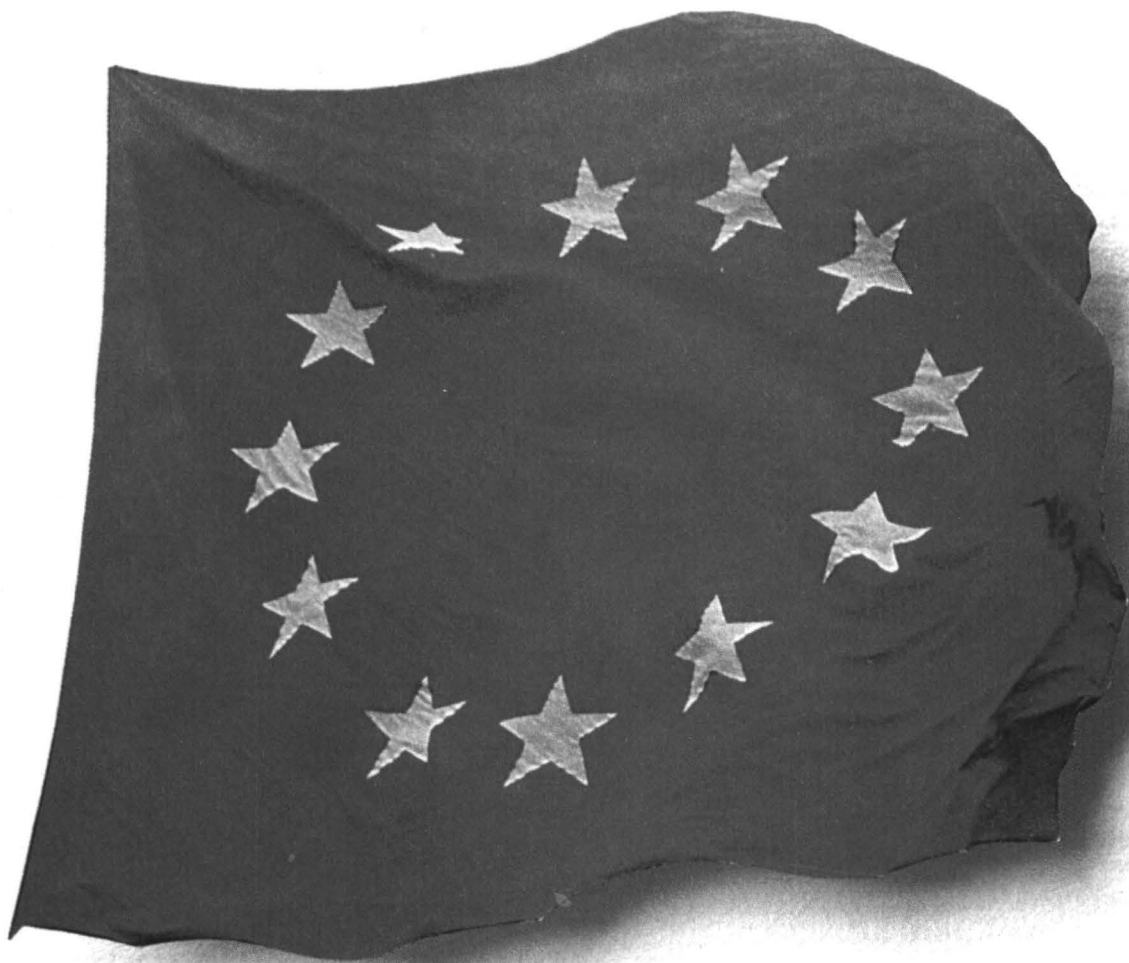


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Commission



No 3 1989 Volume 22

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Standardized abbreviations for the designation of certain monetary units in the different languages of the Community:

ECU	=	European currency unit
BFR	=	Belgische frank / Franc belge
DKR	=	Dansk krone
DM	=	Deutsche Mark
DR	=	Greek drachma
ESC	=	Escudo
FF	=	Franc français
HFL	=	Nederlandse gulden (Hollandse florijn)
IRL	=	Irish pound / punt
LFR	=	Franc luxembourgeois
LIT	=	Lira italiana
PTA	=	Peseta
UKL	=	Pound sterling
USD	=	United States dollar

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PART ONE

SPECIAL FEATURES

1. The 10th anniversary of the European Monetary System

1.1.1. To mark the 10th anniversary of the European Monetary System, the Commission presented a communication to the Council reviewing the achievements of the EMS, drawing lessons from the Community experience gained in managing it and in using the ecu, and describing the challenges for the years ahead. Looking back over the last 10 years, the EMS has undoubtedly proved a success, even if some of the far-reaching intentions have not been fulfilled. It has exceeded the expectations of many. But the Community is changing fast and presenting new challenges to which the EMS will have to react: the 1992 process is now irreversible and the full liberalization of capital movements will come into effect in 1990 for most Member States. Further challenges for the EMS will arise as the large internal market develops.

Origins of the EMS

1.1.2. The EMS was set up following the European Council meeting in Brussels on 4 and 5 December 1978 and implemented under an agreement between the central banks of the Community. It has since become the cornerstone on which European monetary cooperation is built. It has been successful in promoting lower inflation and more stable exchange rates, thereby fostering healthy economic growth. The EMS has thus become the key element of the Community's strategy for completing the internal market by 1992.

The exchange-rate stability provided by the EMS constitutes a vital factor in the development of the ecu, which is being used increasingly by the private sector on financial markets and in international transactions in Europe and is now maturing into a currency in its own right.

1.1.3. The EMS is not a rigid system. It has evolved over the last 10 years in the face of changing circumstances, both inside and

outside the Community. Its rules have been adapted and its procedures have been implemented flexibly. Its credibility is based on an underlying policy consensus. This too has developed over the years, strengthening the system and helping it to function more smoothly.

During its early years the EMS functioned against a difficult background within the Community. Economic divergences were substantial. After the experience of the 1970s, a learning process on the part of EMS participants was necessary. Realignments were frequent at the beginning, but gradually they came more and more to be accompanied by domestic adjustment measures, which replaced previous practices.

The international monetary background was itself very turbulent. In the early 1980s the dollar first rose steadily, doubling in value; then it fell sharply from its February 1985 peak, losing half its value in two years. Financial innovation and globalization were continuing apace, adding to the dangers from speculative capital movements. In spite of this disorderly environment, EMS realignments have become smaller and less frequent.

In 1985 a first set of changes to the EMS rules was agreed. These were designed to allow the role of the ecu to grow by improving its usability through a mobilization mechanism. Later, agreement began to emerge to end all restrictions on capital movements, but not at the expense of EMS stability. This gave impetus towards a second, more substantial package to strengthen the EMS.

1.1.4. The Basle/Nyborg agreement¹ of September 1987 provided for a more balanced implementation of the exchange-rate commitment in order to spread the burden of protecting monetary stability against

¹ Bull. EC 9-1987, point 1.3.1 *et seq.*

external shocks more evenly among the Member States, while at the same time leaving the fundamental rules and objectives of the system unaltered. A system of macro-economic indicators geared to the operational needs of the EMS was created in order to establish a multilateral surveillance mechanism designed to encourage the combined use of concerted interest-rate changes, interventions and movements within the fluctuation band in managing the system.

The EMS intervention and credit mechanisms were refined to take account of the different scale of capital movements, the increased use of intramarginal interventions and the restraint shown by Member States in the use of credit facilities.

By ensuring closer coordination of monetary policies within the Community, the Basle/Nyborg agreement marked the beginning of a new phase for the EMS and considerably improved the way in which it functioned. Interest-rate differentials have become the main weapon to combat tensions in the parity grid. The understandings to keep realignments small, should they occur, and to allow currencies to fluctuate within the exchange-rate band have discouraged speculative capital movements. As a result, with the good but by no means perfect convergence of economic performances being maintained, there has been no EMS realignment since January 1987. By the end of 1987 all 12 member States were participating in the system of swaps used to create official ecus, as well as taking part in the EMS surveillance and monitoring procedures. The Bank for International Settlements (BIS) and the Swiss National Bank have been accorded the status of Other Holder of official ecus. In contrast, and as at the outset 10 years ago, only eight Member States participate in the exchange-rate mechanism of the EMS: Belgium, Denmark, France, Germany, Ireland, Italy, Luxembourg and the Netherlands.

