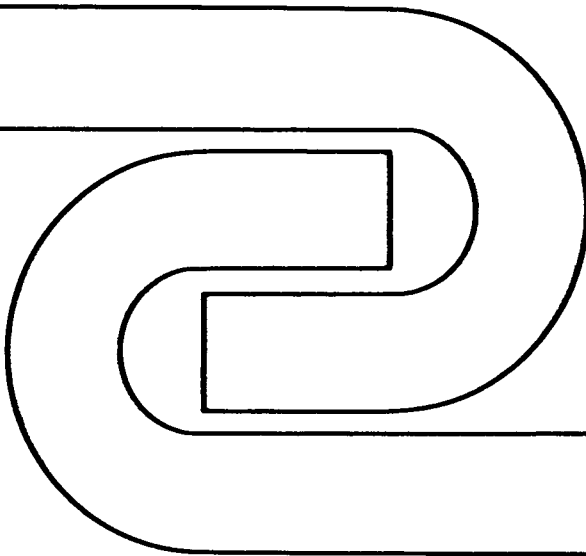


ECONOMIC AND SOCIAL COMMITTEE  
OF THE EUROPEAN COMMUNITIES

**BULLETIN**



**Brussels — N. 9/1980**



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— I —  
183rd PLENARY SESSION

The Economic and Social Committee of the European Communities held its 183rd Plenary Session at 2, rue Ravenstein, Brussels, on 19 and 20 November 1980. The Committee's Chairman, Mr T. Roseingrave, presided.

Adoption of Opinions

1. ANNUAL ECONOMIC REPORT 1980-81

The main recommendations of the Commission's  
Annual Economic Report

« The underlying, medium-term objectives of policy must be to increase employment in conditions of improved stability of prices and competitiveness. In terms adapted more closely to the immediate economic situation, as it stands in the autumn of 1980, policy in the Community in general must aim to :

- (i) Achieve a firm and substantial deceleration in inflation, and a renewed convergence between Member States : some deceleration is now in sight on average, and some aspects of recent price and cost performance have been commendable, but these better features of the situation need to be rapidly consolidated and strengthened.
- (ii) Prevent the present cyclical down-turn from becoming a cumulative recession, and assure that the likely recovery of growth in 1981 keeps to a sustainable trajectory.
- (iii) Maintain control over monetary developments within Europe, and help adapt Community and international monetary arrangements to new needs.
- (iv) Give priority in budgetary policy to adapting public expenditure and taxation to the needs of restoring productive potential.
- (v) Proceed rapidly with investments in energy saving and production.
- (vi) Improve the Community's competitiveness, strengthen investment, encourage the movement of resources into new industries and sectors with continuing growth potential, and sharpen the efficiency of market mechanisms to favour productive investment and employment.

- (vii) Face the problems of unemployment with a combination of actions to favour the creation of economically viable employment, to adapt the labour force to new needs, and ease the burden of the temporarily unavoidable level of unemployment. »

After reviewing the action required under each of these headings, and in each Member State individually, the Report concludes :

« The economic situation is manifestly serious enough to demand an active rather than passive policy stance. However, the policy mix has to be carefully judged, since ill-considered policy reactions could certainly make matters worse.

On the basis of the present outlook the policy mix should be strong in efforts to reduce inflation, save on oil imports, and pursue the other needed structural changes in the Community economy, and only moderately supportive in terms of cyclical demand management.

The outlook in fact suggests a rather more successful absorption of the second oil shock than the first one in 1973, in terms of the loss of output and the degree of acceleration and divergence of inflation suffered. If the Community economy manages to get back, at the beginning of 1981, on to a path of gradually increasing output and decelerating and converging inflation rates, this will represent a first positive element in the long process of adjustment that lies ahead.

It may be asked whether more could be done to achieve better results already in 1981 and for the longer-term future.

If by this would be implied a considerably more rapid or marked relaxation of demand management policies, the answer — in the view of the Commission — is for the time being no. The dangers of restimulating inflation and oil prices in particular, especially in present circumstances of partly interrupted oil supplies, would be very great. »

### **Gist of the Opinion (\*)**

In an Opinion, adopted by 76 votes in favour and 12 abstentions, the Economic and Social Committee contrasts the general concurrence in the Community regarding economic aims, with the wide divergence of views as to how these are to be achieved. Economic relationships have changed, and general uncertainty in economic predictions reigns.

The Committee emphasizes the fact that the terms of trade have generally turned against the Member States, and that this necessarily leads to certain social arguments, since someone, somewhere, has to accept a drop in his standard of living; sacrifices must be spread fairly.

The only way out of the current problem facing the Community is by a high level of investment : investment for growth, for adaptation

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(\*) Doc. CES 1223/80

and for restructuring. Investment is restricted not only by many uncertainties but also by the fact that company profits are very seriously down on what they were in the 1960s.

The Opinion calls for the full participation of workers and their organizations in the life of the firms, which it considers an important factor in ensuring the success of economic and social policies.

It also draws attention once more to the importance it attaches to the issue of work sharing and the various proposals which have been made for the reduction of working hours in the Community context.

In relation to the need to encourage investment in a situation of abnormally high interest rates, the Committee proposes « that interest rate subsidies could properly be contemplated on investments central to the future of the economy which are being deterred by the present state of uncertainty and high nominal interest rates, without upsetting monetary policy. »

It looked at the other major problems posed by rapid adaptation of the economies; the need for manpower to be armed with the appropriate skills. It sees training and retraining as a major Community investment area.

The Opinion concludes by demanding a common overall policy, embracing measures to improve competitiveness, to create skills, to increase investment, and to step up demand. Such an overall policy would stand the chance of taking Member States back to something approaching the full employment they used to have in the 1960s.

This Opinion was based on material prepared by the Section for Economic and Financial Questions under the chairmanship of Mr. Lane — Ireland — Various Interests. The Rapporteur was Mr. Zinkin — United Kingdom — Employers.

## **2. LEGAL EXPENSES INSURANCE**

*Proposal for a Council Directive on the Coordination of Laws, Regulations and Administrative Provisions relating to Legal Expenses Insurance.*

### **Gist of the Proposal**

Legal expenses insurance makes certain that the insured person is granted services and/or the reimbursement of costs incurred in recovering compensation for damage suffered, or defending himself in proceedings, or against a claim made against him.

