

COUNCIL OF THE EUROPEAN COMMUNITIES

PRESS RELEASES

PRESIDENCY: IRELAND

JANUARY-JUNE 1990

Meetings and press releases June 1990

<b>Meeting number</b>	<b>Subject</b>	<b>Date</b>
Special meeting	Agriculture	6-7 June 1990
1410 <sup>th</sup>	Environment	7 June 1990
1411 <sup>th</sup>	Economics/Finance	11 June 1990
1412 <sup>th</sup>	Consumer Affairs	13 June 1990
1413 <sup>th</sup>	General Affairs	18-19 June 1990
1414 <sup>th</sup>	Transport	18-19 June 1990
1415 <sup>th</sup>	Internal Market	20 June 1990
1416 <sup>th</sup>	Agriculture	25-26 June 1990
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1418 <sup>th</sup>	Telecommunications	28 June 1990
1419 <sup>th</sup>	Research	29 June 1990



COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT



PRESS RELEASE

6876/90 (Presse 83)

Special Council Meeting  
- Agriculture -  
Brussels, 6 and 7 June 1990

President: Mr Michael O'KENNEDY

Minister for Agriculture  
and Food  
of Ireland



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oyd/AH/lis

Ireland

Mr Michael O'KENNEDY

Minister for Agriculture and Food

Mr Joe WALSH

Minister of State at the Department  
of Agriculture and Food

Italy:

Mr Paolo BRUNO

State Secretary for Health

Luxembourg:

Mr René STEICHEN

Minister for Agriculture and  
Viticulture

Netherlands

Mr Gerrit BRAKS:

Minister for Agriculture,  
Nature Conservation and Fisheries

Portugal:

Mr Alvaro dos SANTOS AMARO

State Secretary for Agriculture

United Kingdom:

Mr John GUMMER

Minister of Agriculture,  
Fisheries and Food

Mr David CURRY

Parliamentary Secretary,  
Agriculture

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Commission:

Mr R. MAC SHARRY

Member

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INTRACOMMUNITY TRADE IN BEEF AND BOVINE ANIMALS

A special Council meeting was held at the request of the Commission to examine the situation in intra-Community trade in beef and bovine animals following the measures taken by certain Member States with regard to imports of beef from the United Kingdom because of the presence of bovine spongiform encephalopathy there.

After hearing a statement by the Commission on the findings of the Scientific Veterinary Committee (see Annex) the Council considered what Community measures could be taken to restore the free movement of products in the beef and bovine animal sector.

After lengthy discussion, the Council agreed to adopt the following conclusions:

"1. The Council notes that the Commission, after consultation with the Standing Veterinary Committee, will identify the epidemiological situations requiring the following special measures:

- (i) Certification that bone-in beef for export shall derive from bovines which are not from holdings in which BSE has been confirmed in the previous two years.
- (ii) In the case of boneless beef there must be certification of compliance with paragraph 2 of the opinion of the Scientific Veterinary Committee of 6 June 1990.
- (iii) Exports of live cattle are limited to calves certified to be under 6 months of age and not to be the off-spring of cows in which BSE is

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suspected or confirmed. There must be full use of computer records and proper identification (i.e. freeze brand or tattoo) of animals to guarantee compliance with this point.

As confirmed by the Scientific Veterinary Committee on 6 June 1990, the present epidemiological situation is that these measures are required only in respect of the UK.

2. The Council notes the Commission's intention to further develop all surveillance measures necessary to give effect to the Commission Decision of 6 March 1990 requiring compulsory notification of BSE.
3. The Council notes the United Kingdom's intention to introduce a surveillance mechanism of herds in which BSE has been detected, including inspection in approved slaughterhouses of cattle and carcasses from these herds. The results will be transmitted to the Commission and Member States for evaluation by the Standing Veterinary Committee.
4. The Council notes that the Commission is examining the processes used in the Member States for the manufacture of animal protein for feeding to ruminants in order to ensure that they are in conformity with the requirements of effective animal health protection. In the light of the results of that examination, the Commission will take any necessary steps.
5. The Council invites the Commission to implement a Community-wide programme of research on BSE."

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The measures referred to in point 1(i), (ii) and (iii) were implemented the same day by the Commission, while the Member States which had taken protective measures - France, Federal Republic of Germany, Italy - announced that those measures would be withdrawn immediately.

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ANNEX

THE SCIENTIFIC VETERINARY COMMITTEES

Joint Meeting of Animal  
and Public Health Sections  
Brussels 6 June 1990

THE SCIENTIFIC VETERINARY COMMITTEES (ANIMAL AND PUBLIC HEALTH),

Having regard to their opinion of 8 January 1990, concerning the potential risk to human health from bovine spongiform encephalopathy (BSE),

Having regard to new information on this disease which has become available since that date, particularly relating to possible transmission to other species and from cattle to cattle,

Whereas this new information has been examined and the opinion of 8 January reappraised,

Whereas it is considered that no new information has come to light which suggests a need to modify the intention of the opinion, in particular in relation to possible cases in young animals born after the 18 July 1988, which until now have all been diagnosed as negative for BSE,

Whereas, however, it is useful to clarify certain points,

HAVE AMENDED THEIR OPINION OF 8 JANUARY 1990 TO READ AS FOLLOWS:

1. If there is a risk of BSE being transmissible to humans, and this is regarded by the Committee as remote, the following bovine offals are considered to be

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the tissues most likely to present a risk to public health, and should therefore be excluded from the human food chain:

Brain, spinal cord, tonsils, thymus, spleen and intestines produced from bovine animals over the age of six months.

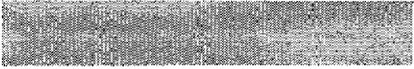
Taking account of the epidemiological situation in the Community, these measures are considered to be necessary at present only in the United Kingdom. However, the situation should be reviewed regularly in the light of developments of the disease situation in Member States.

2. In the light of present knowledge, meat derived from bovine animals in countries in which BSE occurs is not considered to be a danger to public health. Nevertheless, as a precautionary measure, every attempt must be made during the cutting process to remove obvious nervous and lymphatic tissues from products to be supplied to the consumer. These tissues, where removed, must not be put into products for human consumption.
3. When there is a clinical suspicion of a case of BSE, the brain of that animal must be examined for diagnostic purposes and the remainder of the carcass destroyed if BSE is subsequently confirmed.

This opinion was adopted unanimously.



COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT



PRESS RELEASE

6715/90 (Presse 81)

1410th Council meeting

- Environment -

Luxembourg, 7 June 1990

President: Mr Padraig FLYNN

Minister for the Environment  
of Ireland

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The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mrs Miet SMET State Secretary for the Environment

Denmark:

Mrs Lone DYBKJAER Minister for the Environment

Germany:

Mr Klaus TOEPFER Federal Minister for the Environment,  
Nature Conservation and Reactor Safety

Mr Clemens STROETMANN State Secretary,  
Federal Ministry of the Environment,  
Nature Conservation and Reactor Safety

Greece:

Mr Stephanos MANOS Minister for the Environment,  
Regional Planning and Public Works

Spain:

Mr Javier SAENZ COSCULLUELA Minister for Public Works  
and Town Planning

France:

Mr Brice LALONDE State Secretary for the Environment

Ireland:

Mr Padraig FLYNN Minister for the Environment

Mrs Mary HARNEY Minister of State  
at the Department of the Environment  
with special responsibility for  
the Office for the Protection  
of the Environment

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Italy:

Mr Giorgio RUFFOLO

Minister for the Environment

Luxembourg:

Mr Alex BODRY

Minister for the Environment

Netherlands:

Mr J.G.M. ALDERS

Minister for Housing, Planning and  
the Environment

Portugal:

Mr Fernando REAL

Minister for the Environment and  
Natural Resources

United Kingdom:

Mr Christopher PATTEN

Secretary of State for the Environment

Mr David TRIPPIER

Minister of State,  
Department of the Environment

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Commission:

Mr Carlo RIPA DI MEANA

Member

STRENGTHENING OF DIRECTIVE 75/422/EEC ON WASTE

The Council agreed on the substance of an amendment strengthening Directive 75/422/EEC on waste, which from now on will be considered a framework Directive.

The Directive falls within the broad lines of the Community's general strategy on waste, which is the subject of the Resolution adopted by the Council on 7 May 1990.

The main purposes of the new provisions are as follows:

- to establish an integrated and adequate network of disposal installations which should enable the Community as a whole to become self-sufficient in waste disposal, as well as limiting the risks inherent in waste transport by encouraging waste disposal in one of the appropriate installations closest to the production site;
- to enhance certain priorities, in particular the promotion of clean technologies and products that can be recycled and re-utilized;
- to give more precise definitions, particularly of the terms "waste" and "disposal", in order to ensure a greater degree of harmonization of waste management;
- to introduce a procedure for the adaptation to technical progress of the Annexes to the Directive.

DANGEROUS BATTERIES AND ACCUMULATORS

The Council reached agreement on the substance with a view to adopting a common position on the proposal for a Directive on batteries and accumulators containing certain dangerous substances.

The purpose of the Directive would be to encourage the recycling or controlled disposal of spent batteries containing dangerous substances. It is also intended to encourage the marketing of batteries with a low content in heavy-metals and other dangerous and/or polluting substances.

Its main provisions are as follows:

- a ban, subject to certain very limited exemptions, on alkaline manganese batteries containing more than 0,025% of mercury by weight;
- the marking of batteries and accumulators with indications on separate collection, where appropriate recycling, and heavy-metal content;
- that, except for certain very specific cases, batteries and accumulators may not be incorporated into appliances unless they can be readily removed, when spent, by the consumer;
- procedures for the adaptation of the Directive to technical progress.

CONTROL OF WATER QUALITY

The Council held another discussion on the proposal amending Directives 80/778 on drinking water, 76/160 on bathing water, 75/440 on surface water and 70/869 on methods of measurement and frequencies of analysis of surface water, the purpose of which is to establish a procedure for adapting the Directives to technical progress.

The Council instructed the Permanent Representatives Committee to continue its discussions on the matter with the aim of reaching agreement as soon as possible.

WATER POLLUTION BY CERTAIN DANGEROUS SUBSTANCES

The Council reached agreement on an amendment to Annex II of Directive 86/280 with regard to fixing limit values and quality objectives for dichloroethane (EDC), trichloroethylene (TRI), perchloroethylene (PER) and trichlorobenzene (TCB). The purpose of the amendment is to limit or eliminate water pollution by these four substances.

PROTECTION OF THE OZONE LAYER

The Council approved an additional negotiating brief for a substantial reinforcement of the Montreal Protocol on limiting the production and consumption of products which deplete the ozone layer. The purpose of the brief is also to encourage the accession of as many third countries as possible and to contribute to the efficient application of the Protocol.

The second Conference of the Parties to the Protocol will be held in London from 20 to 29 June 1990. The adjustments and amendments to the Protocol are to be finalized by the contracting parties at that meeting.

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GREENHOUSE EFFECT - COUNCIL CONCLUSIONS

The Council discussed climate change. It re-examined its previous position as set out in the Resolution of 21 June 1989, and took note of the progress made since then, both at the Noordwijk Conference in November 1989 and at the Bergen Conference in May 1990.

The Council recalled that in its Resolution of 21 June 1989 it had asked the Commission to submit proposals for concrete action by the end of 1990 at the latest. Due to the urgency of the problem and in preparation for the Second World Climate Conference to be held in November 1990, the Council urged the Commission to press ahead with its work, taking into account the above principles, so as to enable the Council to re-examine the matter at its next meeting in October.

POLLUTION BY NITRATES

The Council resumed its examination of the proposal for a Council Directive concerning the protection of fresh, coastal and marine waters against pollution caused by nitrates from diffuse sources.

The purpose of the proposal is in particular to combat the deterioration of drinking water and the eutrophication of inland and coastal waters.

The Council concentrated especially on a number of key elements, in particular the scope and criteria for defining "vulnerable zones".

After noting that differences still remained, the Council instructed the Permanent Representatives Committee to expedite its work, so as to enable it to make progress on this important issue.

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MUNICIPAL WASTE WATER

The Council was informed of the stage reached in discussions on the proposal for a Directive concerning municipal waste water treatment, which forms part of a consistent overall policy for combating nitrate and phosphate pollution <sup>(1)</sup>.

The purpose of the proposal is to limit pollution from municipal waste water discharges. To this end, the proposal lays down minimum requirements for the treatment of municipal waste waters and of industrial waste waters of a similar nature, as well as for the disposal of sludge, differentiated according to the characteristics of receiving waters and to the size of the municipality concerned. The proposal stipulates that Member States must establish national programmes for the implementation of the Directive. Lastly, it lays down other important provisions on informing the public and the training of qualified staff.

The Council instructed the Permanent Representatives Committee to continue its proceedings on the matter in order to enable it to resume its discussion as soon as possible.

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(1) See also the item on "Pollution by nitrates" in this release.

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PROTECTION OF HABITATS

The Council held an exchange of views on the proposal for a Directive on the protection of natural and semi-natural habitats and of wild fauna and flora, on which the Opinions of the European Parliament and the Economic and Social Committee are pending.

This important proposal is designed to establish a coherent Community policy on wildlife protection, taking as its starting point existing Community legislation and relevant international agreements.

The Commission stated that a revised version of Annex V of the proposal containing the criteria for classifying special protection areas would be forwarded as soon as possible.

The Council also welcomed the Commission's submission of a proposal for a Regulation on action by the Community relating to nature conservation (ACNAT), which will replace the 1989 Regulation on action by the Community relating to the environment, which expires on 30 July 1991.

The Council instructed the Permanent Representatives Committee to resume its examination of the two proposals in the light of opinions expressed by the delegations in order to reach overall agreement, if possible, by the end of 1990.

POLLUTION BY MOTOR VEHICLES

The Council was informed of progress made on the proposed amendment to Directive 70/220 on measures to be taken against air pollution by emissions from motor vehicles, on which the European Parliament's Opinion is expected very shortly.

It will be remembered that the purpose of this proposal for a Directive is to consolidate the Community rules on emissions of air pollutants by private vehicles, in accordance with the guidelines laid down by the Council.

That objective is to be attained principally by:

- aligning the limit values for gaseous emissions from vehicles with large and medium-sized engine capacities on the stricter emission standards and the implementation dates laid down by the Council last July for vehicles with small engine capacities;
- implementing, in accordance with Article 4 of Directive 88/436/EEC on the restriction of particulate pollutant emissions from diesel engines, a second stage for a further reduction in the limit values for such emissions;
- basing these limit values for emissions of air pollutants on an improved European test procedure which includes an extra-urban test cycle.

These measures are supplemented by rules on the evaporation of fuels used by vehicles and the durability of the anti-pollution devices with which they are fitted.

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The Council, after recording the importance it attached to the rapid adoption of the Directive, asked the European Parliament to adopt its Opinion by the urgent procedure, so as to be able to take a decision at its next meeting in October.

#### GERMAN UNIFICATION

The German delegation reported on the environmental problems arising, and the solutions envisaged, in the context of the process of German unification.

FREEDOM OF ACCESS TO INFORMATION ON THE ENVIRONMENT

The Council, following the agreement in principle reached at the meeting on 22 and 23 March 1990, formally adopted the Directive on the freedom of access to information on the environment.

It will be remembered that the purpose of the Directive is to ensure freedom of access to, and dissemination of, information on the environment held by public authorities, and to set out the basic conditions under which such information should be made available.

Save for certain exceptions laid down in the Directive itself, public authorities will be required to make information on the environment available to any natural or legal person at his request and without his having to prove an interest, but where appropriate Member States may ask for payment of a reasonable fee.

For the purposes of the Directive, "information relating to the environment" means any available information in written, visual, aural or data base form on the state of water, air, soil, fauna, flora, land and natural sites, and on activities (including those which give rise to nuisances such as noise) or measures adversely affecting these natural resources or likely to so affect them, and on activities or measures designed to protect them, including administrative measures and environmental management programmes.

Moreover, the Directive gives any person who considers that his request for information has been unreasonably refused or ignored, or has been inadequately answered by a public authority, the right to seek a judicial or administrative review of the decision in accordance with the relevant national legal system.