The EMS as a factor of stability

1.1.5. The EMS has led to a reduction in the variability of nominal and real exchange

rates among the currencies participating in the exchange-rate mechanism, to lower levels of inflation and to smaller interest-rate differentials. However, the full liberalization of capital movements which is due to take place by 1 July 1990 for most members of the exchange-rate mechanism and the development of a common financial area in the Community may pose problems for the maintenance of monetary stability. Ever-closer monetary cooperation within the framework of the EMS will therefore be required if tensions are to be avoided and properly managed, since it is evident that renewed flexibility of exchange rates would endanger the functioning of the internal market. At the same time, the growing interdependence of economies will highlight all the more the paradox and the inconveniences of the pound sterling's non-participation in the exchange-rate mechanism.

The EMS as a factor for convergence

1.1.6. The EMS has played a vital role in bringing monetary policies and performances closer together. It is becoming more and more the focus for general economic policy coordination. One example of this trend is the indicator-based surveillance process agreed as part of the Basle/Nyborg package. Here, the exchange-rate constraint of the EMS is used as the key element in an emerging procedure designed to show up potential incompatibilities or divergences in economic policies using a set of indicators ranging from growth to current account balances and from budget positions to inflation rates, both in a short-term and in a medium-term framework.

Budget policies are perhaps the area in which the greatest policy divergences remain in EMS countries. The financing of budget deficits, however, appears to have been undertaken much less by monetary means in recent years, a development in which the EMS constraint has no doubt played a key role.

Current account imbalances too remain very different between EMS countries. The use of nominal exchange-rate stability

within the EMS as a constraint may have contributed somewhat in certain cases to the relative payment imbalances that have appeared. But the source of these imbalances is basically structural in nature, and correction will require action on that side.

The success of the internal market requires closer economic and monetary cooperation. Any incompatibility between policies will disrupt economic activity. The EMS, which is already at the centre of the Community's convergence efforts, will have an important role to play in ensuring that the internal market functions smoothly.

The development of the ecu

1.1.7. The financial use of the ecu by the private sector has expanded rapidly. By the summer of 1987 the ecu was treated as a currency throughout the Community. After a slowdown during 1986 and early 1987, activity in the ecu markets expanded fairly rapidly again, helped by the stability of the EMS and perhaps boosted by the 1992 process.

In October 1988 the United Kingdom embarked on a programme of issuing ecu Treasury bills, and the Italian Government's ecu-linked borrowings have also been expanded. In addition to this more intensive financial use of the ecu, there are also signs that the ecu is beginning to be used increas-

ingly as a currency for international commercial transactions.

1.1.8. At international level, the ecu has become a major financial instrument, overtaking most of its component currencies in its international financial use, although it now occupies only sixth place in the euro-markets. The rapid development of the private ecu contrasts with the lack of progress of the official ecu towards the role of a true reserve asset. The reasons for this slow progress are rooted in the delicate balance between the availability of credit facilities and the pressure for internal adjustment in the EMS. The official ecu creation mechanism encourages it to be treated as additional liquidity, potentially affecting all component currencies, backed by gold and dollar reserves. The temporary nature of the official ecu and its treatment more as a credit facility than as a reserve asset are factors holding back its development. Until these drawbacks are rectified, the official ecu will not be much more than an accounting unit.

The Council

1.1.9. At the Council meeting on 13 March statements were made unanimously stressing the important part which the EMS had played in the creation of an area of monetary stability favourable to the development of economic activity in the Community.

2. Protecting the ozone layer

The challenge facing the world

1.2.1. The stratospheric ozone layer is vital for mankind since it filters out a large proportion of the ultraviolet radiation from the sun. Depletion of this layer could sharply increase the number of cases of skin cancer or cause extensive damage to crops. Recent scientific reports have underscored the urgent need for international action to reduce emissions of chemicals such as chlorofluorocarbons (CFCs) and halons. Between 1969 and 1986 alone these eroded 3% of the ozone layer above the northern hemisphere, and every spring they halve the ozone layer above the Antarctic. In the process they fuel the greenhouse effect and global warming.

Action taken by the Community

A vigilant watch

1.2.2. Ever since the drafting of the Vienna Convention for the Protection of the Ozone Layer — which has now been signed by the Community and seven Member States¹ — the Community has been on the alert where this problem is concerned. For instance, on 14 October 1988 the Council adopted Decision 88/540/EEC² empowering the Community to ratify the Vienna Convention and the Montreal Protocol on Substances that Deplete the Ozone Layer,³ together with Regulation (EEC) No 3322/88² implementing the Montreal Protocol in the Community.

The Council's conclusions

1.2.3. Aware of the growing risks involved, at its meeting on environment issues on 2 and 3 March the Council adopted the following conclusions:

- The Council stresses its concern regarding the present situation of the ozone layer, which is continuing to deteriorate according to the latest studies available.

- The Council would recall that on 15 October 1988 it adopted a resolution on the limitation of CFCs.⁴

- The Council notes the Commission's conclusions on CFCs contained in its communication to the Council on the greenhouse effect and the Community,⁵ comprising a Commission work programme to assess the various options for dealing with the greenhouse effect.

- The Council also notes that in the context of the Montreal Protocol³ there will be several meetings during the coming months with the aim of drawing up guidelines for rapid revision of that Protocol.

- This situation shows the need, both within the Community and at global level, for a reduction of at least 85% as soon as possible in the current level of production and use of CFCs covered by the Montreal Protocol with a view to their being eliminated towards the end of the century, and for the said Protocol to be strengthened accordingly.

- The Council notes that the Member States undertake to take all measures necessary for a rapid spread of substitute products, equipment or processes which do not involve dangers for man and the environment.

- Lastly, the Council calls on the Commission to submit urgently a proposal for a negotiating brief for the revision of the Montreal Protocol.

1.2.4. On 16 March Parliament adopted a resolution on the ozone layer.⁶ It welcomed the Council's conclusions and hoped that alternatives to CFCs would be being used in all countries as soon as possible. It asked the Commission to take steps to set up a fund for research into such products and called on the Council and the Commission to have the Montreal Protocol reviewed as soon as possible.

International action

1.2.5. The Council's conclusions were one of the centrepieces of the conference on saving the ozone layer which drew represen-

¹ Bull. EC 3-1985, point 2.1.73.

² OJ L 297, 31.10.1988; Bull. EC 10-1988, point 2.1.108.

³ Bull. EC 9-1987, point 2.1.114.

⁴ Bull. EC 10-1988, point 2.1.108.

⁵ Bull. EC 11-1988, point 2.1.168.

⁶ OJ C 96, 17.4.1989.

tatives from 124 countries to London from 5 to 7 March. The USA and other industrialized countries joined the Community's call for revision of the Montreal Protocol. In addition, the Commission, backed by the industrialized countries, supported the developing countries' demand for substantial financial support from the international community to transfer to them the technology needed to make alternatives to CFCs.

1.2.6. Finally, the deterioration of the ozone layer over the Antarctic, combined with recent evidence of a similar threat over the Arctic, prompted the United Nations Environment Programme and the parties to the Montreal Protocol to conclude that the Protocol needs to be revised to make it stricter. The Council's conclusions should help pave the way for a rapid end to the use of CFCs.

3. News in brief

Internal market

The Council reached a broad measure of agreement on the proposal for a Directive concerning cross-border television (→ point 2.1.10).

Parliament endorsed the proposal for a Directive on voting rights for Community nationals in local elections in their Member State of residence (→ point 2.7.2).

