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BULLETIN OF THE EUROPEAN COMMUNITIES

**European Coal and Steel Community
European Economic Community
European Atomic Energy Community**

**Commission of the European Communities
General Secretariat
Brussels**

no. 4
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* In preparation.

European Union in 1980: Citizens, municipalities and regions, and what Governments propose

by Mr François-Xavier ORTOLI, President of the Commission

European Union springs from a need inherent in the nature of things, in the palpable reality of Europe today. And precisely because it is overshadowed by the response we must make to fundamental problems involving the long-term future of our continent, European Union must be the focus of a genuine debate open to all those who, in one capacity or another, and especially as the elected representatives of local authority, determine the destiny of Europe.

Owing partly to pressure from outside, our countries are now facing a big challenge. Europe's mastery of her own destiny hinges on the outcome. Its vast proportions implicate the conditions for economic activity and growth, the structure of our production machine, the style of international economic relations and the principles for sharing prosperity between partners, especially between industrialized and developing countries. And it is adjustment to a different world which, in the last analysis, demands that a new Europe emerges whose promise and above all whose need are epitomized by the European Union.

The need first of all to define the legal and institutional setting for new common policies backed by effective tools for action, which can steadily secure Europe's economic and monetary cohesion and distinguish her on the international scene.

Then the need to meet the ever more pressing call for overall consistency in the stewardship and deployment of joint action, while avoiding the risk of inter-governmental decay all too often bred by blurred boundaries between issues within the Community's province and areas within the scope of political cooperation.

In both instances, redefining the authority and the overall economy of the Community system does not beg any questions or depend on an arbitrary stance or a theoretical inquisition into the future of Europe. The new definition is born of a true, actual need to solve, on satisfactory terms, real problems common to all our countries, which nothing less than a combined effort can overcome.

With this concept of European Union at once ambitious and realistic, inspired by vistas of the future and closely linked with the present, the project cannot get off to a sound start without broad confrontation beforehand and without an immense surge of political activity around Europe and her future.

The whole issue is too vital to be settled without argument, solely on the strength of assessments by senior officials and political authorities. European Union must be the culmination, the all-embracing compass of today's efforts made to restore to Europe the means for a live and effective policy at home and the means to discharge her world responsibilities abroad. This endeavour involves all Europeans as citizens and as economic units. If they are left out of the grand design, then the conditions for achieving the Union may well never be fulfilled. The Europe now in the making is too remote from its citizens, who feel she has no part in their hopes and aims.

The very term 'European Union' derives from the top level initiative by the Heads of Government in October 1972. But it represents a longstanding aim of Community integration underlying the direct course of the unification process begun twenty-five years ago.

Of course it is understood that each of the Community institutions will make its contribution to the Belgian Prime Minister, Mr Tindemans, so that he can make his report to the Heads of Government. Nevertheless, their contributions can in no way extinguish their right to speak or their capacity to act, nor sum up exclusively the argument on European Union; they will serve as landmarks, guidelines and lamps to light the way.

The future election of the European Parliament by direct universal suffrage confirms this approach. When they set the date of 1978 for the first direct elections to Parliament, the Heads of Government were actually initiating the Europe of tomorrow by establishing democratic processes. In so doing they set off a superb mechanism whose range and results are bound to be felt. Personally, I cannot for a moment imagine that this supreme pledge, which would bring public opinion completely into the construction of Europe, should be counteracted by the very terms for working out and preparing European Union.

No, I feel that such a pledge means that we are duty bound to make an unprecedented effort to guide and gather public opinion in Europe.

So the Commission will henceforth deploy all the resources it commands, through the 'relay stations' of the Europe-wide movements and organizations, of which you are one of the leaders, to gradually bring the 'latent forces' of Europe to take a position and to come out clearly in relation to the project of European Union. We are counting not only on their support, but on their opinions, mirroring their concern and their aims whose 'clash' or confrontation must be a basic assessment factor in defining the substance of the future Europe.

The Commission hopes that this immense awareness will help to direct the various stances in Europe into a homogeneous and consistent pattern of thought and thus draw together the conditions for an effective political democracy on a European scale.

I am sure that if we can achieve these two objectives, Europe will have taken a big stride forward. But I am also convinced that they will not be attained without the initiative and drive of local government leaders who are the mainspring of Europe's political, economic and social life. In fact, the European Union will not develop successfully without their privileged contribution.

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It is not just the general economic balance in Europe that is affected by the necessary process of adjustment to the new conditions in the world; this will impinge on social relationships and consequently on the structure of the public authorities.

In shifting the process of European integration into a consistent framework and placing it at the outset as a basic constituent of the response to Europe's problems, the prospect of European Union puts a different dimension on the exercise of power, enabling us to plan and prepare a movement towards new concepts.

It goes without saying that European Union, which will not materialize overnight or at the wave of a wand, cannot be intended to make this redefinition abruptly. But, like a

watermark behind the words of European Union there undeniably lies the ambition to eventually ensure a more equitable and effective administration of public responsibility.

So Europe's regained mastery of her own destiny, what we are really playing for in the European Union, cannot be divorced from the European citizen's regained mastery of living conditions. So the debate on European Union cannot be separated from consideration of the duties and powers of local authorities in tomorrow's Europe.

It is far too early to specify what those duties and powers will be. All things considered, the disparate conditions of decentralized authority in the various European countries, makes any close appraisal of future trends very hazardous.

Even so, I believe that we can identify here and now some dominant features, two of which seem particularly striking. First, there is a growing need of participation to be found everywhere in Europe. Second, there is a call for rationality and practicality in determining the level of decision-making. The combined effect of the two is to highlight the vital role which local authorities will have to play in activating the European Union.

The hopes of Europe's citizens for a real share in the decisions which directly concern them is, I believe, one of the major political and social phenomena of our time. It is emerging in industry where workers are claiming a stronger voice in determining their working conditions. But it can also be seen in the bedrock of the daily round of European life. Be it protection of the environment, town and country planning, or the installation of public facilities, our citizens want to be more closely involved than before in projects of public concern which impinge directly on their everyday life.

For me, fulfilling these hopes is a key factor in achieving European Union, for I cannot imagine that this can successfully be done without substantial improvements to the concepts and methods prevailing today.

Against this background, the local administrations which already form the natural theatre for the performance of 'day-to-day' democracy will come to accept the new structures of social participation which are inescapable. They will enhance the status, weight and influence of local authorities in Europe's political and social life and will achieve a radical redistribution of authority.

But this basic redefinition must not be inspired solely by the concern for efficiency. Indeed a number of functions, vitally necessary in affirming and developing European Union, cannot be effectively discharged except by the local administrations, and in particular the municipalities.

The intention is to accomplish the European Union in the order of the realities most immediately discernible to the citizen; so it is crucial that, to understand and support the Union, he be clearly aware that he is affiliated to a European community, in the true sense of the word, uniting 250 million Europeans.

Electing the European Parliament will certainly help to develop this awareness, this feeling of European identity. But I do not think this is enough. Only a radical change in the

cultural environment of Europeans can ensure a satisfactory development in habit and outlook. Here the role of the municipalities in education, training and leisure activities means a unique responsibility for them. Achievement of this European project assumes that they will shoulder it by striving to foster more and more those things which knit and strengthen the feeling of sharing one and the same destiny, beyond the inherited barriers of history or the frontiers imposed by the map.

Europe's cultural heritage, and here I do not mean fine arts or literature, but primarily the same concerns, the like ways of life, the common hopes, Europe's cultural heritage may be the most genuine link between our peoples. Only if we know how to exploit this asset, can we nourish the dynamism and the singlemindedness needed to achieve European Union.

But let there be no misunderstanding: what I am saying does not reflect an urge for uniformity at any price; if we want to create a European Union, the needed economic harmonization, the desirable social consistency must not diminish the marks of identity and uniqueness which enrich Europe. They stem, rather, from the concern to prevent artificial and unwarrantable divisions and to seek a unity of design yet respect the diversities. This approach would try to ensure great flexibility in achieving European integration and thus arrange adequate participation for all the various tiers of responsibility: institutions of the European Union, States, regions, municipalities, citizens, so that each one's activities do not impede but enhance the other's.

Here again, it is not a question of attacking the problem with doctrines, but of trying calmly and with no theological wrangle of any kind to ensure optimum conditions for the use of authority simply according to the yardsticks of a more rounded democracy and enhanced effectiveness.

*

I do not underestimate the massive problems we shall certainly face in defining and then implementing the project of European Union. I am not overlooking the fact that the heartening outlook for the future cannot exonerate us from the often unrewarding and always strenuous tasks of the present. But once we have charted our course in the right direction, Europe will reach its goal. This meeting in Vienna and your splendid initiative which inspired it will help to point the debate on European Union in that direction. At all events, the Commission and its President take great heart from you. May your action mark the starting point for a confrontation of ideas and aims and may their range and quality match our ambitions for the Europe of tomorrow.¹

¹ Extracts from an address in Vienna on 3 April at the inaugural meeting of the XIth *États généraux* of European municipalities.



1ST PART
EVENTS AND
STUDIES

1. Employment and structural adaptation: Commission Proposals to the Council

1101. On 21 April, the Commission laid a programme of priority action on employment before the Council. This consolidates certain Proposals presented by the Commission over the last year, with particular reference to the employment of women and migrant workers. Presented at the same time as a Proposal for action by the European Social Fund to help structural adaptation work,¹ it is a response to the concern expressed by the Governments at the Paris Summit and by the Standing Committee on Employment in the face of a worsening employment situation.

Priority action

1102. The aim of the Commission's programme is to give the Community a basis enabling it to develop its role in respect of employment. The Communication to the Council endeavours to highlight the key issues of employment policy and those areas where Community action is urgently needed and where it can be most effective.

Apart from a direct effect on employment through its operational instruments (Social Fund, free movement), which is still limited, the Commission can also act as a driving wheel, by boosting its analysis potential and its knowledge of the labour market, by helping to break down barriers and sharing in the exchange of experience which could turn the various instruments of employment policy to more flexible use.

So the priority action which the Commission is planning to deploy under this programme focuses on three areas:

- (i) concertation of employment policies,
- (ii) research into the employment market,
- (iii) employment forecasts.

Concertation of employment policies

1103. Provided for by the Social Action Programme, and the Council Resolution of 21 January 1974,² concertation of employment policies is at the present time of the highest importance, which the Heads of Government did not fail to stress at the Paris Summit.

The priority assignments (for 1975-76) which the Commission is proposing to work on with the national and Community authorities range around four focal considerations:

(a) reciprocal exchange of information and advice on the employment problems, outlook and priorities in each country;

(b) joint investigation of problems peculiar to certain employee categories (women, young people, migrant workers); definition of priorities and appropriate lines of Community action;

(c) boosting the national and Community instruments of employment policy. As a start the Commission intends:

- to step up cooperation between placement agencies and support the implementation of SEDOC (the European system for the compensation of the supply and demand of labour),
- to investigate the scope for Community action, particularly as part of the Social Fund operations, which could be brought to bear on the link between jobs and training,
- to examine the contribution which the various legislative or contractual instruments can make (with the aim of securing a more effective distribution of the labour force) to the necessary redeployment of manpower resources, and evaluate their impact on the general level of employment;

¹ Point 1106.

² OJ C13 of 12.2.1974.

(d) consideration of the major problems in the long-term development of Community employment (full employment in new conditions of economic growth, a slowing down in immigration) and the solutions they call for. The first report on medium-term development should be the initial premise for such consideration.

Research into the employment market

1104. To amplify knowledge of the labour market is a priority task of the Social Action Programme. Despite the headway made here, data available for Community discussion is all too often patchy, outdated or inappropriate. The priority research programme proposed by the Commission would focus on comparative projects based on empiric analyses available in the Member States. To help the Commission in running the programme, a management group will be formed and assigned to determine specific areas of Community interest.

Employment statistics and forecasts

1105. The development of employment forecasts was adopted as one of the priority objectives of the Social Action Programme. The Commission has just laid down a work programme to refine employment statistics and forecasts in collaboration with the Statistical Office of the Communities and the national authorities.

Action by the Social Fund to assist structural adaptation

1106. When it laid its programme of priority action on employment before the Council on 21 April, the Commission also proposed a new weapon against unemployment. This proposal

provided for Social Fund operations to assist structural adaptation.

At their Paris meeting in December 1974, the Heads of Government had stressed the need to take vigorous and coordinated action on employment and had contemplated swelling the resources of the Social Fund 'with due regard to the problems of the regions and categories of workers most affected by employment difficulties'.¹ The principle of Social Fund aid in this context also found support on both sides of industry.

Although observers disagree on the nature and likely duration of the recession, or the crisis, now besetting the Community, it is generally acknowledged that the cyclical phenomena are highlighting the problems of rapid structural adaptation or readjustment. On the employment side these structural modifications will inevitably entail a considerable mobility of labour in terms of movement towards areas of innovatory activity and change within companies and sectors redeveloping or diversifying.

This is why the Commission sent the Council its Proposal to initiate joint specific action under Article 4 of the Council Decision of 1 February 1971 on reform of the European Social Fund, in order to facilitate the necessary structural adaptations.

It is understood that such a proposal would not affect the resources already commanded by the Fund in acting for the benefit of regions in difficulty and migrant workers.

The action proposed by the Commission is aimed to facilitate employment and the geographical and occupational mobility of people making for a secure job, in economic activities where

¹ Bull. EC 12-1974, point 1104, paragraphs 25 to 28.

development and structural adaptation require adequate training of labour.

The Commission feels that the activities to be fostered are those bound up with:

- (a) restructuring of the energy sector;
- (b) promotion of industry or action to meet priority public needs, for instance in joint transport arrangements or improving the quality of life;
- (c) the structural adaptation, diversification and redevelopment of sectors, branches or industries beset by structural problems (with serious effects on employment) towards new activities. Unless the rising level of unemployment and the negative prospects in certain sectors or branches are not countered, they will find themselves among those frequently mentioned in the recent consultation at Community level, namely the motor, building, textile and certain sections of the chemical industry together with some branches of ancillary contracted activities.

To benefit from the Fund, operations within this framework must be part and parcel of comprehensive action under a programme worked out for a sector, State, region or even a company, and the economic context and range of the adaptation and development must be clearly indicated. The Commission thus intends to see that action supported by aid from the Fund is hedged with adequate guarantees in respect of its timeliness and efficacy on the national front and that it can be gradually harmonized with the Community's economic and social guidelines.

In accordance with the resolve expressed at the Summit to take a special interest in those groups of people and those regions most severely affected by employment difficulties, the Commission feels that Fund aid should go first to people in sectors or branches with a marked increase in unemployment, and to women and young people, who are usually among the most vulnerable groups when a crisis or recession occurs. But it

seems reasonable to keep this priority for people in the regions hardest hit by employment problems.

For women, the priorities will be given according to selective criteria and for specific projects involving those activities linked with implementing the programme in the Commission's Communication to the Council.

Lastly, the Commission is proposing that all aid covered by the relevant Regulation now in force may be assisted by the Fund.

2. Report on Competition Policy

1201. The Commission has published its annual Report on Competition Policy,¹ the fourth to be prepared at the request of the European Parliament, outlining Community competition policy for 1974. The Introduction reads as follows:

Introduction

1202. 'During the period covered by this report, the Commission's activities in relation to competition policy have been influenced by its concern, among others, to apply its best efforts towards a solution of the difficulties which confronted the Community as a result of inflation, of tensions affecting the markets for raw materials (especially oil), and of increasing sectoral and regional disparities. Indeed, the Community must mobilize all means available to it under Community legislation to contain inflationary pressures and to help bring about essential structural changes; in this connection, competition policy has an essential, though limited, role to play.

The Commission has accordingly been especially watchful over the *behaviour of undertakings* so far as restrictive agreements and abuses of dominant positions may be concerned. Its object has been to prevent additional price increases by prohibiting horizontal and vertical price-fixing agreements, market-sharing agreements and agreements which voluntarily limit imports from outside the Community.

Further, concerning *state aids*, the Commission has expressed its firm conviction that the Treaty provisions must be respected if national aids are to enable the Community to overcome effectively and at the lowest cost, our current economic

difficulties, and also to avoid overbidding between Member States which would clearly lead to negative results.

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The general approach of the Commission in the competition policy field and its individual measures and decisions should be seen in this context; and it is against this background also that the Commission, with the encouragement of the Council resolution of 17 December 1973, has undertaken its study into *price variations* recorded for a range of products in the different Member States.

In a number of prohibition decisions the Commission broke new ground in 1974. One case saw the first application of the views expressed in the Commission's statement published in 1972 as to the position of *voluntary restraint agreements*. In the case in question the Commission decided that private agreements which prevent imports from third countries into the Community or which have the effect of increasing the prices of such imports, conflict with the competition rules. Another Commission decision prohibited an agreement between undertakings with the ostensible objective of maintaining "*fair trading rules*". It was found in the case in question that under the cloak of protecting fair trading, competition between the parties was in fact restricted in respect of prices, rebates and terms of sale, to the detriment of consumers.

Questions of *selective distribution* were probed in detail with the Member States' experts on restrictive trade practices. In a first decision of its kind, the Commission granted an exemption in this field to a motor manufacturer on conditions and for a limited period of time. In the

¹ Fourth Report on Competition Policy (Annexed to the 'Eighth General Report on the Activities of the Communities') Brussels-Luxembourg, April 1975.

case of selective distribution agreements in the perfume industry a widely applicable solution has been arrived at. In the light of the special circumstances in this market which is characterized by numerous manufacturers each with a relatively small market share, the Commission can accept a situation in which dealers are appointed under objective and non-discriminatory standards of selection and in which the freedom of dealers in respect of pricing and sales to other dealers of the same distribution network remains unimpaired.

The most important of the competition problems which can arise in connection with *patent licensing* agreements were reviewed in consultation with restrictive trade practices experts of the Member States. Views were exchanged on a number of commonly employed contractual provisions which restrict competition and which jeopardize the free movement of goods.

The Commission for the first time issued a decision in the EEC field concerning the problem of *joint enterprises*, discrete economic entities, set up for the purpose of producing or distributing goods or services. Such bodies are a means through which undertakings can cooperate effectively, but the creation and management of the joint venture are of themselves likely to have the effect of encouraging the controlling undertakings to adopt a policy of mutual non-competition. When dealing with individual cases, the Commission must therefore have regard both to the positive aspects of joint subsidiaries as well as to any restrictive effects on competition.

The Commission has actively pursued *its inquiry into the oil market*. Numerous investigations have been carried out into multinational oil companies and their subsidiaries, as well as into independent enterprises. The next step is to examine and assess the behaviour of the oil companies in the light of the investigation results, and to reach conclusions. A report on this

question will be submitted to the European Parliament.

In cases under Article 66 of the ECSC, the existing policy was continued of authorizing critical concentrations only on conditions of *partial divestiture*. As applied for the first time in the Thyssen/Rheinstahl case, the Commission has adopted this approach to safeguard the independence of the large steel producing groups in the Community.

The Commission's activities in the ECSC field included some notable new developments. Following the Court's decision in Miles Druce/GKN which confirmed that it was for the Commission to take all measures necessary to preserve the *status quo* pending its substantive decision, the Commission had recourse to the *interim measures* provided for in Article 66(5), third paragraph, in Marine-Firminy SA/Schneider SA/Denain/De Wendel and Johnson & Firth Brown Ltd./BSC/Dunford Hadfields Ltd.

These interim measures have proved to be a useful tool, because they ensure, especially in cases where a bid for the control of an undertaking is announced, that a balance can be maintained between the parties in question, until the Commission has been able to examine the applications for merger authorization in substance.

During the period under review Community legislation was extended in an important area. The Council approved Regulation EEC 2988/74 concerning *limitation periods in proceedings and the enforcement of sanctions*. This regulation assures a balance between the needs for legal certainty on the part of enterprises and the public interest in the prosecution of infringements.

Problems areas in the *relationship between Community competition rules and national laws* were closely reviewed at a conference with govern-

ment experts. The Member States share the view of the Commission that it is not opportune at the present time to deal with this relationship by regulation and that double prosecutions and the dangers of conflicting decisions should be avoided through systematic consultations between the Commission and the competent national authorities.

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Concerning *state aids*, the year 1974 was marked by continuing activity on matters already initiated while action was also taken in new fields.

As regards the *general regional aid systems*, of which the control and coordination constitute an essential element for the proper functioning of the Common Market, the work designed to lead to a new coordination solution was actively pursued. In spite of certain difficulties the Commission has succeeded in drafting the new solution which takes into account the individual circumstances of each of the large regions, or large groups of regions, of the Community.

The Commission also pursued the action it had begun in regard to *general aid schemes* in order to ensure that all applications of such schemes be sent to it for examination and so that it could eliminate the negative effects that these might have in certain cases on the Common Market.

As regards new areas, considering that protection of the *environment* should be considered a priority objective for the Community, the Commission, faced by a multiplication of state aids designed to facilitate the adaptation of undertakings to the new requirements demanded by this protection, has considered the guidelines it will apply to these aids in the examination that will be made in the light of Article 92 *et seq.* Adherence to these guidelines by Member States will allow these initiatives to achieve their objectives without distorting trade or competition within

the Community in a manner contrary to the common interest.

Finally, it should be recalled once more that for some months the Community has been faced with the most serious *economic and structural problems* since its foundation. The Commission accepts, as it is allowed to by the Treaty, that in certain cases where grave conjunctural problems exist, temporary aids may be given to safeguard employment. However, it is necessary to remember that in certain firms or industrial sectors these conjunctural difficulties are the result of fundamental problems which in certain cases will sooner or later call for restructuring or redeployment.

For the Community rapidly to overcome these problems, the provisions of the Treaty as regards the aids that Member States grant must fulfil their task which is both to preserve an effective competition system and to encourage as far as possible an orderly evolution of industrial and commercial structures within the Community.'

3. Consumer protection: Programme adopted

Consumers' programme

1301. After approving the programme presented by the Commission in December 1973,¹ the Council, on 14 April 1975,² decided to implement a consumer information and protection policy.

The programme is no less than a charter of consumer rights and will enable all citizens to claim them.

In its adopted Resolution, the Council approved the principles, objectives and outlines of action to be taken at Community level, as defined in the Commission's programme. The Council noted that the Commission will eventually put forward appropriate Proposals for carrying out the programme and undertook to rule on them within nine months after their presentation.

The communiqué issued after the meeting of 14 April states: 'Aware of the need for the Community to conduct a policy which consolidates and reinforces the various activities in this field, the Council affirmed its commitment to improving the quality of life for European consumers. The various experiments in progress in the countries of the enlarged Community are conducive to the rise of new ideas in this field which, combined with the action being taken by the Member States as a whole, make it possible to view the status of consumers and the quest for a better balance in the defence of their interests differently than in the past.'

Aims of the programme

1302. A number of measures have already been adopted in the area of consumer protection and information, both at national and Community level, but never has it been dealt with in such detail as in the EEC preliminary programme for a consumer protection and information policy, presented by the Commission on 5 December 1973 and adopted by the Council on 14 April 1975.

This programme established the framework of a genuine consumer policy and constitutes a consumer charter based on five fundamental rights:

- the right to protection of health and safety;
- the right to protection of economic interests;
- the right of redress;
- the right to advice and guidance;
- the right of representation.

From now on consumer protection and information will cease to be a matter of uncoordinated action and will be ensured by reference to specific consumer rights.

At Community level: consumer policy will constitute a general framework for the provision of better consumer protection under the different Community policies such as the economic, common agricultural and social policies, as well as the approximation of laws, all of which affect the consumer's position.

At national level: it will induce Member States to give official recognition to the five consumer rights and thereby provide increased protection. It will also enable all citizens and consumer associations to assert these rights, and to benefit from their application within their own country.

The five consumer rights

1303. In this programme the Community does not merely define the five basic consumer rights, but also sets out the ways and means of protecting them (basically by harmonization or, in some cases, by strictly Community measures).

¹ Bull. EC 12-1973, points 1301 to 1308.

² OJ C92 of 25.4.1975.

