

European Union: a drive for total control



The European Commission in Brussels wants to protect European citizens even more effectively against danger and disease. Soon there will be a well-intended - but mostly completely unnecessary - regulation for every aspect of life.

Recently, the German specialty "Apfelwein" nearly lost the right to be called apple wine because it isn't made with grapes. Four-year-old Tessa managed to coax a flame from a Chinese made light after only three minutes. It didn't take her much longer to light a new "child-safe" version from France.

From a bureaucratic standpoint, the pre-pubescent subjects' efforts to play with fire - all in the name of scientific research, of course - were a complete success. Under a European Union regulation that goes by the code K (2007) 1567, as of March 11, 2008 only "child-safe" disposable lighters will be approved for sale in the EU. But first the lighters' "child safety" must be demonstrated in a test laboratory. Under the regulation, a lighter is deemed acceptable (i.e. child-safe), if no more than 15 of 100 kids aged less than 51 months manage to light it. There are exceptions, of course. For one, the regulation does not apply to higher-priced lighters. That's because the bureaucrats in Brussels are convinced no one would allow children to gain access to expensive lighters. But even the bureaucrats sometimes have their doubts about their own basis research. Now they warn that even a lighter labelled as "child-safe" in the future is "not necessarily safe for children," adding that lighters should continue to "be kept out of reach of young children."



It seems only a matter of time before Brussels' compulsion to control everything is subjected to a nonsense standard, which would recognize anything that causes 25 of 100 adult EU citizens to shake their heads in disbelief for a period of at least 30 seconds as general lunacy.

In all seriousness, the EU's inspectors are keeping themselves busy coming up with more and more regulations to govern even the most hidden corners of human existence, and that will cover the length and breadth of the EU - from Inari in northern Finland to Limassol on the Mediterranean island of Cyprus.

Current regulations already run the gamut from protections against fine dust and noise to soil conservation to protections for workers against solar radiation and protections for non-smokers. A green paper for a "smoke-free Europe" is currently under discussion. The German state of Hesse recently opposed EU bureaucrats' efforts to redefine the term "wine" so that it would exclude non-grape-derived products like its traditional Äppelwoi ("apple wine," a local take on cider). The Hessians were successful - for now.

Anxious to dispel their image of bureaucrats well removed from the realities of daily life, the EU Commission, presided over by José Manuel Barroso, seek to portray themselves as the guardian angels of Europe's citizens, the protectors of the old and the young, and the guarantors of a life free of danger.

According to the EU Commission's new "Consumer Protection Strategy Paper," the EU must demonstrate to Europe's 493 million consumers that it has their best interests in mind. This new zeal has led to many a bizarre or even completely nonsensical EU directive, even though many of the new regulations are fundamentally justified. But when taken together, they create new control mechanisms on top of old ones already notorious for their intrusiveness and inefficiency.

For example, many European cities and regions, at Brussels' behest, are now developing so-called noise maps. To produce the maps, precise noise readings must be taken on every street, whether in downtown areas, in industrial zones, along railway lines or in expensive and leafy residential neighbourhoods.

Some communities have already completed the mammoth project, while others are dragging their feet. All are furious about the new requirement. "We are drowning in a sea of data," complains Munich Mayor Christian Ude. And in the end, no matter how costly the measuring process is, the results reveal what everyone has known all along: that it's louder on busy, high-traffic streets than in exclusive, villa-filled residential neighbourhoods with maximum speed limits of 30 kilometres per hour.

Like Munich, many cities developed noise maps years ago. But now Brussels is dictating a new set of criteria, which means that the entire process has to be repeated from scratch. It's "a lot of bureaucracy" and "completely useless," says Ude.



The EU's self-proclaimed protectors of the general health and well-being are especially interested in food hygiene regulations. Their goal is to fully regulate the production, transport and sale of food products from the producer to the consumer's plate. Once again, the underlying concept makes perfect sense, and yet the new rules, while failing to prevent spoiled meat scandals or the excessive use of pesticides, have in fact served up all kinds of new absurdities. A Westphalian pig farmer who fattens his animals in his own forest, just as his grandfather did, runs afoul of the law if he allows the pigs' liquid manure to seep straight into the forest soil instead of draining it through standardized concrete pipes.

