

COUNCIL OF THE EUROPEAN COMMUNITIES

PRESS RELEASES

PRESIDENCY: IRELAND

JANUARY-JUNE 1990

Meetings and press releases March 1990

Meeting number	Subject	Date
1389 th	General Affairs	5 March 1990
1390 th	Agriculture	5-7 March 1990
1391 st	Economics/Finance	12 March 1990
1392 nd	Industry	13 March 1990
1393 rd	Environment	22-23 March 1990
1394 th	Agriculture	26-29 March 1990
1395 th	Transport	29 March 1990

COUNCIL OF THE EUROPEAN COMMUNITIES

1389th meeting of the Council

- General Affairs-

Brussels, 5 March 1990

President: Mr. Gerard Collins

Minister for Housing, Planning and the Environment, Ireland

The official press release was unavailable. A summary of the meeting has been reproduced from the Bulletin of the European Communities, No. 3-1990.

1389th meeting

1.6.8. General Affairs
(Brussels, 5 March).

- Previous meeting: Bull. EC 1/2-1990, point 1.6.13

President: Mr Collins, Irish Minister for Foreign Affairs.

Commission: Mr Delors, Mr Andriessen and Mr Matutes.

Main items

Negotiations with Czechoslovakia: directives adopted (→ point 1.2.15).

Uruguay Round: conclusions adopted (→ point 1.2.86).

Other business

Single motor vehicle market: exchange of views.

Relations with the countries of Central and Eastern Europe — proceedings of the Group of 24: Commission progress report noted.

Intergovernmental Conference: exchange of views.

Community action for Palestinians in the occupied territories: Commission progress report noted.

Informal meeting of the European Council, Dublin, 28 April: briefing by the President on preparations.

Renewal of the term of office of the Secretary-General of the Council: agreed.

1.2.15. Council Decision authorizing the Commission to negotiate an agreement between the EEC, Euratom and Czechoslovakia on trade and commercial and economic cooperation.

- Reference: Agreement between the EEC and the Czechoslovak Socialist Republic on trade in industrial products; OJ L 88, 31.3.1989
- Commission Recommendation: Bull. EC 1/2-1990, point 1.2.22

Adopted by the Council on 5 March. This Decision authorizes the Commission to negotiate an agreement covering industrial and agricultural products, excluding products covered by the ECSC Treaty and those covered by existing agreements, and replacing the Agreement on trade in industrial products of December 1988; the directives attached to the Decision provide for almost all specific quantitative restrictions applied to imports from Czechoslovakia to be removed or suspended by the end of 1994, for quotas to be opened for products of interest to Czech exporters and for the development of cooperation in a wide range of areas of mutual interest.

Bull. EC 3-1990

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Uruguay Round

1.2.86. Conclusions with regard to progress on negotiations.

- References:
 - Punta del Este Conference: Bull. EC 9-1986, points 1.4.1 to 1.4.4
 - Mid-term review: Bull. EC 12-1988, points 2.2.2 to 2.2.4; Bull. EC 4-1989, points 1.3.1 to 1.3.9

Text adopted by the Council (General Affairs) on 5 March.

'1. The Council took note of the Commission communication to the Council concerning the state

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of play of the Uruguay Round negotiations. It stressed the importance which it attaches to deploying, in all sectors, appropriate initiatives in order to ensure full adherence to the timetable fixed for concluding the negotiations successfully at the Brussels ministerial TNC meeting to be held from 3 to 7 December. The Council underlines that the Community will play an active role in bringing the Uruguay Round to substantial and balanced results.

2. The Council confirmed the priority which it attaches to the Uruguay Round, which should result in a true multilateral trading system applied by all contracting parties. In the opinion of the Council, the GATT system is an indispensable cornerstone of the international multilateral economic system. The Uruguay Round must lead to the elimination of unilateral measures developed over recent years which run counter to the multilateral approach. For the Community — engaged in the process of completing the single market and aware of its responsibilities at international level during this period of historic changes affecting the European continent — integration into an expanded multilateral trading system, which is both open and solid, is of vital importance.

3. The Council reaffirmed the commitment of the Community to the fulfilment of the objectives of the Punta del Este declaration. In this respect, the Council underlined:

(a) the necessity to ensure that trade relations take place in the framework of clear and predictable rules and disciplines, internationally recognized as being binding on all. A reinforced GATT system, including improved rules and procedures concerning dispute settlement, equally implies that domestic legislation involving unilateral measures be brought into line with the principles and practice of GATT multilateral rules. The Council awaits with interest the proposal on dispute settlement that the Commission has undertaken to make as soon as possible;

(b) the need for concerted efforts to conclude the process of negotiation aimed at establishing balanced solutions respecting the principle of globality of the negotiations. This would imply, on the part of all participants, and especially by the most important trading partners, an acceptable degree of burden sharing, but also appropriate contributions from developing countries taking account of their state of development.

4. The Community is convinced that it is a major priority of negotiations to maintain and ensure the active participation of the developing countries in the multilateral trading system.

5. Concerning the question of market access, the Council noted that effective liberalization can only be the result of concerted efforts by all concerned. It is therefore necessary that customs tariffs of all participants are reduced and bound and that appropriate measures are taken to curb non-tariff barriers. It goes without saying that the Community will contribute in all fields of negotiation, including those of particular interest to developing countries, such as tropical products. The Community will also make its contribution on textiles, with a view to progressive integration into the GATT during a transitional period on the basis of strengthened GATT rules and disciplines.

6. In respect of agriculture, the Council reaffirmed its view that the constructive and realistic proposal presented by the Community in Geneva, aimed at substantial progressive reductions of global agricultural support and protection, in full conformity with the result of the mid-term review, is a good basis for moving forward with the reform of this sector of international trade, including those aspects of particular importance to the LDCs. The Council, bearing in mind the standstill commitment in the Punta del Este declaration, called on all partners to abstain from any new internal legislative measures which might undermine the ongoing negotiations. It recalled in this context its preoccupation with regard to draft legislation on the table in the USA. The Council noted that the Community, and other contracting parties, are now engaging in a process of clarification of the proposals submitted on agriculture. The Council reaffirmed the Community's commitment to participate constructively in these further negotiations.

7. With regard to the new areas i.e. trade in services, intellectual property, and investment measures, the Council expressed its satisfaction at the constructive progress of the negotiations; the Council, nevertheless, underlined that further progress is needed to establish by the end of the Round reliable and comprehensive rules for the protection of intellectual property, for the liberalization of trade in services (both generally and in specific sectors) and for the control of trade-related investment measures. On the services issue, Ministers took note of the need for the Community to develop further its sectoral negotiating objectives and, with that in mind, urged the Commission to prepare position papers for early consideration so that all the important interests in this area are adequately safeguarded.

8. The Council reaffirmed its belief that the reinforcement of GATT rules and disciplines is an indispensable mechanism for reducing trade tensions and preventing imbalances in the rights and obligations of contracting parties under conditions of fair and equitable competition.

9. The Council noted with satisfaction that recent accessions or requests for accession under examination are an expression of renewed interest in the fundamental role of GATT in the international multilateral framework. It recalled the Community proposal for a joint declaration by the GATT, the IMF and the World Bank on greater coherence in global economic policy-making. It also considered it appropriate in the context of the Uruguay Round to examine how institutional structures might be better adapted to the need of avoiding fragmentation in the application of international trade rules and ensure a coherent and interdependent world economy. The idea for an effective International Trade Organization at the end of the Uruguay Round negotiations is of particular interest.

