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EUROPEAN COAL & STEEL COMMUNITY

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OF THE

EUROPEAN

COAL AND STEEL COMMUNITY

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THE HIGH AUTHORITY

DECISIONS

DECISION No. 32/56, of November 21, 1956, amending Decision No. 31/53, of May 2, 1953, as amended by Decision No. 2/54, of January 7, 1954, concerning publication of the schedules of prices and conditions of sale laid down by enterprises in the iron and steel industry

THE HIGH AUTHORITY,

HAVING regard to Article 60, 2, a and Article 63, 2 of the Treaty;

HAVING regard to Decision No. 31/53, of May 2, 1953, concerning publication of the schedules of prices and conditions of sale laid down by enterprises in the iron and steel industry (*Official Gazette of the Community*, May 4, 1953, p. 111), and to Decision No. 2/54, of January 7, 1954, amending Decision No. 31/53 (*Official Gazette of the Community*, January 13, 1954, p. 218);

WHEREAS transactions in respect of seconds and sub-standard products are not as a rule intercomparable, and whereas, therefore, publication of rebates for seconds in the price-schedules in no way contributes to the achievement of the aims set forth in Article 60, 1 of the Treaty;

after consulting the Consultative Committee,

DECIDES :

Article 1

Article 2, f of Decision No. 31/53, as amended by Decision 2/54, is hereby superseded by the following provision:

“(f) lorsqu’il en est fait application, les rabais et majorations qui ne relèvent pas de l’article 1 *bis* ci-dessus, avant-dernier alinéa, et notamment:

- rabais de quantité, qu’ils soient accordés par spécifications, sur l’ensemble d’une commande, sur un tonnage acquis auprès du vendeur au cours d’une période, ou sur la base d’une consommation globale de l’acheteur,
- rabais de fidélité,
- rabais, ristournes et toutes formes de rémunération au négoce ou aux organisations de vente;

les rabais pour produits déclassés ou de second choix n’ont pas besoin d’être publiés.”

(Translation):

“(f) where these are granted, all extras and allowances not covered by Article I, a above, last paragraph but one, *viz.*, in particular,

—allowances for large quantities, whether granted per specification, on the whole of an order, on a tonnage obtained from a seller over a period of time, or on the basis of the buyer’s overall consumption,

—fidelity rebates,

—rebates, discounts and any other allowances to dealers and/or selling organizations,

there being, however, no obligation to publish rebates in respect of sub-standard products or seconds.

Article 2

This decision shall come into force within the Community on November 31, 1956.

This decision was deliberated and adopted by the High Authority at its session on November 21, 1956.

For the High Authority,

RENÉ MAYER,

President.

DECISION No. 33/56, of November 21, 1956, concerning returns to be furnished by the enterprises of the iron and steel industry in respect of their sub-standard products and seconds

THE HIGH AUTHORITY,

HAVING regard to Article 47 of the Treaty;

WHEREAS it is customary and allowable for iron and steel enterprises to grant, in respect of sub-standard products and seconds, rebates on prices as published in their schedules for primes;

WHEREAS, notwithstanding, it is possible for enterprises to sell primes as sub-standard products or seconds, or otherwise contravene, in selling such products, the provisions of Article 60, 1 concerning prohibited practices;

WHEREAS transactions, in respect of sub-standard products and seconds are not as a rule intercomparable, and whereas, therefore, publication of the rebates on such transactions would in no way contribute to the achievement of the aims set forth in Article 60, 1 of the Treaty;

WHEREAS, however, the High Authority must be kept continually informed concerning the tonnages sold and the conditions of sale in respect of sub-standard products and seconds, in order to possess adequate data for the appraisal of such transactions;

DECIDES:

Article 1

(1) Iron and steel enterprises are hereby required to declare to the High Authority all sub-standard products and seconds delivered by them in the course of each calendar month.