Research and technology

Research Ministers held a fruitful Council meeting: they adopted the Joule (→ point 2.1.48) and Brite/Euram (→ point 2.1.39) programmes, a Community plan to support and facilitate access to large-scale scientific facilities (→ point 2.1.51) and a research programme on the decommissioning of nuclear installations (→ point 2.1.46); and common positions on the Eurotra machine translation system (→ point 2.1.59) and on the Doses (→ point 2.6.2), Flair (→ point 2.1.44), MAST (→ point 2.1.49), Monitor (→ point 2.1.53) and Value (→ point 2.1.57) programmes.

Telecommunications, IT and innovation

The Council agreed on the Sprint programme (→ point 2.1.58).

Cancer

The Commission adopted a proposal for a Directive on the advertising of tobacco products in the press and by means of bills and posters (→ point 2.1.85).

Transport

The Council approved Commission proposals for Directives on admission to the occupation of road haulage operator (→ point 2.1.151) and on the weights and dimensions of commercial vehicles (→ point 2.1.152).

External relations

A joint statement was issued at the close of an informal ministerial meeting between the Community and the EFTA countries (→ point 2.2.7).

The Council reached conclusions on the Third World's debt problem (→ point 2.2.48).

The Council adopted conclusions after examining the Commission's paper on cooperation between the Community and the Council of Europe (→ point 2.2.51).

Financing

The Commission and the Council both made statements on the campaign against fraud and irregularities affecting the Community budget (→ point 2.5.11).

PART TWO

**ACTIVITIES
IN MARCH 1989**

1. Building the Community

Economic and monetary policy

Economic situation

2.1.1. On 13 March the Council carried out its first-quarter review of the economic situation in the Community, acting on the basis of the communication which the Commission had adopted on 22 February¹ and in accordance with Article 2 of Decision 74/120/EEC of 18 February 1974 relating to convergence.² After discussion, the Council agreed with the Commission's assessment of the situation and with its view that the economic policy guidelines laid down in December 1988³ were still fully valid.

European Monetary System

2.1.2. The Commission presented to the Council a communication reviewing the achievements of the EMS on the 10th anniversary of its coming into force (→ point 1.1.1 *et seq.*).

Internal market

A people's Europe

Special rights

2.1.3. On 15 March Parliament gave its opinion⁴ on the proposal for a Directive on voting rights for Community nationals in local elections in their Member State of residence (→ point 2.7.2).

Freedom to provide services

Financial services

Banks and other financial institutions

2.1.4. On 15 March Parliament gave its opinion (second reading)⁴ on the proposal

for a Directive on the own funds of credit institutions,⁵ as amended by the Commission in January 1988.⁶ Parliament approved the common position adopted by the Council, except as regards the implementing rules, where it favoured the Management Committee procedure (procedure II(b) in the Council Decision of 13 July 1987 laying down the procedures for the exercise of the implementing powers conferred on the Commission⁷).

2.1.5. On the same day Parliament gave its opinion (first reading)⁴ on the proposal for a Directive on a solvency ratio for credit institutions.⁸ Parliament approved the main thrust of the Commission's proposal but made a number of amendments to bring the text into line with the recommendation issued at Basle in July 1988 by the governors of the Group of Ten central banks to harmonize capital requirements for international banks.

2.1.6. Also on 15 March Parliament gave its opinion (first reading)⁴ on the proposal for a second Directive on the taking-up and pursuit of the business of credit institutions,⁹ amending Directive 77/780/EEC of 12 December 1977.¹⁰ The House approved the proposal in the main, subject to a number of technical amendments.

Insurance

2.1.7. On 15 March Parliament gave its opinion (first reading)⁴ on the proposal for a Directive on the compulsory winding-up

¹ Bull. EC 2-1989, point 2.1.1. The communication is published in the 'Document' series by the Office for Official Publications of the European Communities, Luxembourg.

² OJ L 63, 5.3.1974.

³ OJ L 377, 31.12.1988; Bull. EC 12-1988, point 2.1.1.

⁴ OJ C 96, 17.4.1989.

⁵ OJ C 243, 27.9.1986; Bull. EC 9-1986, point 2.1.56.

⁶ OJ C 32, 5.2.1988; Bull. EC 1-1988, point 2.1.43.

⁷ OJ L 197, 18.7.1987; Bull. EC 6-1987, point 2.4.11.

⁸ OJ C 135, 25.5.1988; Bull. EC 4-1988, point 1.2.1.

⁹ OJ C 84, 31.3.1988; Bull. EC 1-1988, points 1.2.1 to 1.2.3.

¹⁰ OJ L 322, 17.12.1977.

of direct insurance undertakings.¹ While approving the proposal, Parliament introduced three amendments whose main purpose was to reinforce the publicity to be given to the commencement of a winding-up procedure.

2.1.8. On the same day Parliament gave its opinion (first reading)² on the proposal for a Directive on the annual accounts and consolidated accounts of insurance undertakings.³ The most important amendment adopted concerned the method of valuing investments. While the Commission proposal permitted either the historical cost or the current cost basis, Parliament opted for the historical cost method only.

Stock exchanges and securities

2.1.9. On 22 March the Commission adopted for transmission to the Council a proposal⁴ for a Directive to amend Council Directive 80/390/EEC of 17 March 1980 coordinating the requirements for the drawing-up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock exchange listing.⁵ Under the proposal, a public offer prospectus approved in the home Member State of the issuer and satisfying the conditions laid down would have to be accepted as complying with prospectus requirements in the host Member State.

Audiovisual services

2.1.10. At its meeting on internal market issues on 13 and 14 March, the Council reached a broad measure of agreement on the proposal for a Directive on the pursuit of broadcasting activities⁶ as amended by the Commission in April 1988.⁷

The Directive will require Member States to ensure, whenever this is feasible and by appropriate means, that broadcasters reserve the largest proportion of their programming time for European works, excluding the time devoted to news, sports events, game shows, advertising and teletext

services. This proportion is to be achieved gradually, on the basis of suitable criteria.

The Commission will be responsible for monitoring the implementation of this provision. It will submit a report every two years and propose any changes it considers to be needed.

Account will be taken of the interest of the Member States and the Commission in seeking the appropriate instruments to encourage audiovisual production and distribution, especially in Member States with a low production capacity or a language which is not widely spoken.

Broadcasters will be required to reserve, wherever feasible, at least 10% of their programming time for European works by independent producers.

The Directive will also contain provisions on the protection of minors and the right of reply. Exceptionally, Member States will be able under certain conditions to suspend provisionally the retransmission of television broadcasts which are in breach of the Directive's rules on the protection of minors.

To ensure that the consumer's — the viewer's — interests are properly and fully protected, the Directive will subject television advertising to certain minimum standards and criteria, notably in respect of breaks and duration.

Public procurement

Public works contracts

2.1.11. Following Parliament's opinion (second reading) given on 15 February,⁸

¹ OJ C 71, 19.3.1987; Bull. EC 12-1986, point 2.1.126.

² OJ C 96, 17.4.1989.

³ OJ C 131, 18.4.1987; Bull. EC 12-1986, point 1.2.125.

⁴ OJ C 101, 22.4.1989; COM(89) 133.

⁵ OJ L 100, 17.4.1980; Bull. EC 3-1980, point 2.1.34.

⁶ OJ C 179, 17.7.1986; Bull. EC 3-1986, point 1.2.1 *et seq.*; Supplement 5/86 — Bull. EC.

⁷ OJ C 110, 27.4.1988; Bull. EC 4-1988, point 2.1.11.

⁸ OJ C 69, 20.3.1989; Bull. EC 2-1989, point 2.1.16.

on 21 March the Commission adopted for transmittal to the Council a re-examined proposal¹ for a Directive to amend Council Directive 71/305/EEC of 26 July 1971 coordinating procedures for the award of public works contracts.²

Excluded activities

2.1.12. On 30 March the Economic and Social Committee delivered opinions on two proposals for Council Directives on procurement procedures, one covering water, energy and transport services,³ the other telecommunications.⁴ Recognizing the importance of this issue, the Committee welcomed the Commission's proposals, subject to a number of remarks relating mainly to the contracting entities concerned, award procedures, transparency, penalties and the social consequences of liberalization.