The right to protection of health and safety

This is the sector where all Member States provide most protection but even here it is at different levels. What the right involves is ensuring that the goods and services offered to the consumer present no hazard to health or safety, under normal or foreseeable conditions of use. Specifically this ensures a much wider area of protection.

Substances added to foodstuffs, for instance, should be defined and their use regulated; foodstuffs should not be adulterated or contaminated during transport or marketing, while household appliances should be covered by a certificate showing that they comply with safety standards. The intended measures provide mainly for harmonization.

Protection of the economic interests of consumers

The aim here is to protect the consumer against abuse of power by the seller with regard to the drafting of contracts, dissemination of advertising material and definition of conditions of credit. The consumer must likewise be protected against damage resulting from defective products or unsatisfactory services, and be guaranteed after-sales service.

The methods to be applied to protect the consumer in this sector will be two-fold: harmonization at Community level, or the adoption of direct measures at that level.

The right of redress

This is the first time this right has been officially recognized and stated.

It involves the consumer's right to receive advice and help in the matter of complaints and the injury or damage resulting from the purchase or use of defective goods or unsatisfactory services, and to receive proper redress for such injury or damage.

Since this right has been officially recognized, it will not be applied at Community level but remain within the jurisdiction of each Member State. Only where the situation requires it, will the Commission present proposals for improving existing systems and putting them to better use.

The right to advice and guidance

The basic aim here is to make adequate information available to purchasers of goods or services notably concerning the nature, composition, quantity and price of products for sale.

The buying public must also be in a position to benefit from the results of comparative tests carried out by specialist bodies in each Member State and thereby be in a position to make a more rational choice. The Community is likewise interested in consumer education, which will be undertaken in centres specially set up for this purpose in each Member State.

The Community will give practical expression to this right by pursuing a comprehensive information policy based on surveys, comparative studies, publications and conferences organized in close cooperation with Member States.

Consumer consultation and representation

When decisions which concern them are prepared, consumers should be consulted and allowed to express their views, in particular through organizations engaged in consumer protection and information.

4. Energy: The preparatory meeting in Paris

Consumers' programme

In this field the Commission will concentrate on encouraging the setting up of such organizations, studying the various procedures for consumer consultation and representation employed in the Member States and promoting exchanges of information between Member States on how such consultation can be put into practice.

Priorities

1304. The Commission intends to propose a number of priority objectives as the first stage in implementing this extremely comprehensive programme:

The Commission will implement the programme drawn up by the Council¹ with a view to harmonizing the provisions laid down by law, regulation or administrative action, particularly with regard to the protection of consumer health and safety in the following fields: foodstuffs, cosmetics, detergents, dangerous substances, medicinal products...

During 1975 the Commission will prepare:

- (i) a Proposal for a Directive on door-to-door selling and one on the labelling of foodstuffs;
- (ii) labelling regulations for certain categories of product other than foodstuffs;
- (iii) a Proposal for a Directive relating to the practice of stating unit prices for packaged products sold by weight or volume;
- (iv) a Proposal for a Directive on the harmonization of general conditions of consumer credit, including those relating to hire purchase.

The Commission will also encourage cooperation between bodies carrying out comparative tests, and organize surveys on consumer attitudes and retail price trends in member countries.

¹ OJ C76 of 17.6.1969 and C38 of 5.6.1973 (General programme for the elimination of barriers to trade; OJ C117 of 31.12.1973 (Action programme for industrial and technological policy).

1401. The dialogue between the oil-producing and oil-consuming countries, which started in Paris on 7 April, ended eight days later without gaining the results anticipated by some of the participants. The Preparatory Meeting for the International Energy Conference, on the suggestion of the President of France, which ran from 7 to 15 April finally came to an adjournment.

Various moves

1402. Before the meeting was called a number of moves had been made by different countries or institutions, prompted by the energy crisis and its repercussions.

During 1974, the Shah of Iran had broached the possibility of a dialogue between the oil-producing and oil-consuming countries. Mr Yamani, the Saudi Arabian Minister for Petroleum had also considered it and mentioned the countries who might take part.

On 24 October, Mr Giscard d'Estaing, the President of France, proposed that a Conference of producers and consumers be convened.

The matter was taken further at a meeting between the Presidents of the United States and France in Martinique from 14 to 16 December 1974. The two leaders agreed that such a meeting should be called at the earliest opportunity.

1403. On 1 March, Mr Giscard d'Estaing sent out invitations for a meeting to prepare a Conference of oil-importing and exporting countries. The invitations went to:

- four producer countries (Algeria, Saudi Arabia, Iran, Venezuela),
- three non-producing developing countries (Brazil, India, Zaïre),

- two industrialized consumer countries (United States, Japan), and
- the European Economic Community as such.

The letter to the Community read:

'On 24 October last I proposed that a Conference be convened to examine energy problems with which numerous aspects of international economic relations are linked. This proposal has been the subject of much discussion highlighting the urgent need for opening of a dialogue. This favourable reaction encourages us to go ahead with a project in keeping with the interests of all parties concerned.

It seems to us that this dialogue could be organized in two stages: firstly, a preparatory meeting to fix the date, membership and agenda of a Conference and, secondly, the Conference itself.

In order to ensure that the proceedings of the preparatory meeting are conducted with efficiency and dispatch, we have adopted the list of countries which the Government of the Kingdom of Saudi Arabia suggested last year for such a meeting. As you know, this list of participants includes the European Economic Community whose views will be stated, as decided by the Council of the European Communities on 10 February 1975, by the delegate of the country holding the office of President of the Council.

We propose that the preparatory meeting should open in Paris on 7 April.

I have no doubt that the representation of the European Economic Community at this meeting will make a valuable contribution towards the success of its proceedings which is essential if the international community is to find a concerted remedy for the difficulties facing it.'

1404. The Heads of Government meeting in Council in Dublin on 10 and 11 March gave close attention to intensive preparation for the

Conference, as testified by the final Communiqué,¹ and assigned the task to a top-level *Ad Hoc Committee* made up, under the authority of the Council, of Member States' and Commission representatives. The Committee met twice, on 20 March and 4 April, to prepare the Community's position for the 'preparatory meeting for the International Conference on Energy and Related Economic Problems'.

The preparatory meeting

1405. The preparatory meeting took place in Paris from 7 to 15 April 1975 with Mr L. de Guiringaud, France's Permanent Representative to the United Nations as functional Chairman.

The Community's statement

1406. On the first day, the Community representative made the following statement:

'On behalf of the European Economic Community I should like to say how pleased I am that we have come together to prepare for a conference on the problems of energy, and the many aspects of international economic relations which are linked thereto. Special thanks are due to the President of the French Republic for taking the initiative in promoting the organization of a dialogue along these lines between producer and consumer countries.

The Community is also appreciative of the other suggestions made and initiatives taken by both producer and consumer countries as regards the need to commence this international dialogue.

This meeting is the formal stage in the preparation of what might well be the most important international conference in this field ever to be assembled. This meeting is preparatory: our

¹ Bull. EC 3-1975, point 2252.

job is to put together in agreement, the agenda, the composition and the practical details of the conference proper. In this sense the objectives of this meeting are limited: but the repercussions it will have on future relations between oil-producing and oil-consuming States, extending over both the developed and the developing world are of an importance that can scarcely be exaggerated.

The events of the last few years have made increasingly clear to all of us the high degree to which the functioning of the world economy is dependent on energy and particularly on the supply of oil. The rapid and very substantial increase in oil prices has added to the serious problems facing the industrialized as well as the developing consumer countries. Trade and balance-of-payments difficulties, recession and inflation have been further aggravated in many parts of the world.

More than ever before, we have become aware of the close ties of interdependence that exist between the economies of the oil-producing countries, the industrialized world and the non-oil-producing developing nations. The European Economic Community has always been convinced that the important problems which are connected with energy can be solved only by common efforts in a spirit of mutual understanding between producer and consumer countries, both developed and developing.

In striving for a fair balance in world economy and trade, the Community has sought and will continue to seek, within the limits of its ability, solutions based on cooperation.

We have a certain confidence in the rightness of this approach as the Community has played a constructive role in establishing economic relations with much of the rest of the world. Examples are the Community's generalized preferences scheme, which was recently substantially improved and will be extended

beyond 1980, and the Lomé Convention between the Community and forty-six African, Caribbean and Pacific States. Together with our partners in the developing countries, we are making great efforts to find solutions to their trade problems. The forthcoming GATT negotiations will provide further opportunities to develop these Community policies.

We realize that the matters to be dealt with are complex. For that reason all parties must be prepared to make the efforts necessary to create a sound basis for progress and stability in the world economy. Its present situation manifests again the interdependence of our national economies. Only through cooperation and solidarity can the concrete difficulties facing all our countries be resolved. Only a joint effort will ensure a stable and balanced economic and social development in all our countries. The European Economic Community approaches this discussion with goodwill. We are ready to contribute our share to the common endeavour to reach solutions fair to all.'

The final Communiqué

1407. The difficulties encountered at the meeting focused on whether the energy problem should be taken together with the raw material question and the situation of the developing countries.

The following Communiqué, a statement by the functional Chairman, was issued after the meeting:

'The preparatory meeting for the International Conference proposed by the President of the French Republic took place in Paris from 7 to 15 April 1975.

The participants reiterated their support for the principle of concertation. They are satisfied that this meeting has given them the opportunity to have a careful, thorough and comprehensive

discussion for the first time on the ways and means of setting up a dialogue regarded as imperative by all concerned to settle the economic difficulties which they are facing. All the delegations have said that they are ready to approach such a dialogue constructively and with an open mind. They all paid tribute to the initiative of Mr Giscard d'Estaing which began it.

The delegations thank the French Government for its hospitality, for the facilities at the meeting in the International Conference Centre and for the contribution by the functional Chairman.

The delegations recognize that participation in the Conference should be limited, with the aim of securing firm results, but that the list of delegates to the preparatory meeting ought to be extended so that the interests involved are adequately represented.

The Conference agenda was discussed in depth during the full sessions, with select contact groups and via the exchange of notes through the functional Chairman.

Although certain differences of opinion were narrowed down by the efforts of all sides and although much progress was made in the mutual understanding of individual positions, the discussions did not enable a clear definition to be made of the points to be dealt with by the Conference or determine their relative importance.

At the close, all delegations agreed in acknowledging that the preparatory meeting had, at all events, made a worthwhile contribution to advancing international concertation.

Desirous of continuing the dialogue, they have agreed to keep in touch through the appropriate channels so that, as soon as conditions are favourable they can resume preparations for the Conference proposed by the President of France.¹

Community reactions

Commission

1408. On 17 April, the spokesman of the Commission stated that, after hearing a report from the Director-General of External Relations who represented the Commission at the meeting, the Commission found that the Community had played an active and constructive part in seeking common ground, which unfortunately proved impossible. The meeting had therefore wisely been adjourned.

Council

1409. Under the heading 'energy and raw materials', the Communiqué published after the Council meeting of 5 May states:

'The Council discussed the results of the preparatory meeting for the Conference proposed by the President of the French Republic, held in Paris from 7 to 15 April 1975. It was noted that the meeting had clarified the various points of view and that all those taking part had expressed a desire to continue the dialogue.

The Council also confirmed the need to give priority consideration to formulating an overall Community attitude in respect of primary products, with particular reference to the problems of developing countries and, in this connection, to preparing a constructive Community position for forthcoming international meetings and in particular the 7th special session of the United Nations General Assembly.

The Council noted that during May the Commission would be forwarding a further communication on the problem of primary products. The

¹ Unofficial translation.

Paris energy meeting

meeting also heard a speech by the United Kingdom delegation summarizing the discussions which the Kingston Commonwealth Prime Ministers' Conference had held on the question of primary products, on the basis of suggestions put forward by the United Kingdom Government.

Finally, the Council instructed the Permanent Representatives Committee to continue actively with its study of this subject.'

2ND PART

**ACTIVITIES
IN APRIL 1975**

1. Functioning of the common market

Internal common market

Customs union

Common Customs Tariff

Nomenclature

2101. After a favourable Opinion from the CCT Nomenclature Committee, the Commission, on 17 April,¹ adopted a Regulation laying down the admission conditions for Port, Madeira, Setubal Muscatel and Tokay (Aszu and Szamorodni) wines, and sherry, under the CCT subheadings 22.05 C III(a) 1 and (b) 1 and 2 and 22.05 C IV(a) 1 and (b) 1 and 2. In respect of imports of the above wines, the Regulation, which will take effect on 1 July 1975, introduces a Community-wide certificate of designation of origin based on the outline recommended by the United Nations to supersede the national certificates in use until now.

Tariff measures

Quotas

2102. Acting on a Commission Proposal, the Council, on 21 April,² adopted a Regulation on increasing the volume of the Community's 1975 quotas for certain textile products (headings 55.05, 56.04, 60.05 and 61.01 of the CCT) originating in *Malta*. These volume increases are intended to ensure that Malta is treated no less favourably than the countries enjoying generalized preferences, since the Council has raised the 1974 preference volumes by 5% for 1975 in respect of textiles.

2103. On 18 April, the Commission also proposed to the Council that a Community tariff quota be opened for the ACP States of 204 503 hectolitres of *alcohol* (rum, arrack, tafia) under CCT subheading 22.09 C I over the period

1 July 1975 to 30 June 1976. This is actually an advance application of Protocol 7 annexed to the Lomé Convention, which was agreed by an exchange of letters on 28 February 1975:

Customs value and taxes of equivalent effect to customs duties

2104. On 14 April,³ the Council amended its Regulation of 27 June 1968⁴ on the customs value of goods. Article 8 has been deleted and Article 6(2) changed. This step was taken with the aim of applying the Community rules to relations with *East Germany*. With the deletion of Article 8, carriage charges across East Germany are to be included in the customs value of goods coming from non-member countries.

But on the strength of the new version of Article 6(2), the Commission will take the necessary technical measures to ensure that goods arriving in Berlin are treated as goods which have crossed the Community frontier, even if they are bound for another part of the Community.

Internal common market

Free movement of goods

Removal of technical barriers to trade

2105. On 14 April, the Commission presented to the Council, an amended Proposal for a Directive on approximating Member States' laws on *cosmetic products*. The amendments to the

¹ OJ L 111 of 30.4.1975.

² OJ L 104 of 24.4.1975.

³ OJ L 102 of 22.4.1975.

⁴ OJ L 148 of 28.6.1968.

original Proposal of October 1972 take account of the Opinions from the European Parliament and trends in consumer opinion since 1972.

The main innovation lies in a new Article stipulating that the Commission will send the Council relevant proposed positive lists (lists of authorized substances) compiled on the strength of the latest technical and scientific knowledge.

The new Proposal mainly consists of negative lists (lists of substances considered noxious and therefore banned). But it is drawn up in such a way that it can easily be amended by including other positive lists, if these are deemed necessary to enhance the protection of public health.

Since much more information is required concerning a substance to determine whether it is harmless than to determine that it is harmful, it takes some time before substances can be put into the first category. To enable positive lists to be approved quickly, the new Article in the Proposal lays down a procedure to ensure that the lists are compiled as soon as the required technical data are to hand.

The amended Proposal also includes a general ban, in that cosmetics marketed in the Community must not carry any risk to human health through normal use. It also expressly recognizes that any Member State is entitled to require manufacturers to furnish the appropriate authorities with relevant and sufficiently detailed information on noxious substances in the cosmetics (to facilitate prompt and appropriate treatment should they have any harmful effect on the user). The amended Proposal carries a safeguard clause enabling a Member State to ban an authorized product temporarily when it is found to be possibly dangerous to health or safety.

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2106. The *European Parliament*, during its part session from 7 to 11 April and the *Econ-*

omic and Social Committee meeting on 23 and 24 April issued a series of Opinions on Commission Proposals to the Council concerning the removal of technical barriers to trade (mainly in respect of motor vehicles).

Companies

The European Company

2107. On 30 April the Commission adopted 'an amended Proposal for a Council Regulation on the statute of European Companies'. The original text of the Commission's Proposal¹ presented to the Council on 30 June 1970, has been substantially modified to take account of the Opinions from Parliament and the Economic and Social Committee and of the outcome of a series of discussions with governments, employers' and trade union organizations and independent experts.

2108. During its part-session from 7 to 11 April the *European Parliament* gave its Opinion on the amended Proposal, transmitted by the Commission to the Council for the third Directive on company mergers.

Competition policy

Fourth Report on Competition Policy

2109. April saw publication of the Commission's Report on Competition Policy.² The Report, requested by the European Parliament, again reviews the development of Community competition policy over the past financial year.

¹ Supplement to Bull. EC 8-1970.

² Points 1201 and 1202.

Restrictive agreements, mergers, dominant positions: specific cases

Termination of an export cartel

2110. Following representations by the Commission, four European floor coverings manufacturers have terminated their export cartel for *linoleum* (The Linoleum Manufacturers' Export Convention).

The firms involved—Nairn Floors Ltd., Kirkcaldy, Fife, Scotland; Barry Staines (Sales) Ltd., Staines, Middlesex, England; Forbo AG (formerly Continentale Linoleum Union), Zürich, Switzerland; and DLW-Aktiengesellschaft, Bietigheim, Württemberg, Germany—were concerting their practices on the basis of principles set out in the more than thirty clauses of the Linoleum Manufacturers' Export Convention Trade Practices notified to the Commission. Uniform prices and discounts were fixed at regular intervals, while terms of payment, charges and standard thickness were harmonized.

In the common market the Convention operated in Belgium, Luxembourg, Denmark and Ireland and otherwise primarily in non-member countries. The Federal Republic of Germany, the United Kingdom, France (including overseas territories), the Netherlands and Italy were expressly stated as being outside the scope of the Trade Practices. The four firms marketed the bulk of their output on their respective domestic markets, on which they all held strong positions: Forbo's Dutch subsidiary—Nederlandsche Linoleumfabriek BV, Krommenie—holds 95% of the Dutch market and 80% of the Belgian and Luxembourg market; DLW is the only linoleum manufacturer in Germany and has a market share of some 90%; in the UK, Nairn Floors has about 67% of the market, the remainder being accounted for by Barry Staines.

By providing for uniform prices and discounts, the Linoleum Manufacturers' Export Convention restricted competition within the meaning of Article 85 of the EEC Treaty—not only in the Member States directly covered by the Convention but also, in view of the positions held by the four firms on their home markets, throughout the common market. There was a likelihood of concerted practices as a result of the export cartel even on markets in which the Trade Practices did not operate.

The Commission was unable to exempt the cartel under Article 85(3), having concluded that the Convention did not contribute to improving the production or distribution of goods nor allow consumers a fair share of the benefit.

Mergers in the steel industry

2111. The Commission of the European Communities has authorized *Fried. Krupp Hüttenwerke* AG of Bochum (FKH) under Article 66(2) of the ECSC Treaty to acquire a majority of the share capital of *Stahlwerke Südwestfalen* AG of Hüttental-Geisweid (SSW).¹

FKH is the steel-producing subsidiary of Fried. Krupp GmbH of Essen (Krupp) which is mainly engaged in plant and mechanical engineering, in shipbuilding, in steel distribution, etc. FKH had made agreements to buy back the shares of three major SSW shareholders, namely Agricola Verwaltungsgesellschaft KG Munich (Bankhaus Merck, Fink & Co.), Allianz Versicherungs AG, Munich and the steel producer Hoesch Werke AG.

The particular significance of this case lies in the special steels field, since both FKH and SSW are important producers of special steel products. Conversely the concentration will not have any important new effects on the market

¹ OJ L130 of 21.5.1975.

for ordinary steels. The combined FKH/SSW group will be responsible for about 10% of the Community production of special steels, compared with only 4% of the total production taking ordinary and special qualities together.

Nevertheless, there will remain effective competition for steel products within the common market from other Community producers and from third-country imports, even for those special steel products in which FKH/SSW have a particularly important market position. The study of FKH's application has therefore led to the conclusion that the concentration meets the requirements of Article 66(2) of the ECSC Treaty and can be authorized; but that certain conditions should be imposed on the Krupp/SSW group to ensure their independence from their competitors and the preservation of effective competition in the oligopolistic markets for alloy bars, alloy hot rolled strip and alloy cold rolled sheets. These conditions are:

- (i) No member of a management organ of any steel production or steel distribution undertaking in the Krupp/SSW group shall be a member of a management organ of any Community steel production or distribution undertaking not in that group.
- (ii) Prior authorization shall be necessary for the acquisition of 10% or more of the share capital of companies manufacturing, marketing or processing the above products (in so far as they use more than 10 000 tonnes per year).

2112. The Commission of the European Communities has adopted a Decision under Article 66 of the ECSC Treaty authorizing *Fiat SpA*, Turin, and *Klöckner-Humboldt-Deutz (KHD)*, Cologne, to form a holding company in the Netherlands known as *International Vehicle Corporation (Iveco)*, and to transfer to it all their industrial and commercial assets relating to the production of commercial vehicles, buses and tractive units.¹

With an 80% shareholding, Fiat will control Iveco. The transaction thus constitutes a concentration between Fiat, a firm coming under ECSC jurisdiction, and the firms transferred by KHD to Iveco.

As regards the steel industry, the transaction satisfies the tests for authorization under Article 66 of the ECSC Treaty. The effects of the merger on the market for commercial vehicles, buses and tractive units have been examined in the light of Articles 85 and 86 of the EEC Treaty.

Scrutiny of this operation revealed that KHD's production, while strengthening Fiat's position, does not change the ranking of the major producers in the industry.

For lorries and vehicles of more than six tonnes, Fiat, with a Community market share of 19.01%, ranks second behind the German Group Daimler-Benz/Hanomag-Henschel (24.74%). Following the transaction the new Iveco group will hold a total of 22.29% of the Community market (an increase of 3.28%) without changing its ranking.

The same applies to tractive units, where Iveco, with 18.10% of the Community market, will continue to hold second place behind Daimler-Benz (23.56%). For buses, available company figures show that the Iveco group will control 9.17% of the market after Daimler-Benz's 20.17%.

Consideration was also given to the fact that Fiat and KHD have deleted from the Memorandum of Association of Iveco two clauses, concerning limitations on the use of industrial property rights not included in the transfers made by the companies involved, which had constituted restraints on competition. The Commission

¹ OJ L 130 of 21.5.1975.

decided that this operation did not carry any restraints on competition and was not an abuse of a dominant position by the firms concerned.

State aid

Sectoral subsidies

Textiles

2113. The Commission felt that the contemplated action by the public authorities in France in favour of investments by the wool-washing companies to install anti-pollution plant, as stipulated by French legislation for purifying water, was compatible with the common market according to Article 92 of the EEC Treaty.

The aid, granted as a subsidy, is to encourage firms to install the prescribed plant by the end of 1980; it therefore represents no more than some 10% of the outlay to be borne by the wool-washing sector in this operation.

The Commission assessed the aid on the basis of the provisions in the Treaty and the general criteria in its Communication of November 1974 concerning a Community framework for environment aid.¹ It was noted that the terms of the aid would enable a substantial anti-pollution programme to be carried out within the deadlines set, without causing the production prices of washed wool to fall or leading to undesirable overcapacity in the industry.

On these grounds the Commission felt that the subsidies announced were compatible with the common market according to Article 92(3c) of the Treaty. It also asked the French Government to forward data every year to enable it to appraise the development of production capacity and trade in washed wool.

Fiscal policy and financial institutions

Taxation

Tax exemptions for certain small consignments

2114. On 17 April, the Commission slightly amended the Proposal for a Directive which it had put to the Council in December 1974² concerning tax exemptions for certain small consignments of a non-commercial nature *coming from non-member countries*. The amendment made to the original text, on the strength of the Opinions of the European Parliament and the Economic and Social Committee, allows for increases in the quantities of *tobacco* products to be exempted.

¹ Bull. EC 11-1974, point 2115.

² Bull. EC 12-1974, point 2135 and OJ C18 of 25.1.1975.

