finally, could it give the amount, at the date of its reply, of available resources, and say whether these will in fact be committed and spent before 31 December 1976?

Answer
(8 November 1976)

1. Of the 440 million units of account of appropriations under the 1976 budget, 147.45 million units of account had been committed by 31 December 1975. Pursuant to Article 104 (2) of the Financial Regulation of 25 April 1973 (*) applicable to the general budget of the European Communities, the appropriations for a given financial year 'shall cover payments which fail to be made during that year in respect either of commitments entered into during that same financial year or to commitments entered into during preceding financial years under authorizations referred to in paragraph 1 (b)' (that is to say, during the two preceding financial years).

(*) OJ No L 116, 1. 5. 1973, p. 25.
Thus, following the usual practice and in full compliance with the Financial Regulation, commitments of 27-28 million units of account were authorized in 1974 against the 1976 budget; similarly, commitments of 120-17 million units of account were authorized in 1975.

2 and 3. Commission approval decisions adopted in 1974 and 1975 and for the first instalment of 1976, amounting to 263-59 million units of account, are given in Tables A and B broken down by beneficiary country and ESF sector of intervention.

Total commitments subsequent to the second instalment for 1976 (28 July 1976) amount to 348-92 million units of account. Resources still available therefore amount to 91-08 million units of account, to which sums derived from cancellations of schemes already approved will be added during the financial year. These resources will be committed in full before 31 December 1976. On the other hand, as in previous years, the related applications for payment lodged before 31 December 1976 are unlikely to exceed 10% of the total; therefore, payment cannot be made in 1976.
TABLE A

NEW EUROPEAN SOCIAL FUND
Article 4 (of the Council Decision of 1 February 1971)

Breakdown by beneficiary Member States and by intervention sector

Compensation between amounts initially approved and committed and those approved after amendment of the programmes presented by the Member States

(Unit : u.a.)

<table>
<thead>
<tr>
<th>Intervention sector</th>
<th>Budgetary treatment</th>
<th>Belgium</th>
<th>Denmark</th>
<th>Germany</th>
<th>France</th>
<th>Ireland</th>
<th>Italy</th>
<th>Luxembourg</th>
<th>Netherlands</th>
<th>United Kingdom</th>
<th>Total</th>
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<tbody>
<tr>
<td>Agriculture</td>
<td>Initial approval</td>
<td>127 000-00</td>
<td>—</td>
<td>4 705 601-09</td>
<td>7 542 436-56</td>
<td>3 212 245-75</td>
<td>8 121 038-64</td>
<td>—</td>
<td>575 690-61</td>
<td>481 698-00</td>
<td>24 765 710-65</td>
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<td>4 705 601-09</td>
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<td>575 690-61</td>
<td>291 868-80</td>
<td>21 257 800-26</td>
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<td>Textiles</td>
<td>Initial approval</td>
<td>543 000-00</td>
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1/ Decisions of approval taken in 1974 and 1975 by drawing on the commitment authorizations entered into the budget for the two financial years, plus the commitments corresponding to the first tranche of Commission approvals decided in 1976.
### TABLE B

**NEW EUROPEAN SOCIAL FUND**

Article 5 (of the Council Decision of 1 February 1971)

Summary statement of appropriations for the 1976 financial year affected to operations receiving aid from the European Social Fund (1).

Breakdown by beneficiary Member States and by intervention sector

Compensation between amounts initially approved and committed and those approved after amendment of the programme presented by the Member States

[Unit: m.a.]

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(1) Decisions of approval taken in 1974 and 1975 by drawing on the commitment authorizations entered into the budget for the two financial years, plus the commitments corresponding to the first tranche of Commission approvals decided in 1976.
WRITTEN QUESTION No 400/76
by Mr Lagorce
to the Commission of the European Communities
(20 August 1976)

Subject: Saint-Pierre and Miquelon Islands

Will the Commission state the implications, at Community level, for the Saint-Pierre and Miquelon Islands of the change in their status from an overseas territory to a department?

Answer
(2 November 1976)

The transformation of Saint Pierre and Miquelon into an overseas department means that this new French department will no longer come under the special arrangements for the association of the overseas countries and territories with the Community, provided for in Part Four of the EEC Treaty and at present governed by the Council Decision of 29 June 1976 (1). In future it will come under the arrangements that apply to all the French overseas departments by virtue of Article 227 (2) of the Treaty.

Consequently all the provisions of the Treaty referred to in that Article which at present apply to the French overseas departments will also apply to Saint Pierre and Miquelon.

The Commission is examining in detail all the consequences of applying these arrangements to Saint Pierre and Miquelon.


WRITTEN QUESTION No 403/76
by Mr Lagorce
to the Council of the European Communities
(20 August 1976)

Subject: Relations with Uganda

How will Community-Uganda relations be affected by the breaking off of diplomatic relations with Uganda by the United Kingdom?
WRITTEN QUESTION No 405/76
by Mr Osborn
to the Commission of the European Communities
(20 August 1976)

Subject: Hallmarking

In the course of replying to my Question No 170/76 (1) the Commission stated that the draft Directive on precious metals 'Was transmitted by the Commission to the Council on 15 December 1975 and received a favourable opinion from the European Parliament on 14 May 1976'.

1. Is the Commission aware that this part of their answer is wrong in two respects, namely:
(a) that the proposal was transmitted by the Commission to the Council not on 15 December but on 9 December, according to Official Journal No C 11 of 16 January 1976;
(b) that the proposal has not received any opinion from the European Parliament, favourable or unfavourable, on 14 May or any other day (a fact which is readily ascertainable as, unlike the Commission and the Council, the European Parliament meets in public and publishes minutes and full reports of its proceedings)?

2. Would the Commission agree that the sub-standard nature of its reply to my question matches the sub-standard nature of the precious metals which will be allowed to circulate in the Community if the draft Directive is passed in its present form?

Answer
(5 November 1976)

The Commission regrets that errors should have occurred in its answer to Written Question No 170/76 by the Honourable Member.

He may rest assured that steps are being taken to ensure that, as far as possible, no such discrepancies recur.
WRITTEN QUESTION No 417/76
by Mr Frehsee
to the Commission of the European Communities
(6 September 1976)

Subject: Tax labels on spirits bottles

Italian law No 415 of 28 March 1968 in conjunction with a regulation of 30 April 1974 (*) requires tax labels to be affixed to bottles — including miniature bottles of less than 4 cl capacity — containing spirits. These tax labels can be obtained on payment of specified sums from the competent Italian authorities.

The Italian Government requires producers of spirituous beverages distilled in Member States other than Italy and intended for export to Italy, to affix these labels in Italy. Distillers who are capable without technical difficulty of affixing these tax labels in their own factories are thereby obliged — sometimes at considerable cost — to set up plants in Italy so that they are placed at a disadvantage in competition with Italian distillers, if indeed they are still able to compete at all.

1. Are these facts known to the Commission?
2. Does the Commission share my view that under these conditions the Italian Government's stipulation should be regarded as a measure having the effect of a quantitative restriction on imports (EEC Treaty, Article 30) which is also contrary to the prohibition contained in the first paragraph of Article 31 of the EEC Treaty?
3. If so, what measures has the Commission taken or does it intend to take?

Answer
(25 October 1976)

In response to a complaint by the trade organizations, the Commission has examined Italian Law No 415 of 28 March 1968 and the regulation of 30 April 1974 to which the Honourable Member refers.

The Commission has considered this legislation in the light of Articles 30 to 36 of the EEC Treaty and asked the Italian Government to provide any pertinent information.

The Commission may, as appropriate, on the basis of information and arguments submitted, initiate in respect of this legislation the relevant procedures provided for in the EEC Treaty.

WRITTEN QUESTION No 419/76
by Mr Laban
to the Commission of the European Communities
(6 September 1976)

Subject: Herring catch restrictions for 1976

1. Can the Commission confirm that in addition to Norway, the United Kingdom too has now expressed objections to the recommendation of the North-East Atlantic Fisheries Commission on herring catch restrictions for 1976?
2. If so, does it share the view that yet a third country is likely to follow suit and that consequently the herring catch in 1976 will probably not be restricted at all, which could have serious consequences for the level of herring stocks in the years to come?

3. Can the Commission likewise confirm that, if a Community regulation is not adopted soon to lay down and administer the allocated quotas, there will no longer be any legal basis for imposing catch restrictions, not only for herring but also for other threatened fish species in the North-East Atlantic fishing zone?

4. If so, will the Commission do its utmost to prevent such a situation occurring and ensure that a Community Regulation is adopted before 1 January 1977?

**Answer**

(8 November 1976)

1. The Commission can confirm that the United Kingdom followed Norway at the beginning of August in objecting to Recommendation No 8 of the North-East Atlantic Fisheries Commission restricting total herring catches for 1976 in the North Sea and the Skagerrak.

2. The deadline fixed by the North-East Atlantic Fisheries Convention for objections to Recommendation No 8 restricting herring catches for 1976 in the North Sea and the Skagerrak has passed without any action on the part of a third signatory. This Recommendation therefore remains in force until the end of 1976.

3. The Commission can confirm that, if Community rules are not adopted soon to lay down and administer the quotas, there will no longer be any legal basis for imposing catch restrictions either for herring or for other threatened fish species in the North-East Atlantic.

4. The Commission has submitted to the Council a proposal for a resolution setting up a 200-mile Community fishing zone in the North Sea and the North Atlantic from 1 January 1977, accompanied by a proposal for a Regulation introducing a Community system for conserving and managing fish resources in this zone from the same date.

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**WRITTEN QUESTION No 423/76**

by Mr Van der Hek

to the Commission of the European Communities

(6 September 1976)

*Subject: Preliminary draft Directive on consumer credits*

Mention has repeatedly been made in the press (Agence Europe of 11 June and VWD (Vereinigte Wirtschaftsdienste) of 28 July 1976) of various preliminary drafts for a Directive on the harmonization of legal provisions concerning consumer credits. According to these press reports, various organizations and government experts have been consulted on a number of Commission drafts.