The European Commission's Headquarters in Brussels could thus be equipped with a new logo: "I forbid, therefore I am." In some cases the Brussels bureaucrats' zealous rush to implement new standards has cost ordinary citizens their livelihoods. For instance, a regulation that requires all legal cheese production facilities to have running water and electricity spells the end of many Alpine cheeses. The small dairies that traditionally make these cheeses simply cannot afford the investments needed to satisfy the Brussels requirements.

Europe's "Specific Hygiene Regulations" cover every product and every producer, from "meat from hoofed animals kept as pets" to "frogs' legs and snails" and "animal fats and cracklings." Anyone who, milk pail in hand, hopes to find fresh milk from the farm these days will have a lot of searching to do. Under Paragraph 17, Section 1 of the Animal Food Hygiene Regulation, "the

sale of raw milk or cream to consumers is prohibited."

Only in exceptional cases are dairy farmers permitted to sell untreated milk to customers, and only when they are in compliance with a long list of detailed requirements regulating everything from the condition of the floors in the farmer's milking room to the material used to make his doors. Of course, the dairy farmer mustn't forget to post a warning sign that reads "Raw milk - Boil before consuming" in a "visible and legible manner at the selling location."

There is only one thing the Brussels bureaucrats have forgotten in their zeal to slap regulations on just about everything: the often-evoked "responsible citizen." The Europeans of the 21st century appear to be dim-witted and unable to cope with life - and wholly dependent on the dictates of Big Brother in Brussels. When it comes to protecting the population from its own supposed lack of common sense, Big Brother is enthusiastic.

For example, in the past, a German who wanted to build a small vacation house on the Mediterranean island of Mallorca ran the risk of building on top of a toxic waste site. In response to such hazards, the EU commissioners submitted a draft guideline for "soil protection" which is currently being debated in the European Parliament. Under the guideline, government agencies throughout Europe would be required to test the condition of the soil on every piece of property, from the Arctic Circle to Sicily, and identify "contaminated" sites.

The authors of the draft guideline say that its purpose is to protect the environment. Europe's soil faces all kinds of threats to its purity, from industrial chemical residues to agricultural pesticides, erosion, salt-water intrusion and the adverse effects of rapid development. But because the EU has only partial jurisdiction in this area, it is essentially left up to the member states to decide what to do with the results of the soil tests.

Moreover, because the EU is so good at imposing regulations, non-profit organizations, businesses and citizens are demanding increasingly comprehensive protections for both the working and private spheres. "Bureaucracy is in demand," says Volker Hoff, a Christian Democrat and the minister for European affairs in the German state of Hesse.



Advocates for the protection of consumers, children, animals, patients and practically everything else are tirelessly proposing new things that they are convinced require regulation or, in some cases, ought to be banned outright. The EU administrators in Brussels are only too pleased to comply, while the representatives of the member states are quick to give the go-ahead.

The commotion over US toy manufacturer Mattel's recall campaigns in the late summer of 2007 offers a typical example. A doll made in China had been found to contain lead paint, while another product contained small magnets that posed a potential swallowing hazard for children. These defects had hardly been discovered before millions of the potentially problematic toys were removed from store shelves and children's toy collections. The EU Commissioner for Consumer Policy, Meglena Kuneva, was satisfied and pleased to note that the early warning system was intact and that Europe's consumer protection mechanisms were working. But it would take only a few days before she was proven wrong.

Greens from Germany, leftists from England and tough consumer protection advocates of all stripes and nationalities demanded stricter laws. The usual populist politicians quickly jumped on the bandwagon, forcing the European Commission in Brussels to act hastily. In a session of the European Parliament on Sep. 25, EU Commissioner for Enterprise and Industry Günter Verheugen announced new draft legislation that included the "strictest safety regulations possible."

Who can possibly be against making toys even safer than they already are (and they have already been very safe for a long time)? And what harm can one additional regulation do?

In truth, even legal experts find the well-intentioned flood of regulatory fervour overwhelming. Last year the president of Germany's Federal Constitutional Court, Hans-Jürgen Papier, warned "against the constantly increasing regulation of virtually all areas of society and the economy, as well as large segments of private life."