Free movement of goods

Removal of barriers to trade

Industrial products

Motor vehicles

2.1.13. On 14 March the Commission adopted Directive 89/277/EEC⁵ adapting to technical progress Council Directive 76/759/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to direction indicator lamps for motor vehicles and their trailers.⁶

The purpose of the Directive is to supplement certain provisions and adapt them to current traffic conditions by enhancing the safety of vehicle occupants and other road users. In particular, it divides direction indicator lamps into new categories, and lays down new values for the intensity of light emitted and more suitable requirements as regards EEC marking.

2.1.14. On the same day the Commission also adopted Directive 89/278/EEC⁵ adapt-

ing to technical progress Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers.⁶ This concerns direction indicator lamps, front position (side) lamps and main-beam headlamps in particular.

Dangerous substances and preparations

2.1.15. On 17 March Parliament delivered an opinion (first reading)⁷ endorsing the proposal for a Directive⁸ to amend for the eighth time Council Directive 76/769/EEC of 27 July 1976 relating to restrictions on the marketing and use of certain dangerous substances and preparations.⁶

Electromagnetic compatibility

2.1.16. Further to the opinion delivered by Parliament at second reading on 15 February,⁹ the Commission adopted on 9 March, for transmittal to the Council, a re-examined proposal for a Directive on electromagnetic compatibility.¹⁰ The Commission accepted two of the four amendments proposed by Parliament, one relating to the obligation to inform the competent authorities and to place a technical file at their disposal, the other reformulating the categories of appliance submitted for approval.

Foodstuffs

2.1.17. After reaching agreement in principle on 27 February,¹¹ the Council formally

¹ COM(89) 141 final. Earlier versions: Bull. EC 12-1986, point 2.1.35; Bull. EC 6-1988, point 2.1.50.

² OJ L 185, 16.8.1971.

³ OJ C 319, 12.12.1988; Bull. EC 6-1988, point 2.1.51; Supplement 6/88 — Bull. EC.

⁴ OJ C 40, 17.2.1989; Bull. EC 6-1988, point 2.1.51; Supplement 6/88 — Bull. EC.

⁵ OJ L 109, 20.4.1989.

⁶ OJ L 262, 27.9.1976.

⁷ OJ C 96, 17.4.1989.

⁸ OJ C 43, 16.2.1988; Bull. EC 1-1988, point 2.1.11.

⁹ OJ C 69, 20.3.1989; Bull. EC 2-1989, point 2.1.9.

¹⁰ COM(89) 167 final. Original proposal: OJ C 322, 2.12.1987; Bull. EC 11-1987, point 2.1.22.

¹¹ Bull. EC 2-1989, point 2.1.10.

adopted on 6 March a common position with a view to adopting a Directive amending for the fifth time Council Directive 74/329/EEC of 18 June 1974 on emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs.¹

2.1.18. On 15 March Parliament adopted a decision² approving the Council's common position³ on the proposal for a Directive⁴ amending for the ninth time Directive 73/241/EEC of 24 July 1973 relating to cocoa and chocolate products intended for human consumption.⁵

2.1.19. On 15 March Parliament also delivered an opinion (first reading)⁶ approving the proposal for a Directive⁶ to amend for the eighth time the Directive of 23 October 1962 on the approximation of the laws of the Member States concerning the colouring matters authorized for use in foodstuffs intended for human consumption,⁷ as amended by the Commission on 17 March 1988.⁸ However, it wanted erythrosine to be authorized for colouring not only cherries but also all red fruit and chorizo.

2.1.20. On 30 March the Economic and Social Committee adopted unanimously, without debate, a favourable opinion on the proposal for a Directive⁹ to amend Directive 75/106/EEC on the making-up by volume of certain prepackaged liquids.¹⁰ The Committee did suggest that the Commission issue a consolidated version of the Directive and felt that the range of permitted volumes should be rationalized in the interests of transparency and consumer protection.

2.1.21. As required by Council Directive 80/777/EEC of 15 July 1980 relating to the exploitation and marketing of natural mineral waters¹¹ Portugal sent the Commission its list of recognized mineral waters.¹²

Standardization, certification and testing

Standards and technical regulations

2.1.22. The Commission assigned remits to the European Committee for Standardi-

zation and the European Committee for Electrotechnical Standardization covering electromagnetic compatibility, basic standards for pressure vessels and the drawing up of a standardization programme on advanced ceramics.

The work in the first two of these areas is designed to give effect, as regards the directives in question, to the new approach to technical harmonization and standards set out in the Council resolution of 7 May 1985.¹³

Customs union

General legislation

Customs debt

2.1.23. On 8 March the Commission adopted Regulation (EEC) No 597/89¹⁴ laying down provisions for the implementation of Council Regulation (EEC) No 2144/87 on customs debt.¹⁵ The Commission Regulation provides that documentary fraud is to be treated as equivalent to the removal of goods from customs supervision, that the customs status of goods is changed where the import duties relating to a customs debt incurred other than by release for free circulation have been paid, and that the customs status does not change where a debt has been extinguished by confiscation of the goods.

¹ OJ L 189, 12.7.1974.

² OJ C 96, 17.4.1989.

³ Bull. EC 12-1988, point 2.1.30.

⁴ OJ C 16, 21.1.1988; Bull. EC 12-1987, point 2.1.15.

⁵ OJ L 228, 16.8.1973.

⁶ OJ C 278, 30.10.1985; Bull. EC 9-1985, point 2.1.10.

⁷ OJ L 115, 11.11.1962.

⁸ OJ C 111, 28.4.1988; Bull. EC 3-1988, point 2.1.19.

⁹ OJ C 31, 7.2.1989; Bull. EC 12-1989, point 2.1.27.

¹⁰ OJ L 42, 15.2.1975.

¹¹ OJ L 229, 30.8.1980; Bull. EC 7/8-1980, point 2.1.15.

¹² OJ C 68, 18.3.1989.

¹³ OJ C 136, 4.6.1985. Bull. EC 5-1985, point 1.3.1 *et seq.*

¹⁴ OJ L 65, 9.3.1989.

¹⁵ OJ L 201, 22.7.1987; Bull. EC 7/8-1987, point 2.1.73.

2.1.24. On 15 March Parliament adopted at second reading a decision concerning the Council's common position on the proposal for a Regulation on the terms of payment of import duties or export duties resulting from a customs debt.¹ Parliament introduced an amendment removing the possibility of imposing extra charges on applicants.

Common Customs Tariff/ Combined Nomenclature

Combined Nomenclature

2.1.25. For purposes of uniform application of the Combined Nomenclature, the Commission adopted four Regulations in March on the classification of goods.²

International cooperation

2.1.26. On 31 March the Commission adopted for transmission to the Council a proposal for a Decision accepting on behalf of the Community the resolution of 4 February 1983 of the Inland Transport Committee of the United Nations Economic Commission for Europe.³ The purpose of the resolution is to facilitate international trade by providing developing countries with the technical assistance they need to apply the International Convention on the Harmonization of Frontier Controls of Goods, approved by Council Regulation (EEC) No 1262/84 of 10 April 1984.⁴

Taxation

Indirect taxation

Tax reliefs

2.1.27. Acting on a proposal from the Commission,⁵ on 13 March the Council adopted a Directive amending Directive 69/169/EEC of 28 May 1969⁶ as regards a

derogation granted to Denmark relating to the rules governing travellers' allowances on imports.

Enterprise

Business environment

Company law

Accounting rules

2.1.28. At its March session the Economic and Social Committee adopted an opinion on the proposal⁷ to amend Council Directive 78/660/EEC of 25 July 1978 on annual accounts (the fourth company law Directive)⁸ and Council Directive 83/349/EEC of 13 June 1983 on consolidated accounts (the seventh Directive).⁹ This proposal concerns exemptions for small businesses. The Committee backed the Commission's intention to simplify administrative procedures for small businesses and approved the proposed amendment to the seventh Directive. However, it took the view that the proposed amendment to the fourth Directive was not appropriate in its present form. It expressed regret that the proposal had been made at a time when the fourth Directive was not yet in operation in all Member States and its practicability could not therefore be assessed. The Committee called on the Commission to reformulate its proposal in respect of the provisions

¹ OJ C 96, 17.4.1989; Council's common position: Bull. EC 12-1988, point 2.1.90; proposal: OJ C 41, 13.2.1985; Bull. EC 12-1984, point 2.1.40.

