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Owing to the Christmas and New Year holidays, the next number of "Industry, Research and Technology" (No. 126) will appear on 4 January 1972.

\*\* At their meeting in Brussels on 20 December 1971 the Ministers of the Community finally agreed to adopt a PROVISIONAL RESEARCH PROGRAMME FOR 1972, costing about 45 million units of account and retaining the entire staff. ANNEX 1 gives the aims of this programme, which embodies nuclear projects costing about 41 million u.a. Some of these projects, costing about 15 million u.a., will be implemented under a joint programme, and the remainder under supplementary programmes in which four or five Member States will participate.

The Council also adopted a RESOLUTION ON THE FUTURE EURATOM MULTIANNUAL PROGRAMME which is due to begin in 1973. The text of this resolution is given in ANNEX 2.

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*The information and articles published in this Bulletin concern European scientific cooperation and industrial development in Europe. Hence they are not simply confined to reports on the decisions or views of the Commission of the European Communities, but cover the whole field of questions discussed in the different circles concerned.*

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\*\* At its meeting on 16 December, the European Parliament held a long debate on the RESEARCH SITUATION IN THE COMMUNITY. It welcomed the initiative taken by the Commission of the European Communities in drawing up a multiannual research programme, while at the same time affirming that this programme represented only a small part of the necessary projects; it thought it desirable to entrust non-nuclear tasks to the Joint Research Centre, basing itself upon Article 235 of the EEC Treaty. Finally, it adopted a resolution condemning the COUNCIL'S FAILURE TO ADOPT A MULTIANNUAL RESEARCH PROGRAMME. ANNEX 3 contains the full text of this second resolution.

\*\* On the basis of Article 86 of the Treaty of Rome, which forbids the ABUSE OF A DOMINANT POSITION WITHIN THE COMMON MARKET, the Commission of the European Communities has just taken a decision concerning the American "Continental Can" group, the largest world producer of metal containers. Details are given in ANNEX 4.

\*\* By a decree of 14 December 1971 the Court of Justice of the European Communities recently UPHELD THE COMMISSION'S action against the French Government, which had allegedly violated its obligations under the Euratom Treaty by passing contracts for the supply of fissile materials directly, instead of through the EURATOM SUPPLY AGENCY.

It is well known that the Treaty provisions concerning such supplies were due to be confirmed, or else revised, after 1965. As the Member States have hitherto been unable to agree on this point, the Commission considers (and the Court is of the same opinion) that these provisions will continue to be in force until such time as they are revised.

\*\* EUROPEAN COOPERATION ON HIGH-TEMPERATURE REACTORS has just taken a big step forward with the setting up, on 13 December 1971, of the EURO-HKG COMPANY, WHICH UNITES THE MAIN ELECTRICITY PRODUCERS IN THE COMMUNITY AND THE UNITED KINGDOM. This new company, whose creation has been supported and encouraged by the Commission of the European Communities, consists in the first place of a partnership between the Central Electricity Generating Board (CEGB), London, Electricité

de France (EDF), Paris, the Hochttemperatur Kernkraftwerk GmbH (HKG), Uentrop, the Rheinisch-Westfälisches Elektrizitätswerke AG (RWE), Essen and the Vereinigte Elektrizitätswerke Westfalen AG (VEW), Dortmund. The Ente Nazionale per l'Energia Elettrica (ENEL), an Italian utility, intends to join later.

The purpose of the Euro-HKG is to exchange technical and economic experience on the development of high-temperature reactors, a line of advanced reactors offering very interesting prospects. HKG is itself made up of six West German electricity producers, and is about to build a 300 MWe high-temperature nuclear power plant at Uentrop, in North-Rhine-Westphalia.

The creation of Euro-HKG is an encouraging step on the road to a joint energy policy; it facilitates the rationalization of orders to European electricity producers, and thus favours cooperation between European constructors of HTR power plants. In this respect an important factor consists in the participants' stated intention to prepare joint specifications for the construction of installations of this type, possibly including the use of closed-circuit gas turbines.