The "expanded apparatus of the Brussels EU Commission" contributes to the fact "that there is now a layer of overregulation that exceeds the reasonable scope of the law," says Papier, the chief

justice of Germany's highest court. For this reason, says Papier, the legal system runs the risk "of suffocating the individual responsibility and self-determination it is in fact intended to guarantee." Torsten Stein, a European legal expert at Saarland University, warns that one day EU citizens will become aware "that, long after the end of absolute rulers, a new authority has established itself that once again claims the authority to decide what is good and what is bad for subjects." Undeterred by such doubts, officials in Brussels continue to perfect a system of total control. "Each citizen is a consumer," the EU Commission postulates. Each consumer is a potential entity requiring protection. And because everyone knows that we are what we eat, the logical conclusion is that protection begins well before our food reaches the supermarket.

One example of this new regime are the detailed and highly complicated regulations that were enacted over the kind of advertising and product information food manufacturers can and cannot print on their packaging. For the EU, the purpose of the regulations is to ensure that citizens eat healthier.

The new rules stipulate precisely when and how a company can highlight the nutritional value of its product for promotional purposes ("high fiber," "low fat") or cite the positive effects of its product on the health of consumers. One of the requirements for using nutritional information as advertising is that the food product in question has a positive "nutritional value profile." In other words, it shouldn't be too rich, too sweet or too salty. As a result, only "good" food products can be advertised using nutritional information, while "bad" products must essentially remain hidden. Under the rules, health-related information in the future will only be allowed if it appears on a long list the EU is currently compiling. Advertising copywriters will no longer rely on their creativity, but will be required to select the appropriate expressions from the EU's central list ("boosts immunity," "calcium is important for healthy bones"). Newspeak, in short, has arrived.



This commission's creed might as well read "I forbid, therefore I am," complains Silvana

Koch-Mehrin, a member of Germany's business-friendly Free Democratic Party (FDP) and of the European Parliament. According to Koch-Mehrin, depriving human beings of all risks creates a false sense of security and makes them "continually less free." What is not expressly permitted is verboten. Instead of "you may," the new mantra is "you may not."

The EU's compulsive need to help its citizens is also constantly being reignited by the fact "that we have 27 commissioners and each commissioner has his own turf," says Hessian Minister for European Affairs Volker Hoff, describing the phenomenon of the overzealous writer of regulations. EU Commissioner for Health and Consumer Protection Markos Kyprianou, for example, "comes up with new ideas every day," says Hoff.

Kyprianou, a Cypriot, is currently working on his masterpiece. Just as his Irish predecessor David Byrne went down in the EU history books as a crusader for a "smoke-free Europe," Kyprianou wants to make a name for himself as Europe's saviour from alcoholism. In addition to hard liquor, he wants to ban the consumption of beer and wine by adolescents. Bottles with high alcoholic content, says Kyprianou, should carry warning label that reads: "Drinking can damage your liver" or "Alcohol is hazardous to your health."

Even the higher regional court in the north-central German city of Hamm questions the value of the supposed need to enlighten drinkers. The court argued that in our society, "in a true-to-life sense, an understanding of the effects of alcoholic beverages is a part of basic knowledge."

But the idea of being true to life is problematic in Brussels, especially since health policy is in fact a national issue and not part of the EU's turf. In his anti-smoking campaign, Byrne used a backdoor approach, citing the EU's labour protection authority. Kyprianou is taking an even broader approach.

In his new "strategic approach," Kyprianou, dubbing his commission the EU Commission for "Health in Europe," warns of "multinational epidemics" and the dangers of "bioterrorism."

Besides, he argues, Europe's aging population faces dangerous and constantly growing "health risks," including "migration, globalization and climate change." There is only one solution, writes Brussels' physician-in-chief: "The time has come for a strong, comprehensive EU health policy."

"What we really lack," says Alexander Radwan, a member of the European Parliament and Germany's conservative Christian Social Union (CSU), "is a guideline to protect us from the EU's consumer advocates." Warning: Life is dangerous!