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Mailed from Brussels X

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EUROPE: Europe, what's that?

Europeans still have difficulty finding their way through the jungle of European institutions.

One European in ten is convinced that the Council of Europe is a European Community institution, confusing it with the European Council - or summit - which brings together EC heads of state or government two or three times a year. And those confused by the two bodies are clearly well informed; the vast majority of EC citizens have heard of neither body.

The fact is that only 2% of Europeans correctly answered six or seven questions on how the EC works, 36% four or five, 49% two or three and 13% one or none. Not much room for comfort there, especially in view of the forthcoming elections to the European Parliament, set for next June. However, 55% of EC citizens on average have the clear intention of taking part in them, while 21% will "probably" do so.

Still, one must not be too pessimistic. The twice-yearly Eurobarometer survey of public opinion in the EC is celebrating its 20th anniversary this year. It has recorded the ups and downs in the EC's popularity - and given us proof that Europeans are beginning at last to know and understand their country - Europe. Because the figures given above must be properly understood: the 12% of Europeans who answered correctly seven questions on the EC amount to a veritable crowd. And that half of them can answer three questions correctly is almost unbelievable. If you're not convinced, just organize a similar poll in any EC country on the institutions and policies of that country

Eurobarometer is akin to a thermometer which faithfully records the Community's temperature. But the reading must be properly viewed: is the 1% of 20 years ago comparable to today's 1%? Does the fall in the popularity of the idea of Europe, recorded these last few months, have the same weight at the blind enthusiasm of yesteryear? Strange though it may seem, the apparently negative results of these surveys show that Europe is making progress.

TRADE: Tackling the problem of counterfeit goods

European Commission favours calling in customs officers before seizing the courts.

Are the days of counterfeit Vuitton bags, Lacoste knitwear which almost looks like the real thing and Cartier watches which imitate the original to perfection almost numbered?

Probably - provided the European Commission's proposals for stronger action against counterfeiting are well received by European Community countries. But the Twelve must first recognize that the trade in counterfeit goods, which affects some of Europe's most prestigious marques, is a veritable disaster for the Old World's industry and craft industry.

Hence the European Commission's decision to submit to the EC Council of Ministers its proposal for stronger action against trade in counterfeit goods in the European Community. The proposal would in particular allow customs officers to seize quickly goods originating in non-EC countries and suspected of being counterfeit.

Many of the counterfeit goods flooding into the EC are being imported from Asian and East European countries. The Community, as the Commissioner for taxation, customs and consumer policy, Mrs. Christiane Scrivener, has pointed out, must "have the means to defend its manufacturers". According to Commission experts, counterfeit goods cost the EC some 100,000 jobs last year.

But how to fight against this scourge? Mrs. Scrivener recognizes that counterfeiting cannot be totally eliminated; but she believes that strong sanctions will hamper the distribution of a large number of counterfeit goods. The stick rather

than the carrot, so to speak. "The destruction pure and simple of counterfeit goods, including those made within the EC, would be food for thought", according to the Commissioner.

So far the only way in which owners of trade marks can block the imports of counterfeit goods is to start legal proceedings, with all the delays this implies. The European Commission's proposal would allow owners of trade marks, as well as holders of copyrights or related rights, including design rights, to seize the customs rather than the legal authorities. The former would be able to prevent the sale of the products in question during a 10-day period, thus giving the complainant time to start legal proceedings. What is more, the Commission's proposal broadens the definition of the term "counterfeit goods" to include logos, packaging, moulds and tools.

It is obvious that it is up to the Member States to take the necessary measures; it is on their zeal that the effectiveness of any measure depends, in fact. And it is here that the shoe pinches: only three countries have shown themselves very active in fighting the trade in counterfeit goods. They are Britain, with 618 cases of confiscation of counterfeit goods; France, with 299 such cases and Germany, with 242 cases. Spain, however, managed to confiscate counterfeit goods in only nine cases. Once counterfeit goods have entered EC territory, they can circulate freely within its frontiers.

Why not give customs authorities the right to rule directly on complaints from manufacturers and, if goods are found to be counterfeit, destroy them or penalize the importers heavily? Mrs. Scrivener has just proposed this to the Twelve; the decision is theirs. At stake, as mentioned earlier, are some 100,000 jobs and more than 5% of world trade at the end of the day.