Although it is undoubtedly desirable for the Commission to consult with the professional organizations involved before submitting a proposal, the Commission is undermining both its own right of initiative and the advisory powers of the European Parliament and the Economic and Social Committee by presenting detailed draft legal texts to professional organizations and government experts before it has submitted an official proposal to the Council and before the European Parliament and the Economic and Social Committee have expressed their opinions.

1. Does the Commission share this view?

2. If not, why not?

3. If so, will it undertake to act accordingly in future?
Answer

(5 November 1976)

As the Honourable Member himself admits, it is desirable, in appropriate cases, for the Commission to consult professional organizations before submitting proposals for Community Acts to the Council. In respect of the proposals on consumer credit, the Commission has for some time been in contact with government experts concerning their national law on consumer credit, and also with practitioners (e.g., banks, finance houses, savings banks) concerning the various techniques used in the Member States. These contacts were considered necessary in order to enable the Commission to prepare realistic and workable proposals for the Community.

Pursuant to these contacts, the Commission issued sets of draft Articles which were 'put forward for discussion as the basis of a proposal for a Directive' in 1974, 1975 and 1976, designed to stimulate discussion and to bring into focus those areas of the subject which might be suitable for regulation at Community level.

The wide distribution that the Commission's departments have given to these documents has, in fact, stimulated comment, both favourable and unfavourable, from different circles concerned in the matter, and the Commission considers that these initiatives were in the best traditions of open and democratic discussion.

In view of the above the Commission cannot agree either that in exercising its right to consult professional organizations it has undermined its right of initiative or that the powers of the European Parliament and of the Economic and Social Committee have been in any way prejudiced.

WRITTEN QUESTION No 425/76
by Mr Lagorce
to the Commission of the European Communities
(10 September 1976)

Subject: Reorganization of the Lorraine iron and steel industry

1. Has the Commission been informed that a steelworks in the Longwy basin has decided on large-scale dismissals?
2. Was it consulted on the reasons which prompted the works management to take this decision?
3. Does the Commission feel it is acceptable at the present time to consider such a step without redeploying the employees locally?
4. Under the powers and authority conferred on it by the ECSC Treaty, does the Commission intend to oppose this decision? If so, how, and when?
5. What measures does it intend proposing to remove the Longwy basin from the isolation to which it has been consigned by more than a century of 'colonization' by the iron and steel employers?
6. Can it pinpoint the responsibilities of the employers in the recession from which this border region has been suffering for more than 10 years?
Answer  
(26 October 1976)

The General Objectives for Steel, drawn up by the Commission in 1975 after consultation with the representatives of the governments, the trade unions and the producers, anticipate a considerable reduction in employment in the Community iron and steel industry between 1973 and 1980, owing in particular to a process of reorganization which will be indispensable to the maintenance of competitiveness in the industry. Lorraine would be one of the regions worst affected.

Iron and steel companies are required to inform the Commission in advance of the investments and disinvestments they intend to undertake and of the incidence of these measures on employment. Up to now the Commission has not been informed of the dismissals to which the Honourable Member refers.

By the terms of its powers and responsibilities under the ECSC Treaty, the Commission is not consulted on decisions taken by the steel industry to create or eliminate jobs, except within the framework of investment declarations.

In the General Objectives, the Commission recommends that closure decisions should take account of the vulnerability of the regional economy to dismissals and that priority should be given to conversion operations in regions worst affected by reorganization.

The ECSC Treaty does not give the Commission any legally binding powers to intervene in decisions taken by the enterprise in question.

As was indicated in the General Objectives for Steel and explained to the ECSC Consultative Committee, the Commission seeks in such cases to make maximum use of the instruments placed at its disposal by the ECSC Treaty, the EEC Treaty and the European Regional Development Fund for the creation of jobs and for retraining and resettlement in particular by Article 56 of the ECSC Treaty, which allows the Commission to intervene, on application by the governments concerned, through the granting of financial aid.

Bearing in mind the dominant role played by the steel industry in certain areas of the Community, the Commission points out that the ECSC Treaty provides for concerted participation by the ECSC industries in the application of the necessary conversion measures.

As it has done many times before in the iron and steel industry, the Commission will endeavour to assist with the modernization of iron and steel works in Lorraine by granting loans under Articles 54 and 56 of the ECSC Treaty.

WRITTEN QUESTION No 430/76  
by Mr Glinne  
to the Commission of the European Communities  
(10 September 1976)

Subject: Strengthening of air navigation security

Some time ago, a report was published in the Federal Republic of Germany of the enquiry set up following the crash on take-off, in November 1974, of a Lufthansa Boeing carrying 157 passengers, of whom 59 lost their lives.

The report’s conclusions criticize, among other things, the quality of flight simulator training given to pilots, the excessive confidence inspired in aircrew by modern aircraft, and the physiological effects of considerable changes in altitude during the flights.

1. Is the Commission in favour of a joint assessment of the findings of this report by EEC airlines and the national ministries concerned?
2. Is the Commission in favour of EEC airlines adopting the technical measures taken by Lufthansa following the Nairobi disaster as regards retractable support ailerons and the sounding of an alarm system should the equipment fail to operate?

Answer
(4 November 1976)

The Commission naturally favours the greatest possible dissemination of information on air crashes which could avoid the same faults recurring. Present machinery seems adequate to this purpose.

As far as it is informed, the main recommendations of this report have been adopted in other countries outside the Federal Republic of Germany and its conclusions have been circulated to major aviation authorities through the normal channels.

It should be said that the Commission currently sees no possibility of intervening in this field which depends on national authorities and to a limited extent on specialized international agencies.

WRITTEN QUESTION No 431/76
by Mr Glinne
to the Commission of the European Communities
(10 September 1976)

Subject: Assessment of the findings of the symposium held recently in Mexico on narcotics and intoxicants

The US National Institute of Drug Abuse and the Mexican Centre for Studies of Drug Dependency recently organized a symposium in Mexico, attended by 76 scientists from 11 countries, on certain aspects of the drugs problem.

The apparently increasing practice of sniffing industrial solvents is dangerous, especially for children and adolescents, while other products in everyday use in many factories and hence easily obtainable seem to provide a substitute for, or an introduction to, 'harder' drugs.

1. Has the Commission seen the findings of this symposium?

2. Does it not feel it should concert with the Member States of the Community in up-dating and strengthening protective regulations?
The Commission was not associated with the organization of the recent symposium in Mexico on narcotics and intoxicants and has not been informed of the conclusions quoted by the Honourable Member.

The deliberate misuse of chemical products in everyday use can only be avoided by proper surveillance and by the provision of adequate warnings and information regarding the hazards. Surveillance measures do not come within the scope of Community legislation.

However, in view of the health problems associated with dangerous substances and in the framework of the programme for the elimination of technical barriers to trade the Commission has proposed to the Council a number of Directives, in particular Council Directive 67/548/EEC of 27 June 1967 on the classification, packaging and labelling of dangerous substances placed on the market in the Community (1). This Directive lays down provisions for warnings and safety advice to be used in the labelling of dangerous substances, such as: 'Serious risk of poisoning by inhalation or swallowing' and 'Avoid breathing vapour even if the smell is not perceptible'.

Parallel labelling provisions are also made in a number of other proposals for a Directive or Directives dealing with the marketing of products containing these dangerous substances, in particular Council Directive 73/173/EEC of 4 June 1973 on the classification, packaging and labelling of solvents (2) and the Commission Proposal of 30 June 1975 on the classification, packaging and labelling of paints, varnishes, inks, glues and allied products (3).

The technical annexes of this family of Directives are regularly updated by means of the procedure of the committee for adaptation to technical progress both in respect of the substances listed and terms used for labelling.

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(3) OJ No C 166, 27. 3. 1975, p. 2.

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WRITTEN QUESTION No 434/76
by Mr Glinne
to the Commission of the European Communities
(10 September 1976)

Subject: Cooperation with the United States on measures to combat restrictive practices

On 24 June 1976 the governments of the United States and the Federal Republic of Germany published the text of a bilateral agreement under which the authorities in the two countries will cooperate in collecting information on certain restrictive practices, particularly on those likely to contravene anti-trust laws. The information which the competent American Federal authorities will forward to their German counterparts could, for instance, refer to the activities of a private American company which are within the law in America but illegal under German law.

Would the Commission reply to the following questions:

1. With which Member States of the EEC is the United States linked by a bilateral agreement of this kind?

2. Are these bilateral agreements standard, or are there material differences in their content or procedure?

3. Is it true that the American authorities are at present engaged in bilateral discussions with a view to concluding additional bilateral agreements, not only with Canada, Australia and Japan, but also with the United Kingdom and the European Community?
4. On the level of the EEC Member States, is it essential to conclude agreements bilaterally, when the USA and the EEC as such could conclude one single agreement? How will existing bilateral agreements be harmonized with any agreements and with the Community’s accepted role as spokesman and negotiator in such matters?

5. What are the eight points of the US-German agreement?

6. Are the bilateral agreements relating to Member States of the EEC compatible with the recommendations on the voluntary supervision of multinational undertakings approved by the OECD a few months ago?

Answer

(2 November 1976)

1 and 2. The United States has concluded a bilateral agreement of this kind with only one Member State of the EEC, viz., the Federal Republic of Germany.

3. Neither the Commission nor, to the Commission’s knowledge, the United Kingdom is at present engaged in bilateral discussion with the United States authorities with a view to concluding agreements of this kind. The conclusion of such agreements is a natural consequence of the OECD Council Recommendations of 5 October 1967 and 3 July 1973 on cooperation between OECD Member States in dealing with restrictive practices affecting international trade. As has already been indicated, particularly in the Third Report on Competition Policy (point 16) (1), the Commission supports the efforts towards international cooperation in controlling restrictive practices in business.

4. Since the national laws on restrictive practices remain applicable alongside Community law, the national authorities still have an interest themselves in the conclusion of agreements of this kind. Such agreements may differ from one another, in matters of detail at least, in order to take account of certain characteristics of the relevant national laws and of trade assistance treaties, for instance, already existing in relations between certain Member States of the Community and the United States; it would, however, be desirable to try to harmonize the various agreements as far as possible.