\*\* In 1970 the WATERS OF THE RHINE carried, among other things, some 85,000 kg of mercury, one million kg of arsenic and 200,000 kg of cadmium. These alarming figures were quoted at a session of the European Parliament at Strasbourg on 16 December by Mr Oele, in a spoken question which he put to the Commission of the European Communities on behalf of the Socialist Group in the Parliament. He asked whether action to fight the pollution of the Rhine should not be stepped up. Since the ever-increasing pollution of the Rhine posed a threat to the drinking-water supplies of the riparian communities, and the construction of a special channel for drinking water seemed to be ruled out on financial grounds, an international authority would have to be given the job of controlling the quality of its waters. Admittedly, there was an International Commission for the Protection of the Rhine against Pollution, but so far it had only the right to initiate proposals. Technically, however, the

measures required seemed fairly simple: first of all, the sources of pollution would have to be precisely located, and this would have to be followed by the formulation of a clean-up plan spread over several years (see "Industry, Research and Technology" No. 78).

Replying on behalf of the Commission of the European Communities, Mr Spinelli, its Member with special responsibilities for industrial affairs and research, also stressed the need to have an international authority to enforce standards for the use of the Rhine's waters which would have to be framed by the riparian countries. The European Commission itself, to enable it to conduct an effective environmental policy, needed not only the requisite financial resources but also additional powers: it had drawn up a working paper on this subject six months before (see "Industry, Research and Technology" No. 109).

\*\* A REDUCTION IN THE RATE OF LEVIES RAISED BY THE EUROPEAN COAL AND STEEL COMMUNITY (ECSC) for 1972 has been decided on by the Commission of the European Communities. The rate will go down from 0.30 to 0.29% with a view to offsetting the fairly substantial rise in the average prices of steel products to which the levies apply (see "Industry, Research and Technology" No. 118). The Commission is also planning to introduce a new method of establishing these average prices so as to make their adjustment smoother and avoid the sharp leaps that have taken place in the past.

\*\* A total of 40 experts from industry and the public service attended a panel discussion on the FIREPROOFING OF TEXTILE FIBRES BY IRRADIATION held on 13 December 1971 by the Commission of the European Communities. Three working parties were set up for the exchange of scientific experience on the inflammability of textile fibres, methods of testing and checking inflammability, and the formulation and implementation of a Community programme in the field of fireproofing by irradiation.

The Community's Research Programme for 1972

(millions of u.a.)

OBJECTIVE	JOINT		COMPLEMENTARY	
	Funds	Manpower	Funds	Manpower
<u>1. Support for the nuclear industry</u>				
ESSOR and ECO reactors	-	-	5.50	299
Fast reactors	0.53	30	0.90	55
High-temperature reactors	-	-	1.10	62
Reactor safety	2.90	166	0.35	18
Plutonium and transplutonium elements	5.00	220	-	-
<u>2. Public service activities</u>				
CBNM	4.00	173	-	-
Supervision of fissile materials	-	-	0.80	45
Information centres	0.65	37	-	-
Applied data-processing (over five years)	1.00	70	-	-
CETIS	-	-	4.60	168
<u>3. Long-term research</u>				
Nuclear materials	-	-	3.10	174
Condensed-state physics	-	-	3.10	174
SORA	-	-	1.15	66
<u>4. Test reactors</u>				
HFR	-	-	4.20	76
BR-2	-	-	0.76	40
5. Instruction and training	1.00	6	-	-
6. Non-nuclear projects	4.00	224	-	-
7. Management and coordination	1.00	70	-	-

REMARK: The figures in the above table are intended as a guide and are subject to minor changes when the decisions taken as part of the 1972 research programme are converted into budgetary terms on the basis of the operating budget.