2. Economic and monetary union

Economic, monetary and financial policy

Economic, monetary and financial policy

Report of the Study Group 'Economic and Monetary Union in 1980'

2201. The Study Group 'Economic and Monetary Union in 1980', formed by the Commission early in 1974¹ to follow up and develop the thinking on the economic and monetary union has just submitted its report. This obviously conveys only the *views of the independent experts* making up the Group chaired by Mr Robert Marjolin, a former Vice-President of the Commission. The following analysis of the report was authorized by the Chairman:

'Without denying some headway of a technical nature, notably as regards cooperation between the Central Banks, the Group considers that the efforts undertaken since 1969 add up to failure. Europe is no nearer to economic and monetary union than it was five years ago; in fact if there has been any movement it has been backward.

National policies have never been more discordant or more divergent thereby deeply affecting the "Community achievement to date" especially the common agricultural policy and liberalization of capital movements. Even the customs union for industrial products is menaced by the substantial balance-of-payments deficits which several Member States are running.

The Group puts failure down to three main factors:

(i) adverse developments, such as the international monetary crisis which has shaken the Western world since the end of the sixties and the financial crisis brought about by the sharp rise in oil prices in 1973;

(ii) lack of political will on the part of the Governments, so that instead of prompting a

"leap forward", the crises provoked a general stampede, with everyone trying to get out of trouble as best they could;

(iii) insufficient understanding, whereby efforts have been started to move towards economic and monetary union without any clear idea of what was involved.

The Group stresses the fundamental difference between a customs union and economic and monetary union. In an economic and monetary union national governments hand over to the common institutions all instruments of monetary and economic policy, whose action should be deployed for the Community as a whole. These institutions, moreover, must have a discretionary power similar to that which national governments possess now, in order to be able to meet unexpected developments.

Economic and monetary union requires an integrated system of central banks, a large Community budget, and hence a European political power. The institutions governing the union would be called upon to act in their areas or fields in much the same way as a federal State.

On these grounds, and in view of general political and economic circumstances in Europe today, the Group feels that it was not possible to draw up a sufficiently credible plan for economic and monetary union.

Without underestimating the results obtained from more than twenty years of effort to integrate Europe, it feels that any further progress requires proof of political will. That will is today uncertain, and needs to be tested and strengthened in combating the common perils of unemployment, inflation and external imbalances.

If, in these menacing surroundings, a minimum of unity is not forthcoming it does not seem

¹ Bull. EC 4-1974, point 2201.

worthwhile to pursue the discussion on economic and monetary union or European union.

The Group has accordingly drawn up a list of actions which should be taken this year or over the next two years to avert the dangers now threatening not only Europe but each of the member countries individually, and save what remains of Community achievement from oblivion.

The Group also considers that during this one- or two-year phase the governments should swiftly take a number of longer-term decisions serving to advance the moment when the creation of economic and monetary union could be seriously contemplated.

Short-term programme

On *economic policy*, the Group, having considered the major threats to the Community, recommends a number of measures, namely:

- (a) to encourage productive investment so as to facilitate industrial restructuring, develop new energy sources and generally boost productive capacity to meet an increase in external demand;
- (b) to promote private saving, in particular by issuing indexed loans to the public and, if possible, the private sectors;
- (c) to embark on a more ambitious regional policy;
- (d) to organize more active participation by both sides of industry in discussing Community policies.

On the monetary and financial side:

- (e) to establish a Community system of internal and external monetary policies, backed, *inter alia*, by medium-term guidelines with respect to the movement of exchange rates worked out on the basis of balance-of-payments projections;

(f) to strengthen Community financial solidarity by broadening the scope for borrowing at Community level and by substantially expanding short-term financial assistance among Member States through an Exchange Stabilization Fund. (The report goes into the details of the Fund's operation);

(g) to develop the use of a European unit of account defined in relation to a basket of European currencies.

Action which must be taken to move towards economic and monetary union

Implementation of this short-term programme would need to be accompanied from the outset by measures essential to progress towards economic and monetary union, including in particular:

- (h) formulation of a new industrial programme;
- (i) establishment of a European energy authority possessing the powers now held by the European institutions in respect of coal and atomic energy, together with the additional authority needed to discharge the functions assigned to it;
- (j) rapid liberalization of capital movements so that the Community can profit from the benefits of a large market;
- (k) broadening of the functions of the Community budget and strengthening of the facilities for rebalancing among the Community countries.

The Group feels that one useful rebalancing device might be a Community unemployment benefit scheme, which would have to be coupled with an active employment and vocational training policy. The principles are expounded in an annex; another one contains some relevant personal contributions.

The Group states that its report has been approved overall, though it does not record all the shades of each member's views. The Group feels, however that the consistency of the programme as a whole is more important than each individual proposal on its own.'

Coordinating economic policies

2202. Various matters were dealt with at the Council meeting in Luxembourg on 21 April, which was chaired by Mr Ryan, Ireland's Finance Minister.

The economic situation in the Community was debated. Another discussion centred on a possible meeting within the Council of the Finance and Social Affairs Ministers. The Committee of Permanent Representatives was asked to look into this.

The financial and economic side of energy problems were also cursorily reviewed, after which the Council asked the Committee of Permanent Representatives to follow up this work together with the Coordinating Group for short-term economic and financial policy.

During a working lunch, as part of this very brief Council meeting, the Ministers tackled several other rather sensitive problems at greater length. Information from Mr Ryan indicated that the following points were discussed: economic concentration or consultation with the United States, the possibility of bringing the Swiss franc into the 'Community snake' and the problems involved, the French franc's return to the snake, and the place of gold in the international monetary system.

Monetary Committee

2203. The Monetary Committee held its 203rd meeting in Brussels on 15 April with Mr

Oort in the Chair. Its first task was to review Denmark's monetary policy. It then endorsed the conclusions of a report of the situation in the United Kingdom, which indicate that the present position and outlook of the UK's balance of payments justify her decision not to share in financing the medium-term financial aid granted to Italy.

The Committee also continued its study of international monetary problems with a discussion on how to allocate the quota increases of the industrialized countries in the International Monetary Fund and on modification to the Articles of the Fund. The modifications will again come up for discussion at the next meeting. Finally, it was decided to adopt the draft of the Committee's sixteenth activity report by the written procedure.

2204. The *Working Party on Short-term Capital Movements* met in Brussels on 28 April 1975. It reviewed recent developments on the Euro-markets and discussed those exchange control rules likely to affect them.

Economic Policy Committee

2205. The Working Party on 'Public Finance' attached to the Economic Policy Committee held its second meeting in Brussels on 29 April, with Mr O'Horgain in the Chair. In carrying out its assignment, it made a start on analysing the effects of inflation on taxation in the member countries of the Community.

Working Party on Comparison of Budgets

2206. The Working Party on Comparison of Budgets met in Brussels on 22 April 1975. It finalized a layout for presenting expenditure and revenue of public authorities and adopted the

additional questionnaire to the ESA which is used to gather statistics on the trends of public finance in the Member States. In this context, the group adopted its position in respect of the draft IMF Manual on Government Finance Statistics.

Study Group on Inflation Problems

2207. The Study Group on Inflation Problems held its fourth meeting on 22 April 1975 chaired by Mr Maldague. The Group got down to its first discussion on the draft of the Interim Report which it expects to submit to the Commission in June. The report analyses the phenomenon of inflation and the main factors which breed and feed it. It also makes a number of recommendations for action which could gradually overcome it.

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2208. During its plenary session of 23 and 24 April 1975, the *Economic and Social Committee* issued an Opinion on the Commission's Proposal to the Council which would amend the Regulation of 3 April 1973 creating a European Monetary Cooperation Fund.

Regional policy

European Regional Development Fund

2209. Following the Council Decisions of 18 March,¹ activation of the Community regional policy was marked in April by discussions on the budget for the European Regional Development Fund² on which the European Parliament pronounced on 29 April.

Social policy

Employment

Proposal for priority action

2210. On 21 April, the Commission presented a Proposal to the Council for priority action on employment.³ It envisages activity which would respond to the major considerations of employment policies, against the background of the present crisis, and more sharply define the Community's role in dealing with it.

Meeting of employment directors

2211. The fourth meeting of Member States' employment directors was held on 14 April. The agenda bore two major questions in the context of the present employment crisis: the concertation of national employment policies and unemployed youth in the Community countries.

The paper on concertation of national employment policies had already been discussed at the previous meeting. This time the focus was on defining the substance of work to be done in 1975 and setting out certain areas of action within the province of the employment directors, where Community action is needed to support and encourage the efforts of the national authorities. Priority will be given to projects which would activate national and Community instruments of employment policy: cooperation between placement services, better direction of efforts in vocational training (Social Fund and

¹ OJ L73 of 21.3.1975 and Bull. EC 3-1975, points 1201 to 1208.

² Points 2402 and 2448 of this Bulletin, and Bull. EC 5-1975, point 2402.

³ Points 1101 to 1105.

national public expenditure), use of instruments to revitalize the labour market and create new jobs.

The Commission departments submitted a working paper to the meeting on the Community's unemployed youth, which is to be reviewed at the next session of the Standing Committee on Employment. The delegations put forward their viewpoints and outlines of specific measures to help young people. A review was made of various possible projects, at national or Community level, to promote the employment of young people. This indicated that the implications for general employment levels would have to be investigated.

Free movement and social security for migrant workers

2212. On 10 April, the Commission sent the Council¹ a Proposal for a Regulation on *standardizing the system for paying family benefits* to workers, the members of whose families reside in a Member State other than the country of employment. The Proposal would extend to workers in France the scheme already running for workers in the other Member States, i.e., the 'exporting' of family benefits from the country of employment. In this way, the system now in effect could be standardized without any erosion of workers' rights. The Proposal fits in with the action programme for migrant workers adopted by the Commission in December 1974.²

Social Fund, re-employment and readaptation

Social Fund and structural adaptation projects

2213. On 21 April, the Commission presented to the Council a Proposal on action by the Social

Fund to assist structural adaptation projects.³ These are specific projects, under Article 4 of the Decision on reforming the Social Fund, to encourage vocational training or recycling projects within the scope of structural adaptation.

Social Fund aid

2214. At its meeting of 23 April, the Commission approved in principle the *first* 1975 series of applications for Social Fund aid, submitted under Articles 4 and 5 of the Council Decision of 1 February 1971. The applications, which had been vetted by the Social Fund Committee on 19 March⁴ and given a top priority rating, represent the following sums:

Under Article 4, for readaptation projects, mainly for farm workers who have left the land, textile workers, migrant workers and handicapped people:

<i>Financial year</i>	<i>Amount u.a.</i>
1975	22 942 686.42
1976	5 318 874.08
1977	3 171 294.08

Under Article 5, for projects to help the unemployed or underemployed in the less-developed regions of the Community; or for training to meet the needs of technical and industrial progress; and lastly for some projects to help young unemployed persons and elderly people, who find it difficult to get a job:

<i>Financial year</i>	<i>Amount in u.a.</i>
1975	27 682 330.35
1976	10 274 068.10
1977	1 677 431.35

¹ OJ C96 of 29.4.1975.

² Bull. EC 12-1974, point 2217.

³ Point 1106.

⁴ Bull. EC 3-1975, point 2216.

The formal decisions approving the applications will be adopted by the Commission as soon as possible.

Readaptation measures

2215. In March, the Commission decided, under Article 56(2) of the ECSC Treaty to increase by FF 125 000 the credits already opened for workers hit by closures of or reduced activity in eight iron ore mines in *France*.

Vocational training and guidance

2216. The *Advisory Committee on Vocational Training* met on 16 April. After discussing the status and development of vocational training in the Community, thus continuing the debate begun at the previous meeting, the Committee considered priority projects as the basis of an action programme for the newly created European Centre for the Development of Vocational Training.¹ The meeting also examined the prospects for action in vocational training for migrant workers and women.

Social security and social action

2217. On 18 April, the Commission laid before the Council, a Proposal for a Decision, concerning the *programme of pilot projects and studies to combat poverty*. This Proposal takes account of the Opinions from the European Parliament² and the Economic and Social Committee.³ It follows on the relevant Communication of 14 January⁴ from the Commission to the Council, but being a Proposal for a Council Decision, constitutes a more forceful legal instrument.

European Social Budget

2218. The group of *government experts* assigned to prepare the European Social Budget in liaison with Commission departments met on 8 April. They discussed the revisions to the first social budget, in particular data relating to 1975, and the objectives for subsequent social budgets, under the brief given to the Commission by the Council.

Living and working conditions

2219. On 28 April,⁵ the Council decided to run a fresh survey on the *earnings of regular farm workers*. This sample survey will be made on the strength of statistics for September, October or November 1975. It is the second of its kind; the first was approved by the Council on 21 March 1974,⁶ and the results will be published later this year.

2220. Under the first tranche (experimental programme) of the seventh programme of aid for financing low-cost housing for mining and steel industry personnel under the ECSC Treaty, the Commission approved a building project of 50 dwellings for colliery workers in Belgium.

2221. The Commission approved the following projects as part of the second tranche: United Kingdom (collieries), modernization of 3 250 dwellings for £644 051; France (iron and steel), 130 dwellings for FF 656 400 and (iron ore mines) 12 dwellings for FF 51 000; Denmark (iron and steel), 10 dwellings for Dkr 400 000; Germany (collieries and steel), 179 dwellings for DM 1 102 000.

¹ Bull. EC 12-1974, point 1304.

² Point 2401.

³ Point 2439.

⁴ Bull. EC 1-1975, point 2217.

⁵ OJ L 110 of 30.4.1975.

⁶ OJ L 83 of 28.3.1974.

Industrial and occupational relations

2222. At the request of Danish seamen, initial talks were held in Copenhagen on 10 April between their representatives and Commission departmental officials, with the aim of mounting a social action programme for *ocean transport*.

2223. Delegates from associations representing both sides of the *sugar industry* met on 24 April to discuss the Social Action Programme and the possibilities of applying it in the sugar sector. After additional data had been provided by the Commission representatives, it was agreed to consider forming a Working Party which will be assigned to study jointly selected questions.

Health protection

2224. On 10 April, the Commission presented to the Council the 'guidelines for a *Community programme on safety, hygiene and health protection at work*'. The guidelines set eight main objectives for Community action, which cover inter-State concertation on regulations and research, refining statistics on accidents, the development of training, guidance for participation by the social partners in accident prevention. The guidelines also emphasize the need for action at company level and to deal with specific problems in certain sectors and certain employee categories, in particular migrant workers.

The guidelines will be implemented by specific measures adopted by the Commission working together with the Advisory Committee for Industrial Safety, Hygiene and Health Protection, which was formed by the Council on 27 June 1974¹ for this specific purpose. All this fits in with the Social Action Programme and the Action Programme for the Environment.

2225. On 16 April, the Commission approved and sent to the Council two Directives aimed at eliminating the dangers to human health from *lead in the environment*.² They were presented as part of the Community's Action Programme for the Environment, where, on the scale of priorities, lead and its compounds are considered as first category pollutants.

The first Directive sets biological standards to be respected by Member States in protecting public health from environmental pollution by lead outside work locations. The second sets air quality standards in respect of lead, which the Member States must maintain to safeguard public health from air contamination, again outside work locations.

2226. On 17 and 18 April a meeting of national experts was held in Luxembourg to establish health criteria in relation to *organohalogen compounds*.

2227. The Commission published technical recommendations, finalized with assistance from national experts, on *checks for persons exposed to external radiation*. Dealing with an important aspect of physically checking staff engaged in nuclear work (covered by the Euratom Basic Safety Standards), The Recommendations will lead to more harmonization of Member States' monitoring programmes. They also offer general guidance to authorities drafting legislation on radiation safeguards.

2228. The Research Committee on the *Technical Campaign against Pollution from Steelworks* met on 16 and 17 April at the Italsider steel plants in Taranto, where it reviewed the problems in countering pollution from large integral plants on coastal sites.

¹ Bull. EC 6-1974, point 2214.

² Point 2231.

It also examined existing means for dealing with gaseous emissions, dusts and effluents (coking plants, etc.). On 18 April a tour was made of the research installations at the Centro sperimentale metallurgico in Rome.

Paul Finet Foundation

2229. The executive Committee of the Paul Finet Foundation held its 25th meeting in Luxembourg. The Committee reviewed 397 applications and awarded 245 grants for a total of Bfrs 2110000. Since the Foundation came into being on 30 June 1965, it has received 6571 applications and awarded 4647 grants totalling Bfrs 37082260 (FF 4362620). The Foundation has so far enabled 1024 candidates to complete their studies in more advantageous conditions.

*

2230. On 10 April, the *European Parliament* gave its Opinion on the Commission's Communication to the Council concerning a programme of pilot projects and research to combat poverty, and on 29 April its Opinion on the proposed Directive concerning equal pay for equal work. The *Economic and Social Committee*, meeting on 23 and 24 April, issued Opinions on the Communication and concerning the proposed Council Directive on preserving workers' rights and advantages in respect of mergers, amalgamations and take-overs.

Environment and consumer protection

Environment

Lead hazards in the environment

2231. On 24 April, the Commission laid two proposed Directives before the Council concern-

ing biological standards and air quality standards for lead, and on screening the population in respect of the dangers to human health from the presence of lead in the environment.

The Proposals fit into the Action Programme on the Environment adopted by the Council on 22 November 1973. The Programme regards lead and its compounds as pollutants for top priority consideration. The many uses of lead (in petrol additives, electric batteries, paints and varnish, enamels, plastics, ceramics, printing, piping and certain insecticides) and the fact that it is present naturally in all environments means that it must be carefully watched everywhere.

Waste disposal

2232. On 18 April, the Commission amended its proposed Directive on waste disposal¹ in consideration of the modifications proposed by the European Parliament. These modifications to the original text are of relative importance. But they stipulate that waste must be disposed of with no danger to flora and fauna; moreover, for waste considered to be particularly hazardous or difficult to process, disposal arrangements must be mandatory.

2233. On 30 April, the *European Parliament* gave its Opinion on the Commission's proposed Directive to the Council on reducing water pollution by paper-pulp plants.

During its session of 23 and 24 April, the *Economic and Social Committee* issued several Opinions on problems relating to the environment and, in particular, on the Convention to protect international watercourses from pollution.

¹ Bull. EC 9-1974, point 2217.

Consumer protection

The Council adopts the preliminary programme

2234. On 14 April,¹ the Council passed a 'Resolution concerning a preliminary Community programme for consumer advice and protection', thus acting constructively on the Proposals presented by the Commission in December 1973.²

Agricultural policy

The wine crisis

2235. The wine sector, which has been in trouble for some time, was the focus of attention during April.

After the last two bumper harvests, the Community wine market has been in the throes of a serious crisis for some months now and things took a turn for the worse towards the end of March. Despite the Council's Decision at its meeting of 20 and 21 January, which now applies to 4 600 000 hectolitres of wine, the rates moved in different directions according to the marketing area. The data for February and March showed that prices in France matched or slightly exceeded the activating prices whilst Italian prices remained below that level. The more advantageous prices on the Italian, as against the French market, resulted in a much greater volume of imports of Italian table wines into France and a drop in sales of French wines. This led the French wine producers to stage violent demonstrations and the French Government to close the frontiers.

2236. Against this background, the Council of Agricultural Ministers, which at Italy's request

met specially in Luxembourg on 15 April, got down to a searching discussion of the cyclical and structural problems in the whole wine sector. Three steps were taken.

To cope with the *cyclical* predicament, the Council adopted a Regulation laying down the general rules concerning table-wine distilling operations over the period 7 June to 31 July 1975.

This new operation varies from the previous one, which is still running. Instead of setting a maximum volume of wine to be distilled, the Council specified a clear-cut period of time. The intervention price for the operations is now set at 1.56 u.a. per degree/hectolitre as against 1.58 u.a. for the previous distillations.

Moreover, to accommodate the special situation of certain Community distilleries, the Council decided that the application dates of the Regulation may vary according to cases, provided that the distillation period does not exceed 55 days.

2237. To alleviate the momentary glut on the French market, the Council authorized France, at the request of the interested parties, to grant aid for temporary private storage (i.e. three to four months) of imported table wines originating in other Member States or for which French buyers are under contract.

2238. The Council felt that a distillation operation of this nature should be backed up by a number of *general options* in respect of production policy to be followed for wine in the years ahead and an appropriate Resolution was passed on the new guidelines to rebalance the market. The Resolution focuses on putting production growth on a sound footing and enhancing quality.

¹ Points 1301 to 1304 and OJ C92 of 25.4.1975.

² Bull. EC 12-1973, points 1301 to 1308.

The Council undertook to make the required amendments to the basic Regulation before 1 August this year. Such amendments were laid before the Council on 5 November 1974¹ and are now being studied. They aim to secure a finer balance between supply and demand by improving the intervention system, boosting quality improvements, and limiting the expansion of wine production. They are to be consolidated by other measures. The Council considered that the wine regulations should be more thoroughly overhauled, especially in respect of new and rejuvenated vineyards and in connection with promoting a policy of quality.

2239. As matters stand, the following remarks are in order:

- From 1970/71 to 1973/74 the surface area under vat grapes has very slightly increased by 54 000 ha, i.e. 2%. Vineyards in France have scarcely changed and counting the 15 000 ha expansion of Cognac and Armagnac grapes, they have actually lost a little ground. Italian and German vineyards, which have expanded by 4 and 8% respectively, are mainly devoted to quality wines (quality wines produced in specific regions).
- Yields vary widely year by year according to weather conditions; the same area of French vineyards, for instance, yielded 49 800 000 hl in 1969 and 83 000 000 hl in 1973. But for the Community, the last twelve years point to a long-term trend where production is increasing by 1.13% each year.
- Direct human consumption has maintained a steady 125-127 million hl for many years. The rise in countries with low per capita consumption, like the Netherlands, and more recently, the three new Member States, has simply offset the fall in the main consumer countries, France and Italy.
- Lastly, wine trading does not materially affect the situation, since it accounts on the average for

no more than roughly 3% of consumption, with imports having a slight edge.

Measures in connection with the monetary situation

2240. The course of floating currencies showed an appreciable recovery by the lira and the French franc. This has allowed cuts in the compensatory amounts for the *French franc* from 7 to 21 April and for the *lira* from 14 April.²

Again the trend of the lira allowed the compensatory amounts involving Italy and relating to milk, milk products and beef and veal to be discontinued from 28 April.³ In these sectors, where the 1975/76 marketing year has already opened, prices reflect the new representative rate of the lira set by the Regulation of 27 February⁴ and the gap between the going exchange rates and those deriving from the representative rates is now so narrow that it is time to discontinue the compensatory amounts.

Applying Acts of the CAP in the enlarged Community

2241. The quarterly setting by the Commission of 'Accession' compensatory amounts, applicable to pigmeat, eggs and poultrymeat from 1 May 1975, actually amounts to reinstating 'Accession' amounts after six months at a zero rate, which reflects the sharp movements of world cereal prices in the past.

¹ Bull. EC 11-1974, point 2245.

² OJ L86 of 7.4.1975, L101 of 21.4.1975 and L92 of 14.4.1975.

³ OJ L107 of 26.4.1975.

⁴ OJ L52 of 28.2.1975.

On 29 April,¹ the Council decided to put ceilings on the 'Accession' amounts for pigmeat, eggs, ovalbumin, lactoalbumin and poultrymeat. The aim of this Regulation is to limit the relevant compensatory amounts to no more than the sums of the import levies, so as to avoid diversions of trade from one Member State to others and obviate administrative complications.

Common organization of the market

2242. Besides the problems with wine which prompted a special Council meeting, complications arose in the milk sector between the Community and the United States over cheese exports with Community refunds. On 23 April, the Commission, to avoid a 'cheese war',² suspended a proportion of the refunds granted on exports of certain cheeses to the United States. It was emphasized that this was an exceptional measure based on general considerations of international policy.

2243. The world *cereal* market has apparently stabilized. The Commission therefore slightly relaxed the measures applied in 1973 and 1974 to cope with rising prices and shortages. It lifted³ the safeguards applied since 1973⁴ on Community exports of Durum wheat and Italian Durum wheat flours, groats and meal. The maximum duration of export licences for soft wheat flour and maslin (wheat and rye) flour supplied for tender in an importing non-member State, was reinstated as possibly eight months.⁵

On 14 April,⁶ the Council set the monthly rises for the 1975/76 cereal prices and emphasized their across-the-board application. From now on, the starting date of monthly rises will be 1 September for all cereals and the amount is the same for all except Durum wheat.