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## MISCELLANEOUS DECISIONS

### Agriculture

The Council adopted Decisions:

- on the alignment of Portuguese prices for butter and beef and veal on the common prices (1990/1991 marketing year). In accordance with this Decision, Portugal will fix the intervention price of butter at a minimum level equivalent to ECU 265,83 per 100 kg, and that of beef and veal from R3 quality male animals at a minimum level equivalent to ECU 332,71 per 100 kg;
  
- on the alignment of Portuguese prices for certain fruit and vegetables on the common prices (1990/1991 marketing year). This applies to the following products: apples, pears, apricots, table grapes, lemons, oranges, tomatoes, aubergines and cauliflowers, for which Portugal will fix the basic price and the buying-in price at the lowest level of Portuguese prices for the 1990/1991 marketing year.

### Fisheries

The Council adopted the Decision on the conclusion of an Agreement in the form of an exchange of letters concerning the temporary extension from 1 March 1990 to 31 March 1990 of the Protocol to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal.

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COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

7003/90 (Presse 89)

1411th Council meeting

- Economic and Financial Affairs -

Brussels, 11 June 1990

President: Mr Albert REYNOLDS

Minister for Finance  
of Ireland

11.VI.90

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The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Philippe MAYSTADT Minister for Finance

Denmark:

Mr Niels HELVEG PETERSEN Minister for Economic Affairs

Mr Henning DYREMOSE Minister for Finance

Germany:

Mr Theo WAIGEL Federal Minister for Finance

Mr Horst KOEHLER State Secretary, Federal Ministry of Finance

Greece:

Mr Eythymios CHRISTODOULOU Deputy Minister for Foreign Affairs

Mr Georges PAPASTAMKOS State Secretary for Economic Affairs

Spain:

Mr Carlos SOLCHAGA CATALAN Minister for Economic Affairs and Finance

France:

Mr Pierre BEREGOVY Ministre d'Etat, Minister for Economic and Financial Affairs and the Budget

Ireland:

Mr Albert REYNOLDS Minister for Finance

Mrs Maire GEOGHEGAN-QUINN Minister of State, European Affairs

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Italy:

Mr Guido CARLI

Minister for the Treasury

Luxembourg:

Mr Jean-Claude JUNKER

Minister for Finance

Mr Robert GOEBBELS

Minister for Economic Affairs

Netherlands:

Mr W. KOK

Minister for Finance

Mr M. VAN AMELSVOORT

State Secretary for Finance

Portugal:

Mr Miguel BELEZA

Minister for Finance

Mr Carlos TAVARES

State Secretary for the Treasury

United Kingdom:

Mr John MAJOR

Chancellor of the Exchequer

The Earl of CAITHNESS

Paymaster General

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° °

Commission:

Mr Jacques DELORS

President

Mr Leon BRITTAN

Vice-President

Mr Henning CHRISTOPHERSEN

Vice-President

Mrs Christiane SCRIVENER

Member

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° °

also present:

Mr Karl Otto POEHL

Chairman of the Committee of  
Governors of the Central Banks  
Chairman of the Monetary  
Committee

Mr Mario SARCINELLI

Chairman of the Economic Policy  
Committee

Mr Bernhard MOLITOR

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MULTILATERAL SURVEILLANCE

The Council conducted the first exercise in multilateral surveillance on the basis of reports from the Commission and the Monetary Committee and in the presence of the Chairman of the Committee of Governors of the Central Banks. This exercise was of particular importance given that it constituted the first application of the procedures laid down in the new "Convergence" Decision adopted in March 1990 and that it was being held only a few days before the first stage of economic and monetary union began.

This examination showed that the Community was entering into this first stage of EMU under favourable economic conditions although some problems of convergence remained, particularly as regards inflation and budgetary deficits.

GERMAN ECONOMIC AND MONETARY UNION

Over lunch the Minister for Finance of the Federal Republic briefed his colleagues on the latest developments regarding the achievement on 2 July 1990 of German economic and monetary union.

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ECONOMIC AND MONETARY UNION

The Council continued its discussion of economic and monetary union.

In this context it heard reports from the Chairmen of the Committee of the Governors of the Central Banks, the Monetary Committee and the Permanent Representatives Committee on progress made by these Committees inter alia on the Commission's note on the institutional aspects of economic and monetary union, as well as a report from the Chairman of the Economic Policy Committee on the cost/benefit aspects of implementation of EMU.

The Ministers held a detailed discussion on the basis of the facts highlighted in these reports.

In concluding the discussions, the President said that he intended to prepare an analysis of the question for the European Council meeting in Dublin on 25 and 26 June which would reflect the work carried out by both the ECO/FIN Council and the General Affairs Council and would pinpoint the main problems to be resolved, particularly in the institutional sphere.

The Council also asked the various committees to press on with their work on the matter with a view in particular to the next informal meeting to be held by the Ministers in September. Finally, the Council noted that the Commission intended to submit a comprehensive report covering the EMU question before the end of July.

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DIRECT TAXATION OF COMPANIES IN DIFFERENT MEMBER STATES

The Council resolved the problem of the withholding tax applied in the Federal Republic of Germany on dividends distributed by a subsidiary to its parent company in another Member State as well as all the other problems still outstanding with respect to the proposals for Directives on mergers and parent companies/subsidiary companies and to the draft Convention on an arbitration procedure.

Adoption of these texts - which will formally take place following legal/linguistic finalization - will remove a whole range of tax obstacles currently inhibiting potential co-operation between companies in different Member States.

- the mergers Directive provides for any capital gains arising from a merger, a division or contribution of assets or an exchange of shares to be taxed not at the time of the operation in question but only when these capital gains are actually realized. The arrangements are those already applied domestically by the Member States.
- The parent companies/subsidiary companies Directive is intended to eliminate double taxation of the dividends distributed by a subsidiary established in one Member State to its parent company established in another Member State. To that end it provides for:
  - = the Member State in which the subsidiary is established to abolish any withholding tax, on the understanding that the date on which this principle is to be applied is deferred where Greece, Portugal and the Federal Republic of Germany are concerned;
  - = the Member State in which the parent company is established to exempt the dividends or else tax them while setting the tax charged in the subsidiary's Member State against its own tax.

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- The arbitration procedure Directive provides for the introduction of procedures designed to ensure, within specified periods, the elimination of double taxation occurring in connection with the adjustment of profits of associated undertakings by national tax administrations.

#### ABOLITION OF FISCAL FRONTIERS

The Council heard a presentation by Mrs SCRIVENER of the new Commission proposals on the abolition of fiscal frontiers, viz. the proposals on transitional VAT arrangements, administrative co-operation in the area of indirect taxation and statistics for intra-Community trade.

The Council held an exchange of views on this issue, following which it instructed a high-level ad hoc Working Party to examine the proposals in question. It noted that the Italian Presidency was giving the highest priority to examination of this dossier, which would be placed on the agenda for each meeting of the ECO/FIN Council in the second half of 1990.

As regards travellers' allowances, Commissioner SCRIVENER made an urgent appeal to the Council to make progress in this area.

The Council agreed to continue its search for a solution on the basis of the compromise put forward by the Netherlands delegation, having regard to the comments made at this meeting.

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INVESTMENT SERVICES IN THE SECURITIES FIELD

The Council heard a statement by Vice-President Sir Leon BRITTAN on the main problems arising with respect to the amended proposal for a Directive on investment services in the securities field and held a policy debate on the matter.

The Directive is to constitute an essential instrument for achieving the internal market from the point of view of both freedom of establishment and freedom to provide financial services, in the field of investment firms.

It provides in particular for liberalization of access to stock exchange and financial futures and options markets in host Member States for investment firms authorized to carry out the relevant services in their home Member State.

The approach adopted is to achieve only the essential harmonization necessary and sufficient to secure the mutual recognition of authorization and of prudential supervision systems making possible the granting of a single authorization recognized throughout the Community and application of the principle of home Member State prudential supervision; for that reason it is also known as the "passport Directive".

Having noted with approval the progress made to date on the proposal for a Directive, the Council proposes to adopt its common position at an early meeting and in any event before the end of the year so that the Directive may be implemented on 1 January 1993. To that end it instructed the Permanent Representatives Committee to expedite its examination of the proposal as a matter of priority.

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COURT OF AUDITORS' REPORT ON EXPORT REFUNDS - COUNCIL CONCLUSIONS

The Council considered that the Court of Auditors' special report on export refunds raised a number of substantial issues, both in relation to the effective operation of a Community policy and in connection with the need for adequate control systems to prevent fraud against the Community budget. It therefore invited the Permanent Representatives Committee to ensure that the recommendations in the report are urgently considered and the outcome reported to the Ecofin and the Agriculture Councils as soon as possible.

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MISCELLANEOUS DECISIONS

Transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities

The Council adopted a Regulation on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities.

The Regulation is based on the premise that, to enable it to carry out the duties entrusted to it by the Treaties, especially with a view to the internal market, the Commission must have full and reliable information and that, with a view to efficient management, the Statistical Office of the European Communities must be able to obtain all the national statistical information necessary in order to prepare Community statistics and carry out the necessary analyses.

So as to ensure that the SOEC is not deprived of a significant amount of data covered by national provisions on confidentiality, the Regulation is designed:

- to authorize national authorities to transmit confidential statistical data to the SOEC;
- to provide a guarantee that the Commission will take all necessary measures to ensure the confidentiality of the data transmitted.

The Regulation applies to statistical confidentiality only. It does not affect special Community or national provisions safeguarding confidentiality other than statistical confidentiality.

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Financing by the European Investment Bank for projects in the German Democratic Republic

Following the position adopted by the European Council on 28 April 1990 whereby the German Democratic Republic should have full access to loans from the European Investment Bank during the run-up to unification, the Council invited the Bank to extend loans and guarantees for the financing of projects situated in the territory of the German Democratic Republic.

Letter of amendment No 1 to draft supplementary and amending budget No 2 for the financial year 1990

The Council approved letter of amendment No 1 to draft supplementary and amending budget No 2/90 increasing the Commission's administrative appropriations by ECU 15 million and the appropriations for the Court of Auditors by ECU 340 800 and adjusting the final balance for the financial year 1989 to ECU 5 080 million.

Letter of amendment No 2 to draft supplementary and amending budget No 2 for the financial year 1990

The Council also approved letter of amendment No 2 to preliminary draft supplementary and amending budget No 2 for the financial year 1990 designed to increase by ECU 200 million in commitment appropriations and ECU 50 million in payment appropriations heading 996 newly entitled "Aid for the economic restructuring of the countries of Central and Eastern Europe".

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FISHERIES

The Council adopted a Regulation amending Regulation (EEC) No 2245/85 laying down certain technical measures for the conservation of fish stocks in the Antarctic.

The purpose of the Regulation is to translate into Community law conservation measures adopted by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) around South Georgia with respect to the total allowable catches (TACs) for certain species.

Appointments

The Council renewed the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions.

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

7004/90 (Presse 90)

1412th Council meeting

- CONSUMER AFFAIRS -

Luxembourg, 13 June 1990

President: Mr Desmond J. O'MALLEY,

Minister for Industry and  
Commerce of Ireland

13.VI.90  
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The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Erik DERYCKE State Secretary for Science Policy

Denmark:

Mr Christopher BO BRAMSEN State Secretary, Ministry for Industry

Germany:

Mr Otto SCHLECHT State Secretary, Federal Ministry of Economic Affairs

Greece:

Mr Haris CARABARBOUNIS Deputy Permanent Representative

Spain:

Mr Julian GARCIA VARGAS Minister for Health and Consumer Affairs

France:

Mrs Véronique NEIERTZ State Secretary for Consumer Affairs,  
attached to the Ministre d'Etat, Minister for  
Economic and Financial Affairs and the Budget

Ireland:

Mr Desmond J. O'MALLEY Minister for Industry and Commerce

Mr Terry LEYDEN State Secretary,  
Department of Industry and Commerce



## PACKAGE TRAVEL

On conclusion of the co-operation procedure with the European Parliament, the Council adopted the Directive on package travel, including package holidays and package tours.

This proposal harmonizes certain essential aspects of national provisions with a view to encouraging freedom of movement for packages and preventing distortion of competition between operators established in various countries by thus also improving consumer protection; it lays down in particular that:

- the descriptive matter concerning a package given in the brochure supplied by the organizer or the retailer to the consumer must indicate in a legible, comprehensible and accurate manner both the price and certain key information. These particulars are binding on the organizer or retailer;
- the contract must, depending on the particular package, contain all the essential terms; a list of these terms, which are communicated to the consumer before the conclusion of the contract, is annexed to the Directive. The prices laid down in the contract are not subject to revision other than under conditions determined in the Directive and, in any event, no later than 20 days prior to departure;
- the organizer and/or retailer party to the contract must be liable to the consumer for the proper performance of the obligations arising from the contract, irrespective of whether such obligations are to be performed by that organizer and/or retailer or by other suppliers of services;

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- the organizer and/or retailer party to the contract must provide sufficient evidence of security for the refund of money paid over and for the repatriation of the consumer in the event of insolvency.

Member States must comply with the Directive by 31 December 1992 at the latest.

#### RAPID EXCHANGE OF INFORMATION

Pending the Opinions of the European Parliament and the Economic and Social Committee on the amendment of Decision 89/45/EEC on a Community system for the rapid exchange of information on dangers arising from the use of consumer products, the Council was in favour of extending this Decision, which expires on 30 June 1990.

This system for the rapid exchange of information would in the long run be incorporated in the enacting terms to be implemented under the Directive on general product safety which is still being discussed within the Council. The Commission also stated that it was about to adopt the detailed procedures for the transmission of the information referred to in Decision 89/45/EEC.

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GENERAL PRODUCT SAFETY

The Council discussed the key features of a proposal for a Directive on the approximation of provisions concerning general product safety.

This proposal is designed to establish, at Community level, a general duty to produce and market only safe products. It is to be seen in the context of completing the internal market and reviving consumer protection policy.

The proposal stipulates, in particular, that Member States must take all the necessary steps to ensure that only safe products are placed on the market, irrespective of the commercial conditions attaching thereto.

One particular provision lays down that under certain conditions, the Member State should withdraw or recall a product from the market or prohibit or restrict its placing on the market, while a further provision lays down the conditions under which the Commission may ask the Member States to take appropriate steps to prevent the occurrence of the risk in question.

After noting that opinions continued to differ, the Council instructed the Permanent Representatives Committee to continue its discussions on this important issue, particularly in the light of the amended proposal submitted by the Commission, so as to enable the Council to take a decision on the proposal as a whole at the earliest opportunity.

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EHLASS

Pending the Opinion of the European Parliament, the Council adopted a favourable stand on a demonstration project with a view to introducing a Community system of information on accidents involving consumer products (EHLASS).

The main purpose of this proposal is to extend the duration of the EHLASS project by two years and to establish the financial resources for the project's operation in 1990 and 1991. The amount deemed necessary for the purpose amounts to ECU 4,9 million.

THREE-YEAR ACTION PLAN

The Council held an exchange of views on the presentation by the Commission of the three-year action plan of consumer policy in the European Economic Community (1990-1992).

This action plan is in response to the request made by the Council in its Resolution of 9 November 1989 (see Press Release No 9586/89 Presse 195).

Among other things the plan contains a series of measures to be carried out by the Community before 31 December 1992 in the four priority areas adopted by the Commission:

- consumer representation;
- consumer information;
- consumer safety;
- consumer transactions.

Delegations gave the three-year plan a favourable reception. They expressed certain wishes with regard to the need for more effective integration of consumer protection policy into the other Community policies and expressed their views regarding certain measures provided for in specific areas such as comparative advertising, financial services, mail order sales, unfair clauses in contracts, etc.