Two types of insurance undertaking transact it at present : composite undertakings, which transact it at the same time as other classes, such as civil liability, fire or theft, and specialized undertakings which transact only legal expenses insurance.

Although there are in eight Member States both composite and specialized undertakings, i.e. a dualist system, in the Federal Republic of Germany, legal expenses insurance can be transacted only by an undertaking which is legally separate from that transacting any other class of insurance.

A Community composite company is not allowed to establish itself in Germany to transact this class of insurance. It may do so only by setting up a specialized company. On the other hand, a company specialized in this class of insurance may establish itself in any other Member State without changing its structure.

The specialization requirement was introduced in Germany to prevent conflicts of interest which might arise between the insurer and the insured person.

The coordination which this Directive seeks to introduce is to be achieved essentially by improving the present dualist system by requiring all insurance undertakings to guarantee freedom as to choice of lawyer for the insured person and an arbitration clause and, in the case of composite undertakings, separate management and accounting and separation of contracts or at least of the guarantees accorded in a single contract.

### **Gist of the Opinion (\*)**

The Economic and Social Committee adopted its Opinion by 50 votes in favour, 30 against, and 9 abstentions.

Throughout its discussions the Committee's chief concern has been to establish how the coordination of laws, regulations and administrative provisions on legal expenses insurance can be conceived in a worthwhile manner, so as, among other things, to avert any conflicts of interest which might arise.

It points out that different systems for organizing legal expenses insurance exist in the Member States. There is the system whereby any composite company may offer both legal expenses insurance and other types of insurance, such as car, general civil liability and fire insurance (dualist system), obligatory specialization, where legal expenses insurance may not be offered by a company which also offers other classes of insurance, and the system whereby composite companies may freely entrust legal insurance claims management to offices with separate legal personality.

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(\*) Doc. CES 1221/80



Coordination should be carried out so that all composite companies who also write legal expenses insurance shall be obliged to entrust the management and/or settlement of claims in connection with legal expenses to a legally separate company. This company must be mentioned in the insurance contract. Claims and requests for legal expenses must be lodged with this company, and not with the insurer.

This Opinion was based on material prepared by the Section for Industry, Commerce, Crafts and Services under the chairmanship of Mr. van Campen — Netherlands — Employers. The Rapporteur was Mr. de Bruyn — Belgium — Various Interests.

### **3. PROTECTION OF THE RHINE**

*Proposal for a Council Decision supplementing Annex IV to the Convention on the Protection of the Rhine against Chemical Pollution  
Communication from the Commission to the Council on the Recommendation by the International Commission for the Protection of the Rhine against Pollution on Controlling Discharges of Mercury by the Chlor-Alkali Electrolysis Industry*

#### **Gist of the Commission proposal**

Articles 5 and 14 of the Convention on the Protection of the Rhine against Pollution provide that the International Commission for the Protection of the Rhine against Pollution is to propose limit values for the discharge into the Rhine of the substances listed in Annex I to the Convention. These limit values are to enter into force after their unanimous adoption by the Contracting Parties and are then to be included in Annex IV to the Convention. The adoption of these limit values must also be notified to the Government of the Swiss Confederation.

The first proposals of the International Commission are concerned with discharges of mercury and mercury compounds from the chlor-alkali electrolysis industry, which is the main source of concentrated mercury discharges.

The International Commission proposes the fixing of limit values — expressed in terms of concentration and maximum quantity — as well as a time-limit, for these discharges.

### Gist of the Opinion (\*)

In a unanimous Opinion, the Committee approves the Commission's proposal and is gratified that it has been possible to draw up an initial series of measures to prevent and reduce pollution of the Rhine by chemicals, and in particular mercury, within a relatively short period after the entry into force of the Convention on the protection of the Rhine against chemical pollution.

The Committee notes that the limit values proposed by the International Commission for discharges of mercury and mercury compounds by the chlor-alkali electrolysis industry are in line with the limit values laid down in the proposal for a Directive submitted to the Council by the Commission on 20 June 1979, apart from the shorter time-limit for compliance, viz. 1 July 1983.

This Opinion was based on material prepared by the Section for Protection of the Environment, Public Health and Consumer Affairs under the chairmanship of Miss Robers — United Kingdom — Various Interests. The Rapporteur was Mr. Schneider — Luxembourg — Workers.

## 4. STRUCTURAL POLICY IN THE FISHERIES SECTOR

*Proposals relating to structural policy in the fisheries sector*

### Gist of the Commission proposal

*Proposal for a Council Regulation on measures to encourage exploratory fishing and cooperation through joint ventures in the fishing sector*

In the Commission's view, the limited change in traditional fishing patterns suggests that the fishing industry may need greater incentives and new forms of aid to induce it to adapt to new fishing conditions, particularly where there may be a greater degree of commercial and non-commercial risk.

The Draft Regulation provides for a three-year programme of financial assistance towards aids granted by Member States for promoting redeployment of the fishing effort in the following ways :

- exploratory voyages to be conducted by vessels flying the flag of the Member State, either within or outside Community waters. The funds required for this operation (9 mio EUA) are calculated on the assumption that most of the effort will take place in non-EEC waters;
- joint venture operations of a temporary or long-term nature between Community and non-member country fishery undertakings. The importance of this form of aid to redeployment justifies a budgetary allocation of 6 million EUA for a three-year period.

*Proposal for a Council Regulation (EEC) on a common measure for restructuring, modernizing and developing the fishing industry and for developing aquaculture*

The first action taken on the proposals for restructuring the inshore fishing industry presented by the Commission in 1975 and amended in 1978 was a temporary Regulation on a joint measure for restructuring and developing the inshore fishing industry, limited to vessels less than 24 m long.

The need for such a regulation was confirmed by the success of the measure, which has also enabled fish and crustacean farmers in the Community to move beyond the experimental stage.

The purpose of the present proposal is to remodel the 1978 draft (\*) in the light of the major changes which have since occurred in the structure of Community fleets. The proposed common measure would implement arrangements covering :

- a) the definition by each Member State of a multiannual outline programme enabling the Commission to assess the initial structural situation for both fishing and aquaculture and the development plans formulated by the Member States;
- b) a procedure for annual review of the programmes to assess actual structural development and make any necessary changes to the guide programmes;
- c) the establishment of projects at the initiative of the producers, who will remain the principal economic subjects of the restructuring and development operation.