It stipulates which laws are covered by the agreement, which are the competent authorities and defines the scope and details of the undertaking entered into by the contracting parties to assist each other by exchanging information.

It also contains provisions guaranteeing the confidential nature of information exchanged between the parties concerned.

6. The bilateral agreement between the Federal Republic of Germany and the United States Government will contribute to the implementation of the recommendations on the voluntary supervision of multinationals inasmuch as it is intended to encourage cooperation between anti-trust authorities in dealing with restrictive practices affecting international trade.


WRITTEN QUESTION No 435/76
by Mr Guerlin
to the Commission of the European Communities
(14 September 1976)

Subject: Intra-German trade

Can the Commission give details of the amount, in volume and value, of trade between the Federal Republic of Germany and the German Democratic Republic?
Further, has it any way of establishing, in volume and value, the proportion of products originating in the German Democratic Republic imported into the Federal Republic of Germany and then re-exported to other Member States of the European Community?

Answer

(16 November 1976)

1. The Commission has only the data given in the table below, which were published by 'Warenverkehr mit der Deutschen Demokratischen Republik und Berlin (Ost) — Reihe 6 — Fachserie F — Statistisches Bundesamt Wiesbaden'.

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2. Inter-German trade arrangements are based on the principle that all deliveries from the German Democratic Republic are absorbed by the market of the Federal Republic of Germany. The Commission is not able to establish, in volume and value, the proportion of products coming from the German Democratic Republic imported into the Federal Republic of Germany and then re-exported to other Member States of the European Community.

WRITTEN QUESTION No 439/76

by Mr Guerlin

to the Council of the European Communities

(14 September 1976)

Subject: Balance of the Member States' budgets

According to a French Government spokesman, 'the Commission had reminded the nine countries of the EEC of the need to draw up budgets in balance'.

Can the Council confirm this statement? Can it also indicate how it intends to assess the nature of the balance achieved or not?

Can it at this moment state the economic and, above all, the social consequences of such budgetary procedures?

According to the same spokesman (Council of Ministers of the French Government, 29 July 1976) "together with Luxembourg, France is one of the Community countries which has followed one of the most stringent budgetary policies. It will continue to do so next year".

Does the Council feel that the French Government is justified in giving itself and the Grand Duchy of Luxembourg this pat on the back? Why would the governments of the other Member States have acted differently?

Is it able to assess the consequences of the French and Luxembourg budgetary policy on the economic and social situation in each of these two countries?
Answer
(27 October 1976)

The Council's recent discussions on budget policy are reflected in a Decision of 26 July 1976 on the preparation of public budgets for 1977 (*). The Honourable Member is invited to refer to the Council Decision in question which lays down budgetary policy guidelines for the Community as a whole as well as for each individual Member State.

(*) This Decision was published in Official Journal of the European Communities No L 229, 20 August 1976, p. 1.

WRITTEN QUESTION No 440/76
by Lord Bethell
to the Commission of the European Communities
(14 September 1976)

Subject: Health hazards from asbestos

In view of the established fact that a considerable number of people in the European Community are dying as a result of exposure to asbestos dust, what plans does the Commission have:

1. to introduce health measures to protect those who may be affected by casual exposure to asbestos;
2. to initiate research to produce a simple measuring technique of asbestos fibres;
3. to encourage research into an alternative material to asbestos which may be used as a fire resistant material?

Answer
(27 October 1976)

1. In the action programme on the environment, asbestos is considered as a first-category pollutant. The Commission was instructed to undertake the following tasks:

   — to study the effects of asbestos and make a critical analysis of this information,

   — to standardize or harmonize measuring methods and instruments, so as to enable the results of pollution measurements in the Community to be compared.

To this end, the Commission has held meetings of national experts. A report entitled 'Public health risks of exposure to asbestos' was prepared for the Commission by a working group of experts, whose rapporteur was Prof. R. L. Zielhuis.

The report makes the following recommendations and these are being considered by the Commission with a view to taking appropriate measures:

   — a standing committee of experts is to continue working on a Community basis to standardize the diagnosis of mesotheliomas;

   — a harmonized mesothelioma register, including cartography, should be set up in the various countries of the EEC in accordance with the criteria and procedures agreed upon by a panel of experts;
— further information is to be gathered on exposure/effect relationships by supporting further development of means of identifying and measuring amounts of asbestos and other minerals in lung tissue. Coordinated studies by various institutes within the Community will also be necessary to establish the validity and accuracy of these sophisticated methods;

— asbestos dust in the environment should be reduced to the lowest practical level and this applies particularly to crocidolite fibres. This requires:

— improving hygiene control in processing, industrial use, transport and sales,

— introducing common codes of practice to bring about these improvements,

— paying special attention to unnecessary risks of exposure to asbestos dust by the general public.

2. The Commission is currently examining a number of research projects on processes for measuring asbestos fibres with a view to the possibility of financing this research as part of its Second Environmental Research Programme, approved by the Council on 15 March 1976.

3. The Commission is following developments on the subject with interest but it is not at present financing research projects in this field.

WRITTEN QUESTION No 445/76
by Mr Springorum
to the Commission of the European Communities
(14 September 1976)

Subject: Energy policy objectives of the Commission of the European Communities

In a reply to a written question regarding the reasons behind decisions on the energy, economic and employment policies in the coalmining sector (Drs. 7/5654), the German Federal Government stated under points 13 and 14 that the Commission of the European Communities had so far made no concrete proposals as to how its objectives in coal production could be achieved by Community action. German suggestions on the subject had so far not been taken up.

Would the Commission reply to the following questions:

1. For what reasons has it not made any concrete proposals for the achievement of its objectives?

2. Does it still intend putting forward such proposals within the foreseeable future?

3. Why did it not take up the German Federal Government's proposals?

Answer
(8 November 1976)

1. Under Council Decision of 30 January 1974, the Commission and Member States consult together in the Energy Committee. The Committee assists the Commission in formulation of their proposals in the field of energy policy. In a Communication to the Council dated 16 January 1976, the Commission set out how the energy policy objectives of the European Council of Rome of 1 and 2 December
1975 could be realized; the following other measures are also discussed:

— further steps to secure sales of coking coal (revision of the current coking coal assistance system),
— measures to secure sales of power station coal,
— Community financing of coal stocks.

The aim of such measures is to achieve the Community target of long-term stabilization of coal production. The Commission is actually engaged in specific studies on measures to secure sales of power station coal.

The Energy Committee discussions on these subjects have not yet been completed.

2. Yes.

3. The Commission and the Energy Committee have been informed of the German Government's ideas on coal policy. The Commission has noted that, in many respects, these ideas are on very similar lines to the Commission's own policies.

WRITTEN QUESTION No 451/76
by Mr Fellermaier
to the Commission of the European Communities
(16 September 1976)

Subject: Obstruction of EEC animal feed trade by France

According to a press report, the French Government has made the delivery of lucerne meal to EEC Member States subject to licence, a requirement which is now being progressively extended to other types of animal feed, such as bran and beet-pulp. Through bureaucratic interpretation of the regulations, French exporters would be hindered in the execution of contracts regularly entered into.

The Commission is therefore asked the following questions:

1. How does it view the French action?
2. Has the French Government made any attempt to arrive at a Community solution to the problem of ensuring adequate animal feed supplies?
3. Is it true that the French Minister of Agriculture has called on feed-drying firms openly to repudiate their contracts? This would mean that the delivery of dry feed purchased before 15 July would be withheld on grounds of *force majeure* even if sufficient untreated feed were available.
4. What steps does the Commission intend to take to counter this action by France which is contrary to the terms of the Treaty?

Answer
(2 November 1976)

1 and 4. This action by France is incompatible with Article 34 of the EEC Treaty. By letter of 30 July 1976, the Commission initiated the procedure, provided for under Article 169 of the EEC Treaty, in respect of the French Government. In a notice to exporters published in the Official Journal of the French Republic of 4 September 1976 (p. 5 372), the restrictive measures in question were cancelled.

2. Yes.

3. Press reports of the kind referred to by the Honourable Member have come to the attention of the Commission.
WRITTEN QUESTION No 452/76
by Mr Springorum

to the Commission of the European Communities
(20 September 1976)

Subject: Uranium cartel

Can the Commission answer the following questions:

1. Is the Commission aware of the Agence France-Presse report of 31 August 1976 that five uranium-producing countries, including two Community Member States, set up a cartel similar to OPEC as long ago as 1972? Can the Commission verify this report?

2. If the AFP report is correct, does the Commission consider the conduct of the Member States concerned to be compatible with the Community Treaties?

3. Even if the report is only partly accurate, ought not the Community to join the cartel in place of the two Member States, so as to safeguard Community atomic fuel supplies?

Answer
(2 November 1976)

The Honourable Member should refer to the Commission’s answer to Oral Question No H-141/76 (*) by Mr Dalyell during Question Time, at the European Parliament’s October part-session.

(*) Debates of the European Parliament, No 207 (October 1976), p. 84.

WRITTEN QUESTION No 453/76
by Mr Glinne

to the Council of the European Communities
(20 October 1976)

Subject: Violation of the Treaties of Paris and Rome concerning the reform of university education in France

For some months a decree of 16 January 1976, concerning the reform of the second cycle of university education in France (1), has provoked calls for strike action among students and teachers, of the kind not heard in France since 1968. The reforms go against the best French university traditions by seriously undermining the universities’ independence with regard to private enterprise. The reform of 16 January is inspired by both political and economic considerations (redistribution of appropriations at the expense of the arts and science faculties; adaptation of university diplomas to immediate market economy requirements). At the very least it runs counter to the Treaties of Rome as well as to the efforts made within the Council of Europe and the European Community for many years to establish equivalence between the various diplomas. The decree, and in particular Articles 5, 8, 9, 10, 18 and 19, gives every university the right to refuse to recognize diplomas from other French universities.

(1) JORF, Lois et Décrets du 20 janvier 1976, p. 528 et seq.
The latter would then be required to apply to the Ministry of Education for 'authorization', which would only be granted for five years and could be revoked at any time (Article 5).