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

7258/90 (Presse 98)

1413th Council meeting

- General Affairs -

Luxembourg, 18 and 19 June 1990

President: Mr Gerard COLLINS,  
Minister for Foreign Affairs  
of Ireland

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Mark EYSKENS	Minister for Foreign Affairs
Mrs A.M. LIZIN	State Secretary for Europe 1992, attached to the Minister for Foreign Trade

Denmark:

Mr Uffe ELLEMANN-JENSEN	Minister for Foreign Affairs
Mr Jørgen ØRSTRØM MØLLER	State Secretary, Ministry of Foreign Affairs

Germany:

Mrs Irmgard ADAM-SCHWAETZER	Minister of State, Federal Ministry of Foreign Affairs
Mr Otto SCHLECHT	State Secretary, Federal Ministry of Economic Affairs

Greece:

Mr Andonis SAMARAS	Minister for Foreign Affairs
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Spain:

Mr Francisco FERNANDEZ ORDÓÑEZ	Minister for Foreign Affairs
Mr Pedro SOLBES MIRA	State Secretary for relations with the European Communities
Mr RUIZ LIGERO	State Secretary for Trade

France:

Mr Roland DUMAS	Ministre d'Etat, Minister for Foreign Affairs
Mr Jean-Marie RAUSCH	Minister for Foreign Trade

Ireland:

Mr Gerard COLLINS	Minister for Foreign Affairs
Mr Desmond O'MALLEY	Minister for Industry and Commerce
Ms Maire GEOGHEGAN-QUINN	Minister of State with responsibility for European Affairs

Italy:

Mr Gianni DE MICHELIS	Minister for Foreign Affairs
Mr Renato RUGGIERO	Minister for Foreign Trade

Luxembourg:

Mr Jacques F. POOS	Minister for Foreign Affairs
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Netherlands:

Mr H. van den BROEK	Minister for Foreign Affairs
Mr Piet BUKMAN	Minister for Foreign Trade
Mr Piet DANKERT	State Secretary for Foreign Affairs

Portugal:

Mr João de DEUS PINHEIRO	Minister for Foreign Affairs
Mr Vitor MARTINS	State Secretary for European Integration
Mr Antonio NETO DA SILVA	State Secretary for Foreign Trade

United Kingdom:

Mr Douglas HURD	Secretary of State for Foreign and Commonwealth Affairs
Mr Nicholas RIDLEY	Secretary of State for Trade and Industry

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Commission:

Mr Jacques DELORS

Mr Frans H.J.J. ANDRIESSEN

Mr Manuel MARIN

Mr Abel MATUTES

President

Vice-President

Vice-President

Member

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PREPARATION FOR THE EUROPEAN COUNCIL ON 25 AND 26 JUNE 1990

The Council held preparatory discussions on the subjects likely to be covered in the European Council's proceedings in Dublin on 25 and 26 June 1990, in particular political union, economic and monetary union, the environment, action on drug trafficking and organized crime, the citing of the institutions and, as part of political co-operation, South Africa and the Middle East.

In addition, the European Council will hear from Chancellor KOHL on the latest developments concerning German unification and will hear a report from President DELORS on the implementation of the Single Act, and in particular progress on the completion of the Internal Market.

Concerning the first subject - political union - the Council noted that the report prepared by the personal representatives of the Ministers formed a good basis for further discussions, and it therefore decided to adopt it and forward it to the European Council so that the latter could give its views, in the light of the report, on whether or not to call a second inter-governmental conference on the subject of political union in parallel with the conference already decided on concerning Economic and Monetary Union.

The Council particularly stressed in this connection the need to ensure strict co-ordination between the two conferences, in particular with regard to the institutional aspects.

Regarding economic and monetary union, the Presidency will submit to the European Council a report drawn up on the basis of the proceedings held within the ECO/FIN Council and taking account of its discussions on the same day.

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As regards action on drugs and organized crime, the Council took note of the reports prepared by the competent committees - the CELAD and TREVI Groups - and agreed to forward these also to the European Council.

RELATIONS WITH EFTA - ESTABLISHMENT OF A EUROPEAN ECONOMIC AREA

The Council approved the negotiating directives for the conclusion of an agreement with EFTA on the establishment of a European Economic Area.

The negotiations can thus still be commenced before the end of the first half of 1990, in accordance with the commitment undertaken at the EEC-EFTA Ministerial meeting in December 1989. The Commission intends to open the negotiations at the Borschette building in Brussels on Wednesday 20 June.

RELATIONS WITH THE COUNTRIES OF CENTRAL AND EASTERN EUROPE

1. After a debate on the events in Romania, the Council did not consider that it was in a position to set a date for the signing of the Agreement on trade and economic co-operation with Romania nor to decide in favour of extending co-ordinated assistance from the G-24 to that country. There will be an examination within the framework of political co-operation of the arrangements for a démarche to the Romanian Government. The Council will discuss these questions further at a later stage.
2. The Council noted that the Commission is to submit a communication developing the concept of association agreements with a view to discussion at an early meeting.
3. The Council heard a statement from Vice-President ANDRIESEN on the forthcoming G-24 Ministerial meeting.

PREPARATION FOR THE FORTHCOMING WESTERN ECONOMIC SUMMIT

The Council heard from President DELORS on the latest preparations for the forthcoming Western economic summit, which will be held in Houston on 7, 8 and 9 July 1990.

The Council held an exchange of views which provided an opportunity for members of the Council to express their standpoints on matters which might be discussed at that meeting, to ensure that the Community representatives at the Summit were fully briefed.

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SOUTH AFRICA - REDIRECTION OF POSITIVE MEASURES

During the Ministers' discussions on South Africa within the framework of political co-operation, the Council heard Vice-President MARIN's presentation of the Commission communication concerning the redirection of the special Community programme of positive aid measures for the victims of apartheid to take account of recent developments in South Africa. The Council took note of Ministers' initial reactions to the communication.

It emerged from the discussion that there was unanimous political support for the continuation of the positive measures, and they will also be discussed at the European Council with the subject of South Africa as part of political co-operation.

VOTING RIGHTS FOR COMMUNITY NATIONALS IN LOCAL ELECTIONS IN THEIR MEMBER STATE OF RESIDENCE

The Council reviewed progress on the amended Commission proposal for a Directive on voting rights for Community nationals in local elections in their Member State of residence. There are political, constitutional and legal problems in connection with this proposal which prevent certain Member States from taking up a final position.

Pending clarification of those difficulties, the Council asked the Permanent Representatives Committee to make further detailed study of the proposal in preparation for a final examination of it.

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#### REDIRECTING THE COMMUNITY'S MEDITERRANEAN POLICY

The Council took note of a statement by Commissioner MATUTES outlining the Commission's operational proposals for redirecting the Community's Mediterranean policy.

The Council held an initial exchange of views on this matter and agreed to make a further examination of the Commission proposals in the very near future. It asked the Permanent Representatives Committee to prepare that examination.

#### RELATIONS WITH YUGOSLAVIA

The Council took note of Commissioner MATUTES' presentation of the Commission communication on the future of relations between the Community and Yugoslavia, and of delegations' initial reactions.

It noted that matters relating to support for the economic reforms in Yugoslavia came within the framework of the proposals which the Commission would be submitting after the forthcoming Ministerial meeting of the Group of 24.

Regarding the prospect of a possible association agreement, that would be included in the general exchange of views on the question to be held at the next Council meeting.

It asked the Permanent Representatives Committee to examine the proposal on negotiating directives for a third EEC-Yugoslavia Financial Protocol, as an exchange of views might even be held on this at the July meeting of the Council.

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RELATIONS WITH TURKEY

The Council heard a statement by Commissioner MATUTES outlining the Commission proposals for increased co-operation with Turkey under the Association Agreement.

The Council agreed to hold a policy discussion on the Commission communication at a forthcoming meeting, and asked the Permanent Representatives Committee to prepare this.

COMMUNITY MEASURES TO AID PALESTINIANS IN THE OCCUPIED TERRITORIES

In the context of the Ministers' discussions on the Middle East in political co-operation, the Council heard a statement by Commissioner MATUTES on the main thrust of the Community's future measures to aid Palestinians in the occupied territories. This communication was in line with the conclusions of the Strasbourg European Council, which affirmed the determination of the Community and its Member States to make a substantial increase in their aid to the Palestinians, and decided on a doubling of direct aid as a basis.

The Council was pleased to note that the Commission's proposed aid programme would duly be implemented in the near future.

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4th ACP-EEC CONVENTION - INTERNAL AGREEMENT ON THE FINANCING AND ADMINISTRATION  
OF COMMUNITY AID

On the basis of an overall Presidency compromise, the Council gave its agreement to the content of the new Internal Financing Agreement, which sets up the seventh European Development Fund and lays down the rules for the Fund's financing and operation.

The Agreement sets in motion the Member States' internal procedures for ratification of the new ACP-EEC Convention, which is scheduled to enter into force in the spring of 1991.

When the text of the Agreement has undergone legal and linguistic finalization it will shortly be submitted for signature by the Representatives of the Governments of the Member States meeting within the Council.

URUGUAY ROUND - COUNCIL CONCLUSIONS

1. The Council held an in-depth discussion on the Uruguay Round; all Ministers agreed that the successful conclusion of the Round by December 1990 was a major priority for the Community. An efficient and effective multilateral trading system, with clear and understandable rules as an outcome of negotiations will be of benefit to all trading nations, irrespective of their level of economic development. The Council reaffirmed the great importance of the meeting on 23 July of the Trade Negotiations Committee for agreement on the broad outlines of the final conclusions in each area, thus ensuring that the negotiations in the period from July to December 1990 can resolve the fundamental outstanding issues.

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2. The Council expressed satisfaction at the constructive contributions and action of the Community's negotiators to the progress of the negotiating process, but felt that a great deal of work was still needed in certain areas, and that efforts should be intensified in order to ensure overall progress in all areas. In this context, the Council reaffirmed its determination to take the necessary political decisions and considered that it was now time for all participants to move from the statement of well known positions to begin defining the concrete components of possible solutions, taking account of the global nature of the negotiations.
  
3. On Agriculture, the Community has committed itself to negotiate a substantial progressive reduction of support and protection. The Council reaffirmed its support for the Community's global approach as agreed at its December 1989 meeting and endorsed by Agriculture Ministers in April 1990. The recent elaboration of the Community proposal illustrates its firm commitment to the negotiating process and constitutes a solid basis for further negotiations <sup>(1)</sup>.
  
4. The Council underlined the progress made in the negotiations on services, in particular in the draft framework agreement on trade in services which the Community has circulated in Geneva, and confirmed its view on the framework agreement's universal application to all sectors. It reiterates its wish for a wide adherence to this agreement. The Council took note of the Commission's proposal for specific sectoral negotiating objectives to be negotiated as part of the overall services agreement. The Council invited the Commission to proceed urgently with the elaboration of detailed proposals concerning individual sectors.

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(1) The Community has submitted detailed written presentations elaborating its position on "Tarification and Rebalancing" and "Aggregate Measures of Support" to the Agriculture Negotiating Group in Geneva.

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5. On textiles, the Council welcomed the recent elaboration of the Community's approach in Geneva, and reaffirmed its commitment to progressive integration of this sector into the GATT on the basis of strengthened rules and disciplines. All countries should contribute to this process. The Council rejected any approach involving the imposition of new forms of protection.
6. On intellectual property, the Council welcomed the favourable reactions in Geneva towards the draft agreement presented by the Community last April. But important divergences remain in this field. Every opportunity should be taken to convince all countries to participate actively in these negotiations and to narrow down divergences with our main partners on issues such as geographical indications and copyright. Also, on trade related investment measures renewed efforts are necessary to move the negotiations forward.
7. On subsidies, the Council acknowledged the efforts being made to develop clearer and more precise rules. It reaffirmed the Community's commitment to active participation in this work, in elaborating a realistic definition of subsidies which significantly distort trade.
8. The Council reaffirmed the importance of reaching substantial results in the market-access groups, i.e. tariffs, NTM, tropical products. It calls on other participants in the Uruguay Round to match the Community proposals in order to substantially improve guaranteed access to all markets.

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9. An efficient and credible dispute settlement procedure is the corner-stone of the reinforcement of the multilateral trade system. The Community should participate fully in this area and make every effort to achieve a successful outcome to this negotiation. This must be linked to a clear commitment to eliminate the recourse to unilateral measures which is threatening the very foundations of the multilateral trading system. The Council invited the Commission to further elaborate the Community's position in this area as soon as possible.
  
  10. The Council is convinced that it is essential to create the conditions which will facilitate the participation of the developing countries in the Uruguay Round commitments. This would encompass adequate improvement of market access to industrialized countries, but also - beyond the frame of the Round proper - recognition, in an appropriate way, of the constraints and particular economic conditions with which those countries are faced. The success of the negotiations, and accordingly the future of the multilateral trading system, is of major importance to the development of developing countries and remains contingent upon their readiness to implement the consequences of their economic achievements. This also means that developing countries have a responsibility to contribute substantially to the negotiations on market access, including textiles, to engage fully in negotiations on balance of payments disciplines and to recognize that enforceable multilateral rules on intellectual property and on services benefit all participants.
  
  11. The Council finally welcomed the emerging consensus in favour of the creation of a Multilateral Trade Organization. This should provide the basis for a decision in principle to be taken by GATT Ministers in December in the light of the successful outcome of the Uruguay Round leading to rapid preparatory work thereafter.
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MISCELLANEOUS DECISIONS

Relations with the Principality of Andorra

After approving the text of the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra, the Council decided to proceed with the signing of the Agreement and to request the Opinion of the European Parliament.

The Agreement follows negotiations conducted by the Commission with a delegation from Andorra on the basis of Council directives, and is in response to a statement within the Act of Accession of Spain to the Communities which provides for arrangements to be drawn up to govern trade relations between the Community and Andorra and to replace the national arrangements at present in force.

The Agreement provides in particular, where industrial products are concerned, for the establishment of a customs union between the Principality of Andorra and the Community. The customs union will involve the elimination from 1991 of customs duties and taxes having equivalent effect as well as quantitative restrictions in trade between the Parties, and the adoption by Andorra of the import procedures applied by the Community with regard to third countries, and the arrangements necessary for their operation.

Concerning agriculture, the Community will allow duty-free importation of products originating in Andorra. A specific solution has been found for manufactured tobacco.

In addition, to take account of the specific character of the Andorran economy (for which the tourist trade is essential), and of the particular situation of Andorra in relation to the frontier Member States, the Agreement includes provisions concerning the duty-free concessions allowed to travellers.

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Community customs offices will be authorized to put products originating in third countries into free circulation on behalf of the Principality of Andorra, and payments received on this account will be transferred to the Andorran Treasury after deduction of administration costs.

A Joint Committee will have responsibility for the administration of the Agreement and for its proper implementation.

The Agreement will be signed shortly and will enter into force upon its conclusion, which, in the case of the Community, will be by Council decision on the basis of Articles 99 and 113 of the Treaty, the former of these two Articles requiring the Opinion of the Parliament.

#### Relations with Sweden

The Council adopted Regulations

- opening and providing for the administration of a Community tariff quota for herring, fresh or chilled, originating in Sweden
- allocating two additional quotas of 2 500 t of cod and 1 500 t of herring among Member States for vessels fishing in Swedish waters.

#### Relations with the USSR

The Council adopted the Regulation on the common arrangements applying to imports of certain textile products originating in the Union of Soviet Socialist Republics.

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### Relations with Yugoslavia

The Council adopted the Regulation amending Regulation (EEC) No 1200/88 establishing a surveillance mechanism for imports of sour cherries, fresh, originating in Yugoslavia.

### Relations with the ACP States

The Council adopted the Decision on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the ACP States parties to the ACP Sugar Protocol annexed to the Third ACP-EEC Convention on the guaranteed prices for cane sugar for the delivery period 1988/1989.

### Appointments

The Council replaced

- two full members
- two alternate members

of the Advisory Committee on Safety, Hygiene and Health Protection at Work.