In parallel with its proposal for the implementation of a system of mutual information concerning those aspects of fisheries research related to structural policy, the Commission has tried to identify those areas of

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(\*) O.J. No. C 148 of 23.6.78, p. 4.

research which appear to be appropriate for closer coordination within the Community, because of their potential influence on policy planning by Community and the national authorities responsible for fisheries and on investment decisions concerning fisheries technology in the private sector. The fields chosen are as follows :

- aquaculture
- fishing techniques
- fish processing, preservation and utilization
- utilization of underexploited fish species
- search for new fishing grounds and new species.

In the light of the priorities for coordination enumerated above, the Commission has identified a number of areas of fisheries research work not yet being undertaken within the Member States, or not on a scale which reflects their potential importance, which would be appropriate subjects for joint research programmes.

The total estimated cost of the outline joint research programme is 5 million EUA, or an average cost of approximately 1.7 million EUA per year.

#### **Gist of the Opinion (\*)**

Though the Economic and Social Committee welcomes the Commission's decision to present the Council with a whole series of texts for implementing a structural policy in the fisheries sector, the Opinion, which it adopted unanimously less 6 abstentions, sounds a definite note of warning.

In its view, structural policy is only one aspect of a common fisheries policy encompassing :

- a policy for the conservation and management of stocks;
- a markets policy providing for improvements and adjustments, and
- social provisions, a prerequisite for any policy — and structural policy in particular.

There is no conclusive evidence for the Commission's premise of surplus Community fishing capacity. Any surplus capacity that might exist could be a momentary — and therefore purely temporary — phenomenon, possibly affecting only certain categories of fishing for particular species of fish.

The line followed by the Commission gives the impression that this or that category of vessel or fishing is doomed, thereby paving the way for preferential treatment.

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(\*) Doc. CES 1220/80

However, if such a policy is pursued, some vessels and crews will disappear for good, which will also result in a considerable loss of capital. What then will happen once fish stocks have been replenished ? By then the Community fleet will have been reduced, and may even be non-existent in some sectors, and crew members will have gone somewhere else for work. The sole beneficiaries will be non-Community countries, which will already have profited from access to Community consumer markets during the shortage.

What is feared is that the proposed policy will make Community consumers unduly dependent on non-Community fishing fleets. Structural policy should therefore match fleet size to the extent of fish stocks and must not be a response to a passing situation.

However, even when the Community fleet matches stocks, it will still be necessary to import substantial quantities of fish from non-Community countries for the fish processing industry and consumers. In return, Community vessels should have access to these countries' waters.

Yet the Community's trade policy towards many non-Community countries has been very liberal to date without obtaining any real quid pro quos for its fishermen. A vigorous policy should be worked out to renegotiate the agreements with Norway, the Faroe Islands, Iceland and Canada on the basis of mutual advantages and concessions.

Lastly, the funds proposed by the Commission bear little relation to the objectives set or to measures being taken in other sectors. The sum of 351,000,000 EUA for the whole of the Community is roughly one half of certain estimates for the UK fleet alone.

This Opinion was based on material prepared by the Section for Agriculture under the chairmanship of Mr. Emo Capodilista — Italy — Various Interests. The Rapporteur was Mr. Leo — Netherlands — Employers.

## **5. DISTRIBUTION OF CATCHES/ FISH STOCKS**

*Proposal for a Council Regulation (EEC) Concerning the Distribution among the Member States of the Total Catch Possibilities Available to the Community in 1980 of Stocks or Groups of Stocks Occurring in the Community Fishing Zone.*

### Gist of the Commission proposal

The Commission proposes to allocate among the Member States the total 1980 catch possibilities whose volume was fixed by Council Regulation (EEC) No. 754/80 (1).

In line with the guidelines laid down in the Council declaration of 30 May 1980, the proposed allocation takes account of :

- traditional fishing activities;
- the special needs of areas which are particularly dependent upon fishing and ancillary industries;
- the loss of catch potential in third country waters following the widespread introduction of 200-mile fishing limits.

In interpreting traditional activities the Commission firstly bases its calculations on the average national catches by Member States in the base period from 1973 to 1980.

Secondly the Commission applies the guarantees or preferences fixed by the Council Resolution of 3 November 1976 to the average catches 1973/1978 in the context of the TACs already decided for 1980. The Commission proposals on compensation take account of loss of fishing rights in third country waters and in joint stocks.

### Gist of the Opinion (\*)

The Economic and Social Committee adopted its Opinion by 45 votes in favour, 2 votes against and 8 abstentions.

Although the Committee deplores the fact that the proposal on catches for 1981 is so late, it stresses its support for the principle of fixing catch quotas for Member States and for the introduction of an objective system for determining catches in Community fishing zones.

It criticizes the opaque method employed by the Commission and makes a series of comments on the distribution criteria underlying the proposals. In particular, as regards traditional fishing activities, the Committee considers the weighting of the 1973-78 reference period and the lumping together of fish caught for human consumption and fish caught for fish meal (industrial fishing) to be unrealistic. On the subject of the special needs of coastal regions, the Committee disputes the Commission's conclusions, since these penalize certain Member States to an excessive degree. Lastly, as regards offsetting losses of catch potential in non-Community waters, the Committee asks whether it would not be better to compare the value of losses of a given Member State with its total fishing activity.

(\*) OJ No. L 84 fo 28.3.1980, p. 36

(\*) Doc. CES 1216/80

This Opinion was based on material prepared by the Section for Agriculture under the chairmanship of Mr. Emo Capodilista — Italy — Various Interests. the Rapporteur was Mr. Leo — Netherlands — Employers.

## **6. PRESERVATIVES**

*Proposal for a Council Directive amending for the fifteenth time Directive 64/54/EEC on the Approximation of the Laws of the Member States concerning the Preservatives for Use in Foodstuffs intended for Human Consumption.*

### **Gist of the Commission's proposal**

Basic Directive 64/54/EEC authorizes the Member States to use liquid smoke solutions in foodstuffs until 31 December 1980.

Since it will not be possible to make a definitive proposal by that date on the basis of the investigations in progress, the Commission is seeking to extend this authorization for a further period of three years.

The Commission also proposes extending the authorization for the use of formaldehyde in Grana Padana cheese under the conditions laid down in Directive 78/145/EEC.