PRESS RELEASE

4984/90 (Presse 25)

1390th Council meeting
- Agriculture -
Brussels, 5, 6 and 7 March 1990

President: Mr Joe WALSH

Minister of State at the Department of
Agriculture and Food of Ireland

5/6/7.III.1990

ood/LG/mc

Italy:

Mr Calogero MANNINO

Minister for Agriculture

Luxembourg:

Mr René STEICHEN

Minister for Agriculture and Viticulture

Netherlands:

Mr Gerrit BRAKS

Minister for Agriculture, Nature
Conservation and Fisheries

Portugal:

Mr Arlindo CUNHA

Minister for Agriculture, Fisheries
and Food

United Kingdom:

Mr John Selwyn GUMMER

Minister for Agriculture, Fisheries
and Food

Mr David CURRY

Parliamentary Secretary, Agriculture

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Commission:

Mr R. MACSHARRY

Member

AGRICULTURAL PRICES AND CERTAIN RELATED MEASURES (1990/1991)

The Council continued its discussions on agricultural prices and certain related measures for the marketing year 1990/1991.

The Council began by examining those products it had not yet discussed, viz.: sheepmeat and goatmeat, pigmeat, tobacco, textile fibres, protein crops/dried fodder and wine.

It then turned its attention to a number of aspects of the sectors already examined at its February meeting to which the Special Committee on Agriculture had given further study. These included fresh and processed fruit and vegetables, cereals and oilseeds, milk products and beef and veal.

Following its discussions the Council noted that difficulties still remained but stressed that it was anxious that progress be made with the negotiations.

Since further technical examination was necessary, particularly as regards protein products and dried grapes, the Council instructed the Special Committee on Agriculture to continue its proceedings on these matters and agreed to resume its discussion of the price package in Luxembourg on 26 and 27 March.

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With a view to bringing together the necessary components for the establishment of an overall compromise at its next meeting, by which time the European Parliament's Opinion would also be available, the President of the Council accompanied by the Commission continued his talks with the various delegations on Tuesday afternoon and Wednesday morning.

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SUSPENSION OF THE IMPORT LEVY ON SHEEPMEAT AND GOATMEAT

The Council re-examined the proposal suspending the import levy on sheepmeat and goatmeat.

It took note of information supplied by the Commission regarding the negotiations held with the third countries which supply the Community (Austria, Bulgaria, Chile, Czechoslovakia, Hungary, Iceland, Poland, Romania and Yugoslavia).

It agreed to instruct the Special Committee on Agriculture to examine all the data on the outcome of these negotiations with a view to setting the matter at an early date.

USE OF AGRICULTURAL PRODUCTS IN THE NON-FOOD SECTOR

The Council noted with interest the Commission report on the use of agricultural products in the non-food sector drawn up, following the European Council's request of 13 February 1988, with a view to examining all the possibilities which existed in that area and submitting appropriate proposals.

The first part of the report covers the current situation and includes a list of Community measures in force, this gives an overall picture providing the necessary information on which to base any future action the Council may decide upon.

In this context, the Council also held an initial exchange of views on the Commission proposal accompanying the report. This proposal, technical examination of which will continue within the Special Committee on Agriculture, makes provision for specific financial aid for the use of arable land for non-food purposes.

Following its exchange of views, the Council instructed the Special Committee on Agriculture to continue examining the dossier so as to enable it to take a decision at a future meeting once the European Parliament's Opinion had been obtained.

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INTRA-COMMUNITY TRADE IN AND IMPORTS OF DEEP-FROZEN SEMEN OF DOMESTIC ANIMALS OF THE BOVINE SPECIES

The Council adopted a Directive amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species.

Since implementation of Directive 88/407/EEC, adopted in June 1988 within the context of the White Paper proposals, has caused Member States certain difficulties as regards its implementation, essentially temporary amendments have accordingly been made to the Annex of the Directive without jeopardizing the overall objective of ensuring satisfactory animal-health guarantees for trade in semen.

MISCELLANEOUS DECISIONS

Other decisions in the agricultural sphere

The Council:

- took note of the Commission reports in the sectors governed by the Regulations of 17 November 1986:

= No 3528/86 on the protection of the Community's forests against atmospheric pollution;

= No 3529/86 on the protection of the Community's forests against fire.

These reports cover the first two years (1987 and 1988) of implementation of the Regulations in question; they also give statistics on the nature of the projects financed under the two Regulations and on their breakdown by Member State;

- adopted

= the Regulation opening and providing for the administration of a Community tariff quota for Chinese cabbages originating in the Canary Islands (1990). For this Regulation the import duty on the quantities imported within the framework of the quota (100 tonnes) has been adjusted in accordance with the timetable laid down by the Act of Accession;

= Directives on the approval for breeding of:

- . pure-bred breeding pigs;
- . hybrid breeding pigs

The purpose of these Directives is to liberalize the approval for breeding of pure-bred and hybrid breeding pigs and the use of their semen, ova and embryos.

PRESS RELEASE

5133/90 (Presse 28)

1391st Council meeting
- Economic and Financial Affairs -
Brussels, 12 March 1990

President: Mr Albert REYNOLDS
Minister for Finance
of Ireland

12.III.90
dre/BS/pm

Ireland:

Mr Albert REYNOLDS	Minister for Finance
Mrs Marie GEOGHEGAN-QUINN	Minister of State, European Affairs

Italy:

Mr Guido CARLI	Minister for the Treasury
Mr Rino FORMICA	Minister for Finance

Luxembourg:

Mr Joseph WEYLAND	Ambassador, Permanent Representative
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Netherlands:

Mr W. KOK	Minister for Finance
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Portugal:

Mr Miguel BELEZA	Minister for Finance
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United Kingdom:

Mr John MAJOR	Chancellor of the Exchequer
Mr Richard RYDER	Economic Secretary to the Treasury

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Commission:

Mr Jacques DELORS	President
Mr Henning CHRISTOPHERSEN	Vice-President
Mr Peter SCHMIDHUBER	Member
Mrs Christiane SCRIVENER	Member

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Also present:

Mr Mario SARCINELLI	Chairman of the Monetary Committee
Mr Bernhard MOLITOR	Chairman of the Economic Policy Committee

ECONOMIC AND MONETARY UNION - STAGE ONE

After receiving the Opinions of the European Parliament, and on the basis of the Commission's amended recommendation/proposal, the Council adopted the two Decisions

- amending Decision 64/300/EEC on co-operation between the Central Banks of the Member States of the European Economic Community;
- on the attainment of progressive convergence of economic policies and performance during stage one of Economic and Monetary Union.

The first of these Decisions increases the responsibilities and the role of the Committee of Governors of the Central Banks of the Member States of the European Communities, whose task is defined as follows:

- to hold consultations concerning the general principles and the broad lines of policy of the Central Banks, in particular as regards credit, money and foreign exchange markets as well as issues being within their competence and affecting the stability of financial institutions and markets;
- to exchange information regularly about the most important measures that fall within the competence of the Central Banks, and to examine those measures. The Committee shall normally be consulted in advance of national decisions on the course of monetary policy, such as the setting of annual domestic monetary and credit targets;

- to promote the co-ordination of the monetary policies of the Member States with the aim ensuring price stability which is a necessary condition for the proper functioning of the European Monetary System and the realization of its objective of monetary stability;
- to formulate opinions on the overall orientation of monetary and exchange rate policy as well as on the respective measures introduced in individual Member States;
- to express opinions to individual Governments and the Council of Ministers on policies which might affect the internal and external monetary situation in the Community and, in particular, the functioning of the European Monetary System.