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

7170/90 (Presse 97)

1414th Council meeting

- TRANSPORT -

Luxembourg, 18 and 19 June 1990

Presidents: Mr Séamus BRENNAN  
Minister for Tourism and Transport of  
Ireland  
Mr John P. WILSON  
Minister for the Navy of Ireland

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Jean-Luc DEHAENE Deputy Prime Minister and  
Minister for Communications and  
Institutional Reforms

Denmark:

Mr Knud OESTERGAARD Minister for Transport

Mrs Anne Birgitte LUNDHOLT Minister for Industry

Mr Joergen HALCK State Secretary, Ministry of  
Transport

Germany:

Mr Wilhelm KNITTEL State Secretary, Federal Ministry  
of Transport

Greece:

Mr Nicolaos GUELESTATHIS Minister for Transport and  
Communications

Mr A. PAVLIDES Deputy Minister, Ministry for the  
Merchant Navy

Spain:

Mr José BARRIONEUVO PEÑA Minister for Transport,  
Tourism and Communications

France:

Mr Michel DELEBARRE Minister for Infrastructure,  
Housing, Transport and the Sea

Mr Jacques MELLICK Minister attached to the Minister  
for Transport, with responsibility  
for the Sea

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Ireland:

Mr Séamus BRENNAN	Minister for Tourism and Transport
Mr John P. WILSON	Minister for the Navy
Mr Denis LYONS	Deputy Minister for Tourism, Department of Tourism and Transport
Mr Michael NOONAN	Deputy Minister, Department of the Navy

Italy:

Mr Carlo BERNINI	Minister for Transport
Mr Carlo VIZZINI	Minister for the Merchant Navy

Luxembourg:

Mr Robert GOEBBELS	Minister for Transport
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Netherlands:

Ms Hanja MAIJ-WEGGEN	Minister for Transport and Public Works
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Portugal:

Mr Joaquim FERREIRA DO AMARAL	Minister for Public Works, Transport and Communications
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United Kingdom:

Mr Cecil PARKINSON	Secretary of State for Transport
Mr Patrick McLOUGHLIN	Under Secretary of State, Ministry of Transport

Commission:

Sir Leon BRITTAN	Vice-President
Mr Karel VAN MIERT	Member

## I. AIR TRANSPORT

### DEVELOPMENT OF CIVIL AVIATION

The Council reached agreement on the three Regulations for the second stage of liberalization in the air transport sector, which follows on the heels of the first series of measures in December 1987.

The Regulations will be formally adopted at the earliest opportunity.

#### Regulation on fares for scheduled air services

This Regulation will replace Directive 87/601/EEC and is designed to:

- make the system of air fares for intra-Community connections even more flexible, in particular by introducing added flexibility to the zonal system as compared with the 1987 Directive. The Regulation thus establishes three zones of flexibility for scheduled air service fares according to specific conditions. The zones in question are:

= a normal fare economy class zone, extending from 95% to 105% of the reference fare

= a discount zone, extending from 94% to 80% of the reference fare

= a deep-discount zone, extending from 79% to 30% of the reference fare.

For certain cases, the Regulation introduces an experimental system of double disapproval <sup>(1)</sup>, which is the objective to be achieved by no later than 1 January 1993.

- establish more precise criteria for the evaluation of proposed air fares by the Member States' authorities

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(1) Double disapproval = a fare proposed by an airline may be rejected only if the authorities of the two Member States concerned disapprove of it.

- adopt a procedure enabling the Member States to request the opinion of the Commission on the compliance of a proposed fare with the criteria laid down
- establish the Commission's power to suspend the application of fares which are too high or too low
- enable scheduled fares to match <sup>(1)</sup> fares for non-scheduled flights on the same route, subject to equivalent conditions.

The Regulation will enter into force on 1 November 1990.

Regulation on access for air carriers to scheduled intra-Community air service routes and on the sharing of passenger capacity between air carriers on scheduled air services between Member States

This Regulation replaces Decision 87/602/EEC and is designed to:

- allow greater access to the market, which will encourage the development of the air transport sector in the Community and mean improved user services. The Regulation accordingly lays down more liberal provisions on multiple designation and third, fourth and fifth freedoms <sup>(2)</sup>;

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(1) "matching" = making fares the same.

(2) 3rd freedom: right to put down passengers, cargo and mail from the territory of the State of the aircraft's nationality

4th freedom: right to take on passengers, cargo and mail bound for the territory of the State of the aircraft's nationality

5th freedom: right to take on and put down passengers, cargo and mail from or bound for a third State in the territory of the other contracting State.

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- abolish gradually the bilateral restrictions on shares of capacity which are incompatible with internal market principles, a process which must be completed in 1993 in the air transport sector;
- lay down special capacity provisions in the case of markets in which non-scheduled services occupy a predominant position;
- encourage the development of inter-regional air services and thus develop the Community network and help to resolve the problem of saturation at certain major airports; to this end, the Regulation provides for more liberal rules to be established for capacity-sharing in such cases;
- prescribe certain limitations on the exercise of traffic rights for reasons in connection with airport facilities, navigational aids and the insufficient number of slots.

The Regulation will enter into force on 1 November 1990.

Amendment to Regulation No 3976/87 on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector

The main purpose of the amendment is to:

- extend until 31 December 1992 block exemptions previously granted for a limited period to enable air carriers to adapt to the more competitive environment introduced by changes in the regulatory system applicable to intra-Community international air transport. Such extension of block exemptions is warranted by the new liberalization measures in the air transport sector adopted by the Community. Both the scale and the details of these block exemptions will be defined by the Commission in close

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conjunction with the Member States and in the light of the trend in the conditions of competition recorded since the entry into force of Regulation No 3976/87;

- provide also for block exemptions for consultation on cargo rates.

#### NEGOTIATIONS WITH EFTA - AIR TRANSPORT

The Council adopted a Decision authorizing the Commission to open negotiations between the European Economic Community and Norway and Sweden on scheduled air passenger services. These negotiations will cover such areas as traffic rights, fares and capacity-sharing.

#### AIR CARGO

Pending the Opinion of the European Parliament, the Council held a policy discussion on a proposal for a Regulation on the operation of air cargo services.

The proposal is aimed mainly at:

- removing the existing barriers to market access for air cargo services. This is intended to increase the opportunities for market access by encouraging the development of the air transport sector in the Community and improving user services;
- establishing a procedure for fixing cargo rates;
- increasing market transparency by requiring all available cargo rates to be published.

The Council instructed the Permanent Representatives Committee to continue discussing this question.

PREDATORY FARES AND OTHER ANTI-COMPETITIVE PRACTICES

The Council held a policy debate on a proposal amending Regulation No 3975/87 on the procedures applicable in the case of predatory fares and other anti-competitive practices on the part of undertakings in the air transport sector, on which the Opinions of both the European Parliament and the Economic and Social Committee are awaited.

The aim of this proposal is to take account of the need for tougher safeguard clauses in view of the fact that the second stage of liberalization in the air transport sector includes a more liberal fares system and, therefore, a further relaxation of controls.

This new proposal would enable the Commission to adopt swiftly provisional measures (for a maximum period of six months) to counter predatory practices in the air transport sector without following the normal procedures as laid down in Regulation No 3975/87.

The Council instructed the Permanent Representatives Committee to continue the discussions so that discussion of this issue might resume at Council level.

II. INLAND TRANSPORT

CARRIAGE OF GOODS BY ROAD

MEASURES TO BE TAKEN IN THE EVENT OF A CRISIS

The Council discussed a proposal for a Regulation on the measures which could be taken at Community level in the event of a serious disturbance on the Community market in the international carriage of goods by road, or on part of that market.

These measures would be a further step in the process of liberalizing international road haulage within the Community.

The Council instructed the Permanent Representatives Committee to continue discussions in this area in the light of the Opinions of the European Parliament and the Economic and Social Committee, due shortly.

#### 1991-1992 COMMUNITY QUOTA

On 30 November 1989, the Commission submitted a proposal amending Regulation No 3164/76 aimed in particular at increasing the Community quota by 40% per annum for 1990, 1991 and 1992, the quota is to be allocated among the Member States on a linear basis.

It should be noted that the Council partly followed up this proposal by adopting by a qualified majority, on 25 April 1990, Regulation No 1053/90 fixing, in accordance with the Commission proposal, the quota for 1990 and the quota allocation among the Member States.

Following a further exchange of views on the part outstanding, the Council instructed the Permanent Representatives Committee to pursue its discussions with a view to a final decision on this question as soon as possible.

#### EEC/THIRD COUNTRIES OF TRANSIT

The Council noted a Commission report on progress made in the negotiations with third countries of transit (Austria, Switzerland and Yugoslavia).

It will be recalled that the Council adopted negotiating directives on 19 December 1988, which were supplemented by the Council's conclusions of 5 June and 4 and 5 December 1989.

The Commission hoped to conclude the negotiations by the end of the year.

### ROAD TRAINS

The Council resumed examination of the proposal for a Council Directive amending Directive 85/3/EEC with a view to fixing certain maximum authorized dimensions for road trains.

As in the case of articulated vehicles, the Commission proposes that the total length (18,35 m) and load length (15,30 m) of road trains be fixed jointly and considers a distance of 0,70 m between the motor vehicle and the trailer as an acceptable minimum for the coupling device. The Commission's intention is thus to guarantee sufficient driver cabin space (2,35 m) and to put a stop to the tendency of vehicle manufacturers to increase the available loading space - i.e. the haulage capacity - by designing shorter cabins (with top-mounted sleepers), at the expense of drivers' working conditions.

The Council was unable at this point to reach a decision on this question, in view of the delegations' differing views on the maximum dimensions proposed.

The Council instructed the Permanent Representatives Committee to examine the question in detail so that it might take a decision at the earliest opportunity.

### HIRED VEHICLES

The Council agreed on the substance of a proposal for a Directive amending Directive 84/647/EEC on the use of vehicles hired without drivers for the carriage of goods by road.

It should be noted that the general principle that each Member State will, under certain conditions, allow the use of vehicles hired without drivers within its territory is established in Article 2 of Directive 84/647/EEC of 19 December 1984 on the use of vehicles hired without drivers for the carriage of goods by road. However, the Directive also provides for a Member State to have the option of restricting the scope of the Directive in the case of its own undertakings:

- Article 3(2) enables Member States to exclude own-account carriage in the case of their own nationals;
- Article 4(2) enables Member States to maintain in force, in the case of their own nationals, regulations laying down a minimum hire period.

The effect of the new Directive will be to abolish the exception provided for in Article 4(2) of Directive 84/647/EEC, together with the exception arising from Article 3(2) in the case of vehicles with a fully laden weight of not more than 6 tonnes, thereby helping to develop vehicle hire in the Community.

#### TRANSPORT INFRASTRUCTURE

The Council resumed its discussions on the Commission proposal for a Regulation for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market in 1992.

On the basis of a number of compromise points suggested by the Presidency and certain delegations, the Council reached broad agreement in principle on the granting of financial support for transport infrastructure projects under a three-year action programme (financial years 1990, 1991 and 1992).

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The Council instructed the Permanent Representatives Committee, in the light of this discussion, to prepare the draft Regulation for an action programme with a view to its adoption at the next Council meeting on transport questions.

#### TAX HARMONIZATION

Following a detailed discussion of tax harmonization in the road carriage sector, the Council instructed the Permanent Representatives Committee to continue its discussions on this matter in the light of the guidelines laid down during that discussion.

#### ROAD SAFETY

The Council discussed road safety on the basis of a draft Resolution from the Presidency.

It instructed the Permanent Representatives Committee to continue its examination of the draft.

### III. MARITIME TRANSPORT

#### MARITIME CABOTAGE

On the basis of a policy note from the Presidency, the Council conducted a wide-ranging general discussion on the proposal for a Regulation applying the principle of freedom to provide services to maritime transport. The Opinion of the European Parliament is awaited.

The proposal for a Regulation sets out to

- abolish restrictions on freedom to provide maritime transport services within Member States in respect of Community shipowners who are established in a Member State other than that of the person for whom the

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services are intended and who use vessels registered in the Community ship register and not exceeding 6 000 grt

- enable a Member State to require, as conditions for the right to provide the service, both the presence aboard the vessel engaging in cabotage of crews comprising a certain number of Member State nationals and public service obligations, where this is necessary in order to maintain sufficient maritime transport services between the mainland and its islands and between its islands. For the purposes of the Regulation, the conditions imposed by Member States to guarantee the continuity, regularity and efficiency of the services, and the provision of goods of fundamental importance for the economic well-being of such territories, are considered as public service obligations.

The Council discussed the following questions in particular:

- island services
- harmonization of the conditions of competition
- beneficiaries of the liberalization of cabotage
- safeguards in the event of market disturbance
- the composition of crews
- concomitant and transitional measures.

The Council instructed the Permanent Representatives Committee to continue discussions in this area in the light of today's discussions.

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RULES OF COMPETITION APPLICABLE TO CONSORTIA

The Council noted the presentation by the Commission of its communication of 18 June 1990 comprising a report on the possibility of a block exemption in the case of maritime consortium agreements and a proposal for a Regulation concerning block exemption in the case of co-operation agreements for the joint operation of maritime or combined land/sea transport services.

The delegations hoped that examination of the Commission proposal would commence as soon as possible and that swift agreement might be reached.

TRANSFER OF SHIPS FROM ONE REGISTER TO ANOTHER WITHIN THE COMMUNITY

The Council noted the Commission's presentation of its recent proposal on the transfer of ships from one register to another within the Community.

IMPLEMENTATION OF THE 1986 REGULATIONS

The Commission gave an oral report on the implementation of Council Regulations Nos 4055/86, 4056/86, 4057/86 and 4058/86 on, respectively, freedom to provide services, rules of competition, unfair tariff practices and free access to traffic in the field of international maritime transport, designed in each case to ensure free and fair competition in international maritime transport.

ACCIDENTS CAUSING MARINE POLLUTION

The Council adopted the following Resolution:

COUNCIL RESOLUTION

on the prevention of accidents  
causing marine pollution

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THE COUNCIL,

REGRETTING the great damage to the marine ecosystem of the Community caused by the discharge of more than 100 000 tons of mineral oil as a result of the accidents which occurred in the last fortnight of 1989 involving the tankers "ARAGON", flying the Spanish flag, and "KHARK-V", flying the Iranian flag, in the Atlantic waters near the archipelagos of two Community countries, as well as the accident involving the tanker "SEAWIND DOS", of a similar nature;

WHEREAS this damage could give rise to calamitous consequences for fauna and flora and other natural resources of the area;

WHEREAS the said maritime accidents have aroused considerable public concern, threatening to undermine the legitimate use of the coasts for recreational purposes, with the resulting negative repercussions on the touristic resources of the Member States;

RECALLING the enormous material and environmental damage caused in other regions of the Community by other accidents of this nature, some sadly notorious like those involving the tankers "TORREY CANYON" and "AMOCO CADIZ";

CONCERNED about the alarming frequency of this kind of maritime accident;

CONSIDERING that the world fleet of VLCC ships has aged and there is no prospect of its being renewed in the short term as well as the deterioration and lack of appropriate maintenance of a large number of VLCC tankers, and the additional factor of risky navigation in maritime zones in bad, and sometimes extreme, meteorological conditions, and on highly congested traffic routes;

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CONSCIOUS of the fact that the most appropriate method of combating maritime disasters is to insist on prevention as far as possibilities will allow, bearing in mind that the most effective way of combating marine pollution is its prevention;

CONSCIOUS that the Community must be duly prepared to cope with this type of incident in Community waters and taking into account that the extent of the damage caused by pollution is directly related to the speed of response and the degree of co-ordination between the national and international services available;

RECOGNIZING that the IMO represents the focal point for preventing and combating marine pollution at international level;

RECALLING that the International Maritime Organization (IMO) has drawn up specific rules and provisions for preventing and combating marine pollution and that various countries, including all the Member States of the Community, agreed in Paris to carry out inspections on ships docking in their ports;

HAVING REGARD TO the Resolution of the European Parliament of 17 March 1989 on safety at sea, and the Commission Recommendation on improving the effectiveness of Port State Control in the Community, which the Commission submitted to the Council on 2 August 1989,

HEREBY ADOPTS THE FOLLOWING RESOLUTION:

1. The Member States will endeavour to provide themselves with an adequate and efficient maritime administration which is capable of ensuring strict compliance with the technical rules on safety at sea and the prevention of marine pollution by ships flying their flags, in accordance with the provisions of the relevant international conventions, in particular the SOLAS and MARPOL Conventions.