IDENTITY CHECKS: Nine move ahead but Euro-MPs are dissatisfied

European Commission pleads "not guilty" to the "1993" hold-ups.

In mid-July, more than six months after the deadline for the elimination of the frontiers between the 12 EC countries, identity checks at the Community's internal frontiers were still taking place. While there had been progress, more often than not it had involved nine Member States, rather than all 12 of them. Discontented Euro-MPs decided to take the European Commission to the EC Court of Justice, in order to obtain a ruling that it had not taken the necessary steps to ensure that the Twelve carried out their commitments. For his part the European Commissioner responsible for the single market, Raniero Vanni d'Archirafi, took a more balanced view of the matter; he held that the delay in completing a border-free Europe was not the Commission's fault.

The fact is that in early June the Commission itself had expressed concern over a report of the EC Council of Ministers, which had confined itself to describing the situation as regards checks at the EC's internal frontiers, without setting a date for their elimination (see Eurofocus N° 21/93). Since then, the nine countries belonging to the Schengen group - the Twelve less Britain, Ireland and Denmark - had decided at Madrid, on June 30, to eliminate all checks at their common frontiers as from 1 December 1993.

Not a very convincing achievement for a group of countries which, in 1985, had the ambition to eliminate their common frontiers before the 1 January 1993 deadline, set for the 12-nation Community as a whole But the Schengen countries have not stopped drawing up what they term "accompanying measures" - measures designed in fact to allow each government to open its frontiers to its neighbours in full confidence.

At the time of their Madrid meeting the nine had already met four of the seven conditions for eliminating identity checks among themselves: the adoption of a common policy in the areas of right of asylum, visas and the protection of databases and, with some exceptions, the adaptation of their airports. All nine must still similarly implement the principles they have adopted for the surveillance of their external frontiers and the fight against drug traffickers. Finally, they must put into operation the Schengen Information System. At least six of the nine countries will be ready on December 1 to participate in this computerized police

information network. And, last but not least, with the ratification of the Schengen agreements by Germany's upper house on July 9, eight of the nine countries have now definitively adopted these agreements, thus clearing the way for their implementation.

As for the three EC countries which are outside the Schengen group, they continue to maintain that they have the right to carry out identity checks at their national frontiers on all non-EC citizens; but they have already begun to ease their checks on EC citizens.

For Commissioner Vanni d'Archirafi, the EC's competence, and by extension that of the Commission itself, appears doubtful at the very least as regards matters of security and the fight against illegal immigration, on the one hand, and drug traffickers on the other. Meanwhile, taking Member States to court will not make for progress on the ground, in his view.

ANIMAL WELFARE: European Commission wants the existing "law" strengthened ...

... in order to prevent animals being transported "like animals".

Calves, cows, pigs and the occasional horse end up on our dining-room tables. But that hardly justifies treating them like animals while they are alive! After having analyzed the situation, studied the various reports on the question and consulted the vets, the European Commission proposed in mid-July that the "European law" on the transport of animals, in force since the beginning of this year, be strengthened.

But so far only four of the 12 EC countries have taken all the measures needed to implement the 1991 directive or "European law". They are Britain, Italy, Luxembourg and the Netherlands. The Commission has started proceedings against the eight other countries. It is common knowledge that only too often cattle, pigs and horses are transported over long distances in lamentable conditions. Recent television programmes in fact have highlighted the problem and various organizations have come to the defense of these animals.

The European Commission is asking the Twelve to adopt minimum standards for the transport of animals. Horses, for example, would not be allowed to go without food and water for more than six hours; for pigs it would be eight hours in the case of water and 24 for food. Cattle and horses would have at least 1.80 sq.m. of room for 500 kg. of weight on lorries, wagons, ships or aircraft. Pigs would be allowed to rest for at least an hour after an 8-hour journey and 10 hours after a 24-hour journey.

In addition, in order to ensure that these rules are more widely followed than the current legislation, the Commission wants to strengthen the possibility of carrying out checks. Carriers would have to notify national authorities in advance of their intended route, while all the information needed by those carrying out the checks would be given on a board fixed to the outside of the box transporting the animals. The Commission is hoping that there will be a majority in favour of these measures in the EC Council of Ministers, despite the fact that, on the whole, the Community's northern Member States attach more importance to the treatment of animals than do its southern States.