### **Gist of the Opinion (\*)**

In a unanimous Opinion the Committee endorses the draft Directive. It feels, however, that research into liquid smoke solutions should be stepped up in order to determine whether they have a genuinely preservative function. In view of their disparate composition, the toxicology of each solution should be examined separately.

It points out that smoking can be just as dangerous to health as liquid smoke solutions. Research should be carried out to determine whether smoking is preferable to liquid smoke solutions.

The Committee feels that the list of approved preservatives should be amplified by adding the maximum permissible quantities and areas of use.

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(\*) Doc. CES 1213/80

This Opinion was based on material prepared by the Section for the Protection of the Environment, Public Health and Consumer Affairs under the chairmanship of Miss Roberts — United Kingdom — Various Interests. The Rapporteur was Mrs. Gredal — Denmark — Various Interests.

## **7. ANTIOXIDANTS**

*Proposal for a Council Directive amending for the third time Directive 70/357/EEC on the approximation of the laws of the Member States concerning the antioxidants authorized for use in foodstuffs intended for human consumption.*

### **Gist of the Commission proposal**

The Commission's proposal concerns three substances whose use is authorized until the end of this year.

The substances are calcium disodium ethylene diamine tetra-acetate (E 342), ethoxyquin and ascorbyl diacetate.

On the basis of the opinion of the Scientific Committee for Food, the Commission proposes that the first substances be included in the list of substances authorized subject to certain conditions.

The Commission does not regard ethoxyquin as having an antioxidant effect and proposes that it come under the pesticides Directive.

Finally, the Commission proposes deleting ascorbyl diacetate from the list of authorized substances since it is no longer used in food.

### **Gist of the Opinion (\*)**

The Committee unanimously adopted its Opinion on this subject. While endorsing the proposal, it urges that constant checks be carried out to ensure that disodium ethylene diaminetetra acetate calcium is used within the prescribed limit.

It also endorses the Commission proposal that ethoxyquin be no longer regarded as an anti-oxidant and that ascorbyl diacetate be deleted from the list of anti-oxidants.

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(\*) Doc. CES 1214/80



In general, the Committee urges that the positive list of antioxidants should indicate the maximum permissible quantity and the instructions for use.

This Opinion was based on material prepared by the Section for Protection of the Environment, Public Health and Consumer Affairs under the chairmanship of Miss Roberts — United Kingdom — Various Interests. The Rapporteur was Mrs. Gredal — Denmark — Various Interests.

## **8. AGRICULTURAL DEVELOPMENT IN THE FRENCH OVERSEAS DEPARTMENTS**

*Proposal for a Council Directive on the development of agriculture in the French Overseas Departments (DOM)*

### **Gist of the Commission proposal**

Given the special circumstances obtaining in the French Overseas Departments, the Directives for the reform of agriculture adopted in 1972 cannot be properly applied, and steps must therefore be taken to enable structural development in these regions to catch up, namely :

- a) Collective irrigation operations;
- b) Improvements to agricultural infrastructure;
- c) Soil improvement, flood protection work and other protection work;
- d) Afforestation and the improvement of degraded forest, including the establishment of shelter belts and forest roads; and
- e) Measures to encourage stockfarming and the diversification of crops.

### **Gist of the Opinion (\*)**

The Economic and Social Committee adopted its Opinion unanimously. It approved the Commission's proposals, which were a much-needed complement to the proposals on farm structures policy of 19 March 1979 (Doc. COM(79) 122 fin) commented on in a previous Opinion (O.J. No. C 53 of 3 March 1980). The Committee particularly felt that, while farm structures would be better dealt with within the overall framework of an integrated economic development programme, the aims of the present proposal, i.e. to speed up the implementation of exis-

(\*) Doc. CES 1215/80

ting national programmes, had to be respected. Community funds, therefore, should not be used in place of national funds.

This Opinion was based on material prepared by the Section for Agriculture under the chairmanship of Mr. Emo Capodilista — Italy — Various Interests. The Rapporteur was Mr. De Grave — Belgium — Workers.

## **9. MIXTURES AND SETS** **(agricultural products)**

*Proposal for a Council Regulation (EEC) on the determination of import duties on mixtures and sets*

### **Gist of the Commission document**

The Commission's proposal is designed to apply import duties to some mixtures of agricultural products according to the nature of each component of the mixture. The Commission proposes to apply the system only in areas where it is known that problems exist, i.e. Chapters 2 and 11 of the Common Customs Tariff (\*). If similar problems are encountered for other products it is proposed that the Council may extend the field of application of the Regulation. Such an extension may include products sold in the form of sets.

Furthermore, it is proposed that the Commission, acting with the agreement of the Management Committee, may adopt specific measures if, as a consequence of a non-traditional presentation, products are imported or are liable to be imported on payment of import duties which do not raise the price of the product to the level which it should attain on import.

### **Gist of the Opinion (\*)**

The Economic and Social Committee adopted its Opinion unanimously. It recognizes that there is a need to put an end to the abuses arising from the application of the present customs regulations, on mixtures and sets. It therefore approves of the Commission's intentions in

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(\*) (Meat and edible meat offals; Products of the milling industry; Malt and starches; Gluten; Inulin).

(\*) Doc. CES 1217/80

presenting the new proposals. However, it proposes a number of amendments which it deems to be necessary in order to avoid considerable practical difficulties in implementing the proposed Commission measures.

This Opinion was based on material prepared by the Section for Agriculture under the chairmanship of Mr. Emo Capodilista — Italy — Various Interests. The Rapporteur was Mr. Zinkin — United Kingdom — Employers.

## **10. EUROPEAN SOCIAL FUND —** **SHIPBUILDING INDUSTRY**

*Proposal for a Council Regulation (EEC) on assistance from the European Social Fund to provide income support for workers in the shipbuilding industry.*

### **Gist of the Commission's proposal**

Of those sectors subject to economic difficulties for several years, shipbuilding is one to which the Community has accorded priority for measures to assist it to adapt its competitive capacity and compensate for any adverse repercussions on workers.

In its Resolution of 19 September 1978 the Council recognized the need for structural adjustments in shipbuilding and requested the public authorities to support the industry's efforts in this connection and to make available the necessary funds to cover the social objectives implicit in such a policy. The Commission also submitted several proposals relating in particular to economic, industrial and regional matters and called on Community financial instruments, one being the Social Fund.

