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V2 July 29th 2014

Dear Kristian,

I have received copy of your letter 4th July to the IRU attached for easy reference. Considering the gravity of the situation for European Industry at large, I have decided to directly appraise you of our profound anger at such repeated antediluvian onslaughts upon Free Trade by people who should know that crass protectionism has, for instance, led SNCF Fret who was Number One in the World per ton/km 35 years ago to be completely annihilated by weak political expediencies, unsuitable political appointees and suicidal unions... But to the points in hand:

1. The EU, led by second rate MEP's but first rate green and red dogmatic reactionaries, has diligently massacred road transportation in Europe through the introduction of ever more restrictive and punitive legislation thereby rendering European Industry even more uncompetitive much to the delight of our Chinese and, tomorrow, Indian friends, who are directly and legitimately benefitting from these flagrant breaches of the Treaty of Rome spirit.

As a recent example of "absenteeism" from the front line by the authorities, is the new effort by law enforcement in Germany, Austria and Switzerland focusing on mega trailers carrying EU made tyres difficult to transport without some marginal ballooning a situation that has never deemed to be dangerous by anybody. I understand that said EU tyre makers have appealed to the Federal Authorities concerned so that common sense be applied; to no avail as the reply was "not interested"... Meanwhile, overseas tyres are flooding the EU market with products travelling in inbound "low cost and low load factor but non-ballooning" sea containers on EU roads.

To cap it all, some smart MEP's have prompted the EU (and surprisingly the US) to introduce another suicidal cost in the form of that crazy SECA regulation (attached), which will bring untold additional cost to EU industry whilst leaving the very great majority of World Shipping unaffected. How can the Commission second such outrageous developments; especially when these will have no effect at all on the environment apart from further damaging an already moribund short sea industry in Europe; inducing further loss of competitiveness and employment in these trades?

Meanwhile, the Tunnel having benefitted from vast state subsidies, and from severe haircuts to shareholders and bankers, is left watching with glee the demise of its independent competitors.

2. Loi 2014-790 du 10 juillet 2014 *visant à lutter contre la concurrence sociale déloyale.*

I am afraid, we're now into serious Maginot Line territory. In my life long fight against racism, populism and protectionism, this move has to rank highest in the Stupidity Hit Parade, as follows:

2.1 Who says or argues, who has evidence that good EU drivers will spend their weekly rest "in the cab". Well, they don't... a good driver engaged in, say, a long transit from Hamburg to Seville having to logically do his weekly break in France during the weekend driving ban will choose a friendly Centre Routier or an even friendlier Les Routiers eatery! There, he will meet pals or colleagues, have a good meal outside his cab, a few bevies like all of us do; watch sport on big screen television and then will go to sleep "in his cab", which happens to be miles more comfortable than any low cost hotels he might be compelled to use! Where are the drivers (the actual workers) "complaining" about the previous regime? I don't know any... Where are the employers compelling drivers to spend their rest in their cab. I do not know any either. Waking up to the Brave New World is what is required not retreat behind that not so glorious Maginot Line!

2.2 Who has thought (presuming they care...) of the security implications? Leaving the rig behind unattended is the bestest way to induce theft; all against accepted Best Practice and many formal contracts with EU Blue Chip companies. States and law enforcement can't secure Calais and Coquelles they're not going to be able to secure so called secure parks... Ah, I forget, lorry drivers; Polish and French alike, are such avowed criminals; not easy targets for law enforcement, are they?

2.3 Last but not least, have you given enough thought to that preposterous contention that... *"if not specifically allowed by the Law, it is prohibited"* ? So, millions of Belgian and French women wearing "dangerous" 10cm heel shoes will be imprisoned and heavily fined because their country's Constitution do not specifically allow these ladies to use their free will? This notion is a fundamental breach of Habeas Corpus or its nowadays less popular equivalent: Human Rights? E.G. We need to give convicted prisoners the right to vote, and convicted terrorists the right to a family life but... we will jail for 12 month a driver comfortably and safely taking his weekly rest when away on long trip near his vehicle and assassinate his SME employer with a €30k fine by the same token?

Here my case rests **not**...

Looking forward to hearing from you soonest.

With best regards nonetheless.

jeff duval

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