2. The maritime administration of the Member States will intensify its inspections on foreign ships docking in Community ports in order to make sure, as far as possible, that they do not present an unacceptable risk to the safety of human life at sea or to the integrity of the marine ecosystem. In particular, they will in any case attain the objectives of a minimum number of inspections provided for in the Paris memorandum on Port State Control.
3. Member States will ensure that their maritime inspectors carry out, in the course of the activities provided for in the two previous paragraphs, checks, particularly through the Safe Manning Document, on the qualification of the people making up the crew of ships, especially of tankers, paying particular attention to the observance of Rule 13 of Chapter V of the SOLAS Convention and the provisions of the STCW Convention of 1978.
4. The Member States will, as far as possible, always give reciprocal support in identifying the origin of, monitoring and combating pollution by crude oil and other substances prejudicial to the Community's marine environment. In particular, the Member States will take the steps which might be considered necessary in order to guarantee that, in the event of any maritime accident which threatens the ecosystem of Community waters, a rapid, efficient and co-ordinated response is given by all Member States' administrations, bringing to bear the most appropriate and accessible means in accordance with the circumstances. .
5. The Commission is requested to start promoting and improving the instrument of Community action organized in the form of the "Task Force", providing it with the necessary resources and the precise functions required for co-ordination and rapidity of response.
6. At the same time, the Commission is earnestly requested to continue as a matter of urgency with its research task with regard to the project for the establishment of a system of safety at sea, based on control posts and shore-based navigation aid systems, in accordance with the general framework of COST projects 301 and 311, with the aim of providing proper protection for waters which are essential routes for the Community's maritime traffic.

PASSENGER FERRY SAFETY

The Council and the Representatives of the Member States meeting with the Council adopted the following Resolution:

RESOLUTION

on improving passenger ferry safety

THE COUNCIL AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES  
MEETING WITHIN THE COUNCIL,

AWARE OF

- the large number of passengers who travel by passenger ferries in European waters;
- the essentially international nature of such operations;
- the need for crews to be able to function in a satisfactory manner in the event of an emergency;
- the dangers which can arise from management and communications failures;
- the potentially large-scale intervention which could be required in the event of an accident involving a passenger ferry;
- the fact that the transport of passengers in European waters is carried out by vessels registered both inside and outside the Community, thus requiring any necessary improvement of passenger ferry safety, including the question of crewing, to take place in a broad international context;

WISHING TO improve the safety of passenger ferries;

CALLS UPON the Member States and the Commission, in their capacity as members or observers of

(a) the International Maritime Organisation of the United Nations,

(b) the Memorandum of Understanding on Port State Control,

to press for the urgent identification, elaboration, adoption and implementation of measures which will improve the safety of passenger ferries on an international basis, in the framework of the aforementioned fora.

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COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

7259/90 (Presse 99)

1415th Council meeting  
- INTERNAL MARKET -  
Luxembourg, 20 June 1990

President: Mr Desmond J. O'MALLEY  
Minister for Industry and  
Commerce, Ireland

20.VI.1990

ers/BS/ptm

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Paul DE KEERSMAEKER  
State Secretary for European  
Affairs and Agriculture

Denmark:

Mrs Anne-Brigitte LUNDHOLT  
Minister for Industry

Germany:

Mr Otto SCHLECHT  
State Secretary, Federal Ministry  
of Economic Affairs

Greece:

Mr G. THEOFANOUS  
Secretary-General, Ministry  
of Trade

Spain:

Mr Pedro SOLBES  
State Secretary for Relations with  
the European Communities

France:

Mr Jean CADET  
Deputy Permanent Representative

Ireland:

Mr Desmond J. O'MALLEY  
Minister for Industry and Commerce

Mr Terry LEYDEN  
Minister of State at the Department  
of Industry and Commerce with  
special responsibility for Trade  
and Marketing

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Italy:

Mr Pierluigi ROMITA

Minister for Community Policies

Mr Paolo BABBINI

State Secretary for Industry,  
Trade and Craft Trades

Luxembourg:

Mr Georges WOHLFART

State Secretary for Foreign Trade

Netherlands:

Mr Piet DANKERT

State Secretary, Ministry for  
Foreign Affairs

Portugal:

Mr Vitor MARTINS

State Secretary for European  
Integration

United Kingdom:

Mr John REDWOOD

Parliamentary Under-Secretary of  
State, Department of Trade and  
Industry

Commission:

Mr Martin BANGEMANN

Vice-President

Sir Leon BRITTAN

Vice-President

Ms Christiane SCRIVENER

Member

## COMMUNITY TRANSIT

The Council adopted its common position on a proposal for a Regulation on Community transit.

The purpose of this proposal for a Regulation is to reconsolidate the rules in force since 1969 regarding the movement of goods within the Community (Community transit procedure) while adapting them to the situation which will come about with the establishment as from 1 January 1993, of the internal market, comprising an area without internal frontiers.

It will be remembered that the aim of the Community transit procedure which is applicable, in principle, to all movements of goods within the Community, is to facilitate the carriage of those goods by limiting formalities and controls solely to the points of departure and destination and by reducing administrative action, in particular when goods cross internal frontiers, to the minimum necessary.

Although the establishment of the internal market will have the effect of eliminating all controls and all formalities in respect of Community goods moving within the Community and consequently, of generally rendering the procedure for internal Community transit devoid of any purpose, external transit provisions must be maintained. This Regulation meets that objective.

## ANNUAL ACCOUNTS AND CONSOLIDATED ACCOUNTS

### Scope

The Council agreed on the substance with a view to adopting a common position on a proposal for a Directive aimed at extending the scope of Directives 78/660/EEC and 83/349/EEC concerning annual accounts and consolidated accounts of companies respectively.

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The purpose of the Directive is to make partnerships or limited liability partnerships subject to the accounting obligations of the 4th and 7th Directives on company law to the extent that all of their fully liable members are constituted either as public or as private limited liability companies (companies with share capital). The same concern for protection of partners and especially of third parties arises in the case of partnerships which are in fact companies with share capital. The purpose of the proposal for a Directive in question is therefore to fill a widening gap.

#### Exemptions for small and medium-sized companies

The Council agreed on the substance with a view to the adoption of a common position on the amended proposal for a Directive amending Directive 78/660/EEC on annual accounts and Directive 83/349/EEC on consolidated accounts with respect to the exemptions for small and medium-sized companies and the publication of accounts in ecus.

The aim of the Directive is to enable Member States to extend further the exemptions already provided for in the 4th Directive and 7th Directive for SMUs in line with the general policy of reducing unnecessary burdens on such undertakings.

This Directive also makes it possible to counter-balance the effects of the other Directive on which the Council (scope) agreed today in that partnerships falling within the scope of that Directive will be able to benefit from SMU treatment if they satisfy the rules which define them.

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### RIGHT OF RESIDENCE

The Council held a debate on the three Directives on the right of residence on which agreement was reached in December 1989 (see Press Release No 11045/89 of 21/22.XII.89). The Council had decided to consult the European Parliament again on the amendments granted.

The Council confirmed its December agreement while adopting a number of amendments proposed by the European Parliament.

However, one delegation entered a reservation on the Directive on non-active persons. The Council hoped this delegation would withdraw its reservation as soon as possible to enable this important set of Directives to be finally adopted.

### LIFE ASSURANCE - 2ND DIRECTIVE

As part of the first stage in the co-operation procedure with the European Parliament, the Council reached agreement on a common position on a second Directive on the co-ordination of provisions for the exercise of freedom to provide direct life assurance services and amending the second Directive 79/267/EEC.

The purpose of this Directive is to supplement the first Directive on life assurance (Directive 79/267/EEC) and to facilitate the effective exercise of freedom to provide services in this area, thus affording policy holders complete freedom to avail themselves of the widest possible market. This proposal for a Directive is the counterpart of the second Directive on insurance other than life assurance adopted by the Council on 22 June 1988.

The following main points of the content of the Directive may be indicated:

- it lays down special provisions for access to and the pursuit of activity by way of freedom to provide services, two different systems being provided for depending on whether the initiative comes from the insurer or the policy-holder;
- it lays down the powers and means of supervision vested in the supervisory authorities as regards the activity to provide services;
- it provides, for the purpose of protecting the policy-holder, a right to cancel a contract within a fixed period of its conclusion;
- taking into account the extension of its scope to include group insurance and of the need to guarantee the independence of brokers in all the Member States, it provides for the possibility of delayed application as regards group insurance on the one hand and the system of freedom to provide services through brokers on the other;
- in order to preclude any sources of distortion of competition, the tax system applied is that of the Member State of commitment, i.e. that of the policy-holder.

Specific transitional provisions are provided for certain Member States which, in view of their economic situation, have to make a particularly great effort.

CONCERTED COMPETITION PRACTICES IN THE INSURANCE SECTOR:

APPLICATION OF ARTICLE 85.3

The Council, subject to the Opinion of the European Parliament, reached agreement in principle on a proposal for a Regulation on the application of Article 85(3) of the Treaty to certain categories of agreement, decisions and concerted practices in the insurance sector.

The aim of the proposal is to empower the Commission to adopt group exemption for certain types of agreements in the insurance sector.

#### MOTOR VEHICLE LIABILITY INSURANCE

The Council adopted a common position on the amendment proposed by the Commission, particularly as regards motor vehicle liability, to the first and second Directives on insurance other than life assurance.

The proposed amendment is aimed at extending the scope of the second Directive on the freedom to provide services in the sector of direct insurance other than life assurance to include motor vehicle liability insurance in respect of the use of motor vehicles.

The Directive should make the maximum contribution for facilitating the freedom to provide motor vehicle liability insurance services between Member States, while ensuring a high degree of protection for the insured and for accident victims.

As regards the supervision of insurers, it will be remembered that the second Directive provides for two different systems: the "large risk" system mainly governed by the State in which the insurer is established (supervision by the country of origin) whereas for small risks (i.e. small policy-holders) the State in which the risk is situated may under certain circumstances require authorization and supervise the policy conditions, the premiums and the technical provisions.

In order to take account of the special requirements for the protection of road accident victims, provision was made for a progressive system of application of the large risk system to be adapted in the light of the subsequent harmonization of technical provisions.

### ANNUAL ACCOUNTS AND CONSOLIDATED ACCOUNTS OF INSURANCE UNDERTAKINGS

The Council was informed of progress made in the discussions on a proposal for a Directive on the annual accounts and consolidated accounts of insurance undertakings.

The Council also took note of the incoming Presidency's commitment to actively continuing the discussions on this dossier in the second half of the year.

### MAJOR EUROPE-WIDE NETWORKS

The Council took note of the verbal report by Commissioner BANAGEMANN on progress made in the discussions on this matter.

Mr BANGEMANN announced the submission of a document for the Council meeting on 17 July 1990.

Delegations stressed the importance they attached to this matter and the need to implement in an effective manner the broad lines of the Resolution adopted by the Council in December (see press release 11045/89 - 21/22.XII.89).

### LEGAL PROTECTION OF BIOTECHNOLOGICAL INVENTIONS

The Council was informed of progress made in the discussions on a proposal for a Directive on the legal protection of biotechnological inventions on which the European Parliament's Opinion is awaited.

The delegations raised the following questions in particular:

- the ethical aspects of the possibility of patenting certain biotechnological inventions;
- the existence of patent rights alongside plant breeders' rights.

The Council instructed the Permanent Representatives Committee to continue its discussions on the matter.

#### RECOGNITION OF VOCATIONAL EDUCATION AND TRAINING

The Council took note of progress made in the discussions on the proposal for a Council Directive on a second general system for the recognition of vocational education and training.

This proposal covers all regulated professions not covered either by a specific Directive or by the first general system for the general recognition of higher education diplomas (Directive 89/48/EEC).

The Council instructed the Permanent Representatives Committee to continue its discussions to allow it to reach a common position as soon as possible.

#### FOOD AND FOOD INGREDIENTS TREATED WITH IONIZING RADIATION

On the basis of a compromise from the Presidency, the Council held an exchange of views on a proposal for a Directive aimed at ensuring the free movement of products treated with ionizing radiation while guaranteeing a high level of consumer protection.

This compromise is based on the following aspects:

- a Community list containing herbs and spices only;
- national authorizations the implementing procedures for which remain to be specified.

- stringent labelling rules.

The Council instructed the Permanent Representatives Committee to complete its discussions on the compromise in order to be able to reach agreement as soon as possible, taking account of the deadline of 31 December 1990, when the exemption for the treatment of herbs and spices with ethylene oxide would expire.

#### DANGEROUS SUBSTANCES AND PREPARATIONS

This item was postponed until the Council meeting on 17 July 1990.

#### GERMAN UNIFICATION

During lunch, the German Minister informed his colleagues of developments relating to the internal market, including the right of ownership and the privatization of undertakings.

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MISCELLANEOUS DECISIONS

Other decisions in the Internal Market sector

Approximation of legislation

The Council adopted

- the Directives on the approximation of the laws of the Member States relating to
  - = active implantable electromedical devices - this Directive covers all medical devices implanted in the human body and using a source of energy, the best known being the heart pacemaker;
  - = non-automatic weighing instruments  
(see press release 10023/89 Presse 218 - 23.XI.89)
- the common positions for the adoption of the Directives amending Directives
  - = 87/404/EEC on the approximation of the laws of the Member States relating to simple pressure vessels
  - = 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection
  - = 84/529/EEC on the approximation of the laws of the Member States relating to electrically operated lifts.

Technical harmonization - conformity assessment

The Council adopted its common position with a view to the adoption of a Decision concerning the modules for the various phases of the conformity assessment procedures which are intended to be used in the technical harmonization Directives.

The aim of the draft Decision is to establish that the conformity assessment procedures to be used in the technical harmonization Directives in the marketing of industrial products will be chosen from among the modules contained in the Decision and in accordance with the criteria therein. It considers that the introduction of harmonized methods for the assessment of conformity and the adoption of a common doctrine for their implementation are likely to facilitate the adoption of the future technical harmonization Directives concerning the placing on the market of industrial products and thus be conducive to the completion of the internal market by 31 December 1992.

Customs Union

The Council adopted the Regulations

- amending Regulation 1301/88 determining the persons liable for payment of a customs debt
- information provided by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature
- temporarily suspending the autonomous common customs tariff duty on certain industrial products (in the chemical and allied sectors).

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Customs Co-operation Council

The Council authorized the Commission to sign on behalf of the Community the Customs Co-operation Council Convention on temporary admission.

Economic activities

The Council adopted its common position with a view to the adoption of the Regulation on the statistical classification of economic activities in the European Community.

ECSC

The Representatives of the Governments of the Member States of the ECSC, meeting within the Council, adopted the Decisions on the opening of

- a zero-duty tariff quota for flat-rolled products of silicon electrical steel for the Benelux countries
  
- two zero-duty tariff quotas for flat-rolled products of silicon electrical steel for Spain.

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

7261/90 (Presse 101)

1416th Council meeting  
- Agriculture -  
Luxembourg, 25 and 26 June 1990

President: Mr Michael O'KENNEDY

Minister for Agriculture  
and Food  
of Ireland

25/26.VI.1990

kin/LG/mh

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Paul de KEERSMAEKER                      State Secretary for European Affairs  
and Agriculture

Denmark:

Mr Laurits TOERNAES                      Minister for Agriculture

Germany:

Mr Ignaz KLECHLE                      Federal Minister for Food, Agriculture  
and Forestry

Mr Walter KITTEL                      State Secretary,  
Federal Ministry of Food, Agriculture  
and Forestry

Greece:

Mr Michaelis PAPACONSTANTINOU              Minister for Agriculture

Spain:

Mr Carlos ROMERO-HERRERA              Minister for Agriculture

France:

Mr Henri NALLET                      Minister for Agriculture

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Ireland

Mr Michael O'KENNEDY Minister for Agriculture and Food

Mr Joe WALSH Minister of State at the Department  
of Agriculture and Food

Italy:

Mr Calogero MANNINO Minister for Agriculture

Mr Paolo BRUNO State Undersecretary for Health

Luxembourg:

Mr René STEICHEN Minister for Agriculture and  
Viticulture

Netherlands

Mr Ch. R. van BEUGE Deputy Permanent Representative

Portugal:

Mr Arlindo CUNHA Minister for Agriculture, Fisheries and  
Food

United Kingdom:

Mr John Selwyn GUMMER Minister of Agriculture,  
Fisheries and Food

Mr David CURRY Parliamentary Secretary,  
Agriculture

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Commission:

Mr R. MAC SHARRY Member

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USE OF AGRICULTURAL COMMODITIES IN THE NON-FOOD SECTOR

Following lengthy discussions the Council agreed, on the basis of a Presidency compromise, to the measures for the use of agricultural commodities in the non-food sector.