Social Fund assistance in this sector has of necessity been limited to traditional aid measures : vocational training and geographical mobility.

The Commission proposed expanding the Fund's assistance by a new aid measure in view of the gloomy employment prospects in shipyards, particularly in the ocean-going merchant ship sector, the difficulties encountered by some categories of workers in finding new employment due to the shortage of suitable jobs, and the particularly high cost of some social security measures, such as early retirement. The new measure is designed to ensure an equitable income for elderly workers who are redundant.

The proposed extension should, however, be of an experimental nature, that is the scope of the aid measure will be strictly limited to one category of workers (persons aged 55 and over) engaged in one clearly specified activity (new ocean-going merchant vessel construction). The duration and funding of the action will also be limited.

### Gist of the Opinion (\*)

The Economic and Social Committee adopted its Opinion by 75 votes in favour, 16 votes against and 5 abstentions.

The Committee refers to its previous Opinions on the ESF and shipbuilding. It stresses that the Community must also take measures to promote new jobs to compensate for the cut in employment capacity and to cushion the social consequences of redundancies.

Community action to help the shipbuilding industry, including Social Fund assistance for training workers and helping them to acquire new skills must be implemented through common or Community-coordinated measures. In particular, Community financial instruments capable of influencing the number and type of jobs must be coordinated at Community level.

The special problems of the shipbuilding industry (high percentage of elderly workers) means that the time-honoured solutions of training and retraining are inadequate.

The Committee therefore endorses the Commission proposal but comments on the need :

- to avoid a precedent that could lead the Social Fund to institute similar measures for workers in other sectors or activities where the Community does not bear equivalent responsibility;
- to avoid the proposed aid creating distortions as between industries or workers or being implemented at the expense of traditional Social Fund tasks, for which the funds available are already overstretched;
- to ensure sufficient flexibility to take account of the differences in national income support schemes;
- to ensure that the Commission can check that the new aid is not used as a substitute for national aids.

The Committee concludes that releasing jobs for young workers while ensuring fair incomes for elderly redundant workers is commensurate with an industrial policy geared to diversification and to re-directing production e.g. by encouraging the production of advanced-technology vessels.

This Opinion was based on material prepared by the Section for Social Questions under the chairmanship of Mr. Houthuys — Belgium — Workers. The Rapporteur was Mr. Laval — France — Workers.

(\*) Doc. CES 1222/80

## **11. PROPRIETARY MEDICINAL PRODUCTS**

*Proposal for a Council Directive amending Directives 65/65/EEC and 75/319/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products.*

### **Gist of the proposal**

The main aim of this proposal is to establish a system for the registration of parallel imports in order to prevent the manufacturer of a proprietary product or his duly appointed representatives from being allowed by regulation or practice to monopolise the importing and marketing of the product by simply refusing to produce the documents relating to the product in general or to a specific batch.

New cases where a marketing licence can be turned down have also been provided for in order to ensure that the market in one and the same product retains its unity and is not split up artificially. Thus, a manufacturer is to be prevented from making purely formal changes to products, e.g. by altering their names or their non-active constituents (colouring matter) (75/319/EEC).

### **Gist of the Opinion (\*)**

The Economic and Social Committee adopted its Opinion by 36 votes in favour, 9 against and 7 abstentions.

It has not been convinced by the arguments put forward by the Commission in support of the need for the Member States to have a Directive on harmonization of national provisions dealing with parallel imports. Equally, the Committee does not see the advisability of dealing in this proposal with a number of matters not directly linked to the question of parallel imports.

Nevertheless, in the event of the Commission's wishing to go ahead with the proposed Directive, the Committee has a number of reservations to express.

It understands the Commission's concern to avoid purely formal changes in products, but it is disturbed by the fact that, under the proposed provision, changes may only be made if they are therapeutically justified. This could lead to arbitrary and discriminatory decisions.

The Commission proposes to introduce a new criterion for refusing authorization, that is that the name of the product for which the authorization is being sought is not that used for the same product in other Member States. In such cases authorization will not be granted unless

(\*) Doc. CES 1225/80

the manufacturer puts forward legitimate reasons for the difference. This too, could lead to arbitrary and discriminatory decisions as it would inevitably be difficult to interpret the concept of « legitimate reasons » in the same way throughout the Community.

It should be clearly stated in the proposal that the suggested provision only applies to new products authorized after the Directive has come into force.

This Opinion was based on material prepared by the Section for Industry, Commerce, Crafts and Services under the chairmanship of Mr. Van Campen — Netherlands — Employers. The rapporteur was Mr. de Bievre — Belgium — Employers.

## **12. COMMUNITY QUOTA FOR 1981**

### **(Transport)**

*Proposal for a Council Regulation amending regulation (EEC) No. 3164/76 on the Community Quota for the carriage of goods by road between Member States.*

### **Gist of the Commission proposal**

The main aim of the Commission proposal is to fix the total number of Community authorizations allocated to each Member State for the year 1981 (increase of 25 % in the total number compared with 1980 and fixing of a Community quota for Greece at the same level as that of Ireland).

This Community quota for 1981 comprises 4,788 authorizations, broken down as follows :

	Community quota for 1981 4,788 authorizations (4,693 + 95)	For comparison : Community quota for 1980, 3,751 authorizations (Regulation 2963/79 of 20 December 1979)
Belgium	517 + 25.2	413
Denmark	358 + 25.2	286
Germany	862 + 25.1	689
Greece	95 + 100.0	—
France	784 + 25.0	627
Ireland	95 + 25.0	76
Italy	674 + 25.0	539
Luxembourg	133 + 25.5	106
Netherlands	747 + 25.1	597
United Kingdom	523 + 25.1	418

For the first time, the Commission has not used degree of utilization (50 %) and linear increase (50 %) as a basis for apportioning the rise in the Community quota. This time it has decided on a 25 % linear increase for all Member States, to make matters simpler.

Finally, for reasons of economy and in order to facilitate the task of both carriers and monitoring services, the Commission considers it desirable to introduce for the short-term Community authorizations brought into being by Regulation (EEC) No. 2964/79 a different record sheet from that currently used for the Community one-year authorizations.