The second Decision introduces multilateral surveillance in order to help to achieve sustained non-inflationary growth in the Community, together with a high level of employment and the degree of economic convergence necessary for the success of Stage One of EMU, in the perspective of the completion of the Internal Market and in the context of economic and social cohesion. In this context it will apply the following principles: price stability, sound public finances and monetary conditions, sound overall balances of payments and open, competitive markets. It will examine at least twice a year:

- the economic conditions, prospects and policies in the Community and its Member States;
- the compatibility of policies within Member States and in the Community at large;
- the external economic environment and its interaction with the economy of the Community.

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Multilateral surveillance will cover all aspects of economic policy in both the short-term and medium-term perspectives.

Concerning the procedures to be followed in undertaking multilateral surveillance, the Council took note of the opinions of the Committee of Governors of the Central Banks, the Monetary Committee, and the Economic Policy Committee on the suggestions put forward by the Presidency at the ECOFIN meeting on 12 February.

The Council agreed to give its consideration to these views and return to them at a forthcoming ECOFIN meeting.

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During lunch Mr WAIGEL gave his colleagues a progress report on the establishment of an Economic and Monetary Union between the two Germanies.

The Ministers then held an exchange of views on that subject.

REVISION OF THE FINANCIAL PERSPECTIVE

On the basis of the Commission proposal submitted to the two arms of the budgetary authority on the revision of the financial perspective, and in application of the provisions of the Interinstitutional Agreement of 29 June 1988, the Council held an extensive discussion with a view to the impending negotiations on the matter with the European Parliament.

The discussion enabled guidelines to be worked out so that the Presidency could open those negotiations.

As regards additional appropriations for Central and Eastern Europe, the guidelines follow the Commission proposals; however, as regards the amounts for "other policies", internal or external, the Council was able to follow the Commission's lead only in part.

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In this connection, the Council also took note of the Commission communication on the annual technical adjustment of the financial perspective to take account of movements in GNP and prices made by the Commission in application of paragraph 9 of the Interinstitutional Agreement of 29 June 1988.

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EC BUDGET FRAUD

At the Council meeting on 13 march 1989 concerning the problem of fraud and irregularities committed against the European Communities, the Commission undertook to present an annual report on action take to combat fraud.

The Council held a discussion on the first report on combating fraud, submitted by the Commission on 1 February 1990.

The discussion gave Ministers the opportunity to stress once again the importance attached by them to this matter and to take note of the progress achieved during 1989 in combating fraud, while emphasizing that much remained to be done within the Commission's action programme.

The Council reaffirmed its desire for a stepping-up of measures to combat fraud, mentioning inter alia the need to simplify legislation and the importance of continuing to improve and increase co-operation between the authorities of the Member States and the Commission's departments.

BUDGET DIFFICULTIES- Report by the Court of Auditors 1988

The Council heard a contribution from Mr Aldo ANGIOI, President of the Court of Auditors, setting out the salient points of the Annual Report of the Court on the implementation of the general budget of the European Communities for the financial year 1988.

At the end of the exchange of views that followed Mr ANGIOI's contribution, the President of the Council thanked the Court of Auditors and its President for the extremely valuable work done by them in the inspection of the management of Community public funds.

- Discharge to the Commission for the budget for the financial year 1988

The Council subsequently adopted the recommendation to be made to the European Parliament for the discharge to be given to the Commission in respect of the implementation of the budget for the financial year 1988.

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TAX HARMONIZATION

The Council took note of a communication from Commissioner Mrs SCRIVENER in reply to concern expressed by the United Kingdom delegation regarding the Commission's intentions in the area of indirect taxation, following conclusions reached by the Council on this subject during the last few months of 1989.

Mrs SCRIVENER said in particular that by the end of April the Commission would be submitting proposals concerning transitional VAT arrangements and special arrangements for cars and mail-order purchases, including statistical aspects. Other proposals would follow before the end of the Irish Presidency, concerning in particular the movement of goods subject to excise duty.

OTHER DECISIONS

Taxation

The Council adopted the decision authorizing the United Kingdom to apply a measure derogating from Articles 5(8) and 21(1)(a) of the Sixth Directive (77/388/EEC) on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment.

This derogation, which was granted to the United Kingdom with effect from 1 April 1990 until 31 December 1992 in order to prevent certain forms of tax avoidance, enacts that a transfer of property is deemed to have taken place where certain assets are transmitted within a totality of assets to a company which is a member of a group of enterprises considered to be a single taxable person within the meaning of Article 4(4) of the Sixth VAT Directive, and which as a member of such a group is not entitled to deduct taxes in full.

Customs Union

The Council adopted the Regulation opening and providing for the administration of Community tariff quotas for quality wines produced in the specified regions of Jerez, Malaga, Jumilla, Priorato, Rioja and Valdepeñas (1990/1991).

Textiles

The Council

- authorized the Commission to open negotiations with Hungary and Poland on the modification of the textile agreements with those two countries;

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- adopted the decision on the provisional application of an Agreed Minute amending the Agreement between the European Economic Community and Hong Kong on trade in textile products, pending the conclusion of the Agreement.

Fisheries

The Council adopted the Regulation establishing, for the period from 1 March to 30 June 1990, certain measures for the conservation and management of fishery resources applicable to vessels flying the Japanese flag in waters falling under the sovereignty or jurisdiction of Portugal.

The purpose of this Regulation is to reduce for this year the maximum number of vessels fishing with long lines to 10, and to limit the total catch of all the long-liners to 80 tonnes of bluefin tuna.

In exchange, Japan will make a contribution to a scientific and technical co-operation programme in aid of the Portuguese coastline.

Appointment

Following a proposal by the Spanish Government, the Council appointed Don Angel PANERO FLOREZ as a member of the Economic and Social Committee, to replace Mr Federico RIERA-MARSA LLAMBI for the remainder of the latter's term of office, until 20 September 1990.

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

5134/90 (Presse 29)

1392nd Council meeting

- Industry -

Brussels, 13 March 1990

President: Mr Desmond J. O'MALLEY

Minister for Industry
and Commerce of Ireland

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

Belgium

Mr Willy CLAES Minister for Economic Affairs

Denmark

Mrs Anne-Birgitte LUNDHOLT Minister for Industry

Germany

Mr Elmar BECKER Director-General,
Federal Ministry of Economic
Affairs

Greece

Mr C. ALEXOPOULOS Secretary-General
Ministry of Industry

Spain

Mr Claudio ARANZADI Minister for Industry and Energy

France

Mr Roger FAUROUX Minister for Industry and
Town and Country Planning

Ireland

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

Mr Michael SMITH Minister of State at the
Department of Industry and
Commerce

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Italy

Mr Giuseppe FORNASARI

State Secretary for Industry

Luxembourg

Mr Robert GOEBBELS

Minister for Economic Affairs

Netherlands

Mr Koos ANDRIESSEN

Minister for Economic Affairs

Portugal

Mr Luis MIRA AMARAL

Minister for Industry and Energy

United Kingdom

Mr Douglas HOGG

Minister of State, Department of
Trade and Industry (Minister for
Industry and Enterprise)

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Commission

Mr Martin BANGEMANN
Sir Leon BRITTAN

Vice-President
Vice-President

13.III.90
col/HM/emb

INTERNAL MARKET FOR CARS

The Council, having heard introductory remarks from Vice-Presidents BANGEMANN and BRITTAN, held an in-depth discussion of the various internal aspects of the Community car market, i.e. the approximation of indirect taxation, the management of State intervention, technical harmonization, research and technological policy, training and reconversion efforts and the dismantling of internal quantitative restrictions. These discussions were set within the overall framework of the Commission's communication.