The Commission followed up its action in respect of storing common wheat.⁷ To avoid a

huge intervention input at the end of the marketing year, contracts may be drawn up in Germany, France and Benelux between those holding common wheat and the intervention agencies, for storing, from 15 April 1975 to 29 February 1976, an overall quantity of some 1200000 tonnes, against partial Community compensation of the storage charges.

2244. Since the world *sugar* prices have fallen, the Commission could cut from 20 u.a./100 kg to 15 u.a./100 kg the special levy on exports to non-member countries of certain processed products containing sugar¹ (jams, sweetened milk, biscuits, etc.).

2245. To solve one of the agricultural problems in the negotiations under the 'overall Mediterranean approach', the Commission proposed to the Council that spring potatoes should come under the Regulation for the common organization of the *fruit and vegetables* market.

2246. In respect of *live plants, horticultural and flower trade products*, the Commission laid a proposed Regulation before the Council specifying certain measures to improve under-glass horticulture. It also amended its Communication of 12 June 1974⁸ to the Member States on the blueprint for granting any national subsidies to adapt the under-glass horticulture sector and the inshore fishing policy to developments on the energy product market. Since hothouse horticulture was particularly hard hit by the higher

¹ OJ L112 of 1.5.1975.

² Point 2344.

³ OJ L89 of 10.4.1975.

⁴ Bull. EC 7/8-1973, point 2228 and 9-1973, point 2219.

⁵ OJ L94 of 16.4.1975 and Bull. EC 5-1974, point 2225.

⁶ OJ L95 of 17.4.1975.

⁷ OJ L44 of 18.2.1975 and L96 of 27.4.1975.

⁸ Bull. EC 6-1974, point 2253.

costs of heating fuels, certain national subsidies have been authorized until June 1976. But the Commission is planning to cut down the surface area of under-glass cultivation with compensation for growers who dismantle their equipment. This last measure affects trade growers of flowers, fruit and vegetables in the Netherlands, Belgium and the United Kingdom and involves 10% of the total surface area under-glass.

2247. In accordance with the provisions in the Regulation of 25 March¹ concerning import arrangements for *beef and veal* products originating in Botswana, Kenya, Madagascar and Swaziland over the period when protection measures apply, the Commission, on 11 April,² allowed applications for import licences to be submitted between 1 and 10 May for importing 3 000 tonnes, in addition to applications put in between 28 March and 7 April (14 000 tonnes). This honours the commitments made, when the Lomé Convention was signed.

The Council discussed the current situation on the beef and veal market. It examined two measures applied by the Commission to relax the suspension of imports of beef and veal under the safeguard clause by:

(i) setting up an import licence scheme called EXIM for certain beef and veal products, which was set out in the Regulation of 23 April 1975;³ according to an *ad hoc* process, the scheme enables quantities of meat to be imported equivalent to the amounts previously exported;

(ii) making special import arrangements in Italy covering calves and young cattle for fattening during the period when the safeguard measures are in effect, which were dealt with by two Regulations on 30 April.⁴

After a vote requested by some delegations in line with the provisions of the basic Regulation, the Council found that the majority did not wish

to rescind or amend the measures in question. They will therefore stay in effect.

2248. For *fisheries*, the Council agreed in principle two Regulations. One includes hake in the 'fish' annexes of the basic Regulation and the other sets a guide price for hake (which results directly from the first Decision) for the 1975 fishery year at 1 000 u.a./tonne.

To solve the problems in the fishery sector and pending the Opinion of the European Parliament which is being consulted concerning the Commission's Proposal, the Council indicated that it was favourably disposed towards bringing in subsidies temporarily for private storage of certain fishery products.

The Commission was obliged to re-extend⁵ the safeguard measures adopted last February until 15 May, in respect of tunny fish for the processing industry and deep-frozen fillets of hake, imported into France from non-member countries.

Structural policy

2249. The Commission took two Decisions on activating the reform of agricultural structures. The arrangements notified by the *Danish* and *German* Governments fulfill the conditions for the Community's financial participation, in accordance with the Directives of 17 April 1972⁶ on the modernization of farms and acquisition of occupational skills by people engaged in agriculture.

¹ OJ L77 of 26.3.1975.

² OJ L109 of 29.4.1975.

³ OJ L108 of 26.4.1975.

⁴ OJ L120 of 13.5.1975.

⁵ Bull. EC 3-1975, point 2231 and OJ L94 of 16.4.1975.

⁶ Bull. EC 4-1972, Part 1, Chapter 1.

EAGGF

2250. On 28 April,¹ the Council amended its Regulation of 28 December 1972² on the general rules for financing action by the EAGGF *Guarantee Section*. The amendment is concerned with updating the annex to the Regulation setting out the measures which can be identified with the concept of action to regularize the farming markets and which are financed by the Guarantee Section. On the same day, it set the level of the EAGGF Guidance Section contribution for 1975 at 25% for financing the compensatory allowance provided by the Directive on hill-farming and farming in certain under-favoured regions.³

Harmonization of laws

2251. In the light of experience, the Council, on 28 April, amended for the second time,⁴ its Directive of 23 November 1970⁵ on *additives in animal feeds*. This Directive represents a major stride towards harmonizing the relevant laws. Besides offering guidelines for the use of such additives, it protects Community consumers from excessive recourse to them. The second feature is again emphasized in the applications of the Directive.

Agricultural research

2252. On 17 April, the Commission presented a Proposal to the Council for a Directive on *common programmes and programmes of coordination* in agricultural research. The programmes cover four areas: animal leucoses, livestock effluents, beef production and plant protein production. The programmes are designed to be carried out between 1975 and the end of 1979, at a cost of approximately 16 million u.a.

On 23 April the *Standing Committee on Agricultural Research*⁶ held its second meeting. It considered draft Proposals from the Commission on the applications of nuclear techniques to agricultural research.⁷ It gave a favourable Opinion on the scientific content of the Proposals and hoped that these projects and those proposed under agricultural research would be adequately coordinated.

The Committee gave further consideration to the Community interest in the Yugoslav proposals to COST (Cooperation in Scientific and Technical Research). It felt that the proposals were not of sufficient priority to justify a Community interest in the light of the limited resources available for the coordination of agricultural research. The Commission took note of this view.

The Committee also took note of the progress being made in completing the permanent inventory of agricultural research projects in the Member States.

Industrial and technological policy

Industry

Iron and steel

2253. The steel market is in a serious condition. The Commission came to this conclusion

¹ OJ L 117 of 7.5.1975.

² OJ L 298 of 21.12.1972.

³ Bull. EC 2-1975, point 2227.

⁴ OJ L 124 of 10.5.1973 and OJ L 124 of 15.5.1975.

⁵ Bull. EC 1-1971, point 47.

⁶ Bull. EC 1-1975, point 2240.

⁷ Point 2262.

after a careful appraisal of the short-term economic situation of this sector and following talks with representatives of the Community iron and steel industry. The Commission therefore adopted, on 30 April, a Communication to steelmaking undertakings (published in the Official Journal of the Communities), in which it assesses the situation, announces a revision of the forward steel programme for 1975 and indicates the first steps it intends to take.

Communication to steelmaking undertakings covered by the Treaty establishing the European Coal and Steel Community

2254. The Commission published the following Communication:¹

'Ever since the end of 1974, the Commission has noted with concern market trends for iron and steel products in the Community, in particular, the considerable decline in demand, the deterioration in prices, and the consequent effects on employment. It judges the present situation to be serious.

In order to provide undertakings with better guidance when they are adjusting their production to actual demand, the Commission has, pursuant to Article 46 of the Treaty establishing the European Coal and Steel Community, already begun a revision, to be made every quarter, of the forecast trends contained in its 1975 "forward programme". The forecasts, made in keeping with the basic objectives of the Treaty, will be set out in detail, and any economic trends and changes in production capacities will be taken into account.

In order to be prepared to act, if required, as provided for by the Treaty, the Commission considers it essential to increase its information resources so as to be in a position to base any decisions that may prove necessary on sufficiently reliable data. Accordingly it will in the near

future be taking the necessary measures, which will be published in the Official Journal of the European Communities, and it calls on the iron and steel undertakings covered by the Treaty to cooperate fully.

Finally, the Commission will be particularly vigilant in monitoring steel price trends and price formation. It will step up the checks made on undertakings to ensure that the price rules in the Treaty are observed, and at the same time the Commission will keep a particularly close eye on the trends in steel imports to the Community and their effect on steel price levels.'

Forward steel programme for 1975

2255. This year will see a very heavy fall in iron and steel activity in the Community. This is highlighted in the forward steel programme for 1975² concerning the short-term development of the steel market, which the Commission publishes each year to guide the steel Community and set its own course of action.

The programme, in its present form (as revised) was presented late because the first version, prepared before the end of last year, only partially reflected the change in the short-term economic situation, which, still buoyant over the first part of 1974, has markedly declined over the last months of the year, with a substantial drop in the demand for steel. Demand is down largely because activity in several areas of the processing industry fell off, especially in respect of first-processing in the motor and building industries.

But for the whole of 1974, steel output grew in comparison with the previous year, reaching 155 800 000 tonnes in crude steel equivalent, which amounts to an increase of 5 700 000 tonnes in 1973. In contrast with what hap-

¹ OJ C100 of 2.5.1975.

² OJ C98 of 30.4.1975.

pened in 1973, this is almost entirely due to the development, over the first part of the year, of Community steel exports to non-member countries. Against this, steel imports from these countries declined appreciably in 1974, with 6 500 000 tonnes for the whole Community.

In 1975, the fall in steel consumption in many areas of the processing industry will bite hard on the demand for steel products.

So, in 1975, Community steel consumption will probably not exceed 127 000 000 tonnes of crude steel equivalent, which is down on the previous year. Exports to non-member countries will also probably fall compared with 1974 and come out at about 29 000 000 tonnes for the whole Community. The fall-off in demand for iron and steel products has been very marked in respect of both exports and the domestic market. Imports are expected to stay at the low 1974 level.

On the strength of the trend on the domestic market and the outlook for exports to non-member countries, Community output will probably not exceed 146 500 000 tonnes in 1975, i.e. 9 300 000 tonnes down (- 6%) compared with the previous year.

Technology

Textile Research

2256. Acting on a Communication Proposal,¹ the Council, on 14 April,² adopted a Decision approving a technological research programme for textiles. The programme, which is part of the 'textile sector policy' and which was included in a comprehensive paper approved by the Commission in July 1971,³ supports three research projects to sustain the technical and technological advance of the Community's textile industries. They concern: the thermal treatment of

chemical fibres, textile processing in organic solvents and the fireproofing of textile fibres by radiation grafting. Of the total anticipated expenditure one third, i.e., 250 000 u.a. will go to these projects, with the textile industry financing the balance.

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2257. During the part-session of 7 to 11 April 1975, the *European Parliament* issued an Opinion concerning the Commission's Proposal on management and storage of radioactive waste.⁴

Meeting on 23 and 24 April, the *Economic and Social Committee* gave its Opinion on the Commission's Communication to the Council bearing on a Community policy for data-processing.⁵

Science, research and development education, scientific and technical information

Science, research and development

Energy research

2258. The European Research and Development Committee's (CERD) 'Energy' Subcommittee held its eighth meeting on 10 and 11 April 1975 at Berkeley and Stoke Orchard, United Kingdom, with Mr della Porta in the Chair. The participants, who visited the

¹ OJ C133 of 29.10.1974.

² OJ L111 of 30.4.1975.

³ Bull. EC 9/10-1971, point 78.

⁴ Bull. EC 1-1975, point 1309.

⁵ Bull. EC 2-1975, points 1501 to 1506.

research laboratories of the National Coal Board (NCB) and Central Electricity Generating Board (CEGB) establishments, discussed the research activities of the latter organization from the standpoint of reactor safety and radiation protection.

The Subcommittee's work was also concerned with the problems raised by large-scale use of nuclear energy and with the advisability of undertaking a comparative study of each of the other sources of energy from various angles, technological, economic, social, environmental, safety, supply, etc. The Subcommittee commissioned its Chairman to report on the question to CERD on 28 April and agreed to examine at its next meeting the ways and means of implementing a study of this kind.

Scientific and Technical Research Committee

2259. On 16 and 17 April 1975, the Scientific and Technical Research Committee (CREST) held its twelfth meeting, with Mr Schuster in the Chair. In particular, it approved a report on public financing of research and development in the Member States over the period 1973-74 and the terms of reference of the standing subcommittees for R & D in information, science and in the energy sector. Essentially these subcommittees will have a permanent function of comparing and coordinating national policies in this sector.

The Committee also expressed a favourable opinion on the scientific and technical aspects of the Commission's recent proposals regarding the information science sector. Lastly, a discussion took place on the future multiannual research programme proposals relating to the Community Bureau of References and to environmental protection, likewise on the report by the 'Oceanology' Subcommittee. The latter questions will be

examined again at the next committee meeting in Brussels on 22-23 May 1975, on which dates the study of the procedures for implementing the concerted actions of Community interest must be completed.

Meeting of Senior Officials on Scientific and Technical Research

2260. The Committee of Senior Officials on Scientific and Technical Research (COST) met on 25 April with Mr Silver in the Chair. The following points were discussed:

Electronic traffic aids on major roads (Project 30) — The Committee examined the ninth preliminary draft agreement to implement this Project. In particular, it examined the scale of contributions by the participating States and the questions of industrial and commercial property connected with the Project. The Committee will resume its examination of these questions at a forthcoming meeting.

Information concerning the opinion of the Scientific and Technical Research Committee (CREST) on the Swedish Delegation's proposals relating to food technology — The Committee noted that CREST had considered the Swedish proposal to be of Community interest. It suggested that an *ad hoc* study group be formed to examine and analyse this Swedish proposal, in order to provide a better idea of which research-programme subjects should be pursued.

European Research and Development Committee

2261. CERD, which held its eighth meeting in Brussels on 28 April 1975, with Mr Casimir in the Chair, set out the major courses of action for the continuation of its work and, at the proposal of Mr Schuster, it decided to undertake two

studies: one on the 'European personality' as regards R & D and the other on the possibility of choice of a society characterized by advanced technology and low energy consumption in the future.

It also heard a report on the demonstration to a group of Members of the European Parliament of the Pestel-Mesarovic model at Hanover¹ and a statement by Mr della Porta concerning the latest work by the CERD 'Energy' Subcommittee.² On the agenda of the next committee meeting, planned to take place in Brussels on 30 June 1975, will be a discussion of the document 'Europe + 30'.

Multiannual programme

Scientific and Technical Committee

2262. The Scientific and Technical Committee (STC), which met in Brussels on 30 April 1975, re-elected Mr Cesoni and Mr Goens as Chairman and Vice-Chairman respectively.

It then examined the draft proposals for the 1976-80 multiannual programmes drawn up by the Commission's departments concerning 'thermonuclear fusion and plasma physics' and 'biology—health protection'; on this occasion it expressed its official opinions in accordance with the procedure laid down in Article 7 of the Euratom Treaty.

With regard to the first subject, while admitting that thermonuclear fusion is still fraught with uncertainties, the STC expressed a favourable opinion on the draft proposal examined, in view of the considerable advantages to which the success of the proposed research would, in the long run, give rise and bearing in mind the concentration of activities on specific objectives.

The second subject covers the fields of radiation protection and radiobiology properly speaking

and that of the application of nuclear techniques to agronomic research. The STC concurred in the favourable opinion expressed on this latter subject by the Standing Committee on Agricultural Research (SCAR) at its meeting on 23 and 24 April 1975. Furthermore, bearing in mind the increased importance of questions of the protection of man against radiation in the light of the foreseeable expansion of nuclear industry, the STC expressed a favourable opinion of the examined draft proposal.

The Committee heard a statement by Professor Bowie, a guest at this meeting, on research and development in the exploitation of uranium resources. The next STC meeting is planned to take place on 2 July.

Education and training

2263. The *Education Committee* met on 21 and 28 April under the chairmanship of Mr O'Laoghaire (Ireland). On 21 April discussion centred on a paper by Commission departments in the field of documentation. Three main items were discussed, namely the future development of the Council of Europe's European Documentation System for Education (EUDISED), the possible establishment of national centres for information on education in the Community, and arrangements for informing specific target audiences about developments relevant to their interests.

Attention was also given to the arrangements for acquiring up-to-date statistics on education, and to the importance of strengthening the work of the Statistical Office of the European Communities and its connections with national statistical offices.

¹ Bull. EC 2-1975, point 2246.

² Bull. EC 2-1975, point 2243 and point 2258 of this Bulletin.

The meeting on 28 April was devoted to a further discussion of a report on closer relations between educational systems.¹

Corrigendum: Bull. EC 3-1975. The final paragraph of point 1403, in the chapter of the 1st Part relating to the 'European University Institute', should read as follows: 'The first study and research programme will commence in autumn 1976'.

Scientific and technical information and management of information

2264. A standing working party has been set up by the *Committee for Information and Documentation on Science and Technology* (CIDST) in order to cope with the many operational tasks ensuing from the implementation of the three-year plan of Community action relating to scientific and technical information, approved by the Council on 19 March 1975.²

In reply to a request by CREST, CIDST recently formulated an opinion on the project for automated documentation in the legal sphere proposed by the Commission; collaboration between CIDST and CREST also extends to the development of a system of methods for listing research and development projects in various scientific and technical fields.

2265. The Commission and the French National Centre for Scientific Research (CNRS) have signed an agreement the immediate aim of which is the joint publication of the abstracting review 'Transatom Bulletin' which the Commission started to publish in 1961. The object of this cooperation in the longer term is to find a solution to the problem of the publicity to be given to translations of scientific works published in 'difficult' languages (Russian, Japanese, etc.).

2266. From 9 to 11 April the Commission took part in a symposium on the collection, standardization, computerizing and use of *scientific and technical terminologies* organized by Infoterm and UNESCO in Vienna. It was recommended that an international network for the exchange of scientific vocabularies and 'word banks'—within which the Commission and the European Parliament will be called upon to play an important role—be set up.

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2267. At its session of 7-11 April 1975 the *European Parliament* adopted a Resolution on the assessment of the JRC's activity over the years 1958-1972 and expressed its opinion on the Commission's Proposals regarding the revision of the multiannual programme and new activities for the Petten Establishment.³

The *Economic and Social Committee* met on 23-24 April and expressed an Opinion on education in the European Community.⁴

Energy policy

Preparing and implementing a Community energy policy

Meeting to prepare for the International Energy Conference

2268. The meeting to prepare for the International Energy Conference proposed by the Presi-

¹ Bull. EC 2-1975, point 2253.

² Bull. EC 3-1975, point 2249 and OJ L100 of 21.4.1975.

³ Points 2409 and 2410.

⁴ Point 2443.

dent of France was held in Paris from 7 to 15 April.¹ The Commission, represented by the Director-General for External Relations, took an active part in seeking joint positions. Since it proved impossible to reach agreement, the meeting was adjourned.

Sectoral problems

Nuclear energy

Suspension of uranium deliveries from the United States

2269. The Community officially protested against the suspension of deliveries of nuclear fuel supplies (notably enriched uranium) by the United States, which affects consignments scheduled under the Euratom-USA Agreement for Cooperation.

On 31 March, the US Nuclear Commission announced that no more export or import licences for the United States would be issued for 'reactors or significant quantities of source or special nuclear material' while the rules and procedures governing the licences were being revised.

This decision, which holds back imports indefinitely, will hit many consignments to the Community of source material and special fissile (nuclear) material intended for both research reactors and power reactors and scheduled over the current period under contracts signed by the Euratom Supply Agency and made under the Euratom-USA Agreement for Cooperation. In a protest note to the American Mission to the Communities, the Commission expressed its astonishment that the American Government had unilaterally blocked the performance of contracts signed under an agreement whose basic aim was to ensure a steady and secure supply of nuclear fuels for the Community.

It was observed that the decision, taken without prior consultation, was likely to slow down or endanger the normal development of the Community's nuclear programmes and to provoke feelings of insecurity in respect of supplies from the United States. The Commission urged that talks start promptly between the Community and the American authorities to clarify the ramifications of the decisions and consider action to ensure that supply contracts were duly discharged under the Euratom-USA Agreement.

Electricity

2270. On 14 April, the Council formally adopted the Directive on *limiting the use of oil products in electric power stations*, which it had approved in substance on 13 February.²

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2271. During the part-session of 7 to 11 April 1975,³ the *European Parliament* passed two Resolutions concerning, respectively, the Community's supplies of nuclear fuels and action to be taken against oil supply difficulties. The House also gave its Opinion on the Commission's Proposal on support for joint hydrocarbon prospecting projects.

Meeting on 23 and 24 April, the *Economic and Social Committee* issued an Opinion⁴ on the Council's draft Decision authorizing the Commission to issue Euratom loans to enable the Community to contribute to financing nuclear power stations.

¹ Points 1401 to 1409.

² Bull. EC 2-1975, point 2263.

³ Point 2411.

⁴ Point 2444.

Transport policy

Functioning of the market

2272. On 29 April the Commission presented the Council with a Proposal for Directives concerning negotiation of an agreement between the Community and non-member countries on the arrangements governing *international road passenger transport by coaches and buses*. This Proposal hinges on the Council's prior adoption of the similar Proposal which the Commission presented on 5 January 1973;¹ it will enable the Council to make a more accurate appraisal of the range and substance of the proposed negotiations and thus facilitate the adoption of the proposed negotiating Directives.

These bear mainly on defining the various forms of transport; action to decontrol occasional services; the control document; the running of the Agreement, its validity duration and the possibility of discontinuing it. The negotiations should lead to standardized definitions of the various forms of passenger transport and to aligned arrangements for occasional services.

2273. On 30 April the Commission adopted a Proposal for a Council Decision on opening negotiations for an agreement between the Community and non-member countries concerning arrangements applicable to certain *combined road/rail carriage of goods between Member States*. The Proposal would extend to traffic relationships between Member States and certain non-member countries the liberalized scheme brought in at Community level by the Council Directive of 17 February 1975,² which stipulates that this carriage be liberalized by 1 October 1975.

2274. With the Decision of 24 April 1974, the Commission authorized, under Article 70(4)

of the ECSC Treaty, the application until 31 December 1976 of *special tariff measures* for carriage by rail of iron ore from the Lorraine and western France to Belgium, Luxembourg and the Saar. The French, German and Luxembourg Governments had asked the Commission to extend the authorizations granted since 1967 under this Article by the ECSC High Authority and the Commission, which are intended to keep up the activity of the French iron ore mines.

2275. On 10 April, the Commission decided to terminate the procedure under Article 169 of the EEC Treaty which it had invoked on 2 October 1972 against the six Member States.

At the time, the Commission had found that there were a number of flaws and shortcomings in the bilateral road tariffs put into effect under the Regulation of 30 July 1968 on introducing a system of bracket tariffs for the carriage of goods by road between Member States.³ Since the Member States had shown that they intend to make the necessary corrections and additions, the Commission had refrained from delivering the reasoned Opinions as under Article 169. Since most of the tariffs have been or are about to be adjusted as required by the Regulation and the remaining flaws were minor ones, the Commission decided to close the file and shelve it.

2276. The Commission initiated a second series of talks with representatives of the *occupational and socio-economic organizations* in transport. These meetings will acquaint the Commission with the views of those concerned on a planned organization of the transport market for which it had already laid the foundations and outlined the operation.

¹ Bull. EC 1-1973, point 2237.

² OJ L48 of 22.2.1975.

³ OJ L194 of 6.8.1968.

Harmonization

2277. On 7 April, the Commission sent the Council a working document on certain features of the improvements to *national taxation systems in respect of commercial vehicles*. This report covers the 1971 calculations by the Member States of marginal usage, levies on gas oil and minimum vehicle taxes, deriving from the options provided in the proposed first Directive and its annex. The aim of this work is to check whether the proposed system is workable on a national scale and to ascertain, by comparing and analysing at Community level, whether its adoption would mean a real advance towards harmonization of taxation structures.