(2) Such declaration shall be compulsory in respect of all iron, steel and special-steels products, but as regards the special steels referred to in Annex III of the Treaty only in respect of the following qualities:

- (a) silico-manganese steels for the manufacture of springs for vehicles,
- (b) free-cutting steels, with sulphur, lead and lead and sulphur content,
- (c) electrical sheets irrespective of core loss,
- (d) non-alloy structural steels containing 0.6 per cent. or more carbon.

Article 2

The declaration must contain the following details, itemized according to the types of products listed in Annex I hereto:

- (a) overall tonnage of seconds and sub-standard products delivered (within the Community and to third countries);
- (b) percentage of such deliveries in relation to total tonnage of corresponding primes delivered (within the Community and to third countries);
- (c) tonnage under (a) above broken down by Community and third countries, in per cent. of the total.

Article 3

Declarations should be submitted on the fifteenth of each month in respect of products delivered during the preceding calendar month.

Article 4

The same declarations as those referred to in Article 2 above should be submitted not later than December 31, 1956, separately for each calendar month, in respect of deliveries from July 1 to November 30, 1956.

Article 5

Returns should be made on forms corresponding to Annex II hereto.

Article 6

Enterprises shall keep a record showing the following details concerning all transactions in respect of sub-standard products and seconds:

- (a) date of sale,
- (b) date of despatch,
- (c) description of product,
- (d) reason for sub-standard classification,
- (e) tonnage delivered,
- (f) selling price.

(g) name of buyer,

(h) country of destination (consignments to be listed under each Community country separately and under third countries all together).

For deliveries to third countries, the price and buyer's name need not be given.

Article 7

The following shall constitute sub-standard products and seconds within the meaning of this decision:

products sold below the prices published in the enterprises' schedules, where they are rejects or of faulty manufacture, or where the purposes for which they can be used are limited owing to their size or to defects inherent in them (including defects in quality).

Article 8

This decision shall come into force within the Community on November 30, 1956.

This decision was deliberated and adopted by the High Authority at its session on November 21, 1956.

For the High Authority,

RENÉ MAYER,

President.

ANNEX TO DECISION No. 33/56

Types of product

Ingots for tubes

Other ingots

Semis

Hot-rolled coils

Heavy permanent-way material

Light permanent-way material

Sheet piling

Broad-flanged beams

Other beams, joists, sections and channels of 80 mm. and over, Zores irons

Tube rounds and squares (exclusive of ingots)

Wire-rod in coils (13 mm. and under)

Merchant bars (including stretched wire and concrete reinforcing rods)

Universals (over 6 mm.)

Hot-rolled hoop and strip including tube strip (500 mm. and under)

Plate 3 mm. and over

Sheet under 3 mm. (including cold-rolled sheet in coils)

Cold-rolled strip for tinplate

Tinplate and other tinned sheet and strip

Blackplate

Galvanized plate and sheet, terneplate, other coated plate and sheet

Electrical sheets

ANNEX II TO DECISION No. 33/56

Questionnaire 2/76: Deliveries of sub-standard and second-choice products of ordinary steel⁽¹⁾

To be completed and returned not later than the 15th of each month, covering the preceding month, in duplicate, by registered mail, to the Director of the Statistics Division of the High Authority, 29 rue Aldringer, Luxembourg.

Country:	Company:	Company's High Authority registration number:	Month:							Year:
Product	Items	Total of sub-standard and second-choice products delivered (Community + third countries) in metric tons	Breakdown of tonnage under 01 in % thereof							Percentage of deliveries under 01 in relation to total deliveries of primes (Community + third countries)
			Germany (W.)	Belgium	France/Saar	Italy	Luxembourg	Netherlands	Third countries	
Column		01	02	03	04	05	06	07	08	09
A. <i>Ingots, semis and coils</i>										
Ingots for tubes	010									
Other ingots	020									
Semis	030									
Hot-rolled coils	040									
B. <i>Finished rolled products</i>										
Heavy permanent-way material	101									
Light permanent-way material .	102									
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Broad-flanged beams	104									
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Wire-rod in coils (13 mm. and over)	107								
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Universals (over 6 mm.)	109								
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Tinfoil and other tinned sheet	142								
Blackplate	143								
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(¹) See definitions in explanatory notes. In order to avoid duplication, deliveries by one steelworks (within the meaning of the Treaty) to another steelworks (within the meaning of the Treaty) belonging to the same company should not be included. Works' own consumption for repairs and deliveries to tubeworks, forge shops and other associated plants which do not rank as steelworks within the meaning of the Treaty are also not to be included.

