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Business

**European competition law**  
**Chimney sweeps under fire**

Oct 19th 2006 | FRANKFURT  
From *The Economist* print edition

**Brussels targets a quaint German monopoly**

GERMANY'S chimney sweeps—hallowed as bringers of good luck, with their black top hats and coiled-wire brushes—are under attack. Last week the European Commission's directorate for the internal market revived proceedings against an antiquated German law that protects sweeps against competition.



AP The country's chimney sweeps enjoy a near-perfect monopoly. Germany is divided into around 8,000 districts, each ruled by its own master sweep who usually employs two more sweeps. Although this is a private enterprise, the maintenance and inspection service provided is compulsory and prices are set by the local authority: sweeps cannot stray outside their district, nor can householders change their sweep even if they loathe him. This rule cuts both ways. "There are some customers I can't stand either," says one Frankfurt sweep.

**Lucky holder of a monopoly**

The rationale is simple: chimney-sweeping and related gas and heating maintenance in Germany are treated as a matter of public safety. Annual or semi-annual visits are prescribed, keeping the sweeps busy all year round.

For centuries, chimney-sweeps in Europe were a wandering breed. But in 1937 the chimney-sweep law was revised by Heinrich Himmler, then the acting interior minister. His rules tied chimney sweeps to their districts and decreed that they should be German, to enable him to use sweeps as local spies.

The law was updated in 1969, leaving the local monopolies in place but opening up the profession, in theory at least, to non-Germans. But in practice few apply. Four years ago a brave Pole qualified as a master in Kaiserslautern, according to a fellow student, and this year an Italian did so in the Rhineland Palatinate. But he, like most newly qualified German masters, will spend years on a waiting list before he gets his own district.

The European Commission would like to see a

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The European Commission released information on its opposition to the law.

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competitive market in which people can choose their own sweeps, just as they choose builders or plumbers. It first opened infringement proceedings in 2003, and the German government of the time promised to change the law but failed to do so. And despite the huffing and puffing from Brussels, the government is still reluctant to dismantle its antiquated system on safety grounds. The number of deaths from carbon-monoxide poisoning in Germany is around one-tenth that in France or Belgium, claims the Frankfurt sweep. So Germans are likely to be stuck with their neighbourhood *Schornsteinfeger*s—whether they can stand each other or not—for some time to come.

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