2278. On 18 April, the Commission issued a favourable *Opinion* on the arrangements made in *Ireland* to ensure that the Council's two Regulations of 26 June 1969 are applied. These relate to action by Member States concerning the obligations inherent in the *concept of a public service* in transport by rail, road and inland waterway and to the common rules for *normalizing the accounts of railway companies*.¹

Infrastructures

2279. At the Commission's suggestion an informative meeting was held in Brussels on 10 and 11 April concerning the programme for *developing transport infrastructures*. The data presented at the meeting will be later consolidated by material from the national authorities based on a paper finalized by the Commission departments.

The discussions also took in the question of how far and on what terms such informal meetings could enhance the effectiveness of the consultation procedure for transport *infrastructure investments*, set up by the Council Decision of

28 February 1966. In this connection and on the strength of an *Opinion* from the Transport Advisory Committee, thought was given to setting criteria for projects of Community interest to be submitted for discussion.

2280. On 16 and 17 April 1975, the Commission ran a meeting of government experts to examine problems of accounting and statistics involved in applying the Council Regulation of 4 June 1970, which introduced an accounting system for *expenditure* on infrastructure in respect of transport by rail, road and inland waterway,² and a schedule of returns concerning the use of *infrastructures in respect of the three modes of overland transport*.

The experts got down to a preliminary review of general problems, and arrangements which might be made to take in experience gained, the requirements stemming from proposals put forward, and the work done on *rating* the use of infrastructures, following adoption of the above Regulation.

Ocean and air transport Port problems

2281. Among the meetings run by Commission departments with Member States' government representatives, which deal with applying the general rules of the EEC Treaty to *air transport*, one on the right of establishment was held in Brussels on 28 April. Problems peculiar to the various air transport sectors were discussed and it was agreed that the delegations would send in documentary material to the Commission departments on the questions being studied to facilitate further work on them. The next two meetings will be on 17-18 June and 17-18 July 1975.

¹ OJ L156 of 28.6.1969.

² OJ L130 of 15.6.1970.

3. External relations

Commercial policy

Multilateral negotiations

2301. Several of the negotiation groups formed by the Trade Negotiations Committee (TNC) met during April.

Sectoral approach

2302. The Sectoral Approach Group met from 7 to 9 April to study the scope for the coordinated lowering or elimination of all trade barriers in the selected sectors. Some delegations called for prior studies in a number of sectors, including an investigation of tariff protection, non-tariff measures, trade patterns and supply and demand. The Community reiterated its objections to this makeweight method and stressed that the overall factors should first be thoroughly probed before pilot studies were launched.

Finally, the group decided to limit the exercise to a straightforward collation of available data, instead of an analytical study, in respect of minerals and metals. The data will be gathered by the GATT Secretariat on its own responsibility. The Group agreed to meet again during the week of 30 June.

Safeguard clause

2303. The Safeguard Clause Group held its first meeting on 10 and 11 April to study the question of adjusting the multilateral protection arrangements to present circumstances. Since the data needed to analyse the implications of Article XIX as it stands were still not to hand, the Group agreed to meet again during the week of 30 June if the required documentary material had been assembled by then.

Agriculture

2304. The work of the Agricultural Group, broken off on 27 March, was resumed on 15 and 16 April. No agreement was forthcoming on the terms of reference for the three sub-groups on products (cereals, meat and milk products) and on the authority of the Group dealing with tariff and non-tariff matters. The gap between the Community approach and the United States' view could not be bridged. The United States would not consider the product sub-groups as a negotiatory body; the Americans felt that tariff and non-tariff questions could not be negotiated in the agricultural setting. The Community, however, held to the specificity of agriculture in those negotiations, as defined by the Tokyo statement.

Commercial policy

Preparing and implementing the common commercial policy

Joint import arrangements

2305. Following adoption, on 27 March,¹ of a Regulation extending the list of products from State-trading countries which are free of quantity restrictions, the Council put them² into the annex of the Regulation of 4 June 1974³ listing the liberalized products in respect of imports from *GATT countries and countries of equal status*.

2306. The inclusion of new products in the liberalized list was decided by the Council on 14

¹ Bull. EC 3-1975, point 2301.

² OJ L 99 of 21.4.1975.

³ OJ L 159 of 15.6.1974.

April¹ for imports coming from the *Democratic Republic of Germany* and on 28 April² for imports from *Asian* State-trading countries. These import arrangements are in fact being harmonized with those for European State-trading countries.

Trade protection

2307. The Commission has decided² to introduce *Community surveillance* of imports of anti-mony oxides originating in State-trading countries. As the quantity restrictions on imports have been lifted, it has proved necessary to put certain controls on this liberalization because of the considerable reserves held by the two big exporting countries, namely the Soviet Union and China.

2308. The Commission has also decided to bring in *a posteriori checks* on imports of sisal string, since imports of this product, originating mainly in Tanzania, Brazil and Mexico, have increased and are affecting the somewhat precarious position, especially in Ireland, of this sector of the Community textile industry.

Specific measures of commercial policy

Textiles

2309. The last stage of the negotiations between the Community and *India* for a bilateral textiles Agreement under the Arrangement regarding the international textile trade was held in Brussels on 16, 18 and 19 April. A mutually acceptable compromise was found, which respects the objectives of the Multifibres Arrangement, especially the need to promote the orderly and equitable development of the textiles trade.

A feature of the Agreement is India's undertaking to respect voluntarily imposed quantity ceilings on her exports for a limited number of textile products going to the Community market. The quantities are covered by a scaling-up factor and procedures for flexible handling to allow for trade developments and to ensure satisfactory growth for India's export earnings over the three years of the Agreement (1975-77).

Special procedures have also been included, which, by setting off consultation between both sides, will avoid any risks of disrupting the Community market for certain other sensitive products.

This is the first textile agreement made by the Community with a major supplier country (under the Multifibres Arrangement which came into force last year); it will be initialled as soon as the provisions have been officially finalized.

2310. Under Article 4 of the Multifibres Arrangement, the first round of negotiations for a bilateral textile Agreement with *South Korea* took place in Brussels on 9 and 10 April 1975. A compromise acceptable to both sides has still to be found, and the negotiations will be resumed in May.

Steel

2311. On 21 April, the Government Representatives of the Member States of the ECSC, meeting within the Council, adopted *new arrangements* for imports of iron and steel products governed by the ECSC Treaty (including cast products and carbon-ferro-manganese) coming from State-trading countries. These arrangements specify the products which may be

¹ OJ L111 of 30.4.1975.

² OJ L124 of 15.5.1975.

freely imported by all the Member States; they also provide a consultation procedure when a Member State is planning to adjust its import scheme.

The new arrangements set up an information and consultation procedure whenever the trend in imports or exceptional market conditions might make it necessary to fall back on safeguard measures. They offer scope for putting imports under surveillance and applying safeguards, if need be, by joint agreement between the Member States.

The Government Representatives also adopted a decision, which, for 1975, defines the scope for *importing* those iron and steel products (including pig iron and ferro-manganese) which are still under quantity restrictions in certain Member States.

2312. On 25 April the Commission adopted a Decision (the 67th case) to derogate from the ECSC High Authority's Recommendation of 15 January 1964¹ on lifting the protection of iron and steel products on the fringes of the Community. This measure was necessitated by the autonomous renewal of tariff provisions in the old Agreements between the ECSC and the AASM and OCT, provisions which expired on 31 January 1975 and which the Member States decided to renew pending implementation of new ones.

Scrap metal

2313. The Government Representatives of the Member States of the ECSC, meeting within the Council, decided on 14 April, to open an *export quota* for the second quarter of 1975 of 340 000 tonnes of scrap metal (with a maximum of 15% in good quality) for shipment to non-member countries.

Development and cooperation

Development and cooperation policy

Raw materials and relations with the developing countries

2314. On 14 April, the Council conducted a general debate on raw materials against the background of relations with the developing countries, thus acting on the brief given by Heads of Government, meeting in Council in Dublin.²

The debate highlighted:

- (i) the urgency of working out a common policy on all aspects of raw materials and especially in relation to the developing countries;
- (ii) that the Member States should closely coordinate their positions at Community level within the various international bodies dealing with raw materials.

The Council therefore directed the Permanent Representatives Committee to continue its work on the basis of the guidelines which emerged from the debate in order to hammer out a common policy, bearing in mind the timetable of the various scheduled international meetings.

Development policy and the European Confederation of Trade Unions

2315. On 24 April, Mr Cheysson of the Commission met a delegation from the European Confederation of Trade Unions led by the President and the Secretary-General. The meeting examined ways and means to associate the trade

¹ OJ 8 of 22.1.1964.

² Bull. EC 3-1975, point 2420.

unions with the Community's development policy, especially within the framework of the Lomé Convention.

The delegates expressed their determination to cooperate effectively in an open cooperation and development policy. They put forward the conditions which they felt should be fulfilled in respect of the substance of the cooperation and the institutional organization of their participation.

2316. On 30 April, the European Parliament passed a Resolution on the Community's overall policy of cooperation and development.

Food aid

Emergency action

2317. In accordance with the Resolution passed by the European Parliament¹ on 10 April 1975 and the Council Decisions of 14 and 21 April, the Commission, on 16 April 1975, decided to grant emergency aid to South Vietnam allocated as follows:

(i) to the International Committee of the Red Cross (ICRC): 100 tonnes of skimmed-milk powder and 1000 tonnes of milled rice to be shipped cif; routing procedures were put in hand on 17 April;

(ii) to UNICEF: a sum of 300 000 u.a. under 'aid for disaster victims'.

1975 Programme of butteroil food aid

2318. On 10 April, the Commission presented its Proposals to the Council on drawing up a programme of food aid in milk fats (butteroil) for 1975. In view of the deteriorating food situation in certain developing countries and on

the strength of the general guidelines defined by the Commission regarding development aid, it proposed to concentrate the aid, much more than before, on the hardest hit countries. The programme runs to 45 000 tonnes of butteroil.

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2319. On 30 April, the *European Parliament* gave its Opinion on the Commission's Proposal concerning the 1975 supply programme for skimmed milk powder.²

Technical and financial aid

Contributing to the United Nations emergency operation

2320. On 14 April, the Council approved the allocation of the *second tranche* of the Community's contribution to the United Nations emergency operation for the benefit of the countries most seriously affected by recent price movements. This tranche amounts to US \$100 000 000; the first, of \$150 000 000, has already been allocated.³

Commodities and world agreements

Wheat

2321. The period allowed for signing the Protocols extending the 1971 *International Wheat Agreement* expired on 14 April without the Community taking a decision. In a Com-

¹ Point 2418.

² Bull. EC 3-1975, point 2324.

³ Bull. EC 12-1974, point 2308.

munication transmitted on 25 April, the Commission therefore proposed to the Council that the Community accede to the extension Protocols (the only possible procedure now) before the final date of 18 June.

The decision was held up because of the problem of apportioning in future the financial burden of the Community's Total commitment, under the Food Aid Convention, between the Member States and the Community as such. The current proportions are 50% for the Community and 50% for national projects. A proposal to charge 55% to the Community and 45% to the Member States is now being studied.

Coffee

2322. As an observer, the Commission attended the proceedings, in London from 14 to 25 April, of the group *renegotiating a new International Coffee Agreement* and was also present at meetings of the technical sub-Committees. Although the group could not complete the preparation of a draft Agreement, the special session of the International Coffee Council to renegotiate the Agreement still stands on the scheduled dates, i.e. from 24 June to 11 July 1975.

International organizations

Council of Europe

2323. The Commission was represented at the first part of the 27th regular session of the *Parliamentary Assembly* of the Council of Europe held in Strasbourg from 21 to 25 April.

The Assembly's debates highlighted the Council's resolve to play its full political role in Europe,

especially in connection with Portugal, Cyprus and the problems of security. The Assembly also discussed questions concerning cooperation and development in a changing world economic situation and heard a statement by the Indonesian Foreign Minister.

An address by Mr FitzGerald, Ireland's Foreign Minister and President of the Council of the EEC, focused on Europe's role and her importance to the peoples of the other continents.

Council of European Municipalities

2324. President François-Xavier Ortoli of the Commission addressed the eleventh *Etats généraux of European Municipalities* which was held in Vienna on 3-5 April 1975. His theme was European Union.

In his speech entitled 'European Union in 1980: Citizens, municipalities, regions and what Governments propose'¹ Mr Ortoli had this to say:

'Owing partly to pressure from outside, our countries are now facing a big challenge. Europe's mastery of her own destiny hinges on the outcome. Its vast proportions implicate the conditions for economic activity and growth, the structure of our production machine, the style of international economic relations and the principles for sharing prosperity between partners, especially between industrialized and developing countries. And it is adjustment to a different world which, in the last analysis, demands that a new Europe emerge whose promise and above all whose need are epitomized by the European Union.'

The États généraux were opened by Mr Henri Cravatte, President of the Council of European Municipalities, who highlighted what he called

¹ Introductory Chapter to this Bulletin.

the degradation of the European idea and the inability of the Summit Conferences to secure practical achievements.

Mr Georges Spénale, President of the European Parliament, recalled that the key issue for that institution had been the struggle for direct election by universal suffrage, which would take place for the first time in 1978, in accordance with the decision by the Heads of Government.

Organization for Economic Cooperation and Development

2325. The OECD *Trade Committee* met in Paris on 30 April mainly to discuss the problem of industrial raw materials, following the relevant proposals of the Secretary-General, and renewal of the Ministers' declaration of 30 May 1974 (an undertaking not to employ restrictive measures in the present short-term world economic situation).

On the first item, most of the delegations applauded the initiative of Mr Van Lennep who was concerned that the slowing down of investments in the raw material extraction or production industries might lead to bottlenecks, causing a fresh spurt in prices, when the short-term situation recovered again. But the delegations hoped that these difficulties, especially the problem of correlating investment flow and production levels, could be analysed more thoroughly.

On the second matter, most of the delegations came down in favour of renewing the 1974 declaration as it stands. The problem of the balance-of-payments disparities between the OECD member countries was also discussed in this connection.

The Executive Committee will deal with these two issues in preparing for the Ministerial Council meeting of 28 and 29 May.

European Conference of Transport Ministers

2326. The President of the Council of the EEC wrote to the Chairman of the European Conference of Transport Ministers (ECMT) proposing that the ECMT *allow the Community to take part* in the work of the Ministerial meetings and the Deputies Committee of the Conference.

The request is based on the fact that much of the ECMT's work concerns the Community in many instances. Closer cooperation would ensure better reciprocal information and avoid duplication. It would offer the advantage of enabling the Community to be represented by a single spokesman when affairs within its province were involved.

The Council President's letter suggests that the Community be represented by a delegation made up of a representative of the Member State holding the Presidency and a delegate from the Commission.

United Nations Economic Commission for Europe

Consultative status granted to the Community

2327. At the outset of the 30th *annual session* of the United Nations Economic Commission for Europe (ECE), held in Geneva from 15 to 24 April, the Community was granted 'consultative status' (according to Article 12 of the ECE's terms of reference).

Commission representatives had up to now attended the proceedings of the ECE as guests of the Executive Secretary. The new status will enhance the Community's contribution to the ECE's activities and make the Community view-

point better known in this forum which deals particularly with East-West relations.

The discussions at this annual session focused on amplifying economic relations between the member countries of the ECE. All the delegations stressed the need to strengthen existing ties, despite some economic disorders which all parts of the world are now experiencing to some extent.

AETR

2328. On 28 April, the Commission adopted a proposed Regulation to be sent to the Council on bringing into force the European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AETR).

Made in Geneva on 1 July 1970 under the aegis of the United Nations Economic Commission for Europe (ECE), the Agreement and its provisions are to come into force on 1 January 1976. Its range of application matches that of Council Regulation (EEC) 543/69 of 25 March 1969 on harmonization of certain social legislation relating to road transport,¹ although it does extend this to cover transport to and from non-member countries.

It will be much to the Community's advantage, if the AETR takes effect quickly (it simply remains for a few ratification instruments to be deposited) since it will facilitate more effective controls on the application of social road transport legislation to haulage traffic between the Community and non-member countries thus enhancing safety on the road.

With this in mind, the Commission laid its proposed Regulation before the Council, which stipulated the terms on which the Agreement could take effect and apply to transport between the Community and the non-member countries party to it.

General Agreement on Tariffs and Trade (GATT)

2329. At Australia's request, the third meeting for *talks* under Article XXII of GATT on Community measures in respect of *beef and veal* took place in Geneva on 18 April. The Community advised its partners that, except in a few special cases, it could still not see its way to relaxing the import arrangements.

The other countries hoped that the talks would continue, since they were anxious to see this restrictive measure by the Community rescinded.

EFTA countries

Sweden

ECSC-Sweden Contact Group

2330. The 14th meeting of the ECSC-Sweden Contact Group was held in Stockholm on 29 April, with the President, Mr E. Petterson, Director-General of the Swedish Board of Industry, in the chair.

The delegations got down to a discussion on the general economic situation, the particular situation of the steel market, pollution and work environment problems and research done in that field.

The next meeting will take place in Brussels in the second half of 1975.

¹ OJ L77 of 29.3.1969.

Mediterranean countries

Overall approach

2331. On both 14 and 29 April the Council held a searching debate on the negotiations with the various Mediterranean countries under what has been termed the 'overall Mediterranean approach'.

The Council approved in substance the result of the negotiations with Israel. It has been agreed to speed up the outstanding work so that the Commission can wind up the negotiations now running with Algeria, Tunisia and Morocco. With this in mind, it reviewed, on 29 April, questions involved in finalizing the market organization measures governing certain concessions, under the overall approach, mainly in respect of processed fruit and vegetables, citrus fruits, new potatoes and wine. This work will be resumed.

Greece

Signing the Additional Protocol and the Interim Agreement

2332. The Additional Protocol¹ to the Athens Agreement, which extends the EEC-Greece Association to the three new Member States, was signed in Brussels on 28 April. An Interim Agreement¹ was signed at the same time so that the trade arrangements in the Protocol can be applied in advance. The Interim Agreement is expected to come into force on 1 July 1975.²

The Additional Protocol carries a number of provisions which specify: the necessary adaptations due to the accession of three new Member States (i.e., extended territorial application of the Association Agreement; new definition of the terms 'Greek imports coming from the Community during a previous reference period', men-

tioned in several Articles of the Agreement, etc.); and the so-called 'transitional' arrangements which terminate at the latest on 31 December 1977, the end of the Accession transitional period. These provisions stipulate how and on what terms alignment will gradually be reached with the Association scheme in respect of trade between Greece and the three new Member States. Lastly, one of the Articles sets out the arrangements for imports of wine into the three new Member States.

EEC-Greece Association Council

2333. Following signature of the Additional Protocol and the Interim Agreement, the 38th meeting of the Association Council (at ambassador level) was held in Brussels on 28 April.

The Association Council first took note of a statement by the Greek Delegation on the development of the Association since democracy was restored in Greece. This highlighted events since the last Council meeting at ministerial level and stressed the need to review matters arising from the termination, on 31 October 1974, of the twelve-year transition period. Here emphasis was laid on coordinating the Greek and Community commercial policies (in accordance with Article 64 of the Athens Agreement), the situation of Greek workers in the EEC, technical assistance from the Community in vocational training and exchange schemes for young workers.

Regarding *harmonization of agricultural policies*, the Community Delegation (under Article 35 of the Athens Agreement) made the statement intended to initiate the harmonization process in the wine sector. The Greek Delegation replied that it was ready to make a start. It also put

¹ Bull. EC 3-1975, point 2333.

² OJ L 123 of 15.5.1975.

forward its views on further negotiations for harmonization in the fruit and vegetables sector.

Against the background of harmonizing agricultural policies, the Greek Delegation stressed the close link between harmonization and *provision by the Community of financial resources for Greece*.

In the light of the ultimate goal of the Athens Agreement, namely Community membership for Greece, it felt that matters involving harmonization and to do with the new Financial Protocol must be appraised jointly.

Turkey

EEC-Turkey Joint Parliamentary Committee

2334. The Joint EEC-Turkey Parliamentary Committee held its *19th meeting* in Copenhagen from 21 to 25 April, chaired by Mr Inan and Mr Hansen.

At the end of the proceedings, the Committee issued a communiqué saying that its members had expressed the opinion that, anticipating Greece and Turkey's full membership of the EEC, only through negotiations can lasting solutions be found for the problems involving them; this being especially true for the problems of Cyprus and the Aegean Sea.

The Joint Committee also adopted four recommendations which, *inter alia*, ask the Association Council to foster regular and effective political consultation between Turkey and the EEC, speed up presentation of its tenth annual activity report, ensure preferential agricultural arrangements for Turkey which match the most advantageous treatment enjoyed by non-member countries and lastly implement, in respect of Turkish workers, Articles 36 and 39 of the Additional Protocol to the Ankara Agreement.

Algeria

2335. A new round of *negotiations* between the Community and Algeria for a global Cooperation Agreement took place in Brussels on 16 and 17 April 1975.

Both delegations found that progress had been made, but that the outstanding differences of opinion on certain matters were preventing complete agreement. The delegations reaffirmed their resolve to see that their efforts succeeded as swiftly as possible and agreed to meet again at the earliest opportunity.

Morocco

2336. Mr Claude Cheysson, Member of the Commission responsible for cooperation and development, was received by King Hassan II on 1 April. Their talks bore on relations between the Community and Morocco, with special reference to the broader Agreement now being negotiated.

Israel

2337. At its meeting of 14 April 1975, the Council, which approved the result of the negotiations with Israel, agreed to make the necessary arrangements so that the *Agreement* with the Community *may come into force* on 1 July 1975. On 23 January of this year,¹ the Community and Israeli Delegations had agreed, *ad referendum*, on the result of the negotiations.

Yugoslavia

2338. On 28 April, Mr Smolé of the Yugoslav Federal Executive Council called on Commission Vice-President, Sir Christopher Soames.

¹ Bull. EC 1-1975, point 2320.

The talks took in the problem of Yugoslavia's beef and veal exports to the EEC, and the prospects for cooperation between the EEC and Yugoslavia, in relation to the existing Trade Agreement, notably in industry, agriculture, scientific research, labour and relations with non-member countries. Cooperation in financial affairs was also considered.

Sir Christopher and Mr Smolé were gratified by the work initiated on these lines by a group of Commission and Yugoslav experts, who met early in April and will meet again at the end of May to prepare the meeting of the Working Party, assigned on 3 February by the Joint EEC-Yugoslavia Committee to work out practical proposals to be laid before the Committee, who will meet at ministerial level next July.

African, Caribbean and Pacific countries

Lomé Convention

First meeting of the Interim Committee

2339. The Interim Committee of the Lomé Convention, made up of the ambassadors of forty-five African, Caribbean and Pacific countries and the representatives of the EEC Member States, held its inaugural meeting in Brussels on 11 April.

The Chairmen of the ACP and EEC delegations expressed the hope that the Committee's work would successfully prepare implementation of the Convention (in particular the provisions which will take effect in advance as from 1 July 1975) and would yield positive results for all the interested parties.

The Committee approved its internal set-up. It will thus be assisted by seven sub-Committees handling respectively, trade cooperation, customs cooperation, stabilization of export earnings, industrial cooperation, financial and technical cooperation, bananas (a joint group formed by the Protocol of the Convention), and sugar.

On the strength of a statement by the Commission representative, the Committee reviewed the work to be done through the sub-Committees. It was also agreed to meet again in May.

Guinea signs the Convention

2340. During a ceremony in Brussels on 10 April, Mr Seydou Keita, Guinea's Ambassador Extraordinary to Western Europe, signed the Lomé Convention on behalf of his Government.

Nigeria ratifies the Convention

2341. Nigeria ratified the Lomé Convention; the instruments were deposited on 25 April 1975 with the Secretariat-General of the Council of the Communities. Nigeria is the first of the signatory States to complete the procedures.

EDF and Lomé Convention

2342. Less than two months after signature of the Lomé Convention, the Deputy Controllers of the European Development Fund (EDF) met in Brussels from 21 to 25 April. The meeting was to acquaint them with the general principles and the institutional and technical machinery for the new Convention. The Deputy Controllers, who represent the Commission in the present associated States, heard statements from those responsible for Community development and cooperation policy, who stressed the importance of defining the Deputies' future role in the new context of ACP-EEC relations.