Having just signed, with its partners, two Council of Europe conventions recognizing various university diplomas, and a few months after the first Conference of Ministers of Education of the Nine, France now proposes to withdraw national recognition from French university diplomas.

1. Does the Council agree that the Articles of the decree of 16 January 1976 referred to above, run counter to the international commitments of the French Republic and in particular to Article 57 of the EEC Treaty?

2. If so, can the Council notify the French Government to that effect?

3. If the decree is not amended, is the Council prepared to take appropriate steps, including legal proceedings in the European Court of Justice?

Answer
(27 October 1976)

It rests with the Commission, under Article 169 of the Treaty establishing the European Economic Community, to deliver a reasoned opinion if it considers that a Member State has failed to fulfil an obligation under the Treaty.

WRITTEN QUESTION No 457/76
by Mr Van der Hek
to the Commission of the European Communities
(20 September 1976)

Subject: Distortion of competition in off-shore supplies

1. Is the Commission aware of the existence of an Off-Shore Supply Office in the United Kingdom which allegedly operates in such a way that UK steel construction firms have a better chance than their competitors in the other Member States of obtaining orders to supply off-shore material for use on the UK section of the continental shelf?

2. Is the Commission prepared to investigate this alleged distortion of competition and, if necessary, take steps to end it?

Answer
(9 November 1976)

1. Yes. The Commission is aware that certain allegations have been made about the operations of the British Off-Shore Supply Office.

2. Yes. The Commission is making inquiries of the United Kingdom authorities with a view to a more searching investigation of this matter, in the light of the United Kingdom's obligations under Community law, particularly Articles 30 and 59 of the EEC Treaty.
WRITTEN QUESTION No 463/76
by Mr Dondelinger
to the Commission of the European Communities
(21 September 1976)

Subject: Abuse of press concentrations

Mr Chevenement, Mr Mexandeau, Mr Delorme, Mr Houteer and Mr Fillioud have recently tabled, in the French National Assembly, a motion for a resolution on the setting up of a parliamentary commission of enquiry on the press (1). The explanatory statement reads as follows: 'When France was liberated, the aim of all the Resistance organizations was that France should have a pluralist and democratic press subject to a measure of constitutional and functional control in order to safeguard the right to information. It was with this aim in mind that an order was issued on 26 August 1944, outlining a new concept for press undertakings.

On 9 October 1945 the press itself, through the French National Press Federation, adopted a Press Charter stating in particular that "since the press also provides a public service it must be aware of its duty to the nation", implying that press undertakings are give freedom not in order to grow and prosper like private industrial and commercial undertakings but in the national interest. For the past thirty years the press has on the whole developed in the same way as other industrial sectors; it is becoming increasingly concentrated, with the result that monopoly situations develop and the major finance groups are gaining systematic control over large sections of the channels of information.

A similar trend has been noted in other countries. The Council of Europe, in its declaration on mass communication media and human rights, felt that attention should be drawn to the need to safeguard the independence of the mass media against the dangers of monopolies.'

Notwithstanding these warnings, concentration has increased in France in the past five years to an extent that is particularly disturbing in that it has coincided with a drop in the overall circulation of daily papers and the closing down of a number of newspapers.

Obviously this trend represents a serious threat to the freedom to disseminate information, the exchange of ideas and the expression of varying opinions.

1. Does the Commission not think that it should, as a matter of priority, conduct an enquiry into the French press, pursuant to Articles 85 and 86 (EEC) on unlawful agreements and abuses of dominant positions?

2. Could the Commission subsequently extend its enquiry to the whole of the European press?

Answer
(2 November 1976)

1. The Commission has included an analysis of the press and the publishing industry in its study programme on concentration, work on which will begin in several countries this year and will be extended to other Member States of the Community in 1977.

2. The Commission would remind the Honourable Member that it cannot take any action with regard to agreements and mergers involving press undertakings, unless the conditions for the application of Articles 85 and 86 of the EEC Treaty are fulfilled.

In most cases these activities take place at national or regional level, and are normally unlikely to affect trade between Member States.
This is not true, however, of distribution activities involving newspapers, magazines and books, concerning which inquiries have been made under Regulation No 17/62 (1). The results of these inquiries are being assessed.

(1) OJ No 13, 21. 2. 1962, p. 204/62.

WRITTEN QUESTION No 464/76

by Lady Fisher
to the Commission of the European Communities

(21 September 1976)

Subject: Opinion survey of consumers in the European Community

During October-November 1975 the Commission undertook a major opinion survey of consumers in the European Community.

Can the Commission give details of the circulation of the results of this enquiry in particular to consumers and to organizations responsible for representing their interests?

Does the Commission intend to publish the document in full, in all the languages of the Community, and in particular in English, since at present the only full text available to British consumers is in French?

Answer

(2 November 1976)

The report presenting, analyzing and commenting on the findings of the European consumer survey was released to the press on 9 July, at a conference given in Brussels by Mr Scarascia-Mugnozza, Vice-President. The text was in French, but summaries were distributed in the other languages. The English and German language versions, delayed owing to the holiday period, will be available shortly.

The report, together with the summaries, has been forwarded to the other institutions, including the European Parliament and the organizations represented on the Consumers' Consultative Committee.

Articles on the survey have also appeared in the publications produced in the various languages by the Commission, and a booklet is being prepared for circulation to a wider public.
WRITTEN QUESTION No 469/76
by Mr De Keersmaeker
to the Commission of the European Communities
(24 September 1976)

Subject: Decision-making process. Use of the ‘written procedure’. Role of the Legal Service

The information brochure ‘How the European Community institutions work’, written by the Secretary-General of the Commission and published by the Commission, mentions that the ‘written procedure’ is used extensively in taking Commission Decisions (1).

This situation, which is doubtless justified by the increase in the Commission’s tasks, nevertheless leaves room for concern about the preservation of the truly collegial nature of Commission Decisions and the mutual controls which this involves.

It would be interesting to know whether this trend is on the increase and to what extent it concerns decisions of a legislative nature.


1. Could the Commission state:

(a) the number of written procedures initiated from 1 January 1976 to 31 July 1976;

(b) the ratio between Decisions taken by this procedure and Decisions taken at Commission meetings;

(c) the number of written procedures which concern acts entering into Community legislative process: Commission acts and proposals from the Commission to the Council?

2. Could the Commission also specify the role of its Legal Service in drawing up these decisions?

Is the Legal Service able to exercise consultative duties comparable to those delegated in certain Member States to the Council of State?

Answer
(26 October 1976)

1. Since the Commission has to take a large number of Decisions, written procedure is used in some cases.

To ensure that this adoption procedure is collegiate, a certain amount of time is allowed — usually one week — for the Members of the Commission either to request that the draft text submitted for their approval be discussed at a Commission meeting or to express reservations or put forward amendments. All texts submitted for Commission approval by this procedure must first have been endorsed by the Member or Members responsible for the matter under consideration. Mention is made of this in the document presented to the Commission.

At its meetings the Commission determines its general policy, fixes the guidelines to be followed in the various fields of activity and decides on matters of principle. Written procedure is normally used either for the approval of Acts concerning implementing measures or for the formal approval of Acts adopted in principle at meetings.

In the period 1 January to 31 July, only 147 Decisions of a legislative nature were taken at Commission meetings, while 2,146 written procedures were introduced. Of the written procedures, 1,039 related to Commission legislation and 304 to proposals for Council legislation.

2. The Legal Service must take part in the preparation of all Commission Acts within the meaning of Article 189 of the Treaty and of Commission proposals to the Council. In addition, its lawyer-revisers are responsible for ensuring that the texts in the various Community languages are consistent and conform to the Treaties.
The Legal Service thus carries out work which in some Member States is entrusted to the legal experts in the various ministries or to the department responsible for legal matters and in others to the Council of the State.

WRITTEN QUESTION No 471/76
by Mr Hougardy
to the Commission of the European Communities
(24 September 1976)

Subject: The improvement of Community statistics

It has become clear that Community statistics are seriously inadequate: not only does available data very often refer to several years past — for example in 1976 in such a fluctuating field as social statistics, some figures refer to 1972 — but in addition the figures are too often unusable, since when they do cover recent years they deal with over-broad categories, and, on the Commission's own admission, are not always comparable between Member States, since they are drawn from statistics which use different nomenclatures and concepts.

Could the Commission state what are the main difficulties encountered in drawing up statistics which are up-to-date and actually usable?

In what fields does it intend to concentrate its efforts to improve overall policy and increase the effectiveness of Community statistics?

Answer
(2 November 1976)

1. The results of certain harmonized Community surveys are not published in full detail until several years after the year to which they relate. These surveys are primarily intended to provide information on structures, which by their very nature change only slowly. Furthermore, they provide an excellent framework for updating information to more recent periods: for example, the 1972 survey on labour costs in industry made it possible to distribute the updated results for 1975 as early as September 1976.

As regards rapid statistics, i.e. statistics available a few months after the reference period, the situation differs widely from one field to another: for some of them harmonization and the degree of detail is very satisfactory, while for others progress towards harmonization is slower and more difficult.

2. The reasons for the lack of comparability of certain statistics also vary from one field to another: in the field of social statistics, mentioned by the Honourable Member, the data on employment, for example, can be based only on the definitions of unemployment used in the social security legislation of the Member States.

However, with a view to harmonization in this particularly important field, the Commission sent to the Council on 8 October 1975 a proposal for an 'Employment Statistics Programme', which was adopted by the Council on 19 July 1976.

The Commission has just adopted, presented to the Council and transmitted to Parliament for information its statistical programme covering the years 1977 to 1979. The programme singles out a number of high-priority projects, namely foreign trade statistics, including statistics on trade with the ACP States, the implementation of the European
WRITTEN QUESTION No 475/76
by Mr Jahn
to the Commission of the European Communities
(23 September 1976)

Subject: Expulsion of migrant workers by France

According to press reports Community migrant workers, though not convicted of any offence, have again been expelled by France.

The Commission is requested to state:

1. whether it considers such action compatible with the EEC Treaty and the legislation derived from it; and
2. what steps, if any, it intends to take to prevent the unjustified expulsion of migrant workers by France?

