



## "TEACAKE FUND" TO GO TO HEALTHY LIVING PROJECTS

Alyn has called for the windfall generated by the infamous "Teacake" ruling of the European Court of Justice to be ring-fenced for healthy living projects.



Scottish consumers have for decades paid VAT on teacakes, especially those produced by Tunnocks in

Glasgow, after the UK taxman ruled that a teacake is a biscuit. The European Court of Justice has now ruled that teacakes should be classified as cakes, and thus not subject to VAT, and that the VAT thus wrongly levied should be repaid.

Given that it is administratively impossible to refund the consumer directly and to refund supermarkets would merely inflate their profits, Alyn has called for the windfall to be allocated directly to school breakfast clubs and other healthy living projects run by the Scottish government. The sums in question could be as much as 12 million pounds.

Speaking from Brussels Alyn said: "The age old cake versus biscuit question has vexed the highest courts in Europe and now we know. A teacake is a cake, not a biscuit, and the VAT has been wrongly claimed, and a disproportionate amount of it from Scotland.

"It would be unconscionable for this fund to be paid to supermarkets, but with the problem of the Scots diet under attack by the Scottish government, this windfall could be put to good use in funding school breakfast clubs, giving our kids the best start to their day.

"I will be writing to the Health Secretary Nicola Sturgeon to make her aware of this windfall and make sure Scotland gets our share and that we put it to good use."

Call 0131 525 8926 or email [Alyn.smith@europarl.europa.eu](mailto:Alyn.smith@europarl.europa.eu)  
107, McDonald Road, Edinburgh, EH7 4NW. Highland Rail House, Station Square, Inverness, IV1 1LE. Baltic Chambers, 50 Wellington Street, Glasgow, G2 6HJ.

## ALYN GIVES THUMBS UP TO NEW EU HEALTH COMMISSIONER

Alyn last month welcomed the new EU Commissioner for Health Androula Vassiliou. Commissioner-Designate Vassiliou replaces former Commissioner Kyprianou, who resigned his post in order to return to Cyprus. Commissioner-Designate Vassiliou has been grilled by MEPs at her confirmation hearing, and gave a polished and assured performance demonstrating an impressive familiarity with her new brief, which covers animal health and welfare as well as human health issues such as pesticide levels, food labelling and GM.



Speaking after the hearing Alyn said: "I look forward to working with Commissioner Vassiliou as I did with Commissioner Kyprianou, she already has two letters from me in her in-tray.

Commissioner Vassiliou

"She gave every impression of being not only willing but keen to work with MEPs, and as a former MP in Cyprus herself I think she will have a pretty decent handle on politics in Brussels and the EU. She reassured me on her stance on GM, imports, of beef from Brazil, imports of chicken from the US, animal transport and animal slaughter.

"She revealed that we can expect new proposals from the Commission on animal transport before the end of the year. She stressed that she comes from an island where they cannot transport animals anywhere in under 24 hours so seemed to be sensitive to the impact transport rules have.

"One phrase that leapt out at me was about equity of standards between different states of the EU and those states that import to us. She said: "I said that we have to be fair and just to our trading partners, but, at the same time, we should be fair and just to our own producers. We cannot have two standards - one for third parties and one for our producers. We must have uniform standards and we are going to see that this is applied. I can assure you of that."

"All in all an impressive performance and I look forward to working with her."

## EU INVESTIGATION INTO UK SFO BAE INQUIRY

Alyn has written again to the EU Justice Commissioner Franco Frattini urging him to become involved in the ongoing saga of the UK Serious Fraud Office and the inquiry into alleged corruption in the BAE Systems Saudi arms contracts.

Alyn said: "I grew up in Saudi Arabia and know the place well, and know the Al Yamamah contract better than most. The UK's SFO, in my view, shamefully buckled to implicit blackmail and political pressure when the inquiry into alleged corruption was dropped.

"I remember the days when the Labour government talked of an ethical foreign policy, but they soon enough forgot. If the UK does not, or is not seen to have clean hands then the UK's efforts are undermined across the Islamic world. I hope that the SFO will reopen this investigation, and in the event that corruption has taken place then those responsible should be brought blinking into the sunlight."

## EU SCHOOL MILK SCHEME



Alyn has welcomed proposals brought forward by the Commission that mean an increased budget for free milk for schoolchildren. Alyn has also written to Scottish Schools Minister Maureen Watt MSP to ensure

the government will be accessing the funding.