² Regulations (EEC) No 548/89, OJ L 60, 3.3.1989; No 645/89, OJ L 71, 15.3.1989; No 736/89, OJ L 80, 23.3.1989; No 812/89, OJ L 86, 31.3.1989.

³ COM(89) 139 final.

⁴ OJ L 126, 12.5.1984; Bull. EC 4-1984, point 2.1.28.

⁵ OJ C 26, 1.2.1989; Bull. EC 12-1988, point 2.1.98.

⁶ OJ L 133, 4.6.1969.

⁷ OJ C 287, 11.11.1988; Bull. EC 10-1988, point 2.1.69.

⁸ OJ L 222, 14.8.1978.

⁹ OJ L 193, 18.7.1983; Bull. EC 5-1983, point 2.1.26 to 2.1.30.

concerning the publication and filing of small companies' accounts, the criteria for defining small and medium-sized companies, and the exemption of small, closely held companies.

Single-member company

2.1.29. On 15 March Parliament adopted (at first reading) its opinion¹ on the proposal for a Directive on single-member private limited companies.² It proposed 11 amendments, of which some are substantive and are designed to ensure greater transparency and more efficient operation of the companies in question.

European Company

2.1.30. On 16 March Parliament adopted a resolution¹ on the Commission memorandum on the European Company Statute.³ The House shared the Commission's view that adoption of the Statute would be a significant step towards the achievement of the internal market. It would like a number of models of worker participation to be included in the Statute since the social dimension was a fundamental and indispensable component of the internal market. Parliament welcomed the granting of tax incentives that did not result in distortions of competition.

Distributive trades and tourism

Tourism

2.1.31. On 2 March the Council agreed that the Commission should request the inclusion in the World Tourism Organization's draft convention on tourism of a clause allowing the Community to become a party to it.

Industrial strategy and services

Industry policies

Steel

Forward programme

2.1.32. On 8 March the Commission approved the forward programme for steel

for the second quarter of 1989,⁴ and the ECSC Consultative Committee endorsed it on 15 March. The strength of steel demand noted in 1988 should continue for the first half of the year. Indicators for steel-consuming industries are all positive for the second quarter, and although some industries may be sounding notes of caution, for example the motor-vehicle industry in some Member States, it is thought unlikely that any drop in demand should occur before the end of the year. The Commission has forecast that the output of crude steel will be around 35 million tonnes, with apparent consumption at about 31.5 million tonnes, equal to the expected outturn for the first quarter, exports at 6 million tonnes and imports at 2.5 million tonnes. As regards employment, the trend of job losses noted in 1988 should continue, but at a considerably slower rate.

Market situation

2.1.33. An increase in deliveries and new orders, similar to that seen for the production of crude steel, was recorded in 1988. The downward trend in sales outside the Community is explained by the vigorous demand for most product categories on the Community market for more than a year.

Pedip

2.1.34. Acting under Council Regulation (EEC) No 2053/88 of 24 June 1988 instituting financial assistance for the modernization of Portuguese industry,⁵ the Commission decided on 7 March to provide financial support to the following programmes: Productivity drives (ECU 51.3 million) and Industrial quality and design (ECU 24 million). On 23 March it also granted ECU 9.7 million towards the programme for energy-saving measures. The programmes approved so far account for

¹ OJ C 96, 17.4.1989.

² OJ C 173, 2.7.1988; Bull. EC 3-1988, point 2.1.93.

³ Supplement 3/88 — Bull. EC; Bull. EC 6-1988, point 2.1.127.

⁴ OJ C 94, 15.4.1989.

⁵ OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.166.

78% of the ECU 500 million budgeted in the Regulation.

Research and technology

Community R&TD policy

Framework programme

2.1.35. On 14 March the Council held a general discussion on the development of Community research and the possibility of revising the 1987-91 R&TD framework programme.¹ A number of priorities were indicated, which the Commission was asked to take into account when finalizing its report on the state of science and technology in Europe.²

Coordination of national policies

2.1.36. At its meeting in Brussels from 14 to 17 March, the Scientific and Technical Research Committee completed its examination of the Commission's first report on the state of science and technology in Europe,² the conclusions of which it fully endorsed. It recommended that the possibility of adding new operational approaches and management methods to those currently employed should be looked into.

International cooperation

COST

2.1.37. A number of joint declarations of intent on COST projects were signed in March: project 223 (active phased array antennas for land-based and satellite communications in the 1990s) by Portugal on 2 March, 306 (automatic transmission of transport data) and 308 (maintenance of ships) by Portugal on 15 March, 73 (weather radar networking) by Norway on 3 March, 74 (strato-tropospheric radars) by Austria on 2 March, 89 (development of vaccines

against coccidiosis through biotechnology) by Spain on 22 March and B2 (nuclear medicine software) by the Netherlands on 15 March and Spain on 22 March.

Main areas of Community R&TD

Quality of life

Environment

2.1.38. On 31 March the Economic and Social Committee adopted an opinion on the proposal for a Decision³ adopting two specific research and technological development programmes in the field of the environment: STEP (Science and technology for environmental protection) and Epoch (European programme on climatology and natural hazards) (1989-92). Noting these programmes' immediacy and welcoming their purpose — to provide a scientific response to the technological challenges of the 1990s and a scientific and technological back-up to environment policy — the Committee endorsed the Commission's proposal. It recommended the participation of industry in the programmes and application of their findings by Member States, business and the communities concerned. It suggested that the objectives of the STEP programme be defined more clearly and precisely and that certain Epoch projects be coordinated with UN plans for the International Decade for Natural Hazards Reduction.

Industrial technologies

Brite/Euram programme

2.1.39. Parliament having delivered its opinion at second reading on 15 February,⁴ the Council, acting on a Commission pro-

¹ OJ L 302, 24.10.1987; Bull. EC 9-1987, point 2.1.32.

² Bull. EC 11-1988, point 2.1.47.

³ OJ C 327, 20.12.1988; Bull. EC 11-1988, point 2.1.54.

⁴ OJ C 69, 20.3.1989; Bull. EC 2-1989, point 2.1.25.

posal,¹ on 14 March adopted Decision 89/237/EEC on a specific research and technological development programme in industrial manufacturing technologies and advanced materials applications (Brite/Euram) (1989-92).² The common position had been adopted in December 1988.³ This programme, which has a budget of ECU 499.5 million, covers the following five areas: advanced materials technologies, design methodology and quality assurance for products and processes, application of manufacturing technologies, technologies for manufacturing processes and specific activities relating to aeronautics.

ECSC industries

Technical research in steel

2.1.40. The Commission on 3 March adopted, under Article 55 of the ECSC Treaty, a draft Decision, for transmittal to the Council for assent and to the ECSC Consultative Committee, providing for financial support of ECU 34 million for 87 steel research projects and 10 demonstration projects.

2.1.41. On 14 March the ECSC Consultative Committee delivered its opinion, under Article 55(2)(c) of the Treaty, on the desirability of providing financial aid from the ECSC levy for these projects. The Committee agreed that aid should be given but stressed the need for broader and better-targeted dissemination of the findings of the research projects.

Technical research in coal

2.1.42. On 3 March the Commission adopted, under Article 55 of the ECSC Treaty, a draft Decision, for transmittal to the Council for assent and to the ECSC Consultative Committee, providing for financial support for 81 technical research projects concerning coal in 1989.

2.1.43. On 14 March the ECSC Consultative Committee delivered its opinion, under

Article 55(2)(c), endorsing the Commission's view.