In this connection the Council took note of the Presidency's intentions to expedite work in the internal sector especially as regards the management of State intervention and the Commission proposals already on the Council's table concerning technical harmonization, in parallel with continuing discussions of the external side of this matter.

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TEXTILES AND CLOTHING INDUSTRY - CONCLUSIONS OF THE COUNCIL

1. The Council noted with interest the annual report presented by the Commission on the state of the textiles and clothing industry and shares, in general, its overall conclusions.

It invited the Commission to continue this type of analysis in order to deepen understanding of the issues involved, and to submit such reports regularly.

2. The Council had an exchange of views on various aspects of the subject, including support for the industry, the need for transparency of aids, and the external side.
3. The Council noted the views of delegations on the proposed "observatory"; the Commission stated that further study of this matter was needed before a decision could be taken.
4. The Council underlined the importance it attaches to the use of Community measures in a coherent and co-ordinated way to support the modernization of European industry, in particular, the necessity to take adequate account of the needs of the sector, especially of small and medium enterprises, with regard to the opening of markets and the priorities of the next R & D programme.
5. Having noted that the Commission is currently carrying out an analysis of the consequences for the industry of trade negotiations, the Council invited the Commission to present the results of this analysis to the Council as soon as possible.
6. Recalling its conclusions of December 1988, the Council reiterated its wish to support the important structural changes anticipated.

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THE FOOTWEAR INDUSTRY - CONCLUSIONS OF THE COUNCIL

The Council noted the contents of the communication which was submitted to it by the Commission and was in broad agreement with conclusions contained therein.

The Council stressed the importance which it attaches to the industrial restructuring of the sector and the link between this and Community and national support to the small and medium-sized enterprises which make up a considerable portion of the industries involved in this sector.

The Council noted that the Commission is examining the question of imports of certain categories of shoes from third countries.

The Council considered that, in order to encourage the adaptation of the Community industry, efforts by companies and the use of national and Community policies were necessary in the fields of:

- the promotion of technology transfer, and research and development (within the new framework programme)
- the provision of training and retraining facilities,
- protection of intellectual property,
- access to third markets,
- access to raw materials in third countries,
- access of SMEs to the programmes decided and implemented at Community level.

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BIOTECHNOLOGY

During a general discussion on the conditions for developing the biotechnology industry, the Commission mentioned that it intended to submit a detailed communication on the subject shortly.

AID FOR SHIPBUILDING

The Council took note of a statement by the Danish Minister - and of the reply by Vice-President BRITTAN - on the problem of aid for shipbuilding with a view both to preparations at Community level for a seventh Directive after the expiry of the sixth at the end of 1990, and to the negotiations on the subject in the OECD context.

The Council agreed to hold a substantive discussion on the subject at its Industry meeting on 28 May.

MISCELLANEOUS DECISIONS

Financial Regulation

The Council adopted the Regulation amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

The Financial Regulation thus revised contains new provisions intended chiefly to rationalize the presentation, administration and conditions for the implementation of the general budget, placing stress in particular on the principles of sound financial management, including the concept of cost-effectiveness in spending policy. Other changes relate to the areas of research and technological development (R & TD) and external aid.

Generally speaking, the Regulation represents the completion of financial reform in the Communities and the modernization of budgetary rules.

Intellectual property

The Council agreed to the conclusions on Community participation in the work within WIPO on drawing up the Regulations under the Protocol relating to the Madrid Agreement concerning the International Registration of Marks.

[REDACTED] - 1 - COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

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PRESS RELEASE

5329/90 (Presse 33)

1393rd Council meeting

- Environment -

Brussels, 22 and 23 March 1990

President: Mr Padraig FLYNN

Minister for the Environment
of Ireland

22/23.III.1990

vic/LG/at

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

Mr Leo BJOERNKOV State Secretary for the Environment

Germany:

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

Greece:

Mr Constantin LIASKAS 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 Pdraig 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

22/23.III.1990

vic/LG/at

Italy:

Mr Enrico PIETROMARCHI Deputy Permanent Representative

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

Mr José MACARIO CORREIA State Secretary for the Environment

United Kingdom:

Mr Christopher PATTEN Minister for the Environment

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Commission:

Mr Carlo RIPA DI MEANA Member

22/23.III.1990

vic/LG/bf

GENETICALLY MODIFIED ORGANISMS

After examining the Opinions of the European Parliament and the re-examined Commission proposal, and in the light of the positions which it had already adopted on the subject, the Council approved the substance of the proposals for Directives on:

- the contained use of genetically modified micro-organisms,
- the deliberate release to the environment of genetically modified organisms.

By way of reminder, the purpose of the first Directive is to adopt measures to control the contained use (e.g. in research and development) of genetically modified micro-organisms (GMMs). It makes provision for a system for notification of operations, the application of containment measures specific to the type of micro-organism and to the characteristics of the operation, as well as measures relating to accidents and waste management.

The purpose of the second proposal is to ensure the completely safe use (deliberate release) to the environment of genetically modified organisms (GMOs). It establishes a procedure for notification and case by case approval, for which the procedures differ depending on whether the organisms are being released for research and development purposes or in products which are to be placed on the market.

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vic/LG/bf

EUROPEAN ENVIRONMENT AGENCY

The Council resumed examination of the proposal for a Regulation on the establishment of the European Environment Agency and the European Environment Monitoring and Information Network, as amended by the Commission further to the Opinion which the European Parliament had just delivered.

The Council accepted the bulk of the amendments proposed by the Commission following the Opinion of the European Parliament and in particular the amendment whereby the functions of the Agency would be reviewed in two years.

The Council also agreed to the European Parliament appointing two leading scientists, particularly well qualified in the field of environmental protection, to the Management Board. These scientists would be selected on the basis of their potential personal contributions to the Agency's work.

The Council recalled that the seat of the Agency was a matter for a decision by the General Affairs Council.

The Council concluded by recording its agreement to the enacting terms of the Regulation and entrusted the Permanent Representatives Committee with the legal/linguistic finalization of the text so that it could be adopted as soon as possible.

The Council would decide on the entry into force of the Regulation once a decision on the seat had been taken.

AMENDMENTS TO THE DIRECTIVES ON WATER

The Council held a preliminary discussion on a proposal for a Directive amending Directives 80/778/EEC on drinking water, 76/160/EEC on bathing water, 75/440/EEC on surface water and 76/869/EEC on methods of measurement and frequencies of analysis of surface water.

The purpose of these proposed amendments is to facilitate:

- the adaptation to scientific and technical progress of the technical content of the Annexes to these Directives and
- implementation of these Directives by encouraging discussion between the Commission and the Member States.

The discussion enabled the Council to achieve significant progress. It accordingly instructed the Permanent Representatives Committee to resume its proceedings so that complete agreement could be reached at the Council meeting on 7 June 1990.