Yaoundé Convention

Associated Overseas Countries and Territories

2343. On 9 April, the Commission presented a Communication concerning renewal of association for the Overseas Countries and Territories (OCT), which expired on 31 January 1975 and was provisionally prolonged until 1 July 1975.

Since the Council will have to adopt the provisions governing relations between the Community and the OCT for a new period, the Commission's Recommendation proposes to work from the principles underlying Article 136 of the EEC Treaty and to preserve, as previously, a certain parallelism between the future OCT arrangements and the Lomé Convention.

Non-member countries

Industrialized countries

United States

2344. In April a trade dispute between the Community and the United States was halted after talks between the Commission and the US authorities, which allowed them in this instance to apply the provisions of the US Trade Act. The Act vests the American authorities with discretionary powers in the sphere of commercial policy. The US Government has made full use of them, without Congress intervening, and this highlights a political side of the problem now facing the USA and the Community in a specific area.

The difficulty involved the exports of Community *cheese* to the United States. The US Govern-

ment had indicated that it intended to impose countervailing charges on cheese originating in the Community in view of the fact that it benefited from export refunds.

In the discussions with the US authorities, the Commission pointed out that the problems besetting the American dairy industry could not be attributed to the export refunds. The Commission tried to clear up the difficulty amicably with the US authorities, so that they can exercise their discretionary powers under the Trade Act.

After waiving or adjusting several other refunds on cheese, the Commission finally suspended, temporarily from 24 April, its refunds on Emmenthal and Gruyère exported to the USA. Deploring the attitude of the United States in this affair, the Commission emphasized that this was an exceptional measure to avoid a 'cheese war' in the present short-term economic conditions.

Again on 24 April, the US Acting Secretary of the Treasury, Mr Stephen S. Gardner, announced in return that in view of the action taken by the Commission, the US Government would use its discretionary powers under the Trade Act to stop imposing countervailing charges on Community cheese still covered by refunds. Thus, in the end a compromise solution prevailed.

2345. On 11 April, the Commission received a delegation from the *United States Congress*. The visitors went on to Munich to see Members of the European Parliament as part of the six-monthly meetings between the two bodies. In Brussels, the Congressmen met Sir Christopher Soames, Mr Simonet and Mr Lardinois.

New Zealand

2346. On 14 April, the Commission sent the Council its regular annual report on implement-

ing (in 1974) Protocol 18, annexed to the Act of Accession, in respect of *UK imports of New Zealand butter and cheese*. The report concludes that data used in setting prices at the cif stage, as indicated in the Protocol, should be regularly reviewed.

Asian and Latin-American developing countries

India

Official visit by President Ortoli

2347. On the invitation of the Indian Government, President Ortoli of the Commission made an official visit to India from 18 to 26 April.

During his stay in New Delhi, from 18 to 22 April, he called on the President and the Prime Minister and had talks with the Ministers of External Affairs, Agriculture, Finance, Industry and Civil Supplies, and Commerce and Energy.

The joint communiqué issued at the end of the visit, stated:

‘The discussions mainly centred around the recent development of economic relations between India and the European Communities, and their future evolution. Both sides noted with satisfaction the contribution the European Communities had been able to make to the development and diversification of these relations.

Mr Ortoli emphasized that the Commission considered the measures taken recently by the Communities were no more than the beginning of a concerted and expanding effort to deepen and diversify the relations between India and the European Communities, within the framework established by the Joint Declaration of Intent and the Commercial Cooperation Agreement, to

which both sides attached the greatest importance. He explained that the Communities were now committed to evolving an overall development cooperation policy and added that, in the view of the Commission, India occupied a crucial place in its evolution.

Both sides agreed to intensify work in the India/EEC Joint Commission, which had already got off to a useful and constructive start since its first meeting in May 1974, with a view to getting underway concrete measures and programmes of commercial cooperation. This would benefit India’s foreign earnings, develop and diversify her exports, and expand trade between India and the Communities.

There was a discussion on the possibilities of cooperation in various economic sectors of commercial importance. It was mentioned that India was keen to enlarge her industrial and technological base in cooperation with the Communities, so that India is better able to meet the emerging requirements of the Communities and its other partners. In agriculture, the need for cooperation was stressed particularly by way of chemical and technological input in India, to optimize her production.

The discussions revealed interesting prospects of cooperation in science and technology, specifically regarding research into alternative sources of energy, environmental matters, food processing technology, and methods of handling scientific and technical information. It was agreed that detailed discussions of an exploratory nature at technical level would be undertaken in the coming months to examine the feasibility of cooperation programmes in all these areas.

The opportunity was also taken to discuss recent international economic developments. Both sides stressed the need to approach international discussions in a spirit of constructive dialogue and to avoid confrontation.

It was agreed as highly desirable that India and the European Communities should keep in close

touch on international issues, such as the dialogue with the oil-producing countries and all the other developing countries, further active multilateral trade negotiations for broader liberalization of world trade, and international solutions to the current problems of the developing countries.'

Mexico

Official visit by Sir Christopher Soames

2348. On the invitation of the Mexican Government, Vice-President Sir Christopher Soames went to Mexico from 16 to 19 April where he was received by President Echeverria. He also talked with the Mexican Ministers for Foreign Affairs and Industry and Commerce. The talks bore mainly on the prospects for Mexico's relations with the Communities just before negotiations¹ were to start for a bilateral Trade Cooperation Agreement between the EEC and Mexico.

EEC-Mexico negotiations

2349. The negotiations between the EEC and Mexico opened in Brussels on 29 April. The first round, lasting two days, focused on the general lines of the contemplated Agreement, i.e., development and diversification of trade through commercial and economic cooperation. The second round will appraise the draft of a text giving practical form to the material approved to fulfil the guidelines set out in the first.

Diplomatic relations of the Communities

2350. On 15 April,² the Presidents of the Council and the Commission received HE Mr

Åke Withol who presented his letters of credence as Ambassador and Head of Mission for the Republic of *Finland* to the European Communities (EEC, ECSC, EAEC).

The new Ambassador succeeds Mr Pentti Talvatie who has been assigned to another post.

¹ Bull. EC 10-1974, point 2237 and 3-1975, point 2344.

² OJ C91 of 24.4.1975.

4. Institutions and organs of the Communities

European Parliament

European Parliament

Part-session in Luxembourg from 7 to 11 April 1975

2401. Two subjects dominated the part-session of 7 to 11 April: the consequences of amalgamation for shareholders and workers, and the 'wine war' between Italy and France.

In external policy, Parliament made an interim assessment of the Conference on Security and Cooperation in Europe (CSCE) and considered the outlook for the Euro-Arab dialogue, the bilateral Cooperation Agreements and the political situation in Portugal. The House used its new budgetary powers when it approved the first Supplementary and Amending Budget for 1975.

Regarding energy policy, the House took stock of Community research since 1958 and took a hard look at the prospects. Reports were reviewed on joint prospecting for oil in the EEC and the nuclear fuel supply problems.

For social policy, employment and the war on poverty were discussed.¹

Voting on the draft of the First Supplementary and Amending Budget for 1975 (8 April)

Clash of principle between Parliament and the Council

2402. In the discussion on the First Supplementary Budget for 1975, the House unanimously voted in favour of granting 300 000 000 u.a. for the newly created Regional Fund. This represents an increase of 150 000 000 u.a. compared with the Council's draft. At the same time, Parliament maintained that it, and not the

Council, should have the final say in appropriating resources for the Fund.

This division, which concluded the first reading of the Supplementary and Amending Budget, highlighted the dissent between the House and the Council on this issue, which had already been voiced in the general debate during the March sittings.²

There is a clash of principle between the two budget authorities over the boundaries of their powers on the basis of the new budgetary procedure which came into force with the draft Budget for 1975.

The conflict had been lurking under the surface since December 1974, when in the final review of the General Budget for 1975, on the strength of the Summit Conference decision on the Regional Fund, the House had refrained from demanding the inclusion of 300 000 000 u.a. for the Fund.

The Commission endorsed Parliament's views on the basic question of classifying the Regional Fund appropriations. When reviewing the draft in December, the Council had advocated that, for the time being, the Regional Fund should be classified as non-compulsory expenditure, but

¹ This report on this part-session of Parliament was prepared from the German edition of 'Informations' published by Parliament's General Secretariat.

The Political Group and nationality of members speaking in the debates are indicated in brackets after their names and abbreviated as follows: C-D = Christian Democrats, S = Socialist Group, L = Liberal and allied Group, C = European Conservatives, EPD = European Progressive Democrats, COM = Communist and Allied Group. B = Belgium, DK = Denmark, G = Federal Republic of Germany, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

The complete texts of the Resolutions passed by Parliament are reproduced in OJ C95 of 28.4.1975 and the verbatim report is contained in OJ Annex 189. For technical reasons the report of the part-session of 28-30 April will appear in Bulletin 5-1975.

² Bull. EC 3-1975, point 2408.

after the Paris Summit¹ had confirmed a global expenditure of 1300 million u.a. for the next three years, now felt that the Fund should be considered as compulsory expenditure. In its Resolution, the House pointed out to the Council that the classification of expenditure could not be unilaterally changed.

Following Parliament's amendments to the Council's draft of the First Supplementary and Amending Budget, a new rate is to be set for increasing the non-compulsory expenditure in 1975 as against 1974. This depends on agreement between the House and the Council. So Parliament closed the first reading by approving a proposal to set the new rate for increasing the non-compulsory expenditure at 68.35%. This was approved by 116 votes for, none against and 6 abstentions.

Besides the resources for the Regional Fund, the Supplementary and Amending Budget includes a transfer from the 'not specifically allocated' expenditure of Chapter 99 into the 'research and investment expenditure' of Chapter 33. This involves 499 508 u.a. which will go to the recently approved research programme on plutonium recycling in light-water reactors.

Protecting members and safeguarding workers' rights in amalgamations

(8 April)

2403. The Commission's Proposal for a third Directive on *protecting members and others in mergers between sociétés anonymes* was approved by Parliament more than two years after it was presented. In October 1973, the first debate in Parliament² had argued the question whether workers should have the right of veto, if their interests were severely prejudiced by a merger. A majority in the House had opposed this, in respect of an original proposal by the Legal Affairs Committee in 1973.

The compromise formula since worked out by the Legal Affairs Committee, whereby neither

workers nor shareholders would have a right of veto, but an arbitration board would safeguard workers' rights, was confirmed by a majority of MPs. Both groups would be equally represented on the board. It could be called by both groups when negotiations had been running for two months without success. Within a month it would make decisions binding for both sides on action to be taken for the benefit of the workers. The Commission had simply proposed mediation by the public authorities.

Much of the debate centred on the time-limit for the arbitration board's final decision. In an amendment, the Christian Democrats proposed a time limit of one month, to offer the shareholders' general meeting the chance to assess the social and financial effects of the decision on the merger. The amendment was finally adopted with a majority, although the Communists, Socialists and Conservatives spoke against it. Neither could Mr *Gundelach*, the responsible Member of the Commission, endorse the Christian Democrats' proposal for a time-limit.

Mr *Marras* (COM/I) substantiated the many amendments tabled by his Group, which boiled down to reinforcing workers' rights. Mr *Bermani* (S/I) stressed that the arbitration procedure in no way compromised the right to strike, which was still the most effective device to safeguard workers' rights.

The debate was wound up with a statement by Vice-President *Hillery* of the Commission, who highlighted how far company mergers had gone in the EEC over recent years. Some hundred companies now controlled about half of industrial production. Although this development was to be welcomed from the economic angle, we must be aware of our obligations to workers. The Council had undertaken to approve the Directive within the next five months.

¹ Point 22 of the Communiqué, Bull. EC 12-1974, point 1104.

² Bull. EC 9-1973, point 2429.

2404. Parliament felt that the wide differences between Member States labour legislation provisions were a real hazard in the way of harmonizing and safeguarding workers' rights and benefits at Community level. The House approved the Commission's Proposal for a Directive to harmonize Member States' legislation to preserve employees' rights and advantages in the case of mergers, amalgamations and take-overs. It endorsed the principles underlying the Commission's Proposal that the new employer should automatically take over the conditions of employment, that the workers should be protected from dismissal solely on the grounds of structural changes in the company and that workers' representatives should be informed, consulted and allowed to negotiate in respect of worker's interests.

Regarding protection from dismissal, the House emphasized in its Resolution that the Commission should prepare a Directive on individual terminations.¹ Through various tabled amendments to the Commission's proposed text, Parliament tried to get even better guarantees for the protection of workers' rights, which here again lay with an arbitration board.

Various speakers did not believe that this Directive would be enforceable in the Member States. Mr *Pêtre* (C-D/B) contended that some States would have to make radical changes to their legislation. Mr *Premoli* (L/I) made the point that one of the parties involved might boycott the negotiations. Lady *Elles* (C/UK) found that the shareholders, whose investment capital was also at stake in mergers, had not been fairly treated.

Agriculture

The 'wine war' between France and Italy

2405. At the outset of the debate on the 'wine war', Mr *Lardinois* of the Commission declared

that the French Government's ban on imports of Italian wine was a serious breach of the Treaty of Rome, such as had rarely occurred in the past. He told the House that immediately after this infringement of Community rules by the French Government, the Commission had invoked the procedure in Article 169 of the Treaty against it. If the French Government did not honour the Commission's request, the Court of Justice would be called in. Mr *Lardinois* then explained the cause of the 'wine war'.

During 1971-1972, 260 000 000 hl of wine were produced in the Community; the 1973-1974 output had climbed to 328 000 000 hl and had thus sent prices tumbling. At the same time, owing to the unhealthy economic situation, wine consumption and exports had declined. Mr *Lardinois* announced that the wine Regulation would be changed. As an immediate step, the volume of wine for distilling would be substantially increased. In the long term, strict controls on production were required to reduce the areas under cultivation and promote quality rather than quantity. But distillation alone would not solve the problem, since it was by no means certain that the market could take such quantities of alcohol without any serious effects. Apart from this, the Community's aids for exports to non-member countries fostered political difficulties, as we had seen in the case of butter and meat.

Mr *Vetrone* (C-D/I) thanked Mr *Lardinois* for the Commission's vigorous action. He stressed the discrimination against vine growers as compared with other farmers. They did not enjoy the same guarantees. Moreover, they had to bear the cost of Community policy towards other Mediterranean countries, from whom a considerable volume of wine was imported. Mr

¹ The question of mass dismissals has been dealt with in an EC Directive. See Bull. 12-1974, point 1306.

Vetrone approved quantity controls on production but they must be wedded to a strict quality policy.

As the single spokesman for a country which made no wine, Mr *Laban* (S/NL) called for penetrating structural measures, since too much wine of poor quality was being produced.

He was concerned about the financial burden for the Community budget arising from the new Proposals. We should not ask too much of the non-producing countries who had to pay for the distillation operations.

The comments of Mr *Cointat* (EPD/F), the former French Minister of Agriculture, found a ready audience. He reminded the House of the dramatic developments in southern France. As matters stood, the French Government could not do otherwise, since its first concern had been to restore order.

Mr *Cointat* called for emergency action to clear up the medium-term difficulties in the wine sector: a ban on new plantations for *vin ordinaire*; a permanent price intervention arrangement as for cereals; a yield limit of 150 hl/ha; quality control in production and not just in marketing.

Mr *Cipolla* (COM/I) said that the battle waged by the French and Italian growers was justified. Only 2%, and not so long ago only 1%, of the Community's agricultural budget went to the vineyards, although this sector accounted for 25% of total agricultural output.

Community aid must help the growers and not the speculators. The Proposals announced by the Commission were inadequate and could not solve the problem. Production controls were needed not just for wine but for all farm products.

Mr *Della Briotta* (S/I) said that it must be acknowledged that Italy had not fanned the

blaze after the serious breach of the Treaty by the French. It should not be overlooked that massive sales of French farm products had previously caused upheavals on the Italian market. He urged that the present crisis be used as the springboard for a new policy on Mediterranean products. Wine production must be restored to the traditional and most appropriate areas, especially the hillsides.

Mr *Liogier* (EPD/F) thanked the Italian MPs for their restraint. The French growers also deserved sympathy, since they could not passively watch the 'clearance sale' of imported Italian wine at crippling prices.

Mr *Marras* (COM/I) felt that the wine crisis could only be solved within a general overhaul of the CAP.

Mr *Lagorce* (S/F) highlighted the human side of the problem and pointed to the paradox of the situation, where a good harvest spelt disaster.

Mr *Bersani* (C-D/I) claimed that we were now seeing the consequences of neglecting such an important sector as wine.

Winding up the debate, Mr *Lardinois* rebutted the charges against the Commission and recalled that the 1969 wine Regulation was born of a political compromise within the Council between the French and Italian viewpoints. The Italians had then considered that wine was no different from any of the other products. The French, on the other hand, thought that production should be strictly controlled to avoid surpluses. Everybody now had to bear the consequences of the compromise. Even so, the 1969 Regulation had its points, since, for one thing, it had fostered the production of quality wine in Italy. Mr *Lardinois* stressed the dangers in the present crisis, which could rock the whole edifice of agricultural policy. The confidence in the Community of the groups concerned must be restored as swiftly as possible, even if the price was high.

Economic situation of egg producers
(10 April)

2406. A question from the Conservatives highlighted current problems on the egg market and the Commission was asked whether it was prepared to take direct action to protect the economic situation of egg producers, who, especially in the United Kingdom, were at a disadvantage as against imported eggs at rock-bottom prices from other EEC countries.

Lord *St Oswald*, substantiating the question, said that imports of cheap eggs from France were causing trouble to British producers.

He asked the Commission to apply the Treaty precisely and create equal competition conditions for all egg producers.

Mr *Cointat* (EPD/F) defended the French producers. It must be realized that Brittany, once a peripheral region of France, was now serving the big market, which had just opened 'on her doorstep'.

Mr *Lardinois*, for the Commission, pointed out that British egg imports in 1974 amounted to less than 2% of domestic production. He conceded that there were problems, which certainly could be solved. The Commission had applied certain safeguards for the benefit of the egg market. But consumer preferences were of course a factor which could not be ignored. The Breton egg farmers had been very successful in marketing their special variety of brown egg. He could not find any grounds for banning French exports. But he was ready to seek a solution in talks with the producers.

Social policy

EEC programme to combat poverty
(10 April)

2407. Parliament regarded the Commission's programme of pilot schemes and studies to

combat poverty as a positive move worthy of all support. Despite its limited scope, it was an initial token of Community solidarity towards the underprivileged, those living on the fringe of society who never enjoyed prosperity. The aim of the programme was to work out methods to counter and eliminate poverty and collate data on the causes especially, in order to plan new strategies to remove them.

The rapporteur for the Committee on Social Affairs and Labour Questions, Mr *Dondelinger* (S/L) criticized the legal form of the programme. He regretted that the Commission had presented it as a simple Communication rather than as a Proposal, which would have enabled the House to suggest modifications. He urged the Council to make the necessary budget resources available to carry out the programme and ensure its financing through the financial year 1976.

For the Committee on Cultural Affairs and Youth, Mr *Artzinger* (C-D/G) welcomed the programme which was a modest but tangible advance in combating poverty. He found that the time span of two years was too short and urged that the research teams should be multinational as well as interdisciplinary. Apart from the Communist and Allied Group, the Groups all approved the Commission's programme. Mr *Härzschel* (C-D/G) said that in a relatively prosperous society, consideration must also be given to the fringe groups. He criticized the inadequate financial resources. Mr *Santer* (C-D/L) felt that the programme opened a new dimension of Community social policy. Mr *Albers* (S/NL) complained that the migrant workers were not included in any special project. Lady *Elles* (C/UK) pointed to the problem of people whose need seldom came to light. Mr *Bordu* (COM/F) announced that the Communists would abstain from voting on the Resolution, since the programme was a shabby digression in view of the actual problems.

Vice-President *Hillery* of the Commission pointed out that, in approving the 1975 budget, the House had already endorsed the programme. He believed that if necessary the Communication to the Council could easily be changed into a draft Directive, as the rapporteur had urged. In conclusion he announced that the Commission would report on the execution of the programme before the end of 1976.

Tripartite Conference between both sides of industry and the Ministers for Economy and Finance
(9 April)

2408. In a Question, the Communist and Allied Group asked the Council to explain its attitude towards convening a second Social Conference in the first half of 1975, as proposed by the trade union delegates at the first Conference in December 1974. The European Confederation of Trade Unions (ECTFU) felt there was a need not only to discuss matters of employment policy, as was previously the case, but also to discuss questions of economic and financial policy with the responsible Ministers, since they materially affected employment. They had proposed such a Conference for the first half of 1975. The spokesman, Mr *Marras* (COM/I) emphasized that the Council had as yet said nothing in reply, although Italy's responsible Minister and Ireland's Minister had both personally supported the idea. Mr *Marras* urged that until such a Conference was called there should be a joint Council meeting of the Ministers of Labour and the Ministers for Economy and Finance.

The Council President, Mr *FitzGerald*, pointed out that the Standing Committee on Employment made up of representatives of the Commission, the employers and the unions, had already resumed its activities at the beginning of the year. He did not rule out the possibility of a

joint meeting of Labour and Finance Ministers to see whether it was worthwhile to call a fresh tripartite Conference. The questioner's request would be laid before the Finance Ministers, who would be meeting before the end of April.

Mr *Glinne* (S/B) and Mr *Girardin* (C-D/I) supported the unions' proposal for another tripartite Conference. The only speaker to oppose it was Mr *Nyborg* (EPD/DK) who feared that other moves in respect of employment policy might be blocked until the Conference took place.

Appraisal and future of the Joint Research Centre
(7 April)

2409. An appraisal of Community research since the creation of the European Atomic Energy Community (Euratom) in 1958 and the future development of research under the shadow of the energy crisis were both the subject of one debate.

Assessment of activity of the JRC between 1958 and 1972

In his verbal report, the rapporteur, Mr *Flämig* (S/G) tried to answer why the record of Community research in Ispra, Mol, Petten and Karlsruhe had been a story of breakdowns, wasted money and staff troubles. Was the Euratom concept all wrong? Mr *Flämig* attacked the Member States' Governments for having turned Community research into a Cinderella. Promising projects had always been handed to national institutes and the JRC had got the left-overs, especially now that the ORGEL project (a heavy-water moderated reactor fuelled by natural uranium) which was to make Europe independent of American enriched uranium, had been stopped. The break-up of this project which for ten years had been at the heart of Community research and had taken up 60-80%

of Ispra's capacity, was the start of a four-year period in which the Council had fobbed off the establishments with 'survival programmes'. Mr Flämig recalled that at the time Parliament had always called for long-term programmes and he could not but blame the Council for its irresponsible behaviour.

In the Resolution at the end of the debate, which was unanimously approved apart from the Communist abstentions, Parliament warned against letting the JRC continue to exist without giving it appropriate and firm research assignments. With a warning against further fiasco, the Council and Commission were urged to safeguard the technical, financial and staffing sides of the multiannual research programme decided in June 1973. Referring to its budgetary powers, the House declared that in the event of further failure, the question would inevitably arise of whether more funds should be granted for Community research.

Revision of the multiannual research and training programme

2410. Mr Flämig saw a ray of hope in the Commission's Proposals for revising the JRC's multiannual research and training programme.¹ The House altogether endorsed them.

Parliament welcomed the formation of an expert group to ensure collaboration between the JRC, the national research institutes, and branches of industry most directly concerned by the research projects. With the necessary administrative reforms carried out, Mr Flämig urged the Council not to be stingy and the Commission to act promptly, since the programme was already halfway through. Parliament wanted to see results at last.