Answer
(12 November 1976)

1. According to the provisions of Directive 64/221/EEC (1), Member States are entitled to expel a national of a Member State when public policy or public security are jeopardized by his personal conduct and when the seriousness of the occurrence with respect to the maintenance of public policy or public security renders his presence intolerable. A criminal conviction is not necessarily required.

Under this same Directive, Member States must, however — and this was stressed by the European Communities' Court of Justice in the grounds for its judgment in Case 36/75 (2) — furnish any person under order of expulsion with a two-fold safeguard, namely: the person must be informed without delay of the grounds on which the decision taken is based, and he must be provided with a means of appeal which, save in cases of urgency, will have suspensory effect on the expulsion decision.

2. The Commission, being unaware of the circumstances in which the events reported in the press and referred to by the Honourable Member occurred, is not in a position to conclude that this is a case where the French authorities' normal administrative practice is not in accordance with Community legislation, since current French legislation is in line with the provisions of Directive 64/221/EEC.

If, on examination, it appears that the administrative practice is not in line with Community legislation, it will be incumbent on the Commission to judge which of the means available to it, including Article 169 of the EEC Treaty, should be used to ensure that Community legislation is observed.

On the other hand, it is incumbent on the persons concerned to refer the matter to the courts if they believe they are the victims of an illegal individual measure taken by lower-level French authorities in application of French legislation.

(1) OJ No 56, 4. 4. 1964.
WRITTEN QUESTION No 476/76

by Mr Jahn

to the Commission of the European Communities

(24 September 1976)

Subject: Compulsory payment of phyto-sanitary charges imposed in defiance of the provisions of the EEC Treaty and the judgments of the European Court of Justice

In my Written Question No 552/75 concerning the imposition of phyto-sanitary charges by France (1) I drew attention to the judgment of the European Court of Justice of 11 October 1973 in Case No 39/73. In this judgment it ruled that in particular the pecuniary charges imposed for phyto-sanitary examination of products when they cross a frontier, which are determined according to criteria of their own, which criteria are not comparable with those for determining the pecuniary charges attaching to similar domestic products, are deemed charges having an effect equivalent to customs duties and thus constitute a clear violation of the EEC Treaty.

In its answer the Commission stated that France had abolished charges for the inspection of imports from the other Member States with effect from 1 January 1976. The French customs authorities, however, refuse to refund to the enterprises concerned the charges illegally imposed during the period from the entry into force of the above judgment until 1 January 1976.

The Commission is therefore requested to answer the following questions:

1. Does the Commission not take the view that it is unreasonable that the enterprises concerned, despite the clear judgment of the European Court of Justice of 11 October 1973, must again initiate protracted legal proceedings in order to enforce their justified claims?

2. Is the Commission prepared to approach the French Government to ensure the immediate refund of the sums due?

3. If the answer to the preceding question is in the negative, what reasons does the Commission have for refusing to intervene, which it is, in my view, legally obliged to do by Article 155 of the EEC Treaty?

4. What steps does the Commission intend to take to fulfil more effectively than hitherto its obligations as guardian of the Treaties under Article 155 of the EEC Treaty and to put an end to the flouting of judgments of the European Court of Justice?

Answer

(8 November 1976)

1, 2 and 3. The prohibition on charges having an effect equivalent to customs duties becomes operative not on the date on which the Court of Justice delivers a judgment but by the end of the transitional period at the latest.

The conditions under which persons who have paid such a charge are entitled to a retroactive refund are, however, a different matter. In its answer to Written Question No 238/69 (1) by Mr Vredeling, the Commission explained that it was for the national authorities to decide to what extent individuals may claim redress in respect of detriment which they suffer by reason of an infringement of the Treaty. In the case of charges of the kind in question here, the Commission informed the Honourable Member in October 1974 (2) that 'the matter should normally be assessed, in the absence of Community rules, in the light of the Member States' general rules for the maintenance of order and certainty as to the law'. Two cases (33/76 (3) and 45/76 (4)) at present before the Court concern the extent to which a claim for a refund under Community law may be enforced before a national court even after expiry of the limitation period under national law.

(1) OJ No C 33, 13. 2. 1976, p. 16.

(2) Written Question No 317/74, OJ No C 145, 22. 11. 1974, p. 16.

(3) OJ No C 104, 7. 5. 1976, p. 4.

4. The Commission has in the past, within the limits of its resources, done everything in its power effectively to fulfil its obligations as guardian of the Treaty. It will continue so to act in the future.

WRITTEN QUESTION No 478/76
by Mr Jahn
to the Commission of the European Communities
(24 September 1976)

Subject: Reactor safety

During a recent overhaul of the Biblis atomic power station it was discovered that:

(a) screws had got into the reactor pressure vessel (primary system);
(b) cracks had appeared in the feed water tank (secondary system).

In this context the Commission is requested to provide answers to the following pertinent questions:

1. Is it consistent with the provisions of the Euratom Treaty that the primary and secondary systems of atomic power stations should be subject to safety regulations of varying stringency?
2. If the answer to question 1 is in the negative, what steps does the Commission intend to take to replace the inadequate safety regulations for secondary systems by stricter regulations such as those which apply to primary systems?
3. If the answer to question 1 is in the affirmative, what is the Commission's opinion on the conclusions reached by the German Institute for Reactor Safety (IRS), according to which:
   (a) damage occurring in the secondary system cannot be considered in isolation from the primary system;
   (b) failure of a feed water tank brings with it an enormous destruction potential since hundreds of tons of hot steam are liable to escape spontaneously;
   (c) the secondary system must therefore be subject to the same legal provisions as the primary system?
4. Would the Commission be prepared to submit specific proposals in the near future, in accordance with the recommendations of the IRS and in the interests of the safety and health of workers and the population as a whole, in order to improve the safety of reactors throughout the Community?

Answer
(2 November 1976)

It is technically admissible for the safety requirements for the primary circuit and the secondary circuit of a nuclear power station to differ in degree of safety. The Euratom Treaty does not lay down any common safety standards applicable to nuclear reactors. Such standards are the responsibility of the national authorities.

The occurrence of failures at the Biblis nuclear power station was ascertained through the procedures for inspection and supervision required by German legislation on official approval of nuclear installations, and the detailed technical examination of the safety record of such installations is the sole responsibility of the competent authorities and associated safety and supervision bodies in the Federal Republic of Germany.

The Commission is giving its attention to the safety and health of workers and the general public and, in particular, is actively engaged in the pursuit and strengthening of wide-ranging and systematic
measures to bring about the joint development and harmonization of safety standards on a Community-wide basis, notably in pursuance of:

— Council resolution of 3 March 1975 on energy and the environment (1),

— Council resolution of 17 December 1974 concerning Community energy policy objectives for 1985 and the programme of action in the nuclear field submitted by the Commission to the

Council in February 1974 for the implementation of this resolution (2),

— Council resolution of 22 July 1975 on the technological problems of nuclear safety (3).

The Institut für Reaktorsicherheit is associated with this programme of harmonization, and some of the technical questions raised by the Honourable Member will no doubt be covered by joint action which will not relate specifically to the problems arising at the Biblis station alone.


WRITTEN QUESTION No 479/76
by Mr Jahn
to the Commission of the European Communities
(23 September 1976)

Subject: Drug addiction in the Community

1. Is the Commission aware that the number of heroin addicts in the USA has recently shown a considerable increase and that every available means is therefore deployed to prosecute heroin offences, while on the other hand the possession of marijuana is de facto no longer a criminal offence?

2. Can the Commission provide data on the situation in the Community as regards the consumption of drugs and the legal penalties involved?

3. Does the Commission realize that while ‘soft’ drugs such as marijuana are tolerated they may lead to the consumption of hard drugs such as heroin, as is clearly demonstrated by the situation in the USA?

4. When will the Commission consider that the time is ripe for an effective campaign against drug addiction in the Community by specific Community measures, which must not be confined to combating the hard drugs trade?

5. Is the Commission prepared to submit proposals on this matter in the near future?

Answer
(12 November 1976)

1. The Commission is not aware of the details of the situation in the United States.

2. The situation as regards drug consumption is described in the 1975 Report of the International Narcotics Control Board, and the narcotics statistics for 1974, published by the Board, include detailed consumption figures. These documents will be forwarded directly to the Honourable Member.

As for legal penalties, though the trend in Member States is towards increasing these for illegal drug peddling, the main effort is directed towards the treatment, rehabilitation and social re-integration of addicts.

3. The Commission is aware of the ‘stepping-stone’ theory the Honourable Member described, and also of the controversy still surrounding it.
4 and 5. The Commission would inform the Honourable Member that since 1971 European cooperation to combat drug addiction has been conducted at intergovernmental level, and that the Commission takes part in this work as an observer. It can find no reason at present to alter existing arrangements for combating the consumption of narcotics, or to put forward proposals to that effect.

WRITTEN QUESTION No 480/76
by Mr Jahn
to the Commission of the European Communities
(24 September 1976)

Subject: Violations of Community law by Member States

It emerges from a statement by the Commission (position at 1 June 1976) that in no less than 144 cases there is reason to suspect that Member States have infringed Community law. Forty-four of these cases concern failure to implement Directives approved unanimously by the Council and which ought to have been brought into effect long ago.

According to another statement only about half of the 350 Directives hitherto adopted have been incorporated in due form into the national legislation of all Member States.

The Commission is therefore requested to answer the following questions:

1. Can the Commission confirm that these figures, which are to a certain extent contradictory, are at least roughly correct?

2. Why has the Commission only twice brought actions against Member States before the European Court of Justice, under Article 169 of the EEC Treaty, on the ground of failure to meet deadlines for the implementation of Directives?

3. Is it true that one of the reasons for the Commission’s incomprehensible reticence in this area is that it wishes to avoid making excessively heavy demands on the Court of Justice of the European Communities since the latter would need ten times as many judges as it has at present to be able to deal with every proven case of failure to respect time limits for the incorporation of Community Directives into national legislation?