Alyn said: "There is no question that school children in Scotland will benefit from more milk in their diets, and I'm delighted the EU has increased support for this. It is now up to every school in Scotland to get into this budget. Given increased concern over the diet and drinking habits of our children, it is all the more important to use every means at our disposal to encourage them into good habits young.

"I have written to all Local Education Authorities in Scotland to raise awareness of this fund, and to encourage all Scottish school children to enjoy locally produced fresh milk for free."



## EURO NEWS MONTHLY APRIL 2008



Aly in bustling Tórshavn Harbour in the Faroe Islands this month for a conference on climate change and sustainable marine practice.

### ALYN IN SUCCESSFUL FAROES TALKS

Alyn has returned from the Faroe Islands after taking part in a Climate Change Conference headlined by Al Gore and having had meetings with members of the Faroese government. While there, Alyn took the opportunity to update the Faroese on the efforts of the Scottish government to work towards scrapping the disastrous EU Common Fisheries Policy and come up with a fisheries management system that works. There was considerable interest from the Faroese side in being involved with the project and Alyn has invited the Faroese Fisheries Minister Torbjørn Jacobsen to come to Scotland for talks with Scottish Fisheries Secretary Richard Lochhead. The Faroese Foreign Minister Hogni Hoydal will be coming to Scotland in May for talks designed to foster co-operation.

Speaking after his return, Alyn said: "I felt right at home in the Faroes, and the warmth of the reception and interest in what we are doing in Scotland was as good as I always find it to be in any other Nordic country.

"The Faroese have a lot to contribute to discussions on how best to scrap and replace the disastrous Common Fisheries Policy and I'm glad they are so keen to be involved. It is so logical that the Scots government reach out to our nearest neighbours with real expertise in fisheries for good ideas, advocacy and support as we fight within the EU to replace the CFP with something that works. This trip was the start of a process that I look forward to delivering real results for Scotland's fishermen and Scotland's ecosystem."

### ALYN'S MONTH AHEAD

- Alyn will be in Iceland as part of the EU delegation for relations with Switzerland, Iceland and Norway and to the European Economic Area (EEA).
- The EU Commissioner for Transport, Jacques Barrot, will be holding a dinner and a series of meetings with MEPs while he is in Scotland.
- Alyn is taking part in the Principal's Debate at Strathclyde University entitled 'This House has no faith in Her Majesty's Government' on 1 May at 7pm.

### ALYN CALLS FOR EU-WIDE REGISTER ON ORGAN DONATION

Alyn is calling for the establishment of an EU-wide organ donor register as one of the solutions to the ongoing shortage of organ donors and as a means of cutting out illegal organ trafficking in Europe. He has contacted the European Commissioner for Health, Androula Vassiliou, to ask the European Commission to investigate implementing an EU-wide register based on the US organ donor register. In the USA, organs can be transported across the country. It is 2443 miles from New York to Los Angeles. It is only 544 miles from Edinburgh to Paris.

Alyn believes an EU-wide organ donor register could help cut down the illegal trafficking of organs by increasing availability of legitimate organs within the EU. In Scotland, roughly 500 patients a year die due to organ shortages.

The subject of organ donation is being discussed across the EU with proposals for an EU-wide Organ Donor card already being proposed. Commenting on his proposal, Alyn said: "It is clearly unacceptable that so many Scots die each year waiting for transplants that simply don't come. The subject of organ donation is always a sensitive one and can be difficult to tackle.

"With the ongoing debate on presumed consent and recent reports into improving the donation system it is clear there is a willingness to discuss this issue and to look at new or alternative ideas to help alleviate the problem of a shortage of donors. I firmly believe that a Europe-wide donor register would be in Scotland's best interest.

"It is evident that no one solution holds all the answers to Scotland's donor shortages. However, with the US system ensuring organs can be matched with patients no matter how far apart, it seems only right for a similar system to be developed across the European Union.

"Clearly the priority would remain those within the same country but if we have someone in Scotland waiting for a transplant and there are no suitable organs here but there is one available in France or Spain, why should that organ not be brought to Scotland?"

"I have written to the European Commission outlining my proposal based on the US system, and look forward to receiving their response."

### ALYN...IN... (CYBER)SPACE!

Regular readers will be interested to hear that Alyn has two new ways to keep in touch – in cyberspace! Alyn's blog at [alynsmith.blogspot.com](http://alynsmith.blogspot.com) contains various thoughts and information whilst Alyn's Facebook.com page has hundreds of cyber-friends – you can search for Alyn on Facebook and become a friend too!

Or if that isn't your style then feel free to keep in touch with Alyn by the more traditional methods of writing him a letter or giving him a call!