#### Gist of the Opinion (\*)

The Economic and Social Committee adopted its Opinion by 51 votes in favour, 28 against and 1 abstention. It notes once again that the Commission's proposal does not have a sufficient statistical basis. This explains why the Commission has abandoned the criteria it adopted in recent years for allocating the addition to the Community quota, namely 50 % a linear increase and 50 % the degree of utilization of the previous quota. The Commission thinks that a linear increase and allocation are justified on account of (a) the difficulties experienced in the past in the evaluation of the data available (which were often very incomplete), (b) the lack of up-to-date figures and (c) the considerable amount of work involved.

(\*) Doc. CES 1227/80

However, the increase in the Community quota has not yet made any significant impact on the transport market, since it accounts for less than 10 % of aggregate transport between the Member States. By facilitating multilateral transport (as opposed to an increase in bilateral transport operations) Community authorizations help to alleviate congestion on the roads.

In the absence of a better alternative — but without adopting a definitive position regarding the future allocation of the authorizations — the Committee proposes for 1981 an entirely linear application of the 25 % increase to all the nine Member States. It approves the Commission's proposal regarding Greece.

This Opinion was based on material prepared by the Section for Transport and Communications under the chairmanship of Mrs. Weber — Germany — Workers. The Rapporteur was Mr. Renaud — France — Employers.

### **13. SUGAR**

*Proposal for a Council Regulation (EEC) on the common organization of the market in sugars*

#### **Gist of the Commission proposal**

The Commission defines the Community's future policy for the sugar and isoglucose sectors, whose present production regime expires on 30 June 1981.

The Commission advocates a production regime based once again on quotas for a period covering at most the next five marketing years.

Under this regime there are to be A quotas totalling 9,136 million tonnes (i.e. the same quantity as at present) and B quotas totalling 2,098 million tonnes (2,512 million tonnes at present), which gives an overall total of 11,234 million tonnes (11,648 million tonnes at present).



**The proposed allocation of the quotas is as follows (in tonnes):**

	A quotas	B quotas (*)	current B quotas
Denmark	328,000	97,000	( 90,000)
Federal Republic of Germany	1,990,000	611,000	(547,000)
France	2,530,000	759,000	(696,000)
Overseas departments	466,000	23,000	(128,000)
Ireland	182,000	9,000	( 50,000)
Italy	1,230,000	298,000	(338,000)
Netherlands	690,000	168,000	(190,000)
Belgium/ Luxembourg	680,000	81,000	(187,000)
United Kingdom	1,040,000	52,000	(286,000)

The Commission also proposes making it possible for the levels of the B quotas for the last two marketing years of the period covered by the Regulation to be revised, if this is found to be necessary following a change in world supply situation.

The Commission thinks that, rather than changing the status of C sugar, it would be appropriate to make it easier for C sugar to be carried forward (to count as production within the quotas for the following marketing year) by abolishing the quantitative limit and granting reimbursement of storage costs for the sugar carried forward. Provision should also be made for imposing on producers of C sugar an obligation to store that sugar to the extent that would be necessary if the Community acceded to the ISA.

The Commission also proposes :

- direct allocation of the quotas by the EEC to each undertaking;
- abolition of the regionalization of intervention prices;
- phasing out by 1985/86 of the national aids at present authorized in Italy and the French overseas departments. The maximum level of aid authorized for 1980/81 is to be reduced by one fifth in each subsequent year.

(\*) B quotas calculated according to the Commission proposal, taking as reference the average of the three best campaigns of the period 1975-76/1979-80 (with the proviso that no B quota may be less than 5 % of the corresponding A quota).

In the case of isoglucose, the Commission proposes maintaining the A quota at its present level of 146,245 tonnes, allocated as follows :

Federal Republic of Germany	28,000 tonnes
France	15,887 tonnes
Italy	16,569 tonnes
Netherlands	7,426 tonnes
Belgium/Luxembourg	56,667 tonnes
United Kingdom	21,696 tonnes

According to the Commission proposal, the B quota is to be equal to 23 % of the A quota of each undertaking (as in the case of sugar) but not less than the production of B quota isoglucose in 1979/80. This gives a total of 37,464 tonnes (40,216 tonnes at present) broken down as follows :

Federal Republic of Germany	6,440 tonnes
France	4,135 tonnes
Italy	3,811 tonnes
Netherlands	1,708 tonnes
Belgium/Luxembourg	15,583 tonnes
United Kingdom	5,787 tonnes

The new regime should provide for appropriate measures to ensure that all the losses incurred in the disposal of surpluses of Community production over consumption will be covered by contributions from the producers. To this end, the Commission proposes that the losses should in the first instance be spread over combined A and B quota production by means of a basic production levy with a ceiling of 2.5 % of the intervention price for white sugar and that subsequently the losses exceeding the proceeds of this basic production levy should be covered by a levy on B quota production with a much higher ceiling. Any remaining losses would be carried forward to the next marketing year.

### Gist of the Opinion (\*)

The Economic and Social Committee adopted its Opinion by 50 votes in favour, 8 votes against and 7 abstentions.

It notes that the Commission's proposal takes account of some of the concerns expressed in its Opinion of 27 February 1980 on Changes in the Common Agricultural Policy to help Balance the Markets and Streamline Expenditure — Sugar Sector.

However, it has a number of comments to make on the proposed Regulation, in particular on the provisions concerning :

(\*) Doc. CES 1219/80

- **policy on production and quotas** : unlike the Commission, the Committee considers that, given the short and medium trend on the world market, the maintenance of guarantees at their present level could be justified. In its opinion, the freeze on firms' A quotas at their present level for a five-year period would introduce a rigidity into the system which could run counter to the rational development of production and particularly penalize firms whose quotas had not been modified since 1968;
- **the « Margin »** : the Committee supports the proposed « margin » but considers that it should be subject to Community control and administered in accordance with pre-determined criteria;
- **« C » sugars** : in the Committee's view, Article 26 (1) of the proposed Regulation, which provides for the compulsory storage of « C » sugars, seems unwise in view of future negotiations on the Community's accession to the International Sugar Agreement;
- **production levy** : the Committee agrees with the principle of the producers themselves financing all expenditure involved in exporting sugars produced in the Community over and above the quantity consumed in the Community. Here it advocates that measures be taken concurrently to eliminate all existing distortions of competition in the market for sweeteners and to strike a balance as regards ceilings for the proposed levies. It also feels that given the respective size of the A and B quotas, it might be justified to call primarily on B sugars to make a contribution (to be determined) to the financing of exports.

