

WRITTEN QUESTION P-1323/00  
by Alexandre Varaut (UEN)  
to the Commission

Subject: Restrictions on televising in France of sporting events staged abroad

What is the Commission's position regarding the complaints lodged in 1995 in particular by producers and dealers in French wines labelled *appellation d'origine contrôlée*, over restrictions on the televising in France of sporting events staged abroad, because of hoardings around the grounds advertising alcoholic beverages. This position of the French authorities is based on a restrictive interpretation of the (French) 'loi Evin' which bans all TV advertising and on a 'code of good conduct' (drawn up in March 1995) which formalised that interpretation.

1. Can the Commission contemplate closing the case, even though it has identified, in its reasoned opinion of July 1996, clear restrictions on freedom to provide services and even though France has shown no intention of modifying its position?
2. Can the continuation of discussions with the French authorities lead to a satisfactory solution when, contrary to the undertaking it gave in December 1998, it failed to consult the complainants and given that, since 1996, discussions have taken place time and again without any solution appearing?
3. Can the French authorities be said to respect the proportionality principle, when their approach (formalised in the 'code of good conduct') has the effect of allowing the televising of sporting events which count among those drawing the largest audiences, such as the World Cup or World Championships, of preventing medium-sized producers (wine producers) from advertising events which would be accessible to them and, in fact, of penalising drinks (wines) which are hardly consumed by young people at all?
4. In no way is the 'code of good conduct' binding on the authorities responsible in France for prosecuting the author of an infringement of the Evin law and, hence, of a criminal offence. How does the Commission intend, within the framework of discussions with France, to guarantee legal certainty under the conditions defined by the Court of Justice?