The text of the compromise is set out below:

"I. SET-ASIDE FOR NON-FOOD USES

The Commission proposal (COM(89) 597 final) for the non-food use of cereals could be agreed to with the following changes and additions:

(a) Operation of the regime

1. In the event that a group of farmers arranges to supply a single industrial user, on the basis of a joint contract, and on condition that the proportion of their arable land withdrawn from production is 40% (rather than 30%) the requirements on areas (40% and 50/50 equivalence between "industrial" and "nude" areas) may be respected by the group as a whole rather than by the individual farms.
2. An individual farmer as well as the group of farmers referred to under 1, withdrawing at least 40% of arable land from production for set-aside purposes will benefit from exemption of both co-responsibility levies for the entire volume of cereals supplied to the industrial processors.

This is in addition to the existing exemption for the first 20 tonnes for the other cereals marketed.

3. For control reasons, the original proposal requires applicants not to grow the same cereals elsewhere on their farms. This requirement could be removed from the Council Regulation on the clear understanding that either this requirement, or else another equally effective control requirement, will be included in the implementing regulation.

(b) Revision and extension of the regime

4. A revision clause should be added to the effect that, one year after the effective implementation of the scheme by the Member States, the Commission will transmit a report to the Council and Parliament. At this time, if it is deemed necessary, the Commission will make a proposal to modify the regime in order to increase its efficiency taking into account the response of farmers and processors, the economic viability, the environmental impact of the scheme, possible control problems (in particular, with regard to by-products) and any other relevant aspects. At the same time the Commission, in the light of the results of the demonstration projects, will examine the possibility of extending the regime to products other than cereals.

The Regulation will be formally adopted once the texts have undergone legal and linguistic finalization.

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The Council gave the following undertakings as regards demonstration projects, co-ordination of the different measures in this sector and the various commodities which could be envisaged in the future:

## II. NEW AGRICULTURAL PRODUCTS

The Commission undertakes to study the possibility of specific regimes for certain products which currently do not benefit from support measures and which present concrete possibilities for use in the non-food sector (castor oil plant, miscanthus, kenaf, etc.). The Commission will submit proposals at the beginning of 1991.

## III. DEMONSTRATION PROJECTS

The Commission proposal on making available intervention stocks for "non-food" use demonstration projects will be urgently examined for adoption by the Council.

The Council agrees on the necessity to launch those demonstration projects which have the greatest potential and, in particular, energy uses of oilseeds, as soon as the necessary Community financing is available.

## IV. CO-ORDINATION OF POLICIES IN THE NON-FOOD SECTOR

The Commission, assisted by the STAR Committee, meeting in ad hoc form, will organize the co-ordination and follow-up of national and Community initiatives concerning the non-food use of agricultural products."

ORGANIC PRODUCTION METHODS

The Council discussed the proposal for a Regulation on the organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs, on which the European Parliament's Opinion is awaited.

The aim of the proposal is to create a harmonized framework for the labelling, production and inspection of agricultural products and foodstuffs bearing, or intended to bear, indications referring to organic production methods.

At present it covers solely agricultural crop products and foodstuffs intended for human consumption composed essentially of ingredients of plant origin. However, at a later stage, it is planned to widen the scope to animal production.

Discussions covered certain important issues relating more specifically to the scope, labelling and the deadlines envisaged for implementing the inspection system.

At the close of the discussions the Council noted that, on the basis of the conclusions emerging and in the light of the Opinion to be given by the European Parliament, it would be able to adopt the Regulation at a forthcoming meeting.

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REPORT ON INTRA-GERMAN DEVELOPMENTS IN THE FIELD OF AGRICULTURAL POLICY

The Council took note of statements by the Commission and the German delegation on the progress of the integration of the GDR into the common market in the agricultural sector.

In this framework the Council held a brief discussion on the implications of this integration, based on the principle of reciprocity, as from the establishment on 2 July 1990 of economic, monetary and social union between the Federal Republic of Germany and the German Democratic Republic.

The Council pointed to the importance it attached to being regularly and continuously informed on the progress of the unification process and noted with interest that in September 1990 the Commission would be submitting proposals for regulations on the adjustments to the Common Agricultural Policy necessitated by that process.

MULTILATERAL TRADE NEGOTIATIONS IN THE GATT FRAMEWORK (agricultural aspects)

The Council took note of a statement by the Commission on the present situation and foreseeable developments in the multilateral trade negotiations in the agricultural sector.

The Council confirmed the Community's position as defined in December 1989 and in April 1990 and reiterated its support for the line taken by the Commission in the negotiations. In particular, the Council considered that the lodging by the Commission in Geneva of documents outlining the Community's approach to tariffication, rebalancing and aggregate measures of support could help to put across the Community's wish to contribute to a gradual and substantial reduction in measures of support and protection in the agricultural sector.

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DRIED GRAPES (Greece)

In response to an undertaking given when the prices for 1990/1991 and related measures were adopted, the Council took a decision on the proposals submitted by the Commission in the dried grapes sector, taking account of a number of amendments suggested by the Commission to its original proposal.

Following this examination, the Council agreed to these amendments, which are aimed in particular at lessening the impact of the transition from a production aid scheme to a scheme of aid per hectare, and instructed the Special Committee on Agriculture to draw up the final texts so that they could be adopted by the Council in the near future.

PROTECTION OF PIGS AND CALVES KEPT IN INTENSIVE FARMING SYSTEMS

The Council examined the proposals for Regulations introducing minimum standards for the protection (a) of pigs and (b) of calves kept in intensive farming systems.

During the discussions it emerged that delegations were agreed on the advisability of adopting regulations on the matter, but that differences of opinion remained at present on the measures to be adopted in the light of the scientific and economic data to be taken into consideration.

Following its discussions, the Council instructed the Special Committee on Agriculture to expedite work on this matter, taking into account available scientific data, and to report to it at a forthcoming meeting.

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VETERINARY SECTOR

Following lengthy discussion, the Council reached an overall compromise on three important, closely-linked dossiers in connection with the attainment of the aims of the single market, viz.:

- the introduction of a new policy for the control of foot-and-mouth disease;
- the setting-up of a veterinary fund;
- the abolition of border checks on live animals and certain products of animal origin.

Control of foot-and-mouth disease

By a qualified majority, the Council adopted a new policy for the control of foot-and-mouth disease.

By this decision the Community is moving from a system characterized since 1973 by a policy based on systematic preventive vaccination introduced by the six Member States of the original Community, and the policy of non-vaccination and slaughter in the event of an outbreak, practised by the United Kingdom, Denmark and Ireland, to a new system.

Retaining two systems could constitute a major obstacle to free movement of animals and products with a view to the establishment of a single market.

After endeavouring to give as many guarantees as possible to those delegations which thought that discontinuation of vaccination represented a radical change in their traditional policy, the Council opted for a policy of non-vaccination throughout the Community.

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The Directive adopted clearly states the rules to be introduced in the framework of such a policy, particularly as regards:

- measures to be taken in case of an outbreak;
- alarm mechanisms;
- inspection of vaccine production centres;
- re-introduction of vaccination in the case of an emergency;
- the rules to be applied in the future, both in intra-Community trade and in dealings with third countries.

This decision will, however, be supplemented before 30 June 1991 by the introduction of uniform rules for controls in relation to third countries and the setting up of vaccine reserves for emergency vaccinations.

#### Expenditure in the veterinary field

The Council adopted by a qualified majority a Decision on expenditure in the veterinary field.

The Decision aims to bring together in a single text all the provisions which now exist or are to be implemented regarding the Community's financial contribution towards achieving the conditions for free movement of animals and animal products by 1993.

The measures to be financed include:

1. Specific veterinary measures, at present covered by the existing veterinary fund, to combat:

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(i) diseases for which emergency intervention must be provided for, with a 50% financial contribution by the Community;

(ii) foot-and-mouth disease, in the framework of the new policy adopted by the Community, that is 70% for the first 3 years and 60% thereafter.

For the campaign against foot-and-mouth disease, Community funding will take place through the EAGGF, Guarantee Section.

2. Programmes for the eradication and monitoring of animal diseases, for which a 50% financial contribution by the Community is provided for as compulsory expenditure.
3. Inspection measures in the veterinary field, for which a financial contribution by the Community is provided for on introduction in particular of the new strategy regarding the abolition of checks at Community frontiers.

#### Veterinary and zootechnical checks in intra-Community trade in live animals

In accordance with the undertaking given in December 1989 at the time of the adoption of Directive 89/662/EEC, the Council adopted by a qualified majority a Directive concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market.

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This Directive provides for the abolition of veterinary checks at the internal frontiers of the Community by 31 December 1991 at the latest, with emphasis on the checks to be carried out on departure and at the place of destination. However, given the existence of varying animal health conditions within the Community, the maintenance of an animal health certificate or an identity document is justified.

As regards zootechnical documents, Member States will ensure that their checking is subject to the rules on checking laid down for veterinary documents.

As of 1 January 1992, veterinary checks at intra-Community frontiers will be abolished for animals and animal products covered by Community rules, while animals and products which have not yet been harmonized will remain subject to the obligation to comply with the animal health requirements of the Member State of destination. However, document checks during transport may be maintained for a period of 12 months after the ending of vaccination against foot-and-mouth disease.

To enable the abolition of checks to take place, the Commission is responsible for setting up a computerized information exchange system between the Community's veterinary services enabling the service issuing the certificate of origin to advise the veterinary service of the Member State of destination of the consignments covered by the certificate.

At the place of destination, the veterinary service of the country of destination may require prior notification by the recipient of the animals or products included in a consignment.

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Checks may be carried out by sampling at destination, to ensure compliance with Community rules or, in the case of non-harmonized products, with the national rules of the Member State of destination.

The Council also confirmed the undertaking it gave in December 1989 to introduce rules for veterinary checks at the Community's external frontiers.

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Still on veterinary matters, the Council adopted the following measures:

Enzootic bovine leukosis

The Council adopted the Directive on enzootic bovine leukosis.

The Directive, which falls within the measures necessary for the completion of the internal market, amends that of 26 June 1964 (64/432/EEC) on animal health problems affecting intra-Community trade in bovine animals and swine.

The essential aim of the Directive is to introduce rules to determine which herds, regions and Member States are leukosis-free. The text defers by 12 months the requirement initially set for 1 July 1990 to trade only in animals which come from leukosis-free herds, in order to permit Member States to grade their livestock in accordance with the new rules.

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Semen of domestic animals of the porcine species

The Council adopted by a qualified majority a Directive laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species.

The purpose of these rules is, among other things, to introduce harmonized animal health rules for intra-Community trade in and imports into the Community of porcine semen.

To this end, it is stipulated that the semen be collected and treated in collection centres which are approved and inspected, and accompanied in shipment to the country of destination by an animal health certificate.

As regards imports of semen from third countries, a list of third countries will be drawn up on the basis of animal health standards. In addition, imported semen must come from collection centres which comply with certain standards and are subject to official inspection.

The Directive will enter into force on 1 January 1992.

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INTRA-COMMUNITY TRADE IN AND IMPORTS OF POULTRY AND HATCHING EGGS

Pending the Opinion of the European Parliament, the Council held a preliminary exchange of views on a proposal on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs.

Following its discussion, the Council expressed a favourable view of the general outlines of a Directive which, with a view to the completion of the internal market, aims at harmonizing the animal health rules applicable in this respect.

The Council agreed to resume its discussions on this subject upon receipt of the Opinion of the European Parliament.

ZOOTECHNICAL SECTOR

Intra-Community trade in equidae intended for participation in competitions

The Council adopted a Directive on intra-Community trade in equidae intended for participation in competitions.

With a view to the completion of the internal market, this text provides for the abolition of the obstacles which still exist to participation in certain horse competitions or contests within the Community.

It is also aimed at regulating the conditions of organization of such competitions or contests, and the rules relating to gains and profits attached to those competitions.

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Pending a re-examination due to take place by 31 December 1992, Member States are authorized, for each competition or type of competition, to set aside a certain percentage of total gains or profits, through the intermediary of the bodies officially approved or recognized for that purpose, for the safeguarding, promotion and improvement of breeding. This percentage must not exceed 30% in 1991, 25% in 1992 and 20% as of 1993.

#### VETERINARY MEDICINAL PRODUCTS

##### Tolerances for residues

The Council adopted the Regulation laying down a Community procedure for the establishment of tolerances for residues of veterinary medicinal products in footstuffs of animal origin.

The Regulation, the purpose of which is the protection of public health, provides among other things for the drawing up of a list of active pharmaceutical substances used in the veterinary medicinal products for which the residue tolerances are established.

The procedure for establishing these tolerances must involve a single scientific evaluation of the best possible level.

##### Approximation of laws

The Council adopted a joint position on a Directive on the approximation of the laws of the Member States relating to veterinary medicinal products <sup>(1)</sup>.

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(1) One delegation gave its agreement subject to confirmation.

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The purpose of this Directive is to advance the completion of the internal market in this sector, in particular through harmonization of:

- the conditions governing the distribution of veterinary medicinal products;
- information regarding those medicinal products;
- the conditions of their export;
- the protection of innovations in this area.

The joint position will be forwarded to the European Parliament.

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OTHER DECISIONS IN THE FIELD OF THE COMMON AGRICULTURAL POLICY

The Council adopted Regulations:

- on certain marketing standards for eggs.

The purpose of this Regulation is to adapt these standards taking account of the development of commercial practices in this area. In particular, that involves:

- = certain definitions and rules relating to the packing and presentation of eggs;
  - = the collection and packing of eggs at shorter intervals;
  - = the authorization to mark certain information on eggs and to amalgamate the rules on the labelling of small and large packs.
- laying down marketing standards for poultry.

The purpose of this Regulation is to contribute to improving the quality of poultrymeat, to increase and harmonize information given to consumers, and to facilitate intra-Community trade.

- amending Regulation No 2390/89 laying down general rules for the import of wines, grape juice and grape must.

The purpose of this amendment is to raise certain quantitative thresholds below which the certificate of origin and the analysis report which must normally accompany imports from third countries are not required.

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- amending Regulation No 1010/86 laying down general rules for the production refund on certain sugar products used in the chemical industry.
- fixing the seasonalization of the basic price and the guide level in the sheepmeat sector for the 1991 marketing year.

The Council also adopted Directives on:

- the animal health conditions governing the movement of equidae between Member States and the transport of equidae from third countries;
- the zootechnical and genealogical conditions governing intra-Community trade in equidae.

(See Press Release 6518/90 of 21/22 May 1990).



COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT



PRESS RELEASE

7313/90 (Presse 103)

1417th Council meeting

- FISHERIES -

Luxembourg, 27 June 1990

President: Mr John WILSON

Minister for the Marine  
of Ireland

PRESS RELEASE

7313/90 (Presse 103) COR 1 (en)

CORRIGENDUM

to the Press Release from the 1417th meeting of the Council  
on Fisheries, Luxembourg, 27 June 1990

REVISION OF CERTAIN TACs FOR 1990 - Page 6

This page should read as follows:

The Council adopted a Regulation amending certain TACs and quotas as follows:

<u>SPECIES</u>	<u>ZONE</u>	<u>TAC</u>	<u>MEMBER STATE</u>	<u>QUOTA</u>
Common sole	III a;	600	<u>Denmark</u>	520
	III b,c,d	(previously 500)	<u>Germany</u>	30
			Netherlands	50
			EEC	600
Common sole	VII a	1 500 (previously 1 050)	Belgium	740
			France	10
			Ireland	185
			Netherlands	235
			United Kingdom	330
		EEC	1 500	

At the Fisheries Council on 18 December 1989, the Commission undertook to submit any proposals for amending TACs, particularly for sole and herring, in the light of the ACFM's new opinion in May.