The Group spokesmen were well nigh unanimous in calling for forceful, long-term action to

sustain Community research and, apart from the Communist speaker, welcomed the Commission's programme Proposals as a step in the right direction. Mr Giraud (S/F) stressed that besides independent national research, there must be room for Community research grappling with problems of Community interest. Mr Jozeau-Marigné (L/F) particularly applauded the planned coordination between unilateral and joint research projects. Mr Normanton (C/UK) called for Parliamentary controls on Community research. Mr Noè (C-D/I) highlighted the effects of research policy discussions on the scientists concerned, and the value of a sound personnel policy for the efficiency of research establishments. Mr Cointat (EPD/F) said that the new programme was a last chance for Community research.

Mr Leonardi (COM/I) justified his Group's abstention in that the Commission's Proposals did not adequately match the premise of the Euratom Treaty that the optimum conditions of safety for the population should be secured.

As to the argument over who was to blame for the failure of Euratom research, Mr Brunner, the Commissioner responsible for science and research, replied that the JRC had itself suffered from the vacillations in European awareness. He praised the technical performance of the four Establishments; Geel, Karlsruhe, Petten and Ispra, which had turned in good work in their special fields and had sometimes won international recognition; NASA, for instance, had acknowledged Ispra's research on hydrogen. He highlighted the immediate value of the Commission's Proposals on promoting alternative sources of energy and attacked the tendency to regard the energy crisis as settled.

¹ Bull. EC 12-1974, point 2259.

Energy policy (10 April)

Nuclear fuel supplies

2411. More intensive use of nuclear energy hinges on an adequate and reliable supply of nuclear fuels, particularly enriched uranium. Estimates indicate that the annual demand for nuclear fuels will increase tenfold over the next decade. The Commission intends to meet these conditions with an action plan for a common supply policy for nuclear fuels.

Parliament's Resolution approved the Commission's Proposal as a serviceable contribution to enhancing the security of energy supplies. The House considered that revision of the Euratom Treaty, with reference to the Supply Agency, was urgently needed, so as to create the prerequisites for an active supply policy. Action should also be taken on trade policy, to ensure an adequate supply of nuclear fuels.

Crisis measures and oil prospection

A joint debate based on two reports by the Energy Committee considered security of supply from yet another angle: the House approved Commission Proposals for measures to cope with oil supply problems and for supporting joint hydrocarbon prospection projects (oil and gas) on the sea-bed, particularly in Member States' territorial waters.

The House agreed that, if a new energy crisis occurred, the Commission could draft the framework of measures to save energy at Community level, and monitor intra-Community trade in oil and oil products by introducing an automatic authorization scheme. The Commission's decisions could be modified by the Council with a qualified majority, within a ten-day time limit. The rapporteur, Mr *Cointat* (EPD/F) regretted, however, that no specific criteria had been laid down for just when there was a 'supply

crisis'. He feared that the Proposals might prove inadequate.

Parliament also endorsed the Commission's Proposal to grant aid from EEC funds for joint projects to search for oil and natural gas on the sea-bed. Such aid should not exceed a quarter of the costs. Other matters considered included technological development projects connected with special problems and risks. The rapporteur, Mr *Normanton* (C/UK) criticized several points. He would have welcomed a common strategy on exploiting sources of hydrocarbon supplies. He doubted the adequacy of the financial and fiscal procedures for companies engaged in oil and gas drilling projects. The spokesman for the Christian-Democrats, Mr *Vandewiele* (B) approved the proposal. For the Socialists, Mr *Giraud* (F) wanted to see a clause included, whereby EEC aid would be paid back, if major oil deposits were discovered. An amendment to this effect was approved. For the Communist and Allied Group, Mr *Bordu* (F) called the proposal another concession to the oil companies, which, if a new crisis occurred, were themselves the main danger to the unity of the market.

Vice-President *Simonet* of the Commission, countering Mr *Cointat*'s criticism, pointed out that it was hardly possible in practice to define a crisis situation in advance. He also rebutted Mr *Bordu*'s comments on the oil companies. In conclusion he said that the Commission would consider itself bound by the acceptance of Mr *Giraud*'s amendment.

Protecting the environment

Disposal of radioactive waste: a five-year programme

(9 April)

2412. Parliament approved a Commission Proposal to make available some 20 000 000 u.a.

for practical projects to discover appropriate procedures for the management and safe storage of radioactive waste. In the Resolution, the House pointed out that it had been emphasizing this problem over the last ten years. The Commission's programme, which ran for five years, should be the first leg of a longer-term plan and should be appraised in two years time. The House also agreed the insertion of a clause on renewing or automatically extending the programme after the first five-year term. It was proposed that the management and storage of radioactive waste should be assigned to a public body, taking the shape of a joint organization according to the terms of the Euratom Treaty.

In the debate, all the group spokesmen complained of the short time accorded to deal with the Proposal, which had been transmitted to Parliament very late. But they approved the substance of the Proposal. In the discussion on the Resolution motion, a number of Socialists including their spokesmen, Mr *Lange* (G) abstained, because they felt that many points had not been settled.

Mr *Spinelli* of the Commission explained that the basic intention of the Proposal was to develop methods to ensure optimum safeguards, in view of the growing number of nuclear power stations and the mounting level of industrial radioactive refuse. He reminded the House that this programme was simply the first stage of an action programme covering the next ten years. Mr *Spinelli* stressed that the Commission was ready and willing to cooperate with non-member countries and other bodies, but that a joint platform within the EEC had to be created first.

Lead and cadmium in ceramic tableware

2413. Parliament felt that the legal provisions in the Community concerning limits on the lead and cadmium content of ceramic wares which

come into contact with food, should be harmonized with effect from 1 July 1976.

The House approved the Commission's proposed Directive subject to the above recommendation and other tabled amendments concerning the tolerance limit for lead and cadmium and on labelling.

External relations

Conference on Security and Cooperation in Europe (9 April)

2414. On the strength of a report by its Political Affairs Committee, Parliament urged the Member States' Governments to insist more strongly on greater progress by all Committees of the Conference on Security and Cooperation, especially the first and third Committees (European Security Questions and Cooperation in the Cultural and Humanitarian Fields), so that the goal of unity in the second phase of the CSCE could be swiftly achieved.

Explicit emphasis was laid on the right of Member States of the Community to change their frontiers peacefully and create a political union. Parliament felt that the results of the CSCE must in no way thwart the realization of European Union.

The report constitutes an interim appraisal of the Conference. Regarding the representation of Community interests, it concludes, first, that all negotiations in connection with the CSCE on matters where the Member States have transferred authority to the Community, must be conducted by the Commission and, second, that it must be made clear that, for the Nine, notwithstanding their willingness to develop relations with Eastern Europe, the pursuit of Western European integration must take priority over East-West cooperation.

The rapporteur Mr *Radoux* (S/B) consolidated his written report with a commentary on the status of the Conference. Nine principles of the first Committee (Security Questions) had been accepted. Mr Radoux warned against assuming that solemn proclamations of a few political principles would suffice to ensure European security. This could be gained only through simultaneous measures in the military sphere. Here he touched on one of the sore points of the Conference: the conditions for announcing military manoeuvres. The other was the principle of inviolability of frontiers claimed by the Eastern bloc countries, which the rapporteur felt should be coupled with the possibility for the West to alter its own frontiers by free agreement. Problems had also cropped up in the second Committee (Economic Questions). Mr Radoux confirmed that the principle of reciprocity must underlie all trade relations. The draft of an industrial cooperation charter was on the table. The results of the Third Committee (Humanitarian and Cultural Cooperation) were to be seen as a test of *détente*. Without human contacts' this was precarious. He welcomed the agreement on uniting families, and regretted that none was yet forthcoming on journalists' working conditions.

The group spokesmen were unanimous in concluding that, if the Conference had yielded positive results so far, this was primarily due to the consistent behaviour of the Community.

In their demands concerning the further course of the negotiations, the groups sounded different notes: Mr *Klepsch* (C-D/G) stressed that any recognition of the Soviet Union's seisin in Europe was acceptable only if concessions were made in respect of the free movement of individuals, the self-determination of peoples and in the military sphere. He opposed any closure of the Conference under duress and confirmed the principle of reciprocal benefit. Like Mr *Cortier* (S/G) he pointed out that events in Portugal, the Middle

East and South-East Asia could affect the further course of the Conference. Mr *Guldberg* (L/DK) insisted on secure guarantees for Western Europe. It was now clear to Mr *Terrenoire* (EPD/F) that Europe must take its destiny in hand and look to its security. Mr *Bordu* (COM/F) hoped that what had been learned from the failure of aggressive American policy in South-East Asia would improve the negotiating climate at the CSCE and make it easier to reach agreement on the questions still outstanding.

The Christian-Democrat spokesman Mr *Klepsch* was opposed to institutionalizing the Conference in the form of a permanent body, in contrast to the rapporteur, who saw it as valuable in terms of standing negotiations. Mr *Petersen* (L/DK) thought that an international office should be set up for gathering data on conflict.

The Christian-Democrats, Socialists and Liberals were unanimous that military aspects must not be dissociated from cooperation aspects. They emphasized that the negotiations now running in Vienna on Mutual Balanced Force Reduction (MBFR) must be incorporated into the political negotiations and revitalized. This view was put forward by the Chairman of the Political Affairs Committee, Mr *Giraud* (C-D/I), who also thought it unlikely that the Conference could be wound up in June.

Mr *Jahn* (C-D/G) felt that the main difficulties in the questions still unsettled concerned technological and scientific cooperation, and relief on the humanitarian side. No grand decisions were expected here, simply gestures of goodwill. In the responsible Contact Committee modest progress had fortunately been made on the question of entrance facilities for journalists.

Commission Vice-President, Sir Christopher *Soames* and Council President *FitzGerald* said that they were generally satisfied with the interim results of the Conference and optimistic about its further course. Both confirmed that

the Conference had shown that on the major issues the Nine were a factor to be taken seriously. For the first time, the Community had negotiated on questions which fall within the EC's competence and within the province of political cooperation.

Cooperation Agreements (9 April)

2415. Several Christian-Democrats asked the Council and Commission for more details on the Cooperation Agreements signed between certain Community countries and non-member States. As Mr *Jahn* (C-D/G) pointed out on behalf of the questioners, the Cooperation Agreements were not subject to the conditions of common commercial policy. Parliament had already investigated this problem on 18 February on the strength of Mr *Klepsch's* (C-D/G) report on Community relations with State-trading countries.¹ The Question focused on the Cooperation Agreements made by private undertakings, which were not covered by a Community consultation procedure, but which incidentally enjoyed certain aid made available by the Member States. The questioners pointed to the danger of distorting competition and called for the harmonization of support measures for such agreements.

Commission Vice-President, Sir Christopher *Soames* and Council President *FitzGerald* confirmed that most Member States had made Cooperation Agreements with State-trading and oil-producing countries. More detailed particulars concerning them could be sent to the responsible Parliamentary Committee. Some agreements were confined to principles, while others were more clear-cut and included a list of planned cooperation projects. In respect of Agreements between private undertakings, Sir Christopher hoped that, through an international code of conduct, ruinous competition could be

prevented. The Commission and even the authorities of the Member States lacked information on such Agreements. It was also hard to define what a Cooperation Agreement was meant to be. The most important thing was to avoid any overlapping between Cooperation Agreements and plain Trade Agreements.

The groups all deplored the inadequacy of the provisions of the common commercial policy. Mr *Lange* (S/G) felt that all external relations ought to be governed by Community rules. Mr *De Clercq* (L/B) urged that Article 113 of the EEC Treaty be updated (this Article is the basis of the common commercial policy) and extended to cover Cooperation Agreements. Should such a revision prove too difficult, he proposed that Article 235 (autonomous extension by the Community institutions) be applied. Mr *Thomsen* (C/DK) thought that no revision was required, since Article 113 must also automatically apply to Cooperation Agreements because they affected the commercial policy.

The Euro-Arab dialogue (9 April)

2416. In three Questions to the same effect, the Political Affairs Committee asked the Commission, the Council and the Community Foreign Ministers' Conference (Political Cooperation) for their views on the outlook for the Euro-Arab dialogue, which had been decided in principle a year ago, but which had still to make a start. This was the first time that the political cooperation of the Nine had been the subject of a Question by Parliament to the Foreign Ministers' Conference, along the lines suggested by the Paris Summit Conference of 9-10 December 1974.²

¹ Bull. EC 2-1975, point 2416.

² Point 4 of the Communiqué; Bull. EC 12-1974, point 1104.

Mr *Blumenfeld* (C-D/G), who justified the Question, hoped that the new Question procedure would improve relations between the various institutions sharing in the construction of Europe. The reply by the Council President and Chairman of the Foreign Ministers' Conference, Mr *FitzGerald*, disappointed the House. He confined himself to reading a written statement.

Mr *FitzGerald* highlighted the great significance of the dialogue desired by the Nine in improving relations between the Community and all the Arab States. What mattered was to create, in collaboration with the EEC Commission, a permanent setting for discussing questions common to both groups of countries. In Dublin in March, the Nine had decided to set up a Working Party, which was to determine the economic, cultural and technological aspects to be treated within the Euro-Arab dialogue. The Nine, who wanted to take up the dialogue at the earliest opportunity, were closely following developments in the Middle East.

For the Commission, Mr *Cheysson* highlighted the value of the dialogue. It was the expression of determination to cooperate wherever common interests were involved. By virtue of their proximity, their mutual dependence in the energy sector and their basic values, Europe and the Arab States were indispensable partners. The Commission and Parliament both had a key role to play in this major experiment, which was part of improving Europe's relations with the entire Mediterranean.

Spokesmen of all groups opposed participation by the Palestinian Liberation Organization in the Euro-Arab dialogue.

Mr *Lenihan* (EPD/IRL) said discussion must steer clear of emotion. Europe had been grabbing the mineral wealth of the developing countries for years, without reinvesting there the massive profits from oil and raw materials. He called for Europe to contribute to Mediterranean development.

Mr *Guldberg* (L/DK) pointed out that a political solution of the Middle East conflict must include for all those countries and Israel, the possibility of living in an economic Community. Only the Community could help them achieve this goal. All the speakers made the point that, alongside the Euro-Arab dialogue, Europe must maintain contact with Israel.

Council President *FitzGerald* assured the House that he would report to the rest of the Council on the results of the debate.

The situation in Portugal (11 April)

2417. Against the background of the forthcoming elections in Portugal, four groups (C-D, L, C, EPD) had tabled a Resolution motion, wherein, with reference to 'certain negative aspects of the democratic development in Portugal', they appealed to all democrats and to the competent authorities in Portugal 'to ensure that at the forthcoming elections to the Constituent Assembly the entire population is allowed to participate freely, all citizens are assured fundamental democratic rights and the will of the people is respected'. They also stressed the influence which a positive democratic evolution in Portugal might have 'on developments in European cooperation and on the process of *détente* in Europe'. The motion was approved with the Socialists abstaining and the Communist and Allied Group voting against.

Mr *Klepsch* (C-D/G) declared it was for the European Parliament to show its solidarity and fellow feeling with all democrats in Portugal and passionately attacked the exclusion of democratic parties, especially the Christian-Democrats, from the elections. Lord *Reay* (C/UK) criticized the draft constitution of the Portuguese Revolutionary Council in that its election procedure for the Portuguese Parliament was undemocratic.

tic. There was no democracy, if, at elections, the government itself was not to be put in question.

For the Socialist Group, Mr *Glinne* (B) countered the appeal for 'solidarity between all democrats', by pointing out that a few years ago the Christian-Democrats had not supported a motion by his Group on restoring democracy in Greece. On the substance of the Resolution, he contended that no country, where one out of two people was still illiterate, could be expected to run an immaculate Western democracy after half a century of dictatorship. Political democracy was not possible in a country where economy was still geared to the tenets of feudalism. The big task for this small country was to gradually change its economic and social structure. Portugal had the support of European socialists in developing an individual Portuguese socialist model.

The spokesman of the Communist and Allied Group, Mr *Bordu* (F) said that for his colleagues the decisive factor was that Portugal herself was determining her future development. As to where Portugal belonged, she belonged to Europe, but nobody 'owned' her.

Aid for refugees in Indochina

(10 April)

2418. Parliament urged the Commission to provide substantial material aid to relieve the distress of refugees in Indochina and demonstrate that the people of the Community sympathized with the sufferings of the peoples of Indochina.

Mr *Deschamps* (C-D/B), substantiating the motion, emphasized that this was not to be a political debate on Vietnam, but was simply a question of promptly releasing the necessary funds for a humanitarian action to be deployed primarily through the International Red Cross.

Vice-President *Hillery* of the Commission announced that the Proposals for material aid to the victims of the Vietnam war would go to the Council immediately. He hoped that Community aid and help from the Member States would be closely coordinated.

Question Time

(9 April)

2419. The Council President, Mr *FitzGerald*, Ireland's Foreign Minister, and Mr *Cheysson*, Mr *Gundelach*, Mr *Lardinois* and Mr *Spinelli* answered three questions to the Council and eight to the Commission.

European passport union

Mr *Lenihan* (EPD/IRL) to the Council:

'In view of the statement (Point 10) in the Communiqué of the Paris Summit to set up a working party to study the possibility of establishing a passport union, what steps have been taken to set up the working party and what will be its terms of reference?'

Mr *FitzGerald* replied that the working party would submit a draft by, at the latest, 31 December 1976.

Farm modernization scheme

Mr *Gibbons* (EPD/IRL) to the Council:

'Considering that the target income under the scheme is set too high for many farmers, particularly in the West of Ireland (£1800), what measures does the Council envisage to correct discrimination in the operation of this scheme?'

Mr *FitzGerald* replied that the Commission, with the collaboration of the Standing Committee on Agricultural Structures, was responsible for implementing the scheme, and not the Coun-

cil. In his capacity as Ireland's Minister, he conceded that the modernization scheme had given rise to some discrimination in respect of incomes. The Irish Government would therefore present new proposals.

Situation in Portugal

Mr Klepsch (C-D/G) to the Council:

'In view of political developments in Portugal and of the preparations for elections, how does the Council assess the present situation and future trends in the light of the desire for fruitful cooperation between Portugal and the European Community?'

The Council President confirmed the Council's declared intentions. At the request of the Portuguese Government, the Council, in November 1974, had urged the Commission to sound out the possibilities of intensifying the contacts between Portugal and the Community. An *ad hoc* working party was looking into this now. Mr FitzGerald did not think it served any purpose to comment at this point in time on the situation in Portugal.

Benefits of leaving the EEC

Lord O'Hagan (Ind./UK) to the Commission:

'What benefits would the United Kingdom gain by leaving the EEC?'

Mr Cheysson said that the question did not arise. The United Kingdom would gain nothing by leaving the EEC.

United Kingdom trade with the EEC

Lord Reay (C/UK) to the Commission:

'Since the replies given by Commissioner Gundelach to questions put in this Parliament on 19 February on the subject of the United Kingdom's trade deficit with the EEC have been the subject of debate in the British Parliament, and his conclusions have been described as

false by the British Minister of Trade, on the grounds that the Commissioner failed to make a distinction between total trade including oil trade, and non-oil trade, could he say what the figures should have been after taking account of British oil trade both with other Member States and with third countries?'

Mr Gundelach said the argument on this matter was rather far-fetched. All the United Kingdom's imports from the EEC had become dearer because of the higher price of oil. In conclusion, he stressed that the United Kingdom's membership of the EEC had not acted adversely on her trade balance.

Destruction and denaturing of food

Mr Espersen (S/DK) to the Commission:

'Does the Commission think that in the long term the destruction or denaturing of good food products may become an element of the EEC's market policy for agriculture and fisheries and how does it intend to encourage fishery producers' organizations to introduce voluntary quota systems for catches in order to avoid destruction or denaturing?'

Mr Lardinois emphasized that only when surpluses were on hand did the Commission make funds available to bring the products concerned onto the market as animal feeds. The Commission's long-term policy was to make such measures superfluous. Denaturing premiums for wheat had already been discontinued this year.

Safety of atomic power stations in the Community

Mr Härzschel (C-D/G) to the Commission:

'What is the Commission's view on the safety of the atomic power stations in the Community in the light of the temporary shut-down and safety inspection of 23 American nuclear power stations?'

Mr Spinelli confirmed in reply that the authorities responsible for approving nuclear power

stations had found no signs of any damage when inspecting the five American-type reactors in Europe.

Construction of nuclear power stations

Mr Noè (C-D/I) to the Commission:

'Does the Commission not consider that in view of the difficulties often raised by local authorities concerning the building of nuclear power stations in various Member States, it should adopt a clear general position on this important problem and intervene directly in the individual discussions in the most important cases, thereby helping to clear up some misunderstandings and to make the positions which these same Member States will adopt on the subject more uniform?'

Mr Spinelli confirmed that the Commission realized the problems involved in building nuclear power stations. It was now examining how, in view of public argument over this question, pertinent data could be secured in all the Member States.

Curtailment of the advisory powers of the European Parliament

Mr Durieux (L/F) to the Commission:

'Does the Commission feel that the European Parliament is able to carry out its task of democratic control in cases where it is consulted on the basis of Article 235 of the EEC Treaty when essentially, the decision is taken by the Council in the light of a memorandum submitted to it by the Commission?'

Mr Cheysson stressed that for the Commission it was vitally important for Parliament to be able to use its advisory authority under the Treaty, especially its powers in respect of Article 235 (autonomous enlargement of the Treaty with mandatory hearing in Parliament). The purpose of the Commission's Memorandum was to sound the reactions of the EEC institutions regarding the presentation of a Proposal, on

which the House would then be formally consulted. He was convinced that the new inter-institutional conciliation procedure¹ would substantially enhance Parliament's position.

Cheese exports

Mr Cousté (EPD/F) to the Commission:

'Can the Commission give its views on what is already referred to as the 'cheese war' which has apparently resulted from the reintroduction by the Community of refunds on exports of cheese, which the American authorities treat as export subsidies, leading to the imposition of compensatory levies on cheese entering the territory of the United States?'

Mr Lardinois said that he shared Mr Cousté's misgivings that the American measures could turn into a kind of abusive duty. In the negotiations, the Commission had shown it was ready to compromise; but it could go no further. Final approval by the United States' authorities was still to come.

Fuel subsidy to British glasshouse growers

Mr Howell (C/UK) to the Commission:

'Since 31 December 1974 the fuel subsidy to British glasshouse growers has been discontinued, whereas other Member States are subsidizing fuel to their glasshouse industries. What steps does the Commission intend to take to ensure that British glasshouse growers do not have to face unfair competition from other EEC countries?'

Mr Lardinois pointed out that the Commission had authorized the Member States to prolong the aid measures until 1 July 1975. The British Government had not taken this up. In a few weeks the Commission would be presenting Proposals to the Council for a uniform policy for the whole Community on this special matter.

¹ Bull. EC 2-1975, point 2501.

Council

In April, the Council held four meetings on general matters, agriculture, and finance and economy.

336th Meeting—General matters (Luxembourg, 14 and 15 April 1975)

2420. *President:* Mr FitzGerald, Ireland's Minister for Foreign Affairs.

From the Commission: Mr Ortoli, President, Sir Christopher Soames, Vice-President, Mr Cheysson, Mr Borschette, Members.

Meeting with a delegation from Parliament

Under the conciliation procedure, the Council received a delegation from the European Parliament. The meeting focused on certain budgetary features of regional policy.

Overall Mediterranean approach

The Council held a searching discussion on the status of negotiations with the Mediterranean countries and approved, in substance, the results of the negotiations with Israel.

EEC-Greece Association

The Council agreed the texts of the Additional Protocol to the EEC-Greece Association Agreement and of the Interim Agreement, by virtue of the accession of three new Member States.

Raw materials

The Council debated in general terms the raw material problems against the background of relations with the developing countries.

Consumers

The Council adopted the Community language versions of the Resolution on the preliminary programme for a consumer guidance and protection policy.

Emergency aid to Vietnam

The Council approved the Commission's Proposals to grant immediate aid for the people of Vietnam, victims of recent events there.

337th Meeting—Agriculture (Luxembourg, 15 April 1975)

2421. *President:* Mr Clinton, Ireland's Minister of Agriculture.

From the Commission: Mr Scarascia Mugnozza, Vice-President, Mr Lardinois, Member.

Wine

The Council got down to a detailed discussion of the cyclical and structural problems in the wine sector. A Regulation was adopted laying down the ground rules concerning table-wine distilling operations and a Resolution was passed on new guidelines to restabilize the wine market.