Biological resources

Food technology

2.1.44. On 14 March the Council adopted a common position on the proposal for a Decision⁴ on a multiannual research and development programme in food science and technology (1989-93) (Flair). This programme (estimated budget: ECU 25 million) covers three areas of research: assessment and enhancement of food quality; food hygiene, safety and toxicological aspects; nutrition and health aspects.

Agriculture

2.1.45. On 16 March Parliament passed a resolution on the setting-up of an agricultural research institute in the Community.⁵ Sceptical as to whether the setting-up of such an institute would necessarily foster a new approach to research leading to a more effective application of research findings at regional level, it called on the Commission to study the possibility of institutionalizing the coordination of agricultural research and, in the case of research programmes already under way, incorporating regional criteria in the selection of projects which benefit rural areas.

Energy

Nuclear fission energy

2.1.46. Acting on a proposal from the Commission,⁶ the Council on 14 March adopted Decision 89/239/Euratom setting out a research and technological development programme on the decommissioning

¹ OJ C 228, 3.9.1988; Bull. EC 7/8-1988, point 2.1.25.

² OJ L 98, 11.4.1989.

³ Bull. EC 12-1988, point 2.1.61.

⁴ OJ C 306, 1.12.1988; Bull. EC 6-1988, point 2.1.71.

⁵ OJ C 96, 17.4.1989.

⁶ OJ C 250, 24.9.1988; Bull. EC 7/8-1988, point 2.1.29.

of nuclear installations (1989-93).¹ The budget for the programme is ECU 31.5 million.

2.1.47. On 17 March Parliament delivered an opinion² on the proposal for a Decision adopting a research and training programme for the European Atomic Energy Community in the field of remote handling in hazardous and disordered nuclear environments (1989-93) (Teleman).³ It approved the Commission proposal subject to an amendment whereby the Commission would be required each year to recommend that the budgetary authority enter the relevant appropriations for the programme in the light of the real requirements of that financial year.

Non-nuclear energy

2.1.48. On 14 March the Council, acting on a proposal from the Commission,⁴ adopted Decision 89/236/EEC on a new research and technological development programme on non-nuclear energies and the rational use of energy (1989-92) (Joule).¹ This programme has a budget of ECU 122 million and covers four areas of research: models for energy and the environment, rational use of energy, energy from fossil sources and renewable energies.

Marine resources

Marine science and technology

2.1.49. On 14 March the Council adopted a common position on a specific research and technological development programme in the field of marine science and technology (1989-92) (MAST) proposed by the Commission.⁵ The programme will have funding of ECU 50 million and cover four areas of research: basic and applied marine science, coastal zone science and engineering, marine technology and supporting initiatives.

2.1.50. On 23 March the Commission issued a call for proposals for the first three

of these areas, with a closing date of 30 June 1989.⁶

European scientific and technological cooperation

Researchers' Europe

2.1.51. Acting on a proposal from the Commission,⁷ the Council on 14 March adopted Decision 89/238/EEC on a Community plan to support and facilitate access to large-scale scientific and technical facilities and installations (1989-92).¹ Allocated ECU 30 million, the plan will help to improve competitiveness in the field of research and at the same time strengthen economic and social cohesion.

2.1.52. On 16 March Parliament adopted a resolution on the 'brain drain'² suggesting that the achievement of 'a Europe for research workers' represented the best solution to the problems posed by the emigration of talented research workers and calling on the Commission to prepare a study which would compile a database of qualified European scientists, engineers and technologists, record the migration of such people to non-Community countries and investigate the reasons for their so doing. It also called on the Commission to draw up proposals for measures to improve the image of science and technology schools in the media, award an annual prize for a European Young Scientist, improve the mobility of researchers by introducing a social statute for them, and step up training activities under Community R&D programmes.

Evaluation

2.1.53. On 14 March the Council adopted a common position on the Commission pro-

¹ OJ L 98, 11.4.1989.

² OJ C 96, 17.4.1989.

³ OJ C 311, 6.12.1988; Bull. EC 11-1988, point 2.1.59.

⁴ OJ C 221, 25.8.1988; Bull. EC 7/8-1988, point 2.1.31.

⁵ OJ C 298, 23.11.1988; Bull. EC 10-1988, point 2.1.38.

⁶ OJ C 75, 23.3.1989.

⁷ Bull. EC 7/8-1987, point 2.1.62; Bull. EC 6-1988, point 2.1.74.

posal¹ for a programme in the field of strategic analysis, forecasting and evaluation in matters of research and technology (1988-92) (Monitor). This programme will cost an estimated ECU 22 million and cover three areas: SAST (Strategic analyses in the field of science and technology), FAST (Forecasting and assessment in science and technology) and Spear (Support programme for European assessment of research).

Telecommunications, information technology and innovation

Telecommunications

Television

2.1.54. On 6 March the Council adopted conclusions on the industrial and commercial aspects of the introduction of high-definition television. It endorsed the Commission's approach² to promoting the adoption of the European standard worldwide; it stressed the need to ensure that European industry derives maximum benefit from the introduction of this new technology and the importance of taking advantage of certain significant world events to demonstrate HDTV products and services; and it agreed with the Commission to promote the effective coordination of action taken at national level for the introduction, at the earliest opportunity and according to a suitable timetable, of the HDTV system.

Combined use of IT and telecommunications in general applications

Delta

2.1.55. At its meeting on 3 March the Delta Management Committee approved three new projects relating chiefly to satellite experiments.

AIM

2.1.56. The Commission has received 220 replies to its call for proposals³ published in November 1988 concerning a two-year exploratory action (June 1988 to May 1990), with a budget of ECU 20 million, in the field of information technology and telecommunications applied to health care — advanced informatics in medicine (AIM).⁴ Following the technical assessment, 34 projects (representing a total effort of 3 020 man-months) were recommended for immediate action, while 11 others were placed on a reserve list.

Dissemination and utilization of research results

Value

2.1.57. On 14 March the Council adopted a common position on the proposal for a Decision on a specific programme for the dissemination and utilization of research results (Value).⁵ The Council took over the essential aspects of the Commission's proposal, but amended the indicative breakdown of appropriations.

Innovation

Sprint

2.1.58. On 6 March the Council agreed on an overall appropriation of ECU 90 million for the implementation at Community level of the main phase (1989-93) of the strategic programme for innovation and technology transfer (Sprint).⁶ The indicative internal breakdown of the appropriation is as fol-

¹ OJ C 29, 4.2.1989; Bull. EC 7/8-1988, point 2.1.33.

² OJ C 37, 14.2.1989; Bull. EC 11-1988, point 1.2.1 *et seq.*

³ Bull. EC 11-1988, point 2.1.75.

⁴ OJ L 314, 22.11.1988; Bull. EC 11-1988, point 2.1.74.

⁵ OJ C 184, 14.7.1978; Bull. EC 5-1988, point 2.1.45; OJ C 27, 2.2.1989; Bull. EC 12-1988, point 2.1.83.

⁶ OJ C 268, 15.10.1988; Bull. EC 7/8-1988, point 2.1.40; OJ C 68, 18.3.1989; Bull. EC 2-1989, point 2.1.42.

lows: ECU 50 million for European innovation services infrastructure, ECU 30 million for specific innovation transfer projects and ECU 10 million for monitoring innovation and consultation between the Member States and the Commission. Having thus reached agreement on funding, the Council then approved the substance of the programme.

Information market and language industries

2.1.59. On 14 March the Council adopted a common position on the proposal for a Decision on a specific programme for the completion of a machine translation system (Eurotra).¹

Competition

Restrictive practices, mergers and dominant positions: specific cases

Permissible forms of cooperation

Ruhrkohle steelworks agreements

2.1.60. Acting under Article 65 of the ECSC Treaty the Commission authorized the Essen-based Ruhrkohle AG and six German steelworks to apply a collective set of agreements ('Hüttenverträge' or steelworks agreements) under which Ruhrkohle is to supply most of the steelworks' solid fuel requirements from 1 January 1989 to 31 December 1997.²

Under these agreements the steelworks concerned undertake as a general rule to buy the solid fuels they require from Ruhrkohle, but remain free to turn to other suppliers for certain fuels for specific purposes, mainly petroleum coke and pulverized lignite.