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dey/lG/bzb

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Marc LEPOUVRE Deputy Permanent Representative

Denmark:

Mr Kent KIRK Minister for Fisheries

Germany:

Mr Wolfgang von GELDERN State Parliamentary Secretary at the Federal Ministry of Food, Agriculture and Forestry

Greece:

Mr Panayiotis HATZINIKOLAOU Deputy Minister for Agriculture

Spain:

Mr Carlos ROMERO-HERRERA Minister for Agriculture

France:

Mr Jacques MELLICK Minister attached to the Minister for Transport, with responsibility for Maritime Affairs

Ireland:

Mr John P. WILSON Minister for the Marine

Mr Michael NOONAN Minister of State at the Department of the Marine

27.VI.90  
dey/LG/bzb

Italy:

Mr Carlo VIZZINI Minister for Merchant Shipping

Luxembourg:

Mr Thierry STOLL Deputy Permanent Representative

Netherlands:

Mr Ch. R. van BEUGE Deputy Permanent Representative

Portugal:

Mr Manuel OLIVEIRA GODINHO State Secretary for Fisheries

United Kingdom:

Mr David CURRY Parliamentary Secretary, Ministry of  
Agriculture, Fisheries and Food

Lord SANDERSON of BOWDEN Minister of State at the  
Scottish Office

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Commission:

Mr Manuel MARIN Vice-President

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dey/LG/jrb

DATA ON LANDINGS OF FISHERY PRODUCTS

The Council discussed a draft Regulation on the submission of data on landings of fishery products in the Member States.

The purpose of the draft Regulation is to harmonize the collection of data on the quantity and value of fishery products landed in the Member States and to lay down a uniform procedure for submitting such data to the Commission. The data should among other things make it easier to manage the Community market in fishery products. Since there were still differences of views between delegations, the Council instructed the Permanent Representatives Committee to continue discussing the matter.

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dey/LG/jrb

DUAL GUIDE PRICE FOR HERRING

The Council discussed a Commission staff paper on the effects of setting a dual guide price for herring in 1989.

The dual price system was introduced on an experimental basis for the 1989 fishing year and then renewed for 1990, to ease the problems of United Kingdom producers, who were unable to keep to the withdrawal price throughout the fishing year because of the way herring was marketed in the United Kingdom, and were thus unable to benefit from the advantages of the common market organization.

The Council noted the conclusions contained in the Commission staff paper, in particular that, under present circumstances, it was justified in keeping the dual guide price mechanism as long as herring production and marketing structures continued to differ among Member States.

The Council agreed to review this question when setting the guide prices for fishery products for 1991.

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REVISION OF CERTAIN TACs FOR 1990

The Council adopted a Regulation amending certain TACs as follows:

<u>SPECIES</u>	<u>ZONE</u>	<u>TAC</u>	<u>MEMBER STATE</u>	<u>QUOTA</u>
Common sole	III a;	600	Belgium	520
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		500)	Netherlands	50
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Common sole	VII a	1 500	Belgium	740
		(previously	France	10
		1 050)	Ireland	185
		Netherlands	235	
		United Kingdom	330	
		EEC	1 500	

At the Fisheries Council on 18 December 1989, the Commission undertook to submit any proposals for amending TACs, particularly for sole and herring, in the light of the ACFM's new opinion in May.

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dey/LG/bzb

HORSE MACKEREL - REVISION OF MEASURES FOR 1990

When adopting the TACs and quotas Regulation on 18 and 19 December 1989, the Council decided that a maximum of 50% of the horse mackerel available to the Community (excluding Portugal), viz. 145 000 tonnes, could be fished before 1 September.

To ease the difficulties of Irish fishermen, the Council, acting on a proposal from the Commission, agreed to increase the limit on the amount of horse mackerel that could be fished before 1 September from 50% to 65%.

ADDITIONAL QUOTA FOR GREENLAND

The Council adopted by a qualified majority a Regulation allocating an additional cod quota in Greenland waters.

The extra quota of 7 000 tonnes of cod from Greenland (western stock) was accepted by decision of the Council on 7 May 1990. This Regulation allocates the new quota between Germany and the United Kingdom, according to the usual allocation scale.

The total allocation of quota will be as follows:

Zone NAFO 0/1	Germany	17 710
	United Kingdom	5 290
Zone ICES XIV/V	Germany	13 040
	United Kingdom	1 960

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TECHNICAL CONSERVATION MEASURES

The Council held a wide-ranging exchange of views on a report on technical conservation measures drawn up by the ad hoc high-level Working Party on Fisheries in accordance with instructions from the Council of 18/19 December 1989.

Delegations welcomed the report, raising the following questions in particular:

- the deteriorating state of fish stocks, particularly in the North Sea;
- management options, with regard to enforcement and surveillance, the selectivity of fishing gear, discards and minimum landing sizes;
- adjusting fishing capacity to the resources available;
- general measures, research, economic incentives for fishermen to encourage more conservationist behaviour, and reduction of fishing activities;
- problems relating to conservation policy in the Mediterranean;
- the effect of effluents and certain types of fishing gear on the marine environment in general and fish stocks in particular.

Lastly, the Council noted that the Commission would be submitting proposals on the subject by 31 July 1990.

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RELATIONS WITH THIRD COUNTRIES AND ORGANIZATIONS

USSR

The Council was briefed on progress in the negotiations with the Soviet Union.

Canada

The Council noted the prospects for co-operation with Canada, particularly with regard to scientific research, access and monitoring of fisheries in the NAFO area.

Namibia

The Council took note of the Commission's comments on assistance to Namibia for assessing its fisheries resources with a view to opening negotiations for a fisheries agreement with that country.

It should be noted that on 23 April 1990 the Council took a decision authorizing the Commission to negotiate a fisheries agreement with Namibia.

NASCO

The Council was briefed on the outcome of the 7th annual meeting of NASCO.

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GDR

The German delegation briefed the Council on fisheries relations with the GDR and implications for the common fisheries policy.

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## MISCELLANEOUS DECISIONS

### Relations with the ACP States and the OCT

The Council adopted Regulations opening and providing for the administration of two Community tariff quotas for rum, tafia and arrack originating in:

- the African, Caribbean and Pacific States (ACP) (1990/1991) (volume for 1 July 1990 to 30 June 1991: 193 668 hectolitres of pure alcohol, comprising a first instalment of 116 200 hl allocated amongst the Member States and a second instalment of 77 468 hl constituting the Community reserve);
- the overseas countries and territories (OCT) associated with the European Economic Community (1990/1991) (volume: 15 000 hl of pure alcohol for the period 1 July 1990 to 30 June 1991).

### Anti-dumping

The Council adopted a Regulation imposing definitive anti-dumping duties on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan and Thailand and definitively collecting the provisional anti-dumping duty on imports of these products.

The amount of duty for imports originating in these countries is:

- 0,510 ecu/kg for Indonesia;
- 0,189 ecu/kg for the Republic of Korea;
- 0,653 ecu/kg for Taiwan;
- 0,407 ecu/kg for Thailand.

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The Regulation specifies, for each country, the firms whose direct imports are exempt from the duty.

ECSC

The Council adopted a Decision designating the representative organizations of producers and workers required to draw up lists of candidates representing producers and workers on the Consultative Committee of the European Coal and Steel Community.

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COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

7314/90 (Presse 104)

1418th Council meeting

- Telecommunications -

Luxembourg, 28 June 1989

President: Mrs Maire GEOGHEGAN-QUINN

Minister of State with  
Special responsibility  
for EEC matters



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Italy

Mr Oscar MAMMI

Minister for Posts and  
Telecommunications

Mr Raffaele RUSSO

State Secretary for Posts and  
Telecommunications

Luxembourg

Mr Alex BODRY

Minister for Posts and  
Telecommunications

Netherlands

Mrs Hanja MAIJ-WEGGEN

Minister for Transport and Public Works

Portugal

Mr Vitor A.M. da COSTA MARTINS

State Secretary for European  
Integration

United Kingdom

Mr Eric FORTH

Parliamentary Under-Secretary of State,  
Department of Trade and Industry  
(Industry and Consumer Affairs)

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Commission

Mr Filippo Maria PANDOLFI

Vice-President

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vic/HM/jp

IMPLEMENTATION OF OPEN NETWORK PROVISION

The Council adopted the Directive on the establishment of the internal market for telecommunications services through the implementation of open network provision.

This Directive concerns the harmonization of conditions for open and efficient access to and use of public telecommunications networks and, where applicable, public telecommunications services.

It is intended to facilitate the provision of services using public telecommunications networks and/or public telecommunications services, within and between Member States, and in particular the provision of services by companies, firms or natural persons established in a Member State other than that of the company, firm or natural person for whom the services are intended.

The Directive will enter into force on 1 January 1991.

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TERMINAL EQUIPMENT

The Council reached substantive agreement by a qualified majority with a view to the adoption of a common position on a proposal for a Directive on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity.

This Directive, which will eliminate barriers to the free movement of equipment, will bring about a single market in respect of terminals while ensuring the integrity of public networks.

The Directive makes provision for the public authorities to monitor the intended purpose of terminals as stated by the manufacturer or supplier.

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INTEGRATED SERVICES DIGITAL NETWORK - COUNCIL CONCLUSIONS

The Council welcomes the Commission's 1989 progress report on the co-ordinated introduction of ISDN in the Community and notes the substantial progress made by Member States in implementing ISDN services. The commitments undertaken by telecommunications organizations under the CEPT MOU and the significant advances made in drawing up the necessary standards within ETSI are viewed as encouraging evidence of the widest possible pan-European co-operation which the Council supports.

The Council recognizes the need to develop marketing efforts and in this respect notes Commission proposals relating to the creation of a European ISDN User Forum which would take into account existing efforts at the national level in Member States, and the preparation of a "European ISDN Atlas". The Council would also welcome participation by telecommunications organizations in a European ISDN presentation at the Telecom Geneva 1991 exhibition.

The Council invites the Commission, taking into account the STAR evaluation, to examine possibilities for supporting infrastructure and application aspects of ISDN in the less-favoured regions of the Community so as to promote the fullest possible availability of advanced communications.

Considering that the success of ISDN will depend on the availability of terminals, the Council invites the European industry to make every effort to ensure the timely availability of suitable terminals.

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The Council considers that the good progress made to date will facilitate the development of ISDN in Europe to the benefit of industry, service providers and users, and invites all parties to continue to co-ordinate their efforts as practicable in order to implement ISDN in Europe by 1992.

#### CO-OPERATION IN THE POSTAL SECTOR

The Council took note of a report from the Commission on preparatory work on a Green Paper on developments in the postal sector. This report includes the results of meetings of the Senior Officials' Group.

The Council reached the following conclusions:

- postal services would continue to play an important economic and social role in the Community, particularly in the context of completion of the internal market,
- further study would have to be made of the question of the Community dimension of postal services,
- the Commission was requested to study sectors and options which could be the subject of proposals, in the light of the opinions expressed today.

The Council hoped that the Commission would be able to complete its work on the Green Paper before the end of 1990.

#### EUROPEAN CONFERENCE OF POSTAL AND TELECOMMUNICATIONS ADMINISTRATIONS

The Council briefly discussed co-operation in telecommunications between the EEC and the CEPT.

The members of the CEPT are the postal and telecommunications administrations of 26 countries in Western Europe. Membership of the CEPT will probably be

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extended to include Central and East European countries. Its telecommunications activities are conducted by the Telecommunications Commission, CEPT Telecom. Last year, CEPT Telecom signed memoranda of understanding for co-operation with the Commission of the European Communities and with EFTA.

#### EXTERNAL POLICY VIS-A-VIS THE COUNTRIES OF EASTERN EUROPE - COUNCIL CONCLUSIONS

On the basis of the conclusions of the Dublin European Council, the Council conducted a preliminary examination of the Commission communication on the role of telecommunications in the Community's relations with the countries of Central and Eastern Europe. The Council requested the Permanent Representatives Committee to make a careful study of this communication in the light of the comments made by various delegations. The Committee was requested to draw up detailed draft conclusions for the Council's next meeting.

#### BROAD-BAND INTEGRATED TELECOMMUNICATIONS

The Council took note of an oral report by Mr PANDOLFI, Vice-President of the Commission, on new forms of activity in the field of broad-band integrated telecommunications.

#### DIGITAL CORDLESS TELECOMMUNICATIONS

The Council noted progress on a proposal for a Recommendation on the co-ordinated introduction of Digital European Cordless Telecommunications in the Community and a proposal for a Directive on the frequency bands to be designated for co-ordinated introduction.

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URUGUAY ROUND

The Council took cognizance of a note from the Commission on the telecommunications aspects of the Uruguay Round negotiations due to be concluded by the end of the year.

TRANS-EUROPEAN NETWORKS

The Council heard a statement by the Commission Vice-President on the measures needed to promote the development of major networks.

MISCELLANEOUS DECISIONS

German unification - transitional measures

In view of the entry into force of the Treaty ("Staatsvertrag") between the Federal Republic of Germany and the German Democratic Republic on 1 July, the Council adopted a Regulation on transitional measures concerning trade with the GDR for industrial products covered by the EEC Treaty <sup>(1)</sup>. The Council also gave its assent to a draft Decision to be adopted by the Commission in respect of products covered by the ECSC Treaty.

These Regulations take account of the fact that the "Staatsvertrag" provides for the immediate establishment of monetary union between the FRG and the GDR, and for the progressive integration of the GDR into the economic and social system of the Federal Republic and into the legal system of the Community in advance of the formal unification of the two Germanies. The Treaty also provides that the GDR is forthwith to align its policy on the law and objectives of the Communities.

In this context, the purpose of these Regulations and the ECSC Decision is to set up a de facto customs union between the Community and the GDR during the period preceding unification of the two Germanies.

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(1) A similar regulation concerning processed agricultural products and fishery products will be adopted once the Council has received the Opinion of the European Parliament.

Specifically, these texts empower the Commission, in accordance with the Management Committee procedure, to suspend the application of customs duties and any charges having equivalent effect and also of quantitative restrictions and any restrictive measure resulting from the instruments of common Community policy, once it has established that the GDR has introduced into its trade with third countries, on the one hand, the CCT, Community customs legislation and the other common commercial policy measures and, on the other, measures guaranteeing free access for Community goods.

Exceptions to these arrangements are nevertheless provided to allow protective measures to be taken in order to prevent free access of goods from giving rise to serious economic difficulties, particularly for the GDR.

#### Europe-wide co-operation on radio frequencies

The Council adopted a Resolution on the strengthening of the Europe-wide co-operation on radio frequencies, in particular with regard to services with a pan-European dimension.

This Resolution considers the following points as major policy goals in this area:

- strengthening European co-operation in the field of radio-frequency co-ordination with the objective of providing for a sufficient frequency spectrum for new services,
- working in particular towards the timely allocation of sufficient frequency sources to mobile and satellite applications,
- promoting the most efficient use of the frequency spectrum,

- developing common European positions in relation to the use of the frequency spectrum in the context of international frequency harmonization.

In this Resolution the Council also noted with satisfaction the current reform of radio frequency planning and co-ordination mechanisms undertaken by the CEPT, and invited the Commission and the Member States and the CEPT to support the further development of the new framework set up by the CEPT.

#### Right of residence

The Council adopted three Directives concerning the right of residence. These Directives, which should enter into force by 30 June 1992, represent a crucial step towards the free movement of citizens throughout the Community.

Their main provisions are as follows:

#### - Right of residence for non-active persons

Member States shall grant the right of residence to nationals of Member States who do not enjoy this right under other provisions of Community law and to members of their families provided that they themselves and the members of their families are covered by sickness insurance in respect of all risks in the host Member State and have sufficient resources to avoid becoming a burden on the social security system of the host Member State during their period of residence.

The right of residence shall remain for as long as beneficiaries of that right fulfil the conditions laid down in this Directive.

- Right of residence for employees and self-employed persons who have ceased their occupational activity

Member States shall grant the right of residence to nationals of Member States who have pursued in the Community an activity as an employee or self-employed person and to members of their families provided that they are recipients of an invalidity or early retirement pension, or old age benefits, or of a pension in respect of an industrial accident or disease of an amount sufficient to avoid becoming a burden on the social security system of the host Member State during their period of residence and are covered by sickness insurance in respect of all risks in the host Member State.