The Committee also has doubts about the advisability of abolishing regionalized pricing. It could, however, accept the principle of phasing out national aid over a five-year period, as envisaged by the Commission, provided that no strict timetable is set for this process.

Among other things, it stresses the importance of the social aspects of production policy in the sugar sector and urges the Commission to propose specific measures in this field and to encourage research and development.

Lastly, the Committee approves the Commission's move to open new negotiations on Community accession to the International Sugar Agreement.

This Opinion was based on material prepared by the Section for Agriculture under the chairmanship of Mr. Emo Capodilista — Italy — Various Interests. The Rapporteur was Mr. Paggi — Italy — Employers.

## **14. URANIUM**

*Proposal for a Council Decision adopting a second programme of research and development for the European Atomic Energy Community in the field of uranium exploration and extraction (indirect action 1981-1984)*

### **Gist of the proposal**

This is the second programme of its kind, the first having covered a period from 1978 to 1980 (it was the subject of a Committee Opinion in 1977 — Rapporteur : Mr NIELSEN P.).

The new programme stresses the need for development of new techniques for exploration, interpretation of data, methodology in relation to geological and climatic environment, better coordination of R & D in uranium exploration, and the reduction of prospection costs.

### **Gist of the Opinion (\*)**

The Economic and Social Committee adopted its Opinion unanimously. It approves the proposal but draws attention to the following points :

- uranium exploration and extraction must be matched to market conditions both in the short and long term;
- uranium exploration should include Greece and any other new Member State;
- safety, environmental protection and the need for informing the general public are all matters to be borne in mind during the course of this programme.

This Opinion was based on material prepared by the Section for Energy and Nuclear Questions under the vice-chairmanship of Mr. von der Decken — Germany — Various Interests. The Rapporteur was Mr. Nielsen P. — Denmark — Workers.

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(\*) Doc. CES 1218/80

## **15. REVISION OF ERDF QUOTAS**

*Proposal for a Council Regulation (EEC) amending Regulation (EEC) No. 724/75 establishing a European Regional Development Fund.*

### **Gist of the proposed Directive**

This first phase of the revision of the ERDF Regulation involves only the adaptation of the national quotas in order to provide for an allocation for Greece.

In a proposal limited to 1981 the Commission suggests introducing a quota of 15 % for Greece; this takes into account the economic situation of this region compared with the other regions assisted by the Community and is obtained by a non-linear reduction in the quotas of the other nine Member States.

The method for calculating the new quotas is based on a comparison of the per capita GDP of the Member States and is mainly favourable to Italy and, to a lesser extent, Ireland and the UK.

### **Gist of the Opinion (\*)**

In a unanimous Opinion the Committee endorses the proposal to allocate 15 % of the ERDF's resources to Greece, which joins the Community on 1 January 1981.

The Greek quota is to be obtained by pruning the quotas of the Nine in line with their per capita GDP. The Committee welcomes the Commission's choice of this formula rather than a 15 % across-the-board cut in national quotas. Nevertheless the Committee has reservations about two points :

The Greek quota must not set a precedent for the quotas of other new Member States. These must be calculated in the light of the applicant's economic situation vis-à-vis not only Greece but all regions of the Community.

The decision to give the entire country assisted region status does not square with the Committee's calls for greater geographical concentration of the Fund's resources, in order to strengthen the impact of Community regional policy.

The proposed « mini-revision » must not overshadow the need for a general overhaul of the ERDF Regulation. The Committee is moreover adamant that the Fund's resources must be increased in real terms. The outcome of the 1981 budgetary negotiations is crucial here.

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(\*) Doc. CES 1226/80

This Opinion was based on material prepared by the Section for Regional Development under the chairmanship of Mr. Milne — United Kingdom — Workers. The Rapporteur was Mr. Cremer — Germany — Workers.

## — II —

EXTERNAL RELATIONSChairman's meetings

In the period between the 182nd and 183rd Plenary Sessions, the Committee Chairman, Mr Tomas ROSEINGRAVE, met the following people :

- **The President of the Commission**, Mr Roy JENKINS, with whom he discussed relations between the Commission and the Committee, hoping that these would be strengthened and broadened;
- **The President of COREPER**, Ambassador DONDELINGER, Permanent Representative of Luxembourg;
- **Ambassador de la BARRE de NANTEUIL**, Permanent Representative of France;
- **Ambassador DILLON**, Permanent Representative of the Republic of Ireland;
- **Ambassador NOTERDAEME**, Permanent Representative of Belgium; and
- **Ambassador RUTTEN**, Permanent Representative of the Netherlands;

In his talks with the above mentioned people, Mr ROSEINGRAVE stressed the importance which the Committee attached to strengthening its relations with the Council and urged that rapid use be made of the new opportunities for contact between the Committee and COREPER, which the latter had recently agreed to;

- **Mr M. HINTERSCHIED**, General Secretary of the European Trade Union Confederation and **Mr F. STAEDLIN**, Secretary of the same Confederation as part of the contacts which the Committee Chairman intends to develop with the various socio-professional organizations in Europe in order to make their collaboration with the Committee more fruitful;
- **The President of the Irish Consumers Association**, Mrs MURNA-GHAM, during her fact-finding visit to the Community institutions.

ESC Delegation visits Brittany

An Economic and Social Committee Delegation made an official visit to Brittany on 5th and 6th November 1980. During its visit, the purpose of which was to make an on-the-spot study of problems connected with the prevention of pollution of the sea caused by oil spillages and the methods employed to counter its effects on marine flora and fauna, the Committee Delegation was received by the Port Superintendent of Brest, Vice-Admiral de Bigault de Cazanove and by Mr. de Foucaud, Chair-

man of the Economic and Social Council of Brittany. It visited CNEXO (the oceanological centre of Brittany) and the Maritime Rail Control Centre of the Ile d'Ouessant.

The Economic and Social Committee Delegation was made up of members of the Section for Transport and Communications and of the Section for Protection of the Environment. The Rapporteurs were Mr. Bonety (Transport Section) and Mr. Doble (Environment Section).