EXPLANATORY NOTES ON QUESTIONNAIRE 2/76

1. GENERAL

1. The questionnaire must be completed by all enterprises in the Community.
2. The month to be covered is the calendar month.
3. The deliveries listed must include all products (*i.e.* all sub-standard products and seconds and portions of sheet or cuttings not used for re-melting). The figures given should relate to the net tonnages delivered, taking the products in the condition in which they will leave the works.
4. The deliveries listed must include contract work carried out for customers other than steelworks within the meaning of the Treaty.
5. Deliveries made for the purpose of replenishing stockyards belonging to the works must not be included until the products concerned have been despatched to the customers by the stockist. When the stockist has advised the works of the despatch, the tonnage must be recorded as a delivery.
6. The returns are compulsory in respect of all ordinary-steel products falling under the current definitions, *i.e.* all products except those of fine carbon steel and alloy special steel, deliveries of which are listed in High Authority Questionnaire 2/74 (see definition appended). Deliveries to be declared are therefore those of steels not listed in Annex III of the Treaty, and of the following qualities, which although listed in Annex III are for practical purposes considered by the producers as ordinary steels:
 - (a) silico-manganese steels for the manufacture of springs for vehicles,
 - (b) free-cutting steels with sulphur, lead and lead and sulphur content,
 - (c) electrical sheets irrespective of core loss,
 - (d) non-alloy structural steels containing 0.6% or more carbon.

2. DEFINITIONS

By “*sub-standard products and seconds*” are to be understood:

Products sold below the prices published in the enterprises' schedules, where they are rejects or of faulty manufacture, or where the purposes for which they can be used are limited owing to their size or to defects inherent in them (including defects in quality):

by “*semis*”:

blooms, slabs, billets, sheet-bars (except for tubes, in which case tube rounds and squares):

by “*coils for rerolling*”:

wide hot-rolled strip of rectangular section, not less than 1.5 mm. thick and more than 500 mm. wide, in coils weighing not less than 500 kg.;

by “*universals*”:

square-edged flats, hot-rolled either lengthwise, with grooved cylinders, or on the universal mill, from 6 mm. up to and including 100 mm. thick, and from 150 mm. up to and including 1,200 mm. wide;

by “ *hoop and strip* ”:

rolled products, with or without sheared edges, of rectangular section, up to 6 mm. thick and 500 mm. wide, the thickness not exceeding one-tenth of the width, in straight lengths, coils or banded bundles;

by “ *plate and sheet* ”:

rolled products (exclusive of coils for rerolling as defined above) up to 125 mm. thick or, where square or rectangular, over 500 mm. wide (heavier plate to be included where not covered by the definition of “ *semis* ” above);

by “ *electrical sheets* ”:

sheet containing over 0.35%, but less than 8%, silicon, with no alloying elements other than aluminium in a proportion of less than 0.30%, when the core loss does not exceed 3.6 watts per kilogramme (computed by the Epstein process) for sheet 0.50 mm. thick, with a current of 50 cycles and an induction of 10,000 gauss;

by “ *tinplate and blackplate* ”:

wasters (second, third and fourth choice) and menders (second choice) not to be included in the returns

(a) when their price is published in the schedule,

(b) when they are delivered in mixed consignments along with primes and the whole consignment invoiced at the price for primes;