ANNEX 2

Resolution of the Council of Ministers concerning the future  
multiannual Euratom Programme within the enlarged Community

(adopted at the meeting held in Brussels on 20 December)

1. In order to define the functions which Euratom will be called upon to perform under an enlarged Community it is essential that steps should be taken to adapt its activities in the field of R&D and to tailor its own research capacity to future requirements.
2. This adaptation must form an integral part of the drawing up of the future multiannual programme. This programme, due to come into force in 1973, will have to be compiled in consultation with the countries applying for membership.
3. To this end a start must be made on its preparation by the beginning of 1972 and an exact timescale adhered to.
4. Without prejudice to the terms of the Treaty, the JRC programme will concentrate mainly on long-term basic research as well as on activities of a public service nature.

In addition, the facilities of the JRC may be used for scientific and technological research outside the nuclear field.

The programme based on these criteria will mainly have to be a joint venture and will be subject to periodic reexamination.

Moreover, this approach will enable extra-curricular research activities to be conducted at the JRC on a contractual basis at a viable cost.

The personnel needed will be determined in accordance with the requirements of the various activities, the size of the JRC being changed accordingly.

Resolution of the European Parliament Concerning the  
Procedure for the Adoption of a Multiannual Research Programme  
by the Council of Ministers of the Community

After perusal of the outcome of the meeting of the Council on 6 December 1971, the European Parliament,

1. expressed its surprise and disappointment over the fact that, once again, the Council had been neither disposed nor able to adopt a multiannual research programme;
2. recalled to mind the solemn declaration issued at the end of the Hague Summit Conference in December 1969, which stated
  - (a) that Community technology would have to be pursued with greater intensity;
  - (b) that a research programme for Euratom would have to be drawn up as quickly as possible, thus ensuring the most effective utilization of the JRC;
3. observed that the Council did not seem disposed, in this field, to abide by the decisions reached at The Hague, thus raising doubts as to its credibility;
4. drew attention to the increasingly difficult situation of the personnel of the Joint Research Centre and restated the Community's legal and social obligations towards them;
5. appealed to the Council's sense of political responsibility with regard to the aims of the Community - a responsibility which is constantly increasing as the time draws closer for the four new Member States to join the Community;



6. urgently requested the national parliaments to urge their respective governments to abide, within the Council, by their solemn declaration of 1969;
7. delegated its president to convey this resolution to the Council, the Commission of the European Communities and to the national parliaments;
8. also requested its president to convey this resolution in particular to the heads of state or government who participated in the Hague summit conference held on 2 December 1969.

ABUSE OF A PREDOMINANT POSITION: An unfavourable decision  
by the Commission of the European Communities against the  
Continental Can group

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Basing its arguments on Article 86 of the Treaty of Rome, designed to prevent the abusive exploitation of a predominant position within the Common Market, the Commission of the European Communities has just taken a decision against the American group Continental Can, the world's leading producer of metal containers. This decision relates to certain activities of this group in Europe.

In its decision the Commission stated that the Continental Can Company Inc. of New York occupied a dominant position through its subsidiary Schmalbach-Lubeca-Werke AG, Brunswick, Germany, in the market for light packaging materials for cooked meats, sausage, fish and shellfish and for metal covers throughout a substantial part of the common market; also, that it abused this predominant position by virtually eliminating the competition in these packaging products by the purchase in April 1970, via its subsidiary Europemballage, of about 80% of the shares and convertible stock of the Dutch company Thomassen en Drijver-Verblifa NV of Deventer, Holland.

By thus taking over one of its major potential competitors, Continental Can strengthened its controlling position in such a way that the competition was practically eliminated in the markets for metal packaging material in Northern Europe. The freedom of choice of customers was thus restricted in a manner incompatible with the normal rules of competition within the Common Market.

The Commission's decision obliges Continental Can to put a stop to these infringements and to submit appropriate proposals to the Commission by 1 July 1972.

By means of this decision the Commission added substance to the point of view it has defended for years concerning the need for action against mergers which are deemed to be abusive since they imperil the normal play of competition within the Community to the detriment of the consumer. This view was called to mind back in May and June 1971 by Mr Borschette, the member of the Commission responsible for matters appertaining to competition, firstly in front of the Community's Economic and Social Committee and then in front of the European Parliament (see "Industry, Research and Technology" Nos. 103 and 122).