The right of residence shall remain for as long as beneficiaries of that right fulfil the conditions laid down in this Directive.

- Right of residence for students

The Member States shall take the necessary measures to facilitate the exercise of the right of residence in order to guarantee access to vocational or professional training in a manner free from discrimination. Accordingly, they shall recognize the right of residence of any student who is a national of a Member State and who does not enjoy this right under other provisions of Community law, and of the student's spouse and dependent children, where the student vouches to the relevant national authority, by means of a declaration or by such alternative means as the student may choose that are at least equivalent, that he has sufficient resources to avoid them becoming a burden on the social security system of the host Member State during their period of residence, provided that the student is enrolled in a recognized educational establishment for the principal purpose of following vocational or professional training courses there and that they are covered by sickness insurance in respect of all risks in the host Member State.

The right of residence shall be restricted to the duration of the course of studies in question.

This Directive shall not establish any entitlement to the payment of maintenance grants by the host Member State on the part of students benefiting from the right of residence.

#### Directive on carcinogens

Following the co-operation procedure with the European Parliament, the Council adopted a Directive on the protection of workers from the risks related to exposure to carcinogens at work.

The Directive provides that the employer shall reduce the use of carcinogens at the place of work, in particular by replacing them, insofar as is technically possible, by substances, preparations or processes which are not dangerous or which are less dangerous. Whenever carcinogens are used, the employer must implement a series of organizational measures to avoid or reduce exposure.



COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

7315/90 (Presse 105)

1419th Council meeting

- RESEARCH -

Luxembourg, 29 June 1990

President: Mr Michael SMITH,  
Minister of State for Science  
and Technology  
of Ireland

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Hugo SCHILTZ Deputy Prime Minister, Minister for  
the Budget and for Science Policy

Denmark:

Mr Bertel HAARDER Minister for Education and Research

Germany:

Mr Jürgen TRUMPF Ambassador, Permanent Representative

Greece:

Mr Stavros DIMAS Minister for Industry, Energy  
and Technology

Spain:

Mr Juan Manuel ROJO ALAMINOS State Secretary for the Universities  
and Research

France:

Mr Jean VIDAL Ambassador, Permanent Representative

Ireland:

Mr Michael SMITH Minister of State for Science  
and Technology

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Italy:

Mr Antonio RUBERTI

Minister for Scientific Research  
and Technology

Luxembourg:

Mr René STEICHEN

Minister attached to the Ministry  
of Scientific Research

Netherlands:

Mr P.C. NIEMAN

Ambassador, Permanent Representative

Portugal:

Mr Luis VALENTE DE OLIVEIRA

Minister for Planning and  
Territorial Administration

Mr José Pedro SUCENA PAIVA

State Secretary for Science  
and Technology

United Kingdom:

Mr Douglas HOGG

Minister for Industry and Enterprise

o

o

o

Commission:

Mr Filippo Maria PANDOLFI

Vice-President

SCIENTIFIC AND TECHNOLOGICAL CO-OPERATION WITH THIRD COUNTRIES

The Council heard a statement from Vice-President PANDOLFI presenting two Commission communications on scientific and technological co-operation with third countries - one relating to general aspects and the other to co-operation with the countries of Central and Eastern Europe.

After expressing its appreciation for the Commission's submission of these two communications, the Council held an initial policy debate in which delegations were able to comment on the matters raised therein.

At the close of the debate, the Council asked the Permanent Representatives Committee to study the communications closely, taking account of the comments by the various delegations, and to submit draft detailed conclusions for adoption in time for its next meeting. The conclusions should give the Commission detailed guidelines for Community policy in this area and indicate what the Community's policy towards third countries should be in practice, particularly in view of the provisions on implementing the third framework programme (1990-1994).

IMPLEMENTATION OF THE R & D FRAMEWORK PROGRAMME (1990-1994)

The Council took note of a communication from the President giving information on meetings he had held with his colleagues on implementing the framework programme of Community activities in the field of research and technological development, and of certain comments by Vice-President PANDOLFI.

The Council noted that its proceedings would give priority to studying proposals for specific programmes. The proceedings would be conducted in close co-operation with the Community Institutions to enable specific programmes to be adopted efficiently and quickly in accordance with the relevant conclusions of the European Council.

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CO-OPERATION IN THE FIELD OF SCIENTIFIC AND TECHNICAL RESEARCH (COST) AND CENTRAL AND EASTERN EUROPEAN STATES

The Council adopted the following Resolution concerning co-operation in the field of Scientific and Technical Research (COST) and Central and Eastern European States.

"THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Having regard to the Resolution of the Council concerning COST and the European Communities adopted on 20 June 1989,

Having regard to the conclusions of the European Councils of 8 and 9 December 1989 and 28 April 1990 in respect of Central and Eastern European countries and to the statement adopted by the Council on 23 April 1990 in relation to the additional contribution the Community can make to these countries under its research policy;

Having regard to the letter of 19 June 1990 addressed to the President of the Council by the Chairman of the COST Senior Officials Committee;

Whereas the COST Senior Officials Committee has examined a proposal relating to COST and Central and Eastern European States undergoing reforms,

Whereas COST Type B projects are already open to participation from non COST states, in particular other European states, on a case-by-case basis;

WELCOMES the possibility of progressively including as members of the COST framework Central and Eastern European countries undergoing reforms based on the founding principles of democracy, pluralism and the rule of law. R & D co-operation with such countries should have clear scientific justification

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and be mutually beneficial and should take place after a careful examination of the overall implications of such an enlargement;

RECOGNIZES the advantages of broadening the scope of COST co-operation by their inclusion;

ENCOURAGES the COST Senior Officials Committee and the Commission to undertake, in liaison with the countries concerned, a thorough examination of the modalities involved, including the possible adjustments to the COST framework which may prove necessary, and to inform Council of the results of this examination."

SPECIFIC PROGRAMME CONCERNING THE PREPARATION OF THE DEVELOPMENT OF AN OPERATIONAL EUROTRA SYSTEM

The Council adopted its common position on the proposal for a Decision adopting a specific programme concerning the preparation of the development of an operational EUROTRA system.

The purpose of the programme, which has an appropriation of ECU 10 million for two years - including the cost of five staff - will be to complete the first stage towards developing an advanced-design operational automatic translation system capable of processing all the official Community languages. The specific aims of the programme will be as follows:

(a) Creation of the conditions for the transition to an operational system

- implementation of a development, testing and research environment capable of supporting large-scale systems;

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- extension of the linguistic coverage and large-scale testing of the analysis and synthesis modules for all languages covered by EUROTRA;
- the definition of common methods for large-scale development for machine translation and other applications involving natural language;
- experimentation and evaluation of relayed transfer, using an interface structure as pivot;
- research, prototype implementation and evaluation of new linguistic models aimed at the improvement of the interlinguality of the interface structure and control of overgeneration;

(b) Advancement of work on lexicography and terminology

- definition of common methods and tools for the integration of existing lexical and terminological collections;
- participation in the definition of international standards for textual, lexical and terminological data.

(c) Training and co-operative projects

- training of researchers and engineers through a grant scheme;
- setting up, experimentation and evaluation of co-operation schemes between research institutes and industry.

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The indicative breakdown of the amount of ECU 10 million deemed necessary for the execution of the programme is as follows (in ECU 1 000):

System development structure	2 000
EC contribution to the national research teams	4 000
Shared-cost research projects	3 000
Training, subsidies, evaluation	1 000
TOTAL	10 000.

SPECIFIC RESEARCH AND TECHNOLOGICAL DEVELOPMENT PROGRAMME IN THE FIELD OF TRANSPORT (EURET) 1990-1993

The Council adopted its common position concerning the proposal for a Decision adopting a specific research and technological development programme in the field of transport (EURET) 1990-1993.

The programme, which has an appropriation of ECU 25 million for three years - including a staff of six - will cover the following areas:

- competitiveness: improving the effectiveness and competitiveness of transport systems and of the corresponding industries by reducing costs and improving performance, the quality of the service and management of the different systems and their components;
- safety: improving the safety of modes of transport and working conditions;
- protection of the environment: reducing the harmful effects of modes of transport on the environment.

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Community research into transport should be devised in the interest of the entire Community transport system, for the benefit of each mode and with a view to consistent stimulation. It should help in decision-making regarding transport policy, research and transport-related industry policy.

Given the complexity and the size of the transport sector, the EURET programme will embrace a small number of priority research topics.

The EURET programme will have three specific objectives:

- optimum network exploitation,
- logistics,
- reduction of harmful external effects;

the details of these and the indicative breakdown of funds (in million ECU) will be as follows:

1.	OPTIMUM NETWORK EXPLOITATION	16,5 (66%)
1.1.	Cost benefit and multicriteria analysis for new road construction	0,5
1.2.	European rail traffic management conception	5,0
1.3.	Design and assessment of a vessel traffic management system	3,0
1.4.	Trials in automated air/ground data exchange for air traffic management systems in Europe	5,0
1.5.	Study on the controller work station in air traffic management systems in Europe	3,0

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2. LOGISTICS	7,5 (30%)
2.1. Economic scenario and demand projections for freight transport in the Community	0,5
2.2. Economic and technical research into the transfer of goods - Design and evaluation of rapid transfer systems	3,0
2.3. Optimization of manpower in maritime transport	3,0
2.4. Taking human factors into consideration in the man/ship system	1,0
3. REDUCTION OF HARMFUL EXTERNAL EFFECTS	1,0 (4%)
3.1. Improved methods for evaluating the road safety of car and trailer trains	0,5
3.2. Assessment of the driving safety of possible truck and trailer combinations	<u>0,5</u>
	25,0

HUMAN GENOME ANALYSIS - PROGRAMME 1990-1991

Following completion of the co-operation procedure with the European Parliament, the Council adopted the Decision adopting a specific research and technological development programme in the field of health: human genome analysis (1990-1991).

The aims of the programme, which has an appropriation of ECU 15 million for two years - including the cost of a staff of two - are the use and improvement of new biotechnologies in the study of the human genome for a better understanding of the mechanisms of genetic function, as well as the prevention and treatment of human diseases. In the pursuit of these objectives, optimal co-operation will be sought with the programmes of non-member States and international organizations.

At the same time measures will be taken to develop an integrated approach to the ethical, social and legal aspects of possible applications of results obtained through the programme to ensure that they are not misused and also, with prenormative aspects in mind, to establish a set of bioethical principles to be followed in the developments to come.

Alteration of germ cells or any stage of embryo development with the aim of modifying human genetic characteristics in a hereditary manner is excluded from the programme objectives.

The technical content of the programme provides for precompetitive Community research, covering the setting up and reinforcement of networks of European laboratories, and training, intended to allow the use of modern technologies for the study and setting up of the human genetic map as well as

possible medical applications of the knowledge gained: there are also plans to set up ordered clone libraries of human DNA.

The indicative internal breakdown of funds in million ECU is as follows:

Improvement of the human genetic map	3,3
Physical mapping (ordered clone libraries)	3,4
Data processing and data bases	2,2
Improvement of the methods and bases for the study of the human genome	2,2
Training	1,9
Ethical, social and legal aspects	1,0
Management and staff	1,0
TOTAL	15,0.

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MISCELLANEOUS DECISIONS

Decisions in the energy sphere

As a result of the substantive agreements reached at its Energy meeting on 25 May 1990, the Council formally adopted:

- the Regulation concerning the promotion of energy technology in Europe (THERMIE programme) 1990-1994;
- the Directive concerning a Community procedure to improve the transparency of gas and electricity prices charged to end-users;
- the common position on the proposal for a Directive on the transit of electricity through transmission grids.

(See Press Release 6519/90 Presse 70 of 21.5.1990)

Framework Regulation on food aid

After resolving the problem regarding the "Comitology" Decision of the procedure to be adopted for the Committee provided for by the framework Regulation on food-aid policy and food-aid management, the Council definitively adopted the Regulation, which was otherwise due to expire on 30 June 1990.

At the same time, the Council definitively adopted two related Regulations on the implementation of storage programmes and early warning systems (Regulation No 2507/88) and the implementation of co-financing operations for the purchase of food products or seeds by international bodies or non-governmental organizations (Regulation No 2508/88), which were also valid only until 30 June 1990.

Latin American and Asian developing countries

The Council adopted the Decision setting general guidelines for 1990 for financial and technical assistance to Latin American and Asian developing countries.

The guidelines are very similar to those of previous years. As far as future years are concerned, the Council has already begun to study a communication from the Commission in which it proposes, inter alia, to lay down guidelines on a multiannual basis from now on.

Relations with the OCT

The Council adopted the Regulation derogating from the definition of the concept of "originating products" to take account of the special situation of the Netherlands Antilles with regard to chemical-proof overalls of CN Code 6210 10 99.

Customs union

The Council adopted the Regulations:

- opening and providing for the administration of autonomous Community tariff quotas for certain chemical products (1990).
- increasing the volume of the Community tariff quota opened for 1990 for

= a certain variety of synthetic polyalphaolefins,

- ferrochrome containing more than 6% of carbon by weight.

#### Appliances burning gaseous fuels

The Council adopted the Directive on the approximation of the laws relating to appliances burning gaseous fuels (cooking, heating and hot water production appliances, etc.).

The aim of the Directive is to harmonize national provisions concerning safety and energy conservation for appliances burning gaseous fuels, thereby ensuring elimination of barriers to trade.

#### System for the rapid exchange of information on dangers arising from the use of consumer products

The Council adopted the Decision extending the Community system for the rapid exchange of information on dangers arising from the use of consumer products until the entry into force of the Directive on general product safety which will take its place.

The system is designed to cope with cases of serious and immediate danger to consumers occurring when everyday products are either not manufactured to the required standard or are badly designed in the first place.

#### Annual and consolidated accounts - exemptions for small and medium-sized companies

The Council adopted the common position on the amended proposal for a Directive amending Directive 78/660/EEC on annual accounts and Directive 83/349/EEC on consolidated accounts with respect to the exemptions for small and medium-sized companies and to the publication of accounts in ecus.

The purpose of the Directive is to permit Member States further to extend the derogations already provided for by the 4th Directive and the 7th Directive in favour of SMUs, in accordance with the general policy of reducing unnecessary charges for these undertakings.

Annual accounts and consolidated accounts - scope

The Council adopted the common position on a proposal for a Directive aimed at extending the scope of Directive 78/660/EEC on annual company accounts and Directive 83/349/EEC on consolidated company accounts.

Life assurance - second Directive

The Council adopted the common position on a second Directive co-ordinating provisions relating to the freedom to provide direct life assurance services and amending Directive 79/267/EEC.

The purpose of this Directive is to supplement the "first" life assurance Directive (Directive 79/267/EEC) and to facilitate the effective exercise of freedom to provide services in this area, granting policy-holders complete liberty to avail themselves of the widest possible market.

As regards the essence of the Directive, it can be stated that:

- it lays down specific provisions on access to and exercise of activities in implementation of the freedom to provide services;
- it stipulates the powers and methods of control of the supervisory authorities;

- it provides for the possibility of postponed application in respect of group insurance on the one hand and the rules governing the freedom to provide services via brokers on the other;
- the tax régime applicable is that of the Member State of the commitment, i.e. that of the policy-holder.

#### Relations with the EFTA countries

The Council adopted the Regulation on the application of Decisions No 1/90 of the EEC-EFTA countries Joint Committees amending Protocol No 3 concerning the definition of the concept of "originating product" and methods of administrative co-operation, following the suspension of customs duties applicable by the Community of Ten and the various EFTA countries to imports from Spain.

#### Common agricultural policy

The Council adopted the Directive amending Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products.

#### Fisheries policy

The Council adopted the Regulation amending for the third time Regulation No 4047/89 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished.

With a view to allaying the difficulties of Irish fishermen, the Regulation provides for an increase from 50% to 65% in the maximum quantity of scad which may be fished before 1 September.

ECSC

The Representatives of the Governments of the Member States of the ECSC, meeting within the Council, adopted the Decision on certain measures applicable in respect of State-trading countries with regard to trade in iron and steel products covered by the ECSC Treaty.

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