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WASTE POLICY - COUNCIL RESOLUTION

The Council adopted the following Resolution:

"THE COUNCIL,

Having regard to the Commission communication on a Community strategy for waste management;

Having regard to the existing Community Directives in the field of waste management, in particular Directives 75/442/EEC on waste, 78/319/EEC on hazardous waste, 84/631/EEC on transfrontier shipment of hazardous waste, and to its Resolution of 21 December 1988 on transboundary movements of hazardous waste to third countries;

Whereas in the interest of environmental protection there is a need for a comprehensive waste policy in the Community which deals with all waste regardless of whether it is to be recycled, reused or disposed of;

Whereas economic growth may lead to the production of more waste; whereas the amount of waste produced in the Community is in fact steadily increasing;

Whereas the production of waste should, where possible, be prevented or reduced at source, particularly by the use of clean or low waste technologies and products;

Whereas waste that cannot be recycled or reused has to be disposed of in the most environmentally safe manner;

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Whereas it is important for the Community as a whole to become self-sufficient in waste disposal and it is desirable for Member States individually to aim at such self-sufficiency; ⁽¹⁾

Whereas co-operation within the Community for the establishment and implementation of waste-disposal plans can be environmentally beneficial and more cost-effective;

Whereas movements of waste should be reduced to the minimum necessary for environmentally safe disposal and should be subject to proper controls,

1. WELCOMES AND SUPPORTS the Commission's communication; CONSIDERS that measures for the prevention of waste at source, the recycling and reuse of waste and the safe and adequate disposal of waste are essential and complementary components of an efficient waste-management system, and that harmonization of measures at Community level should be encouraged and rendered consistent with the development of the internal market taking into account the special economic characteristics of waste;
2. WELCOMES the efforts undertaken in different international fora, notably OECD and UNEP, to improve waste management and to ensure the disposal of waste in the safest possible conditions;

(1) It is noted that self-sufficiency in waste disposal does not apply to recycling.

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3. URGES the Commission and the Member States to further promote the development of clean technologies and clean products so as to minimize the production of waste; NOTES the Commission's intention to put forward proposals for the continuation and the strengthening on a permanent basis of action by the Community on the environment (ACE) in the field of clean technologies and to promote the development of codes of good practice, INVITES the Commission and the Member States to intensify the exchange of information on clean technologies in the framework of appropriate instruments such as ACE and NETT;

4. CONSIDERS that products placed on the market should be designed so as to make the smallest possible contribution, by their manufacture, use or final disposal, to increasing the amount or harmfulness of waste and pollution hazards; INVITES therefore the Commission to come forward as soon as possible with proposals for ecological criteria for products, taking into account best available technology not entailing excessive cost and including as appropriate the use of recycable, reusable or biodegradable materials, and for a supplementary Community-wide eco-labelling system covering the environmental impact during the life cycle of the product;

5. RECOGNIZES the need for Community-wide data on the volume and type of waste produced in the Community, the availability of approved disposal facilities and the methods of treatment and final disposal and CONSIDERS that in the future the European Environment Agency could make an important contribution in this regard;

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6. CONSIDERS that, where the production of waste is unavoidable, recycling and reuse of waste should be encouraged provided that such recycling or reuse is carried out in environmentally acceptable conditions, SUPPORTS the Commission's intention to continue and strengthen its action for the promotion of recycling and reuse technologies, particularly within the ACE programme; INVITES the Commission to bring forward as soon as possible specific proposal on packaging; CONSIDERS that additional measures may be necessary including, where appropriate, the development of collection and treatment systems; STRESSES that all measures for promotion of recycling or reuse must be accompanied by adequate environmental control measures including normative legislation and codes of good practice;
7. UNDERLINES that there is a short and medium-term priority to ensure an adequate infrastructure for waste disposal; CONSIDERS that an adequate and integrated network of disposal facilities, meeting Community standards and taking into account best available technologies not entailing excessive cost, should be developed in the Community on a regional or zonal level; CONSIDERS that such an infrastructure will facilitate the disposal of waste in one of the nearest suitable facilities, making use of the most appropriate methods and technologies to guarantee a high level of protection for the environment and public health; CONSIDERS that efficient waste collection and monitoring systems are an important part of this infrastructure; RECOGNIZES that in view of the responsibilities of Member States under Directives 75/442/EEC and 78/319/EEC in relation to waste management planning, the building-up of such

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a network is primarily a matter for Member States, as necessary in collaboration with other Member States and with the Commission:

8. CONSIDERS that both the quantity and the toxicity of waste for landfill should be reduced where appropriate and to this end pre-treatment processes should be encouraged; NOTES that, provided it is subject to adequate standards, incineration can be a useful means of reducing the volume of waste and of recovering energy; INVITES the Commission to complete its proposals on incinerators for industrial waste, as a matter of urgency; to consider additional standards for municipal waste incinerators; and to propose criteria and standards for disposal by landfill, including post-closure supervision;
9. CONSIDERS that it is desirable, from the point of view of prevention, recycling and reuse as well as final disposal, to establish action programmes for particular types of waste and therefore INVITES the Commission to establish proposals for action at Community level;
10. CONSIDERS that, in evaluating the different prevention, recycling and disposal options, the full economic, social and environmental implications should be taken into account and that the principle of the polluter pays should be fully applied;
11. CONSIDERS that movements of waste should be minimized and that the prevention of waste at source and the establishment of an adequate disposal network as envisaged under paragraph 7 will play a vital role in this respect; UNDERLINES that movements of waste must be subject to proper controls; INVITES the Commission to submit proposals for consideration by Council

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in June 1990 for the modification of Directive 84/631/EEC notably in the light of the need to implement as soon as possible the Basel Convention and the provisions of the 4th ACP-EEC Convention banning the export of waste to ACP countries; ⁽¹⁾

12. RECALLS its Resolution of 13 September 1989 on the reduction of technological and natural hazards, in particular insofar as it relates to transport, and NOTES the Commission's intention to continue its actions in the appropriate fora with a view to improving conditions of transport of waste;
13. CONSIDERS that action for rehabilitation of waste-disposal sites, including those already undertaken under the ACE programme and in the R&D field (STEP programme), should be continued and further developed;
14. CONSIDERS that financial and economic measures can play a useful role in implementing effective waste-management policies; NOTES that the Community's regional development policy can contribute to establishing optimal waste management policies;

(1) In this respect the Council underlines the desirability of operating a complete ban on exports of dangerous waste to ACP countries, in anticipation of the entry into force of the Lomé IV Convention, provided that the Commission agrees to the non-application of Directive 84/631/EEC in this respect.

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15. UNDERTAKES, in the light of the present Resolution, to accelerate work upon the different proposals relating to waste management currently before it and in particular aims to reach agreement upon the proposals for the modification of Directives 75/442/EEC on waste and 78/319/EEC on hazardous waste by June 1990 and December 1990 respectively;

16. INVITES the Commission to report to the Council on the progress made in the areas covered by this Resolution by the end of 1992."

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FREEDOM OF ACCESS TO INFORMATION

The Council recorded its agreement to a Directive on the freedom of access to information on the environment.

The purpose of the proposal 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 as provided in the Directive, public authorities will permit access to information on the environment to any natural or legal person at his request and without his having to prove an interest.

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 or likely to so affect them, and on activities or measures designed to protect them, including administrative measures and environmental management programmes.

Save as provided in the specific provisions laid down in the Directive, any person who considers that his request for information has been unreasonably refused or ignored, or has been inadequately answered by a public authority, will be able to seek a judicial or administrative review of the decision in accordance with the relevant national legal system.

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POLLUTION OF WATER BY NITRATES

The Council conducted a further exchange of views on a proposal for a Directive concerning the protection of fresh, coastal and marine waters against pollution by nitrates from diffuse sources. The discussion was directed in particular at the scope of the Directive.