— III —  
NEW CONSULTATIONS

During the month of November the Council consulted the Committee on the following points :

*Proposal for a Council Directive on procedures for consulting the employees of undertakings with a complex structure, in particular transnational firms.*

*Proposal for a Council Regulation (EEC) concerning the use of substances with a hormonal action and those with a thyrostatic action in domestic animals.*

*Proposal for a Council Decision authorizing the Commission to contract loans for the purpose of promoting investment in the Community.*

*Proposal for a Council Regulation (EEC) on the definition of the customs territory of the Community.*



— IV —  
**PROVISIONAL PROGRAMME OF FUTURE  
 WORK**

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December 1980 Plenary Session

Opinions requested by the Institutions

- Social security of migrant workers
- R & D environment and climatology
- Dangerous substances (benzene)
- Aid to shipbuilding industry
- New information technologies
- Development of transport infrastructures
- International convention for safe containers
- New Zealand butter
- Scientific and technical information and documentation
- International removals

Own-initiative Opinions

- European Regional Development Fund
- Community accession to the European Convention on Human Rights
- Investment guarantees in developing countries

January 1980 Plenary Session

Opinions requested by the Institutions

- Non-TVA taxes on manufactured tobacco
- Amendment to Regulation on social security schemes for migrant workers
- Environmental impact of public and private works
- Plan to combat oil pollution of the sea
- International trade in endangered flora and fauna
- Registration of DNA work
- Civil liability insurance for motor vehicles
- Technical standards and regulations
- International standards on shipping and prevention of pollution
- Transport of goods by road between Member States
- Saint-Geours report (long-term energy consumption)
- Machine translation

**Own-initiative Opinion**

- Construction

**Information Report**

- Common Agricultural Policy

**Study**

- DNA conjectural risks

**February 1981 Plenary Session**

**Opinions requested by the Institutions**

- Health protection against microwaves
- Flavourings
- Microelectronic technologies and telecommunications
- Origin of textile and clothing products

**Own-initiative Opinion**

- Revision of the Regulation setting up the European Regional Development Fund

**Subsequent Plenary Sessions**

**Opinions requested by the Institutions**

- Medium-term economic policy
- Protection of workers against asbestos
- Safety of toys
- Second Lomé Convention (Part 2)
- Priorities and timetable for Council Decisions in the transport sector

**Own-initiative Opinions**

- Coordination of employment policy instruments
- Competition policy
- Textiles/clothing
- European Development Fund Annual Report
- Food Aid

**Studies**

- Integrated operations — regional policy
- Consistency of external policies
- Agricultural aspects of the negotiations with Spain
- Turkey



— V —

## MEMBERS' NEWS

### Appointment

The Council of Ministers has appointed Dr. Costante Benigni a member of the Economic and Social Committee of the European Communities in place of Mr. Ceconi.

Mr. Benigni is a member of the management of the National Hydrocarbons Board of Italy (ENI).

### Resignations

Mr. Joseph Gormley and Mr. Michael Walsh have resigned their membership of the Economic and Social Committee.

### Mr. Muhr

Mr. Gerd Muhr, member, has just been appointed Vice-Chairman of the Governing Body of the International Labour Organisation (ILO). He has also been elected Chairman of the Workers' Group of this Organisation.

### Mr. Rollinger

One of the Committee's members, Mr. Rollinger, was elected Chairman of the Economic and Social Council of the Grand Duchy of Luxembourg at the end of November.

### Publications

#### Just released

Daniel Strasser : « Les Finances de l'Europe » (The Finances of Europe). This book is in three parts : the first is of a legal nature and analyses the budgetary law of the Community; the second and third parts deal more with economic and financial matters, the second covering the resources of the European Communities and the third the measures taken by the Communities.

The book was first published in 1975. It has since appeared in English, in the United States, in Spanish, in German, in Italian and, in November 1980, in Greek. The present edition is published by the Labor publishing company, 342, rue Royale, 1030 Brussels and the Nathan publishing company, 9, rue Méchain, 75680 Paris Cedex 14.









**PUBLICATIONS OBTAINABLE FROM THE ECONOMIC  
AND SOCIAL COMMITTEE**

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**Periodical**

- Bulletin (monthly publication)

**General Documentation**

- The Economic and Social Committee (leaflet) (January 1975)
- The Economic and Social Committee (April 1979) (A descriptive brochure) 16 p.
- Annual Report (1979) 112 p.
- Directory (January 1980) (List of Members)
- The Right of initiative of the Economic and Social Committee (October 1977) 124 p.
- 20th Anniversary of the Economic and Social Committee (May 1978) 19 p.

**Opinions and Studies**

- Conference on the Enlargement of the European Community — 26 and 27 June 1980 (Extracts) ± 150 p. September 1980
- The Organisation and Management of Community R & D (February 1980) (Study) 168 p
- Agricultural Structures Policy (November 1979) (Opinion) 90 p.
- Enlargement of the European Community Greece-Spain-Portugal (September 1979) (Study) 75 p.
- The Community's Relations with Spain (June 1979) (Study) 112 p.
- Community Shipping Policy Flags of Convenience (April 1979) (Opinion) 170 p.
- Employee Participation and Company Structure (September 1978) (Opinion) 116 p.
- Youth Unemployment — Education and Training (November 1978) (5 Opinions) 97 p.
- The Stage reached in aligning labour legislation in the European Community (June 1978) (Documentation) 60 p.
- Employment in Agriculture (Study) (June 1978) 135 p.
- Monetary Disorder (Opinion) (June 1978) 98 p.
- Small and Medium-sized Enterprises in the Community Context (April 1978) (Opinion) 29 p.
- Industrial Change and Employment (November 1977) (Opinion) 98 p.
- EEC's Transport Problems with East European Countries (December 1977) (Opinion) 164 p.
- Community Nuclear Safety Code (July 1977) (Study) 50 p.
- Regional Development - Unemployment and Inflation (June 1977) (Opinion) 130 p.
- Research and Development (November 1976) (Study) 35 p.
- Systems of education and vocational training (August 1976) (Study) 114 p.
- Regional Policy (March 1976) (Opinion) 11 p.
- European Union (July 1975) (Opinion) 33 p.
- Progress Report on the Common Agricultural Policy (February 1975) (Study) 52 p.
- The Situation of Small and Medium-sized Undertakings in the European Community (March 1975) (Study) 69 p.

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- Community Advisory Committee for the Representation of Socio-Economic Interests (£8.50)  
(Obtainable from GOWER Publishing Company Limited, 1 Westmead Farnborough, Hampshire, GU 147RU)

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