The Commission accepted that the agreements would allow improvements in pro-

duction and therefore satisfied the rationalization test in Article 65(2). The agreements are authorized for nine years, a period long enough to enable the parties concerned to plan ahead. However, as Ruhrkohle receives State aid permitted by Commission Decision 2064/86/ECSC³ in order to allow it to align its prices on non-Community coal prices, the Commission stipulated that this authorization does not prejudice the Commission's position regarding State aid when that Decision expires, on 31 December 1993.

State aid⁴

General schemes

Energy

Spain

2.1.61. On 21 March the Commission decided to raise no objection to several measures to assist industrial firms which are to be implemented by the Institute for Energy Diversification and Saving (Instituto para la Diversificación y el Ahorro Energético, IDAE). The IDAE is a public-law institution whose task is to implement an energy-efficiency policy. It has launched a programme for the renovation and optimization of industrial boilers (PROC), which would result in an annual saving of 500 000 tonnes of oil equivalent. The IDAE aid directs public resources to certain firms; it is likely to distort competition, and is caught by the prohibition in Article 92(1) of the EEC Treaty. But the Commission found that the measures qualified for exemption under Article 92(3).

¹ Bull. EC 5-1988, point 2.1.50; Bull. EC 2-1989, point 2.1.44.

² OJ L 101, 13.4.1989.

³ OJ L 177, 1.7.1986.

⁴ See the 'Agriculture', 'Transport', 'Energy' and 'Fisheries' sections for State aid measures in those fields.

Research and development

Germany

2.1.62. On 8 March the Commission decided to raise no objection to German participation in a Eureka research and development project on a terrestrial digital radio system (EU 147 DAB — Digital Audio Broadcasting System). The main aim is to introduce an international standard for the digital terrestrial radio system with a view to defining new standards in this field. The project will cost a total of ECU 40.5 million, with public assistance amounting to ECU 17.15 million over the period 1984-90, and will be carried out in cooperation with scientific centres, broadcasting companies and industrial firms in France, the Netherlands and the United Kingdom. The recipients in Germany are AEG, Bosch-Blaupunkt, Grundig, Intermetall and Deutsche Thomson-Brandt. The Commission agrees that such a project is a major project of common European interest.

2.1.63. The Commission decided to approve a German R&D programme known as the 'Hamburger Programm zur Förderung von Forschungs- und Entwicklungs-Verbundvorhaben im Bereich der künstlichen Intelligenz, 1989/90', the budget being DM 2.4 million or ECU 1.15 million. This scheme aims at promoting R&D activities in the field of artificial intelligence and encourages collaborative R&D projects between private firms, laboratories and the University of Hamburg. The aid will be awarded in the form of direct grants.

Germany and United Kingdom

2.1.64. On 21 March the Commission decided to grant exemption under Article 92(3)(b) in respect of UK and German participation in a Eureka R&D project concerning a high-definition television system (EU 95). This project is costing the UK ECU 20 million over the period 1988-90, and Germany ECU 48 million over the period 1984-90. The project aims to establish standards for the introduction of a new system

of high-definition television compatible with the PAL/Secam systems which already exist in Europe.

Spain

2.1.65. On 8 March the Commission decided to approve aid granted by the Spanish Government to the Casa company towards participation in a Eureka research project aimed at developing a mobile robot for assistance and inspection on the sites of major accidents. The total cost of the project is to be ECU 95 million, spread over six years; the Spanish share, relating to the definition and development phases, will amount to ECU 16 million. The aid granted has a gross intensity of 13% of the overall cost.

Environmental protection

Netherlands

2.1.66. On 8 March the Commission decided to terminate the proceedings it had initiated¹ under Article 93(2) of the EEC Treaty in respect of tax measures introduced by the Dutch Government to encourage the purchase of low-polluting motor cars. The information supplied in the course of the proceedings satisfied the Commission that the measures did not constitute State aid caught by Article 92(1), as they did not threaten to distort competition.

Industry schemes

Mining

Greece

2.1.67. On 8 March the Commission decided to initiate Article 93(2) proceedings in respect of an operation by the Greek Business Reconstruction Organization (ORE) to assist Fimisco, a magnesite and chromite mining company. The operation

¹ OJ C 31, 7.2.1989; Bull. EC 2-1989, point 2.1.61.

involves subscribing a capital increase of DR 20 420 million (ECU 130.67 million) through the capitalization of debts amounting to DR 16 932 million (ECU 108.35 million) and the injection of fresh money amounting to DR 3 488 million (ECU 22.32 million). The Commission alleges that this includes an aid component caught by Article 92 of the EEC Treaty, since in view of the company's financial problems the increase in capital cannot be regarded as a risk capital investment which would be acceptable to a private investor.

Steel

Italy

2.1.68. On 8 March the Commission initiated information-gathering proceedings pursuant to Article 6(4) of the Steel Aid Code¹ in respect of a subsidized interest-rate loan of LIT 6 billion (ECU 3.9 million) granted by the Bolzano authorities to the steelworks in the province. The loan relates to a LIT 23 billion (ECU 15 million) investment project approved by the Commission in 1983 in the context of Falck's restructuring programme. The loan, however, was not notified to the Commission at the time and does not qualify for any of the exemptions provided for in the Code; the Commission has now asked the Italian Government for its comments.

Spain

2.1.69. On 21 March the Commission decided to terminate the proceedings under both Article 6(4) of the Steel Aid Code¹ and Article 93(2) of the EEC Treaty which it had initiated by its Decision of 26 July 1988² regarding aid to the steel manufacturer Patricio Echeverría SA. The aid, which took the form of an interest-rate subsidy of 3.5 percentage points on a loan of PTA 1 200 million (ECU 8.9 million), granted specially for financing an investment programme of PTA 5 374 million (ECU 39.8 million) in both the ECSC and EEC spheres, related solely to the financing of certain investment projects totalling PTA 2 526

million (ECU 18.7 million); all ECSC steel investment projects save expenditure on R&D were excluded. With regard to the EEC investment projects (PTA 2 283 million, or ECU 16.9 million), the assistance, whose intensity is 17.37% and which is capable of facilitating regional economic development without adversely affecting trading conditions to an extent contrary to the common interest, satisfies the criteria laid down in the Community rules for State aid for research and development and the tests of Article 92(3)(c) of the Treaty. ECSC R&D expenditure (PTA 242 million, or ECU 1.79 million) satisfies the criteria in Article 2 of the Steel Aid Code, since it is designed to reduce production costs and improve the quality of products and its intensity is below the ceiling of 25% laid down for these purposes.

Portugal

2.1.70. On 8 March the Commission decided to terminate the infringement proceedings against the Portuguese Government which it instituted on 26 July 1988³ in respect of assistance granted to the steel firm Fábrica de Aços Tomé Feteira. The assistance consisted of a grant of ESC 92.84 million (ECU 546 000), or 16.4% net grant equivalent, for an investment programme designed to increase production capacity. During the proceedings the Portuguese Government informed the Commission that the assistance had been granted in December 1985, i.e. before accession. The Commission therefore considered that there had been no infringement of the ECSC Treaty.

Textiles

France

2.1.71. On 8 March the Commission took a final decision finding against a French

¹ OJ L 340, 18.12.1985; Bull. EC 11-1985, point 2.1.23 *et seq.*

² Bull. EC 7/8-1988, point 2.1.72.

³ Bull. EC 7/8-1988, point 2.1.74.

Government plan to grant FF 5.3 million to Caulliez Frères, a manufacturer of combed cotton yarn at Prouvy (Nord).¹ The Commission considered that the aid would allow the company to increase its capacity by over 70% in an industry suffering from structural overcapacity, stagnating demand, falling prices and stiff competition both in and outside the Community. The Commission took the view that in such a situation the proposed aid would be liable to affect trading conditions to an extent contrary to the common interest.