The Council instructed the Permanent Representatives Committee to continue work so that it would be in a position to adopt the Directive at its meeting in June.

POLLUTION BY MOTOR VEHICLES

The Council held an initial policy debate on a new proposal to amend Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles.

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;

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- by 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;
- by 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.

After noting a generally favourable reception to the proposal, the Council instructed the Permanent Representatives Committee to study the matter in order to be able to take a decision at the earliest opportunity, give the importance of combating automobile pollution and the industry's need to have stable test procedures and standards adopted.

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OZONE

The Council took note of an oral progress report given by Mr RIPA DI MEANA, Member of the Commission, on the negotiations for the revision of the Montreal Protocol on substances that deplete the ozone layer.

The Council agreed that, at its meeting on 7 June 1990, it would adopt the position to be adopted by the Community at the London Conference convened for June under the auspices of the UNEP (United Nations Environment Programme).

CLIMATE CHANGE

The Council conducted a wide-ranging exchange of views on climate change, a subject on which it had just received a Commission communication. This communication summarized progress made since the June 1989 Council Resolution and referred to work in the framework of the Intergovernmental Panel on Climatic Change.

After stating the importance which they attributed to this matter, delegations stressed the need for close co-ordination of Member States' positions, particularly in view of the Second World Climate Conference to be held in Geneva from 29 October to 9 November 1990.

The Council accordingly called upon the Commission to continue work and submit appropriate proposals.

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MISCELLANEOUS DECISIONS

Post-Chernobyl arrangements

After examining the present post-Chernobyl arrangements in the Community, the Council adopted a new Regulation on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station.

That Regulation, which is applicable from 1 April 1990 and which will not be valid beyond 31 March 1995, replaces the current Community post-Chernobyl rules (Regulation EEC No 3955/87).

The general aim of the new Regulation is to ensure uniform post-Chernobyl protection throughout the Community. It contains the same basic features as the previous Regulation and provides for the same maximum permitted accumulated radioactivity levels in terms of caesium 134 and 137, that is to say:

- 370 Bq/kg for milk and certain milk products and for foodstuffs intended for infants; and
- 600 Bq/kg for all other agricultural products concerned.

However, the new Regulation contains one essential difference compared with the previous rules:

To allow for the fact that the risk of radioactive contamination of the products in question has decreased, the Council agreed to introduce a procedure making it possible to draw up and where necessary adapt a list of products fit for human consumption which are excluded from the scope of the Regulation. This procedure, which confers the relevant decision-making powers on the Commission - in the

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management committee - is identical to that laid down for the adoption of implementing measures and for adapting the list of products unfit for human consumption which are excluded, as in the past, from the scope of the post-Chernobyl arrangements.

In this connection, the Council also noted a Commission statement pointing out, among other things, that the Member States had undertaken, on 12 May 1986, not to apply to agricultural and processed products for human consumption originating in other Member States maximum permitted levels which were more stringent than those applied to such products originating in third countries. In addition, the Commission drew attention to the Member States' undertaking not to apply to such products originating in other Member States maximum permitted levels which were more stringent than those applied to domestic products.

Other Decisions on environmental matters

The Council adopted Decisions:

- concluding the Convention on Co-operation on the Management of Water Resources in the Danube Basin;
- amending Decision 85/338/EEC in order to provide for the continuation for two years of the Commission work programme concerning an experimental project for gathering, co-ordinating and ensuring the consistency of information on the state of the environment and natural resources in the Community (CORINE). The sum considered necessary to implement this extended programme was ECU 6,5 million.

Fisheries policy

The Council adopted the Regulation supplementing Regulation No 4047/89 fixing, for fish stocks in the Skagerrak and Kattegat, the total allowable catches for 1990 and conditions under which they may be fished.

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The Council also adopted the Decision authorizing the Portuguese Republic to extend until 8 April 1991 the agreement on mutual fishery relations with the Republic of South Africa.

Customs union

The Council adopted Regulations temporarily suspending the autonomous Common Customs Tariff duties on:

- a chemical product (copolymer of maleic anhydride with styrene, etc.);
- a number of agricultural and fishery products.

Relations with the Mediterranean countries

The Council adopted Regulations opening and administering Community tariff quotas for:

- cut flowers and flower buds, fresh, originating in Cyprus, Israel, Jordan or Morocco (1990-1991);
- certain wines having a registered designation of origin and originating in Morocco (1990-1991);
- apricot pulp originating in Turkey (1990-1991).

Appointments

The Council appointed members and alternate members of the Advisory Committee on Medical Training.

PRESS RELEASE

5571/90 (Presse 37)

1394th Council meeting
- Agriculture -
Luxembourg, 26, 27, 28 and 29 March 1990

President: Mr Michael O'KENNEDY

Minister for Agriculture
and Food of Ireland

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Italy:

Mr Calogero MANNINO

Minister for Agriculture

Luxembourg:

Mr René STEICHEN

Minister for Agriculture and Viticulture

Netherlands:

Mr Gerrit BRAKS

Minister for Agriculture, Nature
Conservation and Fisheries

Portugal:

Mr Arlindo CUNHA

Minister for Agriculture, Fisheries
and Food

United Kingdom:

Mr John Selwyn GUMMER

Minister for Agriculture, Fisheries
and Food

Mr David CURRY

Parliamentary Secretary, Agriculture

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Commission:

Mr R. MACSHARRY

Member

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ood/MI/mn

AGRICULTURAL PRICES AND CERTAIN RELATED MEASURES (1990/1991)

Following intensive negotiations on all the problems involved in the fixing of farm prices and related measures for the 1990/1991 marketing year, the Council was forced to acknowledge that, while significant progress had been made, it was unable at this stage to reach final agreement.

Accordingly the Council agreed to allow itself more time to consider the issues and to resume discussions at its next meeting on 25 and 26 April in Brussels.

In the meantime the Council extended the current marketing years for milk and milk products and for beef and veal until 29 April 1990.

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COMMUNITY VINEYARD REGISTER IN PORTUGAL

The Council examined the proposal for a Regulation on the early implementation of the vineyard register in Portugal; under the Act of Accession, this proposal requires unanimity.

At this stage of the discussions, the Council was unable to arrive at the unanimous agreement required.

AID FOR SKIMMED MILK PROCESSED INTO CASEIN AND CASEINATES

The Council adopted a Regulation extending for two months as from 1 April 1990 the provisions in force regarding the confining of the grant of aid for skimmed milk processed into casein and caseinates to certain uses of these products.

AGRICULTURAL STRUCTURES POLICY

The Council formally adopted two Regulations on improving the processing and marketing conditions for

- agricultural products,
- forestry products.

These measures, which replace earlier Regulation No 355/77, are part of a set of rules implementing the agricultural structures policy discussed by the Council following the reform of the Structural Funds in 1989. (The third Regulation in this package relating to the amendment of Regulation No 797/85 on structures was adopted in December 1989).

MISCELLANEOUS DECISIONS

Other decisions in the agricultural sphere

The Council formally adopted Regulations:

- amending Regulation (EEC) No 797/85 as regards the rates of reimbursement for the set-aside of arable land.

This amendment adjusts the rates of reimbursement to the Member States by the EAGGF of expenditure on land set aside in the second half of 1989. As from 1 January 1990, it will be for the Commission to set the rates for the Community contribution to structural policy measure (Regulation No 3808/89 on the reform of the Structural Funds).