4. Is the Commission prepared in the future to discharge more effectively its obligations under Article 155 as guardian of the EEC Treaty and to do everything in its power to ensure the prompt and full application of Decisions made by the institutions of the Community on the basis of the Treaties.

Answer
(13 November 1976)

1. If the first statement mentioned refers to Report 17/66 on the position with regard to suspected Treaty infringements (a document which can have come into the hands of the Honourable Member only in breach of internal rules on confidentiality), it must be pointed out that only in some of the 144 cases listed in this report was there good reason to suspect an infringement of the Treaty. During examination of this report in July of this year, it was possible to close the files on more than 50 cases and it became clear that a number of further cases would be settled in the near future.

2. The Commission is not aware of any statement to the effect that of the 350 Directives hitherto adopted only about half have been incorporated in due form into national law.

2 and 3. Failure to respect time limits for the incorporation of Directives is generally due not to opposition by Member States on grounds of principle, but to the unwieldiness of national legislative procedures. The fact that the Commission...

has in only three cases (1) instituted proceedings before the Court of Justice on the grounds of failure to comply with time limits for the implementation of Directives is because of its conviction, already expressed in its answer to Written Question No 519/75 (2), that in cases where Member States are in fact endeavouring to align their legislation with Community law, it is preferable to accept certain delays. The Commission is not convinced that an appreciable acceleration of national legislative procedures can be achieved through automatic recourse to the Court of Justice.

4. The Commission has hitherto done everything in its power, within the limits of its resources, to discharge its obligations as guardian of the Treaty. It will continue to do so in the future.

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WRITTEN QUESTION No 485/76

by Mr Albers
to the Commission of the European Communities

(27 September 1976)

Subject: Technical standards for commercial road vehicles

In 1972 the Council of Ministers adopted a Directive on the harmonization of technical standards for commercial road vehicles.

1. Is the Commission aware that although many Member States have already given effect to the abovementioned Council proposal, the adoption by the Italian parliament of divergent regulations threatens to turn this attempt at Community harmonization into a farce?

2. What effect will this have on the competitive position of transport undertakings in other Member States which support these attempts at harmonization?

3. What steps will the Commission be taking to ensure observance of the 1972 Directive?

Answer

(4 November 1976)

The Commission informs the Honourable Member that although the six original Member States reached provisional agreement on the draft Directive in 1972, in view of the reservations of the three acceding States, the Directive was not formally adopted and still remains on the Council table.

1. The Commission is aware of the recently adopted Italian law incorporating higher weights than those provided for in the draft Directive and of the explanation offered by the Italian government for the adoption of this measure.

In its opinion on the Italian law, given in accordance with the established consultation procedure (3) the Commission has emphasized the importance of not prejudicing the chances of reaching agreement on vehicle weights and dimensions at Community level.

2. The Commission takes the view that harmonization of vehicle weights and dimensions would ultimately improve competitive conditions for both road hauliers and vehicle manufacturers in the Community.

3. The Commission cannot require the observance of a draft Directive which has not been adopted; renewed efforts are, however, being made to find a Community solution to the problem of vehicle weights and dimensions.

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(1) Cases 79/72, OJ No C 93, 8. 11. 1973, p. 4;
52/75, OJ No C 159, 16. 7. 1975, p. 7;
(2) OJ No C 49, 3. 3. 1976, p. 9.
WRITTEN QUESTION No 486/76
by Mr Albers
to the Commission of the European Communities
(27 September 1976)

Subject: Quota arrangements applicable to international goods transport by road

1. How does the Commission view the present system of journey licences for transfrontier road transport?

2. Is it true that the German and French quota arrangements are purely of a protectionistic nature and therefore clearly run counter to the attempts to form a common transport policy?

3. Can the Commission state what proposals are in course of preparation with a view to liberalizing transfrontier road haulage in line with the spirit of the Treaty of Rome?

Answer
(2 November 1976)

1 and 2. The Commission considers that the present system of licences, granted for a certain period of time or number of journeys under bilateral quota arrangements, neither meets trading requirements nor fulfils the spirit of the EEC Treaty.

Any form of quota arrangement implies the imposition of artificial restrictions and tends to produce an authoritarian distribution of traffic.

3. In October 1975 the Commission sent the Council proposals concerning:

— an increase in the Community quotas;
— an extension to other categories of transport of the liberalization measures introduced by the first Council Directive of 23 July 1962.¹

The Commission also intends to present to the Council during 1977 a number of proposals designed to lead gradually to freedom to provide services and the abolition of discrimination on the basis of the nationality of the transport operator as regards access to the market; however, some corrective measures might be required should serious disturbances arise on the market.


WRITTEN QUESTION No 487/76
by Mr Albers
to the Commission of the European Communities
(27 September 1976)

Subject: Annual report of the Netherlands Europe House foundation

1. Does the Commission feel that the courses run by Europe Houses are making a contribution to the development of European consciousness?

2. Can this work help to ensure the successful outcome of the first direct elections to the European Parliament, particularly as regards participation by the electors?
3. Is the Commission aware that the Europe House in Bemelen near Maastricht is in serious financial difficulty such that there is even talk of a crisis situation?

4. Is it true that this Europe House has to function under less favourable financial conditions than those in other Member States?

5. Is it also true that the geographical location of this Europe House gives it not only a regional and national function but also an important international one?

6. Is the Commission prepared to take steps to forestall a severe cutback in courses because of the financial situation?

Answer
(13 November 1976)

1 and 2. The courses run by Europe Houses are certainly making a contribution to the development of European awareness. This work can therefore help to ensure the successful outcome of the first direct elections to the European Parliament.

3 and 4. The Commission is aware of the financial difficulties besetting the Europe House in Bemelen, and of the special circumstances surrounding these.

5 and 6. The geographical location of this Europe House is clearly conducive to meetings between nationals of different countries.

The Commission regularly provides financial support for those courses of the Bemelen House which impart a deeper insight into the process of European integration and hopes to be able to continue this support in the future.

WRITTEN QUESTION No 490/76
by Mr Pisoni, Mr Ligios and Mr Vernaschi
to the Commission of the European Communities
(27 September 1976)

Subject: Destruction of Italian peaches in France

Last summer, whole lorry and truckloads of Italian peaches were destroyed in France by French growers, the authorities taking no firm action to put an end to such outrages.

After the destruction of Italian wine, this is the second product whose importation into France the French have tried to prevent by recourse to violence.

Could the Commission provide information on the quantities of Italian peaches destroyed in France?

Could it also state what steps it intends taking to put an end to these systematic violations of the Treaties and of the proper standards of communal behaviour as between Member States of one and the same Community?

Answer
(9 November 1976)

The Commission would remind the Honourable Members that the maintenance of law and order falls within the jurisdiction of the Member States, who are of course, under Article 5 of the EEC Treaty, bound to take all appropriate measures to ensure
fulfilment of the obligations arising out of the Treaty. The Commission has no reason to believe that in this particular case the French Government failed in its obligation. However, the Commission did think fit to inform the French Government of its grave concern at these repeated instances of interference with the free movement of goods within the Community.

WRITTEN QUESTION No 491/76
by Mr Pisoni, Mr Ligios and Mr Vernaschi
to the Commission of the European Communities
(27 September 1976)

Subject: New varieties of soya for Europe

European scientific and research institutes are cooperating with one another to develop new varieties of soya suitable for European soils and climatic conditions. Attempts to introduce soya into Europe have not yet produced satisfactory results because the present varieties do not give a high yield and are not sufficiently profitable for growers.

The Community is therefore obliged to import many millions of metric tons of soya from the United States and other countries, notably for use as animal feedstuffs; this has serious consequences for the balance of payments and involves total dependence in terms of prices and conditions of supply.

Would the Commission of the European Communities state:

1. How the Community is participating, also financially, in this research?
2. What progress has been made with this research, and what its future prospects are?

Answer
(10 November 1976)

1. In order to meet immediate animal feed requirements, the Commission has begun a research programme on the qualitative and quantitative improvement of vegetable proteins, on the basis of Council Decision 75/460/EEC of 22 July 1975 (1).

The Community's financial contribution towards this three-year research programme is 2,572,875 u.a.

2. This programme, which includes a section on soya for which the Community contribution is 65,510 u.a. over three years, has been directed mainly towards the improvement of legumes, grasses and cereals already widely grown in Europe.

It would be inadvisable to anticipate the results of such a research programme, which is largely concerned with genetic problems to which no solution can be expected in the short term.

WRITTEN QUESTION No 495/76

by Mr Albers

to the Commission of the European Communities

(27 September 1976)

Subject: Stricter control of illegal immigration

1. To what extent is it true that the British Government is opposing Commission proposals concerning stricter control of illegal immigration?

2. If it is so, what are the reasons given by the British Government and to what extent does the Commission consider them justifiable?

Answer

(2 November 1976)

The Commission has a mandate 'to bring forward proposals on illegal immigration' under the Council resolution of 9 February 1976 on an action programme in favour of migrant workers and members of their families (1). Draft proposals are now under active consideration but these have as yet not been transmitted to the Council. The Commission has received opinions from representatives of the social partners and Member State Governments in the Standing Committee on Employment and will take account of these views in formulating its proposals.

(1) OJ No C 34, 14. 2. 1976, p. 2.

WRITTEN QUESTION No 496/76

by Mr Vandewiele

to the Council of the European Communities

(27 September 1976)

Subject: Legislation governing paid holidays and social tourism in the Community

In the Annual Report on the development of the social situation in the Community in 1971, one section in a chapter is devoted to social tourism and the problems of legislation governing paid holidays. Since then, these important topics have not reappeared in the annual reports.

Is the Council considering Community action to harmonize legislation governing paid holidays? What form would it take?

Has it any-to-date statistics available concerning the development of social tourism and paid holidays in the Community?

Could a more coordinated programme be considered for developing the infrastructure (holiday centres, camping sites, youth hostels, etc.) What form would it take?
The Council would point out that on 27 July 1975, on a proposal from the Commission, it sent the Member States a recommendation on the principle of the 40-hour week and the principle of four weeks' annual paid holiday (\(^1\)). More particularly in connection with the implementation of the latter principle, the Council recommended it be applied throughout the Community in all sectors by 31 December 1978 at the latest and as far as possible before that date. Provisions may, however, be made for this principle to be applied in certain sectors by a date agreed between the parties directly involved.