Fisheries

A statement was heard from the British Delegation pointing out the need to finalize prompt Community action on fisheries to cope with certain problems on the market, and stressing the necessity to study problems arising from the Conference on the Law of the Sea.

338th Meeting—Finance and economy (Luxembourg, 21 April 1975)

2422. *President:* Mr Ryan, Ireland's Minister for Finance.

From the Commission: Mr Haferkamp, Vice-President.

Economic and financial questions

The Council considered the possibility of a Council meeting between the Ministers of Finance and the Ministers for Social Affairs. The financial and economic sides of the energy problems were briefly discussed and Community participation in the OECD arrangements for export credits was appraised.

Budget matters

The Council considered the draft of the First Supplementary and Amending Budget for 1975 in the light of a conciliation meeting with Parliament scheduled for 22 April. The draft of the Second Supplementary Budget was drawn up.

Unit of account

The Council adopted the Decision concerning the definition and conversion of the European unit of account used to quote the sums of aid in Article 42 of the EEC-ACP Lomé Convention.

339th Meeting—Agriculture (Brussels, 28 and 29 April 1975)

2423. *President:* Mr Clinton, Ireland's Minister of Agriculture.

From the Commission: Mr Lardinois, Member.

Hill farming

The Council adopted the Directive on hill-farming and farming in certain underfavoured

areas. The Directives on the Community lists of underfavoured farming areas were also approved.

Beef and veal

The Council made a comprehensive review of conditions on this market.

Overall Mediterranean approach

The Council debated in depth the problems involved in finalizing market organization measures governing agricultural concessions under the overall Mediterranean approach, with special reference to processed fruit and vegetables, citrus fruits, new potatoes and wine.

Compensatory amounts

The Regulation was adopted on ceilings for compensatory amounts in respect of pigmeat, eggs, ovalbumin, lactoalbumin and poultrymeat.

Fisheries

The Council agreed in principle two Regulations on including hake in the fishery annex to the basic Regulation and on setting a guide price for hake for the 1975 marketing year.

Fresh poultrymeat

The Council discussed certain questions arising from the amendments to the Directive of 15 February 1971 concerning health problems involved in the fresh poultrymeat trade.

Commission

Activities

2424. In April, the Commission held four meetings. The main concern centred on the differences between the Council and the European Parliament over the Regional Fund, the revised draft statute of the European company, and problems of social and agricultural policy.

Statute of the European Company

The Commission adopted an amended Proposal for a Council Regulation on the statute of the European Company. The original text of the Commission's Proposal was substantially modified to take account of the Opinions from Parliament and the Economic and Social Committee. The modifications mostly concern worker representation on the supervisory board of the European Company, election of Workers' representatives onto the supervisory board and membership of the European Works Council.

Social policy

The Commission adopted a work programme on employment. This covers the development of employment forecasts, extensions to the research programme concerning employment and the concertation of policies conducted by the Member States.

A Council Proposal was also adopted, which would amplify the range of the European Social Fund to include specific new projects to boost geographical and occupational mobility when structural adaptations bring about changes. The aim of the Proposal is for the Social Fund to assist in softening the social impact of structural changes which will result from the energy crisis and its medium- and

long-term repercussions. The Commission also approved an initial batch of applications for aid from the Social Fund. The appropriations thus committed amount to some 71 000 000 u.a.

Agricultural policy

Regarding the wine market, the Commission adopted a number of Decisions and Proposals for the Council, to censure the French infringements of the free movement of goods, clear up the wine market for the current marketing year and apply the first structural measures which will prevent a similar situation from recurring.

The Commission also re-examined questions to do with exporting Community cheese to the United States. Anxious to avoid a 'cheese war' with the United States, the Commission decided that it would temporarily discontinue a proportion of the export refunds enjoyed by those products.

Aid for the people of South Vietnam

The Commission decided to mount a project to help the people of South Vietnam. The aid will be distributed by international organizations.

Court of Justice

New Cases

Case 35/75—Fa. Marisa-Maschinen-GmbH., Bielefeld v Hauptzollamt Berlin-Packhof

2425. In an action concerning the classification of a ballast tamping and levelling machine for permanent way, the Berlin Finanzgericht asked the Court of Justice on 1 April for a preliminary ruling on (i) the tariff classification of the machine (heading 86.04B or 84.23A II b

of the CCT) and (ii) scope of the explanatory notes in the Brussels Nomenclature for the purpose of interpreting the CCT.

Case 36/75—Mr Rolland Rutili, Gennevilliers v the French Ministry of the Interior

2426. On account of the trade union activity of a migrant worker of Italian nationality, the French authorities banned him from four departments. In the ensuing action, the Paris Administrative Court asked the Court of Justice, on 9 April, to give a preliminary ruling on whether the exception in respect of public policy contained in Article 48 of the EEC treaty relates only to regulations adopted by Member States with a view to restricting the free movement and residence in their territory of nationals of other Member States or whether it also covers decisions concerning individuals. The court also wished to know the precise meaning of the word 'justified' in the said Article.

Case 37/75—Bagusat KG, Posenhofen v Hauptzollamt Berlin-Packhof

2427. In an action concerning the tariff classification of cherries put up for sale in a mixture of water and ethyl alcohol, the Berlin Finanzgericht asked the Court of Justice, on 15 April, for a preliminary ruling on the classification of this product (heading 08.11 or heading 20.06 B I of the CCT). If it should fall within subheading 20.06 B I, the Finanzgericht further raised the question of the validity of Commission Regulation 1709/74¹ on the classification of goods under that subheading.

Case 38/75—Douaneagent der NV Nederlandse Spoorwegen, Venlo v Inspecteur der Invoerrechten en Accijnzen, Venlo.

2428. In hearing an action concerning the tariff classification of a photocopying machine

(xerography), the Amsterdam Tariefcommissie asked the Court of Justice, on 16 April, for a number of preliminary rulings.

The first concerned the Council's authority to classify a product under a different tariff heading without amending the description of goods for such a heading. This calls into question the validity of Council Regulation 1/71² amending Regulation 950/68 concerning the CCT.

The Tariefcommissie further wished to know whether, having regard to Article II of GATT, it is permissible to classify a product under a tariff heading carrying a duty higher than that for another heading which has been consolidated under the Kennedy Round. Is a national court bound to apply the provisions of GATT even if, in so doing, this contravenes Community law?

The third question raised the matter of the compatibility of Regulation 1/71 with the Convention of 15 December 1950 on the nomenclature for classifying goods under customs headings.

Case 39/75—(1) Mr R.C. Coenen, Brasschaat, (2) B.V. Generale Handelsbank, Rijswijk and (3) CIC Adviesbureau voor Schadeverzekeringen BV, Voorburg v Sociaal-Economische Raad, the Hague

2429. On 21 April the College van Beroep voor het Bedrijfsleven asked the Court of Justice for a preliminary ruling on the compatibility of Article 5(1)(f) of the Dutch law on insurance broking³ with Articles 59 and 60 of the EEC Treaty. The law states that to practise as a broker, an individual must be domiciled and reside in the Netherlands.

¹ OJ L180 of 3.7.1974.

² OJ L1 of 1.1.1971.

³ Ned. Stb. 1952, 34.

Case 40/75—Société des Produits Bertrand SA, Grigny v the Commission.

2430. On 22 April, a French pasta manufacturer brought a claim for damages before the Court of Justice in respect of the loss alleged to have been sustained as a result of the Commission's failure to exercise the powers conferred on it by the first and second subparagraphs of Article 93(2), Articles 155 and 169 of the EEC Treaty to secure abolition of the indirect aid granted by Italy to Italian pasta and semolina manufacturers by selling them durum wheat at prices below market rates.

Case 41/75—Commission Official v the Commission

2431. This is an action to annul, with retroactive effect, the provisions implementing Article 17 of Annex VII to the Staff Regulations on the transfer of a part of emoluments outside the place of employment.

Case 42/74—Commission Official v the Commission

2432. This action is to quash the Commission's implied decision rejecting the plaintiff's claim for the grant of expatriation allowance.

Judgments

Case 22/74—Commission Official v the Commission

2433. This action for annulment of the Commission's implied decision rejecting the plaintiff's objection to the admission to internal competition COM/143/72 of candidates lacking the required training and their inclusion on the proficiency list, was struck from the Court record by Order of 22 April.

Case 61/74—Temporary servant of the Commission v the Commission

2434. By its judgment of 15 April, the Court dismissed as unfounded the action brought by a temporary servant to quash the Commission's decision to dismiss him.

Case 1/75—SpA Benaglio, Abbiategrasso v Cassa Conguagli Zuccheri, Rome

2435. On 2 January 1975, the Court of Justice had received a request from the Pretura of Abbiategrasso for a preliminary ruling on (a) the interpretation of Article 6 of Regulation 834/74¹ laying down requisite provisions to prevent the sugar market being disturbed as a result of the price increase in this sector for the 1974-1975 sugar marketing year, as supplemented and amended by Regulations 1495/75² and 2106/74;³ on (b) the validity of those provisions and their compatibility with Article 40(3) and (7) of the EEC Treaty; and on (c) whether national acts may be regarded as illegal on the ground that they are contrary to the principles of Community law.

Since the Pretura had cancelled its referral order, the Court struck the case from the record by Order of 16 April.

Case 3/75—Johnson & Firth Brown Ltd., Sheffield v the Commission

2436. On 10 January 1975, an iron and steel concern had brought an action before the Court to quash the Commission's decision of 5 December 1974 authorizing the British Steel Corporation to acquire a controlling interest in Johnson & Firth Brown Ltd., contending that the said decision was void.

¹ OJ L99 of 9.4.1974.

² OJ L158 of 15.6.1974.

³ OJ L218 of 9.8.1974.

At the request of the plaintiff, the Court struck the case from the record by Order of 28 April 1975.

Economic and Social Committee

129th Plenary session

2437. The 129th plenary session of the Economic and Social Committee took place in Brussels on 23 and 24 April, chaired by Mr *Canonge*. A feature of this session was the presence of the Council, in the person of Mr *Califice*, Belgium's Minister of Labour, who was acting for the President of the Council, Mr *O'Leary*, Ireland's Minister of Labour, who was unable to come to Brussels. Vice-President *Hillery* of the Commission also attended the session, when the Committee formulated seventeen Opinions.

Meeting with the Council

2438. Taking the floor, Mr *Califice* analysed the main factors of the present crisis situation: inflation and its impact on all sides of economic and social life meaning that the whole problem must be attacked on an overall economic basis; employment with its developing crisis and consequently the need to give the most comprehensive consideration to the interdependence of economic, social, fiscal and monetary policy in order to arrive at a coordinated strategy against unemployment. Mr *Califice* declared that despite the impact of these factors on the current depression, the attitude of the Member States' Governments expressed not only the desire not to compromise the construction of Europe, but above all the resolve to achieve and intensify the convergence

of economic policies. This state of mind could be seen in the progress made in regional policy, social policy and the new guidelines on energy, as well as in the balance which had always been struck in the setting of farm prices, despite the big difficulties largely due to the surge of inflation.

Opinions

Commission Communication to the Council on the programme of pilot schemes and studies to combat poverty

2439. This Opinion, formulated in the presence of Vice-President *Hillery*, was unanimously adopted apart from five abstentions. The Committee approved the proposed programme which it regarded as a token of the Community's first commitment in the campaign against poverty. Although this initial programme was of necessity limited in scale and range, the fact that the Community could thus support and foster national efforts was truly significant.

In a brief address, Vice-President *Hillery* emphasized that the programme was one the priority campaigns of the Social Action Programme. He highlighted the awareness in practical terms of the fact that many people in the Community were living in need despite the substantial rise in the standard of living and the expansion of social security. It was common knowledge that the number of poor in the Community ran into millions. We were aware of the conditions in which they lived, often in the heart of rich and prosperous cities, but we scarcely knew what caused the phenomenon of poverty or how it could be relieved or prevented in practical terms and for the future. Research, well planned and efficiently carried out, such as the projects in the programme, could provide many lessons which could be put to good use in effectively combating poverty.

Commission Communication to the Council concerning a Community data-processing policy

2440. In endorsing the Commission's Communication, the Committee hoped that everything would be done to ensure that the European data-processing policy helped towards the Community's economic and social development. This goal could be achieved by boosting the international competitiveness of the European industry and by safeguarding the interests of users, notably by offering them a wider and truer choice.

Proposal for a Council Regulation to amend the Council Regulation of 3 April 1973 creating a European Monetary Cooperation Fund

2441. The Committee was against the Commission's Proposal on the grounds that, in the present circumstances, the Fund's operations will be by the very nature of things, still be very limited. It looked on the Fund as a springboard to a kind of central European bank, but saw no chance of moving towards this goal as long as the prerequisites were lacking, meaning as long as the Member States' economic policies were uncoordinated.

Proposal for a Council Directive to harmonize provisions laid down by law, regulation or administrative action on the retention of employees' rights and advantages in the case of mergers, amalgamations and take-overs

2442. After considering the question of mutual responsibility, the Committee suggested that rights and obligations stemming from company agreements and collective agreements made by the transferor should be automatically transferred to the transferee and should remain valid until a new collective agreement is made by the interested parties. By and large, the Committee favoured prior and comprehensive consultation of workers' representatives even when redundancies were compelled by mandatory internal needs.

Opinion on Community education

2443. The Committee wished to stress that education had a vital part to play if the Community was to develop completely and on solid foundations. It felt that a Community education programme was imperative, since the Community's economic social policies would not be effective unless matched by appropriate education policies.

Draft Council Decision authorizing the Commission to issue European loans with a view to a Community contribution towards the financing of nuclear power stations

2444. Without questioning the principle of a rapid switchover to nuclear energy, the Committee took a favourable view of the entire Commission Proposal. It recognized that, in contracting loans for the benefit of electricity producers, the Community could play a major part enabling it to develop the required nuclear capacity to meet the Community's energy objectives. But it also felt that the proposed annual financing of 500 000 000 u.a. must eventually be reassessed in the light of experience, because this sum was dwarfed by the value of the programme which the Community must undertake if it was to make a solid contribution to financing the 1985 objective already adopted by the Council.

Proposed Council Decision on concluding the European Convention for the protection of international watercourses from pollution

2445. The Committee approved the Commission's Proposal to enable the Community to take part in the Strasbourg Convention alongside the Member States. While recommending that the Community join the Convention, it felt that the decision to do so was not in harmony with the decision concerning the discharge of certain dangerous substances in the Community's aquatic environment.

European Investment Bank

Loans granted

Denmark

2446. The EIB has granted a global loan equivalent to Dkr. 17.5 million (2.5 million u.a.) to the Danish Government to help finance small and medium-scale industrial ventures in the less-developed areas of the country.

Priority will be given to assisting projects which promise to create extra employment opportunities in the Special Development Areas in Jutland, the Southern Islands, the islands of Samsø and Bornholm. The projects to be financed will be selected with the EIB's approval.

This new loan raises to Dkr. 207 million the finance provided for Danish projects by the European Investment Bank since Denmark joined the Community in 1973.

Italy

2447. The EIB had granted five loans totalling the equivalent of Lit. 72200 million (89.8 million u.a.), all at 9 7/8%, for investments in Italy.

The bulk of the money will help to finance construction of a nuclear power station in Northern Italy and extensions to the telephone network in the Mezzogiorno.

A loan of Lit. 24100 million (30 million u.a.) has been granted for a term of 12 years to Ente Nazionale per l'Energia Elettrica (ENEL) to build at Caorso, near Piacenza, the first industrial-scale nuclear power station in Italy, which should come on stream early next year.

Two loans totalling Lit. 39000 million (48.5 million u.a.) have been granted for 12 years to

Istituto Mobiliare Italiano (IMI) which will on-lend the proceeds to Società Italiana per lo Sviluppo Telefonico (SIP) for extensions to the telephone network in Southern Italy.

These loans will help both to improve the present service in Sicily, the Abruzzo and Molise and connect a further 100000 new subscribers.

A loan of Lit. 1500 million (1.9 million u.a.) has been granted for a term of 10 years to the Cassa per il Mezzogiorno which will contribute to financing provided by ISVEIMER (Istituto per lo Sviluppo Economico dell'Italia Meridionale) for an extension to the Gruppo Lepetit SpA pharmaceutical factory at Anagni (Frosinone). The project will create about 200 new jobs, raising the total work force to 400.

Finally, a loan of Lit. 7600 million (9.4 million u.a.) has been granted for a period of 12 years to the Società Italiana per il Traforo Autostradale del Fréjus (SITAF) to help finance its share in the construction costs of the new Fréjus tunnel (over 12 km long) which will be a major new road linking Italy and France under the Alps.

This complements a loan of FF 60 million granted by the EIB last November to Société française du tunnel routier du Fréjus, the company responsible for the construction and operation of the French stretch of the tunnel.¹

Financing Community activities

First Supplementary and Amending and Second Supplementary Budget for 1975

2448. By a majority of 127 at the sitting of 29 April, the European Parliament definitively adopted the First Supplementary Budget, which

¹ Bull. EC 11-1974, point 2453.

posts 300 000 000 u.a. in commitment appropriations and 150 000 u.a. in payment appropriations to the European Regional Development Fund, after the Council, on 18 March, had adopted the texts of the Regulations.¹ A sum of 499 508 u.a. in payment appropriations was also transferred from Chapter 99, 'expenditure not specifically allocated', to Chapter 33 'research and investment expenditure'. Chapter 33 was also credited with a sum of 1 109 508 u.a. in commitment appropriations. These will go to a joint research and training programme adopted by the Council on 17 December 1974 and concerning the recycling of plutonium in light-water reactors.²

In respect of the amount of appropriations allocated, the Budget adopted by Parliament tallies with the draft presented by the Council. On the other hand, Parliament, which in contrast to the Council, considered that the Regional Fund involved non-compulsory expenditure, set at 40.88% the new rate of increase for non-compulsory expenditure as provided for by Article 203(8) of the EEC Treaty.

Despite several meetings under the new conciliation procedure, Parliament and the Council still disagree over the classification of appropriations for the Regional Fund as 'compulsory' or 'non-compulsory' expenditure. In the course of the 1975 budgetary procedure, they had agreed that as long as the legal bases of the Fund had not been adopted, Regional Fund outlay should be classified as non-compulsory expenditure.³ But in drawing up the draft of the First Supplementary Budget the Council had treated it as compulsory, taking the view that the appropriations allocated to the Fund for 1975-77 had been decided by the Paris Summit. This was rejected by Parliament, who felt that this classification prejudiced its authority in budget matters. On the same grounds, Parliament could not accept the compromise offered by the Council to classify the Regional Fund appropriations as compul-

sory expenditure for the three years covered by the Summit decision and as non-compulsory permanently thereafter.⁴

The Commission noted that Parliament and the Council had agreed the sum of the appropriations and announced that it would execute the budget so adopted. It confirmed that it shared Parliament's view on classifying the Regional Fund appropriations as non-compulsory expenditure. The Commission was pleased that the conciliation procedure set up for the Fund was taking a firmly political shape and had proved especially fruitful despite the outstanding disagreement over classification of expenditure.

The Commission recommended that, following the suggestion of Mr Lange, Chairman of Parliament's Committee on Budgets, a three-way discussion be set up between Parliament, the Council and the Commission, to reach a satisfactory agreement on classification of expenditure, because when the Council adopts the draft budget for 1976 the question of classification will come up again.

2449. During the same sitting, Parliament unanimously approved the Second Supplementary Budget, which allocates 83 000 000 u.a. to the second tranche of the emergency operation for the benefit of the developing countries hardest hit by the crisis.

With these two approvals, the Community budget for 1975 now stands at 6 061 593 053 u.a.

¹ OJ L73 of 21.3.1975; Bull. EC 9-1975, points 1201 to 1208.

² Bull. EC 12-1974, point 2260.

³ Bull. EC 12-1974, point 2402.

⁴ This difference between Parliament and the Council is studied in more detail in the Chapter 'European Parliament'; see point 2402 of this Bulletin and Bull. EC 5-1975, point 2402.

Own resources

2450. The Commission sent to the Council and the European Parliament the first quarterly report, as stipulated in Article 35 of the Financial Regulation of 25 April 1973, showing the overall picture of revenue and expenditure on 31 March 1975.

The report enables the Community's treasury position to be appraised and shows whether it is in line with current needs.

It also attempts to extrapolate results, mainly in respect of revenue, for the rest of the year. This is a much trickier job, especially at the outset of the financial year. All the same, by using economic as well as financial criteria, certain trends can be discerned. It already appears that for certain expenditures the appropriations may well be inadequate and that the revenue coming from own resources might not come up to the original expectations.

VAT contribution

2451. At the Commission's request a group of Member States' financial experts was called in to appraise with Commission departments the financial repercussions of the sixth VAT Directive when it comes into force, with regard to recording, entering into accounts and making available future own resources from VAT.

As a working basis the meeting took a paper introducing the draft of a relevant implementary Regulation.

Technical questions were tackled, in particular adjustment of the Community rate during the financial year, monthly remittances, treasury requirements during the financial year, budget deficits, surpluses and estimates.

The various delegations are also to answer a series of questions with the aim of sounder mutual advice on the financial effects of a uniform basis.

5. Institutional questions— European policy

Political cooperation

2501. As part of political cooperation, a *meeting of Ministers* took place in Luxembourg on 14 April alongside the 336th meeting of the Council. Subjects briefly discussed included Vietnam and Cyprus. The *Political Committee* met in Dublin on 8 and 9 April.



3RD PART

DOCUMENTATION

Note to the reader

The section 'Published in the Official Journal' no longer appears in the Bulletin of the European Communities. The Information concerned can be found in a more comprehensive form in the monthly Methodological Tables of the Official Journal of the European Communities. They can be obtained from the Official Publications Office of the European Communities or from the Sales Offices (see the last page of the Bulletin) at the following prices: Bfrs 50, Dkr 7.80, DM 3.40, £ 0.55, FF 6.20, Lit 850, Fl 3.45, US \$ 1.20.

Fourth Report on Competition Policy

(Addendum to the 'Eighth General Report on the Activities of the Communities')

The Commission has just published its annual Report on Competition Policy, the fourth of its type to be prepared at the request of the European Parliament. It gives a general perspective of Community competition policy for the year 1974.

First to be described are the Commission's activities in relation to *firms*. Some of these activities (identification of the reasons for price differences, inquiries into the behaviour of oil companies) reflect the difficulties which the Community now faces arising from inflationary trends and the energy crisis.

The Report also outlines (a) the latest developments in those fields where competition policy is in course of definition through decisions in specific cases (patent licensing, selective distribution systems, joint enterprises); (b) some solutions to questions of a general or regulatory nature which arise in the course of application of the competition rules (parallel application of Community and national laws, regulation concerning limitation periods), and (c) the case law of the Court of Justice relating to these matters. Finally the Report describes the principal decisions and other measures taken by the Commission in relation to restrictive practices, dominant positions and concentrations. These concern, in particular, price fixing agreements, market sharing, limitation of imports and, in merger cases, interim protection measures.

The second part of the Report deals with the Commission's policy towards *state aids*, a policy which also reflects the Community's current conjunctural and structural difficulties, and which is remarkable for its new initiatives (guidelines concerning specifically environmental aids, general aid systems) as well as for its follow-up of earlier initiatives (new solution for the coordination of regional aids in the enlarged Community). This part of the Report also deals with the various attitudes adopted by the Commission in relation to sectoral aids (particularly for shipbuilding and the textile industry).

The third part of the Report is devoted to the presentation of selected data concerning the level and development of *concentration* in the Community. For the first time, the Commission is able to publish some results relating to the enlarged Community. The analysis is based on the use of information published in the specialized press as well as on the latest results of the Commission's research programme, and gives an idea of the present state of economic concentration in the Community.

Brussels-Luxembourg — Commission of the European Communities

April 1975 — 144 pages.

Prices: Bfrs 150, Dkr 23.50, DM 10.10, £ 1.70, FF 18.50, Lit 2 550, Fl 10.40, US \$ 3.60.

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