- concerning statistical information to be supplied by the Member States on cereals production.

The purpose of this Regulation is to introduce a uniform statistical system in this sector.

The Council also formally adopted Directives:

- amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products.

This amendment relates to certain aspects of the Directive in question. These are the reduction of checks in the Member States of destination (a first set of amendments to that end was already adopted in June 1989) and the notification

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of the occurrence of harmful organisms in the Member States. This measure falls within the framework of the Commission's White Paper on the completion of the Internal Market.

- laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community.

This Directive corresponds to one of the objectives set in the White Paper and is designed to establish under which conditions a medicated pre-mix may, when mixed with a feedingstuff, be supplied to holders of animals for administration to them in the form of a medicated feedingstuff.

To this end, the Council defines inter alia the conditions to be met by manufacturers of medicated feedingstuffs and subjects the supply of the latter to certain requirements, particularly with respect to veterinary prescription.

This text, while taking account of the constraints imposed by Directive 81/851/EEC (approximation of the laws of Member States relating to veterinary medicinal products), in particular the national authorization system for the placing on the market of veterinary medicinal products, lays down the conditions for the free movement of medicated feedingstuffs and removes, save for restrictions connected with animal-health rules, the barriers to trade in animals which have been treated with such medicated feedingstuffs and in the products of these animals.

The Council also adopted:

- a Regulation on the total suspension of the levy applicable to imports of sheepmeat and goatmeat from certain third countries;
- a Decision concerning the adjustment of the voluntary restraint agreements with certain third countries on sheepmeat and goatmeat. This Decision is a result of the negotiations conducted with Bulgaria, Czechoslovakia, the GDR, Hungary, Poland and Yugoslavia.

Technological problems of nuclear safety - Council conclusions

The Council, having examined the progress report of the Commission departments for the period of October 1988 to October 1989 on the implementation of the Council Resolution of 22 July 1975 on the technological problems of nuclear safety:

1. reaffirmed the central role it attached to the Resolution referred to and to the annual Commission report as the Community instrument to monitor progress on the harmonization of nuclear safety requirements in the Community and reiterated its conclusions of 26 September 1988 and 21 June 1989;
2. recognized the value of the reported work for policy making in the Community and in Member States within their respective responsibilities;

3. acknowledged that the activities reported upon serve the objective of leading towards an equivalent and satisfactory degree of protection at the highest practical safety levels and contributing to the international acceptance of similar high safety levels;
4. welcomed in the perspective of the Single European Market the attention paid by the Commission to the development of Community technical codes and standards applied to components and equipment and to their relationship with nuclear safety requirements;
5. reiterated the importance of promoting co-operation through the relevant working groups of the Commission in the field of safety reviews done at national level;
6. underlined the importance of strengthening the links among the R&D actions of Member States in nuclear safety, including the safety of nuclear installations through significant Community actions in relation to prenormative R&D of Member States in this area which should consolidate its Community character;
7. welcomed the Commission's intention to contribute to the strengthening of the co-operation among Member States on the safety-related work on future generations of reactors;
8. in view of the objective of Member States and the Community of contributing towards internationally accepted nuclear safety principles and requirements, noted with appreciation:

- (a) the reported conclusion of the working group on thermal reactor safety that the principles for the safety of light-water reactors contained in the Commission's communication to the Council of 1981 are confirmed by the basic safety principles for any nuclear power plant, drawn up in 1988 by the international nuclear safety advisory group of the IAEA;

- (b) the first initiative of the Commission to participate in an IAEA OSART mission in a Community Member State, the positive attitude from the Member State referred to and the IAEA, as well as the Commission's intention to extend such initiatives in relation to other OSART mission.

Appointments

The Council replaced:

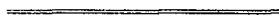
- one member of the European Social Fund Committee who had resigned,

- one member of the Advisory Committee on Freedom of Movement for Workers who had resigned,

- two members of the Advisory Committee on Vocational Training who had resigned,

- one alternate member of the Advisory Committee on Social Security for Migrant Workers who had resigned.

The Council also renewed the Advisory Committee on Safety, Hygiene and Health Protection at Work.



COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

5572/90 (Presse 38)

1395th Council meeting

- TRANSPORT -

Brussels, 29 March 1990

Presidents:

Mr Séamus BRENNAN

Minister for Tourism and Transport of
Ireland

Mr John P. WILSON

Minister for the Navy of Ireland

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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
Mr Joergen HALCK
State Secretary, Ministry of
Transport

Germany:

Mr Wilhelm KNITTEL
State Secretary, Federal Ministry
of Transport

Greece:

Mr Georges NOUTSOPOULOS
Minister for Transport and
Communications
Mr Nicolaos PAPPAS
Minister 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 Goerges SARRE
State Secretary for Road and
River Transport (Ministry
for Infrastructure, Housing,
Transport and 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
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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 João de OLIVEIRA MARTINS	Minister for Public Works Transport and Communications
Mr Alfredo Luis da CONCEIÇÃO RODRIGUES	State Secretary for External Transport
Mr Rui VICENTE	State Secretary for Housing and Internal Transport

United Kingdom:

Mr Cecil PARKINSON	Secretary of State for Transport
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Commission:

Sir Leon BRITTAN	Vice-President
Mr Karel VAN MIERT	Member

29.III.90

ill/BS/bt

DEVELOPMENT OF CIVIL AVIATION

The Council continued examining the Commission communication of September 1989 on the development of civil aviation in the Community on the basis of a report from the Permanent Representatives Committee, taking into account the conclusions adopted by the Council on 4 and 5 December 1989.

The Council focused its attention on the proposal on fares and the proposal on access to the market and the sharing of capacity.

The Council set up an ad hoc Working Party to clarify the delegations' positions on the main problems outstanding with regard to those two proposals. The Working Party's findings enabled the Council to bring positions closer together on a number of those problems.

With regard to the proposal on the application of Article 85(3) of the Treaty to certain categories of agreement and concerted practices in the air transport sector, the Council took note of a statement by Sir Leon BRITTAN on the conditions which the Commission envisaged adopting for granting group exemptions in air transport.

Sir Leon BRITTAN also confirmed the Commission's intention to submit to the Council a proposal on fares and other price-cutting practices.

The Council instructed the Permanent Representatives Committee to continue its discussions with a view to enabling the Council to adopt the texts representing the second stage of air transport liberalization at its June meeting.

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NEGOTIATIONS WITH THE EFTA COUNTRIES - AIR TRANSPORT

Following a wide-ranging discussion on the Recommendation for a Decision authorizing the Commission to open negotiations between the European Economic Community and EFTA countries on scheduled air passenger services, the Council agreed in principle to the opening of negotiations between the Community and the six EFTA countries (Austria, Finland, Iceland, Norway, Sweden and Switzerland).

The negotiations will cover traffic rights, fare setting, capacity sharing and competition rules.

The Council instructed the Permanent Representatives Committee to finalize the terms of reference incorporating the negotiating directives so that those terms could be approved at a forthcoming Council meeting, and not later than its meeting on 18 and 19 June 1990.

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MUTUAL ACCEPTANCE OF PERSONNEL LICENCES FOR THE EXERCISE OF FUNCTIONS IN CIVIL AVIATION

The Council held a policy debate on a proposal for a Directive on mutual acceptance of personnel licences for the exercise of functions in civil aviation, the aim of which is to ensure the free movement of civil aviation personnel in the Community.