With regard to the other points raised in the written question, the Council considers that it is for the Commission, within the limits of its competence, to submit to the Council any proposals it might think appropriate.

\(^1\) OJ No L 199, 30.7.1975, p. 32.
With respect to social tourism, work in this field is the responsibility of the Commission’s interdepartmental group on tourism. The group has set about collecting information on Member States’ programmes on tourism and it will also look into the development of the social forms of tourism referred to by the Honourable Member.

WRITTEN QUESTION No 498/76
by Mr Radoux
to the Commission of the European Communities
(27 September 1976)

Subject: The non-proliferation of nuclear weapons

The press has reported the disquiet and the controversies occasioned by the news that nuclear plants are to be delivered to Pakistan and Brazil, neither of which has signed the Treaty on the Non-proliferation of Nuclear Weapons.

What action are the Commission and/or the Member States of the EEC which have ratified the Treaty on the Non-proliferation of Nuclear Weapons taking to ensure that:

1. The obligation laid down in Article 103 of the Euratom Treaty to notify the Commission of draft international agreements that fall within the purview of the Treaty has always been observed by those Member States who have concluded nuclear cooperation agreements with non-member countries. This was the case, in particular, with the agreements referred to by the Honourable Member.

The Commission, for its part, has forwarded its comments on these drafts to the Member States whenever the occasion arose.

2. Under the agreement concluded by the Community and seven Member States with the International Atomic Energy Agency (IAEA) pursuant to Article III of the Non-Proliferation Treaty, the Community undertook to apply its safeguards in the territories of the Community’s seven non-nuclear-weapon States in order to cooperate with the IAEA, in accordance with the conditions of the agreement, in ensuring that nuclear materials and fissile products are not diverted to the manufacture of nuclear weapons or other explosive nuclear devices.

In this connection, it should be pointed out that there is no clause in the agreement relating to the exportation of nuclear plant or technology to non-member countries.

Quite apart from the commitments it has entered into with the IAEA, however, the Commission has noted that all the Member States of the Community which have concluded cooperation agreements with non-member countries (including those to which the Honourable Member refers) have consistently required, as a condition for the exportation of nuclear equipment, a very high level of security, and in particular the application of the IAEA safeguards.

3. The Honourable Member is referred to the Commission’s reply to Written Question No 718/75 by Mr Glinne (1), especially point 9.

WRITTEN QUESTION No 501/76
by Mrs Goutmann
to the Commission of the European Communities
(27 September 1976)

Subject: Medical and food aid to the Lebanese and Palestinian peoples

In its reply to my Oral Question H-133/76 (1), the Commission states that the Community is ready to consider new humanitarian measures in Lebanon as soon as the conditions there allow.

Conditions there urgently call, above all, for medical and food aid, in view of the very serious risk of epidemics and the complete lack of medicaments and vaccine stocks — while numerous cases of cholera were reported in the Tripoli area at the beginning of September 1976.

Consequently, does not the Commission consider it advisable to give the ICRC fresh financial aid for the purchase of medicaments and to implement a new food-aid programme of the type set up and introduced in Lebanon by the ICRC in February 1976?


Answer
(4 November 1976)

1. In its answer given at the September 1976 session of the European Parliament to Oral Question H-133 by the Honourable Member, the Commission pointed out that the Community had already undertaken various measures (aid through the ICRC and UNRWA and direct aid to the Lebanese Government) to help relieve the suffering caused by present events. It also stated that the Community was ready to consider new humanitarian measures in Lebanon as soon as circumstances there allowed.

2. Contacts are at present under way with certain international organizations and with the Lebanese Government with a view to the establishment of a food-aid programme and, if necessary, the provision of financial aid for the purchase of medicaments and other essential goods.
WRITTEN QUESTION No 505/76
by Mr Cousté
to the Commission of the European Communities
(5 October 1976)

Subject: Political refugees from Latin America

Have the Commission or the Member States been approached on the subject of the requests by several hundred political refugees from Latin America for asylum in various countries in America and Europe?

Will the Commission state its views on this matter and take action, having regard to the humanitarian aspect of the problem of these political refugees from Latin America?

Answer
(10 November 1976)

1. The Commission has not been formally approached on the subject of requests by political refugees from Latin America.

2. It would be difficult in practice for the Commission to state its views on the matter of political refugees from Latin America in the Member States of the Community since it does not possess all the information on the concrete measures taken by the Member States in this respect. The Commission is, however, fully aware of the humanitarian aspect of this very serious problem.

WRITTEN QUESTION No 506/76
by Mr Cousté
to the Commission of the European Communities
(5 October 1976)

Subject: European policy for the aircraft industry

Is the Commission about to draw up a new document on European policy for the aircraft industry, as envisaged during the European Parliament's debate on this subject, knowing that discussions are already being held between a number of Community manufacturers and American aircraft equipment companies?
The Commission is following closely developments in the aircraft industry, and in particular the discussions in progress between certain European and American manufacturers. The Commission thinks that these developments could have very considerable implications for the introduction of a European policy for the aircraft industry.

However, the Commission does not consider it necessary to draw up new documents on the subject, as its action programme for the European aircraft industry, presented to the Council on 3 October 1975, already provides a suitable framework in which to discuss and solve such problems.

In the Council bodies' current examination of that document, the Commission loses no opportunity to stress the need for a common Community strategy in the light of prospects for cooperation with the American aircraft industry. The Commission hopes that the Council itself will soon discuss the question and adopt decisions of principle on certain aspects of policy for the aircraft industry in accordance with the wish expressed by the European Parliament in its Resolution of 7 July 1976 (1).


WRITTEN QUESTION No 508/76
by Mr Herbert
to the Commission of the European Communities
(5 October 1976)

Subject: Classification of an area in Ireland under Directive 75/268/EEC (1)

1. Is the Commission aware that an area on the East Limerick-Tipperary border is having serious difficulties in being classified as disadvantaged under Directive 75/268/EEC?

2. (a) Is the Commission aware that the Irish Authorities (Department of Agriculture) accept that this area meets the requirements of Article 3 (4) (a) (infertile land) and Article 3 (4) (c) (dwindling population), but that they reject the argument that the area meets the requirement of Article 3 (4) (b) (low income level) and that this situation is further aggravated by the refusal of the Irish Authorities to state in money terms what this level of income should be?

(b) Will the Commission clarify the situation by stating, in pounds sterling, the national average for Ireland as defined in the preamble of the Irish list of less-favoured farming areas (earned income per permanent male engaged in agriculture) as has been done in the case of other Member States, e.g. Belgium and the UK.

3. (a) Is the Commission aware that this area suffers in addition from the physical handicaps of steep slopes which inhibit the use of ordinary machinery, rock outcrops, shallow soil depths and altitude?

(b) This being the case, is there any reason to prevent the Irish Authorities from submitting the area for inclusion in the Irish list of less-favoured farming areas pursuant to Article 3 (3) or Article 3 (5) despite the fact that all other less-favoured areas have previously been classified under Article 3 (4)?

4. (a) Is the Commission further aware that the use of District Electoral Divisions for defining the boundaries to an area to be classified as less-favoured is not suitable in the present case as the District Electoral Divisions stretch from the poor land on the slopes to fertile land in the valleys?

(b) As there is no wish to have this fertile land included in the list of less-favoured areas, is there any reason to prevent the Irish Authorities from using a more flexible and appropriate method of defining the boundaries of an area to be classified as less-favoured?

5. While it is clear from Article 2 of the Directive that the Member State is responsible for submitting the list of areas to qualify under the Directive, will the Commission nevertheless investigate the case of the East Limerick-Tipperary border area for classification as less-favoured under the Directive as part of its duty to see that the Directive is applied fairly and equitably throughout the European Community and that its objectives are achieved?

Answer
(10 November 1976)

1. It is clear from the actual text of Article 2 of the Council Directive of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas, that Member States are required to communicate to the Commission the boundaries of the areas in which they propose to apply the special system of aids provided for thereunder. When it receives these communications, the Commission examines them in the light of the general characteristics which the areas thus defined must have, if they are to be considered for aid; it then submits a proposal to the Council.

2. The Commission has not received a communication relating to the area mentioned by the Honourable Member.

WRITTEN QUESTION No 513/76
by Mr Marras
to the Commission of the European Communities
(5 October 1976)

Subject: European Social Fund aid

What aid has been granted from the European Social Fund to individual Member States to help them meet the additional demands resulting from the presence of migrants, in particular as regards schools for foreign workers?

Answer
(5 November 1976)

In the table annexed hereto, the Honourable Member will find the total appropriations which the Commission has earmarked as assistance from the European Social Fund towards schemes on behalf of migrant workers and the amounts allocated for schooling of their children.

Denmark and Luxembourg have not submitted applications.
Amount of assistance from the European Social Fund for migrant workers pursuant to Council Directive 74/327/EEC (1) in '000 u.a. rounded off to the nearest thousand

<table>
<thead>
<tr>
<th>Country</th>
<th>Total assistance</th>
<th>Of which for the schooling of children</th>
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<tbody>
<tr>
<td>Belgium</td>
<td></td>
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<tr>
<td>1974</td>
<td>1</td>
<td></td>
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<td>7</td>
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<tr>
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<tr>
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<td>1975</td>
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<tr>
<td>1974</td>
<td></td>
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<tr>
<td>1975</td>
<td>85</td>
<td></td>
</tr>
<tr>
<td>Total</td>
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<tr>
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<tr>
<td>1975</td>
<td>12205</td>
<td>10510</td>
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<tr>
<td>Total</td>
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WRITTEN QUESTION No 514/76
by Mr Seefeld

Subject: Sports centre for Brussels EEC officials in Overijse

1. Is it true that the Commission has acquired a site in Overijse near Brussels for a sports centre?

2. Is it likewise true that this site is to be surrounded by high walls and that the inhabitants of Overijse, far from being able to use the sports centre, will not even be allowed to enter it?