Synthetic fibres

2.1.72. After considering the situation in the synthetic fibres industry the Commission on 15 March decided to extend the system of control introduced in 1977² for a further period of two years ending on 19 July 1991. The Commission has accordingly informed Member States that it will continue to take an unfavourable view of any proposed aid of whatever kind which might have the effect of increasing the net production capacity of firms in the synthetic fibres industry (which includes the manufacture of all acrylic, polyester, polypropylene and polyamide fibre and yarn and the texturization of these yarns), regardless of the nature or type of product. The Commission reminded Member States that it must be informed of any plans to grant aid to firms in the industry, and said that it would continue to give sympathetic consideration only to proposals to grant aid for the purpose of solving serious social or regional problems by speeding up or facilitating the process of conversion away from synthetic fibres into other activities or restructuring leading to reductions in capacity.

Aerospace

Germany

2.1.73. On 8 March the Commission decided to approve a package of measures proposed by the German Government to

assist a new subsidiary of Messerschmidt-Bölkow-Blohm which pools the German stake in Airbus and introduces private risk capital into Deutsches Airbus for the first time. The aim of the operation is to allow the complete phasing-out of government intervention in favour of Airbus. The aid, which consists of a debt write-off and a limited exchange risk guarantee, is intended to facilitate the restructuring of the German civil aircraft industry with the aim of increasing its efficiency and international competitiveness. The Commission has verified that the aid will not benefit Daimler Benz AG, which now becomes MBB's major shareholder, in any of its other operations. In reaching its decision the Commission took into account the importance of the aircraft industry for the economic and technological position of the Community; the proposal will strengthen the overall competitiveness of the industry and will thus contribute materially to the common European interest. It also took account of the fact that State intervention will be run down over the coming years, which is an important step towards establishing normal market conditions. In reaching its conclusion that the aid be considered compatible with the common market under Article 92(3)(b), the Commission took particular account of the collaborative nature of Airbus production and marketing. Moreover, as trade between Member States is quite limited and is not directly in the market segment covered by Airbus, the Commission considered that competition and trade would not be adversely affected.

United Kingdom

2.1.74. On 21 March the Commission decided to approve a measure proposed by the UK Government to assist Short Brothers PLC, Belfast. The aid will take the form of a short-term loan of UKL 390 million to ensure that the company remains solvent

¹ Bull. EC 4-1988, point 2.1.76.

² Bull. EC 7/8-1977, point 1.5.3; Bull. EC 11-1977, point 2.1.47; OJ C 183, 11.7.1987; Bull. EC 4-1987, point 2.1.63.

while restructuring measures are drawn up in connection with the forthcoming privatization of Shorts. The loan is to replace existing bank borrowings and will carry a market interest rate. The aid is to go to a company whose activities are concentrated in aircraft, aerostructures and missiles and which is located in Northern Ireland, where with a workforce of 7 700 it is the largest employer in manufacturing; the Commission took the view that the proposed aid satisfied the Community requirements relating to rescue aid and would not adversely affect trading conditions to an extent contrary to the common interest. The Commission noted that this interim measures will be reviewed by the UK Government within three months in the context of the privatization and restructuring of Shorts, and that further details on the restructuring of the company will be submitted to the Commission in due course.

Shipbuilding

Germany

2.1.75. On 8 March the Commission decided to initiate Article 93(2) proceedings in respect of a development aid measure notified by the German Government, under which a low-interest loan would be granted towards the building of three container ships for an Israeli company. The loan would be equivalent to a 30% grant on a contract price of DM 105 million per vessel. The Commission informed Member States in January this year that in its interpretation of Article 4(7) of the sixth shipbuilding Directive¹ the countries eligible for development assistance in the form of aid to shipbuilding were ACP countries, countries and territories associated with the Community, and countries classified by the OECD as least-developed countries, low-income countries or lower-middle-income countries. As Israel does not belong to any of these categories the Commission considered that the German measure did not conform to the sixth Directive.

2.1.76. On 21 March the Commission decided to approve a capital injection of

DM 37.85 million (ECU 18 million) into the shipyard Howaldtswerke-Deutsche Werft. The money is to be supplied by one of the two public shareholders, *Land Schleswig-Holstein*, which holds some 25% of the share capital. This decision follows a similar one in June last year when the Commission decided to approve a capital injection of DM 112.35 million (ECU 54 million) by the other public shareholder, *Salzgitter AG*.² The Commission takes the view that in the financial circumstances of the yard such capital injections constitute aid; since in the present case the new injection is not linked to any restructuring measures, it is to be considered as operating aid, which is subject to the 26% aid ceiling currently applied under the terms of the sixth shipbuilding Directive. Having analysed the turnover of the yard, the Commission has established that the aid intensity does respect the ceiling.

Denmark

2.1.77. On 21 March the Commission decided to approve two production aid schemes for the Danish shipbuilding industry. Following the expiry of five out of the six production aid schemes previously approved by the Commission under the sixth shipbuilding Directive,¹ the Danish Government stated its intention of prolonging one of these schemes in modified form for the remaining period of validity of the sixth Directive. Simultaneously, it notified the extension of a State guarantee scheme, previously applicable to one yard only, to all Danish yards. The first scheme concerns subsidized indexed loans to shipowners for the construction and conversion of merchant ships. Contrary to previous practice, the aid element of the scheme will be reduced progressively by gradually replacing these loans by credit facilities offered at standard OECD terms for export credit for ships. From 1992 the grant element will be eliminated entirely, leaving only the possibility of financing ships on OECD export

¹ OJ L 69, 12.3.1987; Bull. EC 12-1986, point 2.1.122.

² Bull. EC 6-1988, point 2.1.117.

credit terms. The second scheme provides for 75% guarantees to the yards for the building of the last ship at the recipient yard. The granting of the guarantee calls for an irrevocable decision by the yard to cease shipbuilding activities. The Commission has established that the schemes respect the common maximum production aid ceiling in the sixth Directive, currently 26% for large ships. The Danish Government has also given sufficient assurances that combination of aid schemes will not lead to aid of more than 16% for small ships costing less than ECU 6 million.

Motor industry

Portugal

2.1.78. On 21 March the Commission decided to raise no objection to assistance which the Portuguese Government proposes to grant towards investment at a works owned by Ford Lusitana SA, a subsidiary of Ford Europe. The aid would amount to ESC 245 million (ECU 1.5 million) and is intended to allow extensive rationalization to be carried out at the works. But the Commission stipulated that a requirement that a minimum proportion of components be purchased on the domestic market had to be dropped.

Employment and social policy

Social dimension of the internal market

2.1.79. On 15 March Parliament adopted a resolution on the social dimension of the internal market,¹ in which the following topics were considered:

(i) free movement of persons and right of establishment — with a call for greater integration of educational and training systems and the gradual harmonization of social legislation;

(ii) the need for harmonization in social policy — not complete harmonization but gradual convergence, at the highest level, of social security rules, standards and systems;

(iii) the role of the two sides of industry — which should, with the Commission, develop a binding framework for negotiations;

(iv) employment policy — a job creation policy based on the promotion and part-financing of national and regional programmes, forward planning for the labour market and reorganization of working hours;

(v) education and training — where new initiatives are needed, as regards language teaching and paid training leave *inter alia*;

(vi) the underprivileged — who are to be protected by Community legislation providing for minimum measures binding in all the Member States;

(vii) fundamental social rights — with Parliament calling for urgent adoption by the Council of a Directive for their application in all the Member States, along with a formal undertaking on the part of the latter in the form of a Charter.

Employment

Dialogue with the two sides of industry

2.1.80. The political-level steering group which it was decided to set up at the relaunch of the social dialogue in January² held its inaugural meeting in Brussels on 21 March.

Two working parties were formed. The first will deal with education and training, with particular emphasis on the role to be played by investment in human resources, education and vocational training at a time of rapid technological change. It will base its deliberations on the joint opinion on the

¹ OJ C 96, 17.4.1989.

² Bull. EC 1-1989, points 1.2.1 to 1.2.7.

training and motivation of the workforce issued on 7 May 1