Besides the Commission is of the view that the EC as such should adhere to all the conventions on animal welfare adopted by the Council of Europe, the body which brings together all European countries. Some EC countries have yet to ratify these conventions.

Finally, the Commission is of the view that the "European laws" which protect laying hens, pigs and calves in factory farms must be kept in force. It also wants the ongoing discussions among the Twelve on the adoption of additional "laws" -

on improvements to slaughterhouses in particular - to be continued. The Commission believes that in addition to promoting animal welfare, such legislation guarantees that farmers throughout the EC are competing on equal terms in the single market. It therefore rejects recent criticism of "excessive harmonisation" in this sector as unjustified.

EUROBAROMETER POLL: Italians don't like immigrants, according to ...

... the latest poll on European attitudes to nationals from non-EC countries.

Immigrants are not very popular in Italy. Despite a slight improvement in relation to the poll conducted a year ago, 64% of Italians (65% in 1992) take the view that there are too many nationals from non-EC countries living in their midst. The Italians are well ahead of the Germans, even though the latter have grown more intolerant than a year ago (60% as compared to 55% in 1992), the Greeks (57%, with a spectacular jump in relation to the 45% recorded last year), the French (56% as against 52%), the Belgians (54% as against 53%) and the British (50%, as last year). The Irish are the most tolerant by far: only 8% of them (11% in 1992) find the number of strangers in their midst to be excessive; they are followed by the Luxembourgers (21% as compared to 32% last year), the Portuguese (25% as against 28% in 1992) and the Spaniards, with 25%, up by 2% from last year.

These reactions are not related to the size of the immigrant population, given that it accounts for only 0.4% of Italy's population, 5.7% of Germany's and is just 3.8% of the total population in France, 3.3% in Belgium and 3% in the Netherlands.

Those polled defended themselves against charges of racism. The very same Italians who dislike the presence of non-EC nationals in their midst, are not particularly bothered by their race (only 13% are), their nationality (11%) and their religion (11%). This is much less true of the Greeks, 28% of whom professed to be upset by differences of religion, 28% of nationality and 25% of race. The Germans are close to the Community average: 13% of them are bothered by the nationality of the immigrants (the EC average is also 13%); 15% are bothered by racial differences (16% for the EC as a whole) and 12% by religious differences (12% in the EC as a whole).

The fact remains that a large majority of Europeans is less than welcoming of foreigners, whether they belong to the Mediterranean countries (56%) or are asylum seekers (51%).

AGRICULTURE: A ban on BST until the end of the century?

European Commission has proposed that the present ban be maintained.

Why treat European cows with drugs to increase milk yields when the 12-nation Community has already introduced production quotas in order to prevent a return of the dreaded "milk lakes"? Bovine somatropin (BST) is currently banned in the EC - and the ban should remain in force, in the view of the European Commission, which proposed to the Twelve in mid-July that BST be banned until the year 2000.

For the Commission, which consulted veterinary surgeons throughout the EC and analyzed the various studies carried out in the EC and elsewhere, a ban is in the interest of small farmers, the EC's rural areas and consumers. Besides, BST was recently banned by the Clinton Administration.

What would happen if the use of BST were to be authorized, given that it increases milk yields by 6 to 20%? According to the Commission, large farms would produce even more milk while smaller farmers would go out of business, resulting in even more people leaving the land, particularly in the most disadvantaged regions of the EC. Such a development would be contrary to the EC's regional policy.

Moreover, the use of BST would lead initially to increased slaughtering of dairy cows on large farms, and their replacement by beef-breed cows. The result would be a further increase in the Community's stocks of surplus meat.

If it is to be risk-free, the use of BST would require producers to take considerable precautions. This in turn would require the introduction of controls, which would not be easy.

Nor is the situation more encouraging as regards consumers. Studies carried out in the EC and elsewhere have indicated that there is strong consumer opposition to BST, even though it is not harmful. According to the Commission, milk and beef consumption would doubtless fall were the use of BST to be authorized. It is not possible to distinguish milk products from cows given BST. This would lead to more surplus stocks. The future of BST is now in the hands of the EC ministers.