3. Have no complaints ever reached the Commission that EEC officials are anything but integrated into their social environment?
4. Does the Commission not feel that it would be preferable to set an example by allowing the local population to use the sports centre, or does it feel obliged to emulate the 'club' mentality which is threatening to make sports an activity for the privileged in Brussels?

5. Does the Commission share the view that the European ideal would be better served if EEC officials were to integrate themselves into their environment and if the formation of ghettos of any kind were discouraged?

Answer

(9 November 1976)

1. It is true that in 1974 the Commission acquired a site in Overijse for the construction of a sports and recreation centre.

2 and 4. It has never been planned to surround the site with high walls. The enclosures to be built are intended solely to protect the premises and neighbouring properties. Contrary to the Honourable Member’s information, it is planned that the complex and its sports facilities will be open to local residents.

3. Complaints that officials in Brussels are not well integrated into their surroundings are out of date. Apart from isolated cases of maladjustment such as may be found in any international community, their integration into the Brussels environment is perfectly satisfactory.

5. Setting up a sports and leisure centre cannot be likened to creating any kind of 'ghetto'. Many large firms and administrations promote cultural and sports activities for their staff. Many officials take part in leisure activities in Belgian clubs and the sports teams of the Institutions enter for competitions in the host country. The provision of new sports facilities can only serve to multiply exchanges and contacts with Belgians.

WRITTEN QUESTION No 515/76

by Mrs Ewing

to the Commission of the European Communities

(6 October 1976)

Subject: German-Luxembourg National Park

In the agreement governing the environment in the German-Luxembourg National Park, are there any provisions for conservation, when developments likely to affect the environment are envisaged?

If so, have any such consultations taken place with respect to the motorway which may run through one of the finest archaeological sites in Europe?

Answer

(26 October 1976)

Since the Commission has not yet had its attention drawn to the agreement governing the German-Luxembourg National Park it is not in a position to reply to the questions put by the Honourable Member.
WRITTEN QUESTION No 522/76
by Mr Carpentier
to the Commission of the European Communities
(10 October 1976)

Subject: Depreciation of the French Franc
Can the Commission explain the reasons for the depreciation of the French Franc?
What remedies, if any, can it suggest?

Answer
(16 November 1976)

The depreciation of the French franc against the snake currencies — amounting to roughly 15% from the beginning of the year to 15 October — is a development closely linked with overall interrelated trends in the French economy since 1974/75, and was therefore analyzed in a recent Quarterly Survey of the Economic Situation in the Community (1). In general, exchange rate movements are due to a number of factors. Internally, they are attributable mainly to the differing rates of cost increases, hence differing inflation rates, between the economies concerned. The relative positions of currencies are also determined by factors external to the economy concerned, notably by the repercussions of operations in respect of other currencies.

(1) 'The Economic Situation in the Community', No 2—76, chapter dealing with France, pp. 40 et seq.

Ways and means of reversing this movement on a lasting basis can be inferred from its causes: the depreciation of the franc against the currencies in question will probably lose momentum as and when developments in the French economy move more closely into line with those already observed or foreseeable in the countries concerned.

The economic stabilization programme recently adopted by the French Government will probably facilitate the gradual achievement of such closer alignment. Leaving aside the details of the measures taken, the target with regard to cost and price increases is a gradual movement towards alignment with the economies with strong currencies (by influencing incomes and the money supply, in particular); a number of the measures adopted will also help gradually to restore external trade equilibrium.

WRITTEN QUESTION No 524/76
by Mr Carpentier
to the Commission of the European Communities
(12 October 1976)

Subject: North-South Conference
The North-South Conference is at present experiencing considerable difficulties. Can the Commission state the reasons for this?
Can it also indicate the respective positions of the Community and of the Member States at the Conference?

Does it believe there is any truth in reports that the attitude of the industrialized countries is a result of their desire to bring about, in the oil sector, the break-up of OPEC?

Answer

(12 November 1976)

The North-South Conference experienced serious difficulties last July and its meetings were adjourned temporarily because of the lack of agreement on the wording of the programme of work on indebtedness and purchasing power.

The joint efforts made by the developing countries and the industrialized countries enabled the discussions to be resumed according to the timetable established (September), on the basis of compromise formulas. The Conference has now entered the 'action-oriented' phase, for which the texts of proposals in the various fields have been submitted.

On the whole the Community has shown a positive and open attitude, though it has not always committed itself as firmly as the Commission would have liked.

As to the positions of the Member States, the Commission would point out to the Honourable Member that only the Community as such participates in the Conference.

The Commission does not believe there is any truth in reports that the attitude of the industrialized countries is a result of their desire to bring about the dismantling of OPEC.

WRITTEN QUESTION No 528/76

by Mr Scott-Hopkins

to the Commission of the European Communities

(14 October 1976)

Subject: Monetary compensatory amounts

Will the Commission publish a list of when, and for what products, each Member State, with Commission approval, has modified the system of the calculation of monetary compensatory amounts so as to protect their national markets in specific products?

Answer

(10 November 1976)

The method of calculating monetary compensatory amounts is determined at Community level. Consequently no Member State has, in the past, been in a position to alter the method applied.
The method has, however, been modified by the Community on two occasions, both in 1973, the first time being in February to facilitate administration of monetary compensatory amounts, which at the time were fixed for each Member State in respect of every country of provenance and destination, and the second time in June, to take account of the replacement, for calculation purposes, of the US dollar by the 'snake' currencies.

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WRITTEN QUESTION No 549/76
by Mr Dondelinger
to the Commission of the European Communities
(19 October 1976)

Subject: European 'Order of Merit'

The answer to my Written Question No 352/76 (*) concerning the setting up and awarding by certain associations of a private 'honours system' restricts itself to the statement that the Commission has no plans for introducing a European decoration.

As regards the existing associations, set up in most cases ex nihilo by private citizens, can the Commission state whether these medals may be awarded to, and be accepted by, Community officials contrary to the provisions of Article 11 of the Staff Regulations, that is, without first obtaining the permission of the appointing authority? If such authorization is compulsory, what action does the Commission intend taking to ensure that the provisions of Article 11 are complied with by all the institutions, and that private citizens cannot arbitrarily set themselves up as judges of the 'European merit' of Community officials?


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Answer
(5 November 1976)

The second paragraph of Article 11 of the Staff Regulations prohibits an official from accepting, from any government or from any other source outside the institution to which he belongs, any honour, decoration, favour, gift or payment, of any kind whatever, except for services rendered either before his appointment or during special leave for military or other national service, and in respect of such service, without the permission of the appointing authority.

The Commission can assure the Honourable Member that this provision is strictly applied in the case of officials within its jurisdiction.
WRITTEN QUESTION No 550/76
by Mr Dondelinger
to the Commission of the European Communities
(19 October 1976)

Subject: Registrar of the Court of Justice

Can the Commission confirm that the answers it gave to the various questions concerning the activities of the Registrar of the Court of Justice were made quite independently and without prior consultation with the interested party?

Answer
(4 November 1976)

The Commission is fully and exclusively responsible for its answer to Written Question No 99/76 (') by Mr Carpentier, as is the case with any other parliamentary question.

(') OJ No C 158, 12. 7. 1976, p. 50.

WRITTEN QUESTION No 553/76
by Mr Lemoine
to the Commission of the European Communities
(19 October 1976)

Subject: Reunions of former members of the SS in the Federal Republic of Germany

Is the Commission aware of the following serious occurrence:

On 19 September 1976, several hundred German and French war criminals, former members of the Horst Wessel and Charlemagne Divisions of the SS, held a reunion in Würzburg in the Federal Republic of Germany. These Divisions were notorious for the atrocities and massacres they committed during the last war in the USSR, Czechoslovakia, Austria and France.

In the light of protests from all over Europe, does not the Commission feel it is absolutely essential to restate the indefeasible nature of the Nazi war crimes, to condemn as a matter of principle any demonstration aimed at glorifying their memory and to take action when specific examples such as those described above occur, with a view to prohibiting such reunions?

Given that 18 such reunions are planned in the Federal Republic between now and the end of October, does not the Commission consider that, far from being an internal affair of the Member State directly involved, the whole question of the fresh outbreak of neo-Nazi activities — since they concern all the European nations — requires an unequivocal declaration by the EEC institutions?
Answer  
(8 November 1976)

The issue raised by the Honourable Member is not a matter for the Community.

WRITTEN QUESTION No 563/76  
by Mr Glinne  
to the Commission of the European Communities  
(21 October 1976)  

Subject: Sale of arms to southern Africa

Mr de Guiringaud, the French Minister for Foreign Affairs, stated on 12 September that the Nine had reached agreement on all major international issues.

As regards southern Africa they affirmed their support for the efforts made by Mr Kissinger to achieve independence for Namibia and to bring about further developments in Rhodesia. They stated that they would not recognize the Transkei, a Bantu state due to be established by the Pretoria Government on 25 October.

These policy statements are to be welcomed. However the arms race affecting Africa (and above all southern Africa) is very disturbing: the Republic of South Africa and Rhodesia, in particular, have considerably increased their military potential.

Mr Kissinger's efforts are somewhat difficult to reconcile with this military build-up. A solution to the problem of southern Africa which aims at establishing lasting peace in that part of the world is, in my view, incompatible with the arms race being conducted by the two white-dominated powers in southern Africa.

It is our duty to adopt a clear, unambiguous position on this question. If the Nine really wish to help solve the problem of southern Africa, they must prohibit all sales to these countries of arms originating in a Member State of the Community and all transport of arms through any of our ports.

Would the Commission answer the following questions:

1. What is the official joint position of the Nine as regards the build-up of military potential in southern Africa?

2. What steps have the Community and each of the Member States taken:
   (a) to prohibit all sales of arms originating in an EEC country to any southern African country?
   (b) to prevent arms shipments to southern Africa from leaving any of our ports, whether the arms originate in an EEC country or in a third country?
   (c) to prohibit the recruitment and transportation of mercenaries destined for southern Africa?

Answer  
(27 October 1976)

It is not within the competence of the Commission to deal with the matters to which the Honourable Member refers, which are the responsibility of individual Member States.