The Council instructed the Permanent Representatives Committee to continue examining this issue on the basis of the following guidelines:

- during a first stage the Council will adopt a system for the mutual acceptance of licences;
- during a second stage the Council will, on the basis of a new proposal to be submitted by the Commission in due course, adopt arrangements laying down harmonized requirements for licences and training programmes;
- the scope of the Directive will initially be restricted to cockpit crew; other categories of personnel could form the subject of specific measures during a subsequent stage.

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AIR TRAFFIC SYSTEM CAPACITY PROBLEMS - COUNCIL CONCLUSIONS

"The Council, in the light of the Council Resolution of 5 June 1989 ⁽¹⁾:

- re-affirms the need for continuation and intensification of the work in Eurocontrol to tackle and resolve the problems of air traffic congestion in Europe;
- notes that Member States which have not yet acceded to the Eurocontrol Convention are taking steps to do so rapidly;
- invites Member States to co-operate to ensure that more airspace is made available for civil traffic and that it is used more flexibly and rationally;
- notes the current position in relation to the ECAC ⁽²⁾ Task Force report which will be presented to ECAC Ministers in April 1990 and invites the Commission to submit its views on that report, in order to facilitate overall progress in this area, for consideration by the Council at its next meeting on 18 and 19 June 1990;
- reminds the Commission of the need to draft a proposal for a Directive on the acquisition of air navigation equipment in order to harmonize the technical specifications for such equipment and procedures defined in close co-operation with Eurocontrol."

(1) OJ No C 189, 26.7.1989, p. 3.

(2) European Civil Aviation Conference.

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SHIPPING

On the basis of an interim report from the Presidency and in the light of the conclusions adopted by the Council at its meeting on 4 and 5 December 1989 (see press release 10311/89 (Presse 230)), the Council continued its discussion on measures likely to improve the operating conditions of Community shipping.

The Council took note of the statements by Mr Karel VAN MIERT, Member of the Commission with responsibility for transport, and Sir Leon BRITTAN, Member of the Commission with responsibility for competition, on progress within the Commission, in particular as regards consortia, multi-modal transport, vessel transfer and the free movement of seafarers.

Several delegations also stressed the importance of making rapid progress on the proposal for a Regulation on freedom to provide services within the Member States (cabotage).

In conclusion, the Council instructed the Permanent Representatives Committee to press ahead with its work on the matter, so that the basis for a balanced agreement acceptable to all delegations could be established at the Council meeting on 18 and 19 June 1990.

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INTERNATIONAL CARRIAGE OF GOODS BY ROAD

The Council discussed the two proposals for Regulations concerning access to the market in the international carriage of goods by road (increase in the 1990-1992 Community quota) and on the introduction of the definitive arrangements for the organization of the market for the carriage of goods by road (measures to be taken in the event of a crisis).

During the discussion several delegations emphasized the urgent need to introduce crisis arrangements. Other delegations pointed out that the Council was also required to adopt the arrangements applicable to transport operations between Member States in transit through third countries without discrimination between transport operators from the different Member States.

As it was not in a position, at this meeting, to take a decision on all these proposals, and given that the European Parliament had not yet delivered its Opinion on the proposal on measures to be taken in the event of a crisis, the Council:

- agreed in principle, on a proposal from the Commission, to increase the Community quota for 1990 by 40%;
- instructed the Permanent Representatives Committee to finalize the text of the Regulation so that the Council could adopt it at a forthcoming meeting.

A majority of delegations also felt that the Council should, at its meeting on 18 and 19 June 1990, adopt the Regulation on increases in the Community quota for 1991 and 1992 and the Regulation on the measures to be taken in the event of a crisis.

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EEC-TRANSIT THIRD COUNTRIES NEGOTIATIONS

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

The Council agreed to resume examination of this issue at its meeting on 18 and 19 June 1990 on the basis of an overall approach which the Commission undertook to submit on the matter, encompassing the following aspects: rail and combined¹¹ transport, technical standards and environmental impact (sound and gas emissions¹² of goods vehicles).

MAXIMUM DIMENSIONS OF ROAD TRAINS

The Council held a preliminary discussion on the proposal for a Directive on the maximum dimensions of road trains, on which it was awaiting the Opinions of the European Parliament and the Economic and Social Committee. The discussion led to an agreement in principle to the Commission proposal fixing for road trains:

- a total length of 18,35 m;
- a total load length of 15,30 m;
- a total load length, including the distance between motor vehicle and trailer, of 16,00 m.

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HIRED VEHICLES

The Council conducted a detailed discussion on 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.

In conclusion, the Council instructed the Permanent Representatives Committee to expedite examination of the proposal so that the Council could take a decision on the matter at its meeting on 18 and 19 June 1990.

FISCAL HARMONIZATION IN ROAD HAULAGE

The Council:

- held a brief discussion on fiscal harmonization in the road haulage sector on the basis of a letter sent by Commissioner VAN MIERT to Mr BRENNAN, President of the Council, suggesting a transitional solution to the problem of distortions of competition of fiscal origin in the road transport sector;
- noted the German delegation's intention to submit a memorandum on the subject;
- instructed the Permanent Representatives Committee to press ahead with its work on the issue so that it could be discussed in substance at the next Council meeting in June 1990.

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TRANSPORT INFRASTRUCTURE

The Council examined the 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.

At the end of its examination the Council instructed the Permanent Representatives Committee to continue its work on this issue, taking into account the encouraging progress made during the discussion, so that the Council could take a decision on the Commission proposal at its meeting on 18 and 19 June.

MISCELLANEOUS DECISIONS

Relations with the EFTA countries

The Council adopted the Decisions concerning the conclusion of the Agreements between the European Economic Community and the EFTA countries establishing co-operation in the field of training in the context of the implementation of COMETT II (1990-1994).

Public procurement

The Council adopted its common position on the Directive on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors.

The aim of the Directive is to open to genuine competition on a Community scale contracts in the water, energy, transport and telecommunications sectors, which have not to date been covered by Community rules. It will be recalled that two general Directives concerning public supply contracts and public works contracts were adopted recently.

The salient features of the common position are as follows:

- The Directive will be applicable not only to public entities but also to private entities enjoying special or exclusive rights granted by a Member State to exercise their activities in the fields in question.
- In the water sector, only drinking water is covered. In the energy sector, certain purchases of energy by entities which produce energy are not subject to the Directive, pending progress in the field of Community energy policy. Finally, in the transport sector, air transport and shipping are also

excluded from the scope of the Directive because of the competition that already exists in that field.

- Only contracts above certain thresholds will be covered, viz.:

= ECU 5 000 000 for works contracts;

= ECU 400 000 for supply contracts in general;

= ECU 600 000 for telecommunications supplies.

- The procedures laid down for awarding contracts are very flexible, transparent and aimed at eliminating an excess of red tape.

- Special provisions are laid down for awarding a supply contract where the tender includes products originating in third countries with which the Community has not concluded a multilateral or bilateral agreement ensuring actual comparable access for Community undertakings to the markets of such third countries.

These provisions concern in particular the possibility of rejecting a tender where the proportion of the products manufactured outside the Community in the total value of the manufactured products constituting the tender exceeds 50%. Furthermore, preference will be given to the Community tender if the terms are equivalent and if the price difference does not exceed 3%.

Appointment

On a proposal from the Portuguese Government, the Council appointed Mr Victor Hugo de JESUS SEQUEIRA a member of the Economic and Social Committee in place of Mr João Antonio GOMES PROENCA, member, who has resigned, for the remainder of his term of office, which runs until 20 September 1990.