Blackplate to be treated, for the time being, according to the standards employed in each country;

by “ *galvanized sheet* ”:

all hot-rolled and cold-rolled sheet in separate sheets or in coils, flat or corrugated, hot-dip galvanized;

by “ *wire-rod* ”:

hot-rolled plain wire-rod, in coils, any cross-section of which does not exceed 13 mm. in its greatest measurement;

by “ *merchant steels* ”:

hot-rolled finished products not falling under any of the previous heads or any of the following:

permanent-way material (rails, sleepers, fish-plates, sole-plates), sheet piling,

broad-flanged beams,

other beams, joists, sections and channels 80 mm. and over, tube rounds and squares;

by “ *fine and special steels* ” (not included in the questionnaire):

A. *General definition of special steels*

(see Questionnaires 2/16 and 2/74)

The category “ *special steels* ” covers steels so manufactured as to show special properties suited to a particular purpose. These properties are of such a nature (especially with regard to maximum purity and homogeneity

guaranteeing optimum qualities for a given composition, and suitability for heat treatment ensuring optimum efficiency in each individual case) that they can only be produced by special attention during the melting and hot-working processes, and by continual checking at all stages; it is not possible to be sure of obtaining them readily and regularly by the processes employed in the making of ordinary steels.

Special steels include alloy steels and fine carbon steels.

B. Alloy special steels

1. The category " alloy steels " covers steels containing one or more alloying elements the prescribed or desired content of which (while not exceeding the prescribed upper limit) exceeds

Mn	0·8%
Si	0·5%
Ni	0·3%
Cr	0·3%
Mo	0·05%
V	0·05%
W	0·2%
Co	0·2%
Al	0·29%
Cu	0·39%
Other metal elements	0·09% ⁽¹⁾

or to which boron has been added in any proportion whatsoever.

2. All alloy steels rank as special steels, with the exception of the following, which rank as ordinary steels:

- (a) free-cutting steels (S, P, Pb);
- (b) electrical sheets and Si steels for making them;
- (c) Mn and silico-manganese steels not containing any other alloying element in the above proportions, for the production of vehicle springs, crushing balls (up to 2% Mn + Si), oil pipelines, rails and rolling-stock, steam boilers or pressure tanks, and structural steels, including steels for bridge- and ship-building;
- (d) boiler plates of weldable steel containing 2% Cr and 0·5% Mo.

C. Fine carbon steels

The category " fine carbon steels " covers non-alloy special steels with a guaranteed sulphur and phosphorus content of less than 0·04% for each of these elements separately and less than 0·07% for the two taken together, suitable to heat treatment (especially refining, case-hardening or surface tempering) or showing certain electrical or magnetic properties.

This category does not, however, cover deep-drawing sheet and steel for manufacturing it.

⁽¹⁾ Elements not ranking as impurities, *i.e.* deliberately introduced and content guaranteed.

THE HIGH AUTHORITY

INFORMATION

Communication from the High Authority of the European Coal and Steel Community to Associations of Enterprises coming under the Community's jurisdiction

(Article 48 of the Treaty)

In a letter addressed to the President of the Consultative Committee on November 23, 1956, the High Authority requested the Committee to proceed to the consultation prescribed in Article 55, 2 of the Treaty

—regarding the advisability of setting aside the sum of 1,500,000 E.P.U. units of account, derived from the levies provided for under Article 50 of the Treaty, for the purpose of assisting research aimed at developing processes which will make it possible to reduce the consumption of metallurgical coke per ton of steel produced.

Associations of Enterprises coming under the jurisdiction of the Community have, under Article 48, second paragraph, of the Treaty, the right to submit to the High Authority the observations of their members on the point for consultation.

Any such observations should reach the High Authority not later than Friday, December 21, 1956.

E. P. WELLENSTEIN,
Secretary to the High Authority.

Luxembourg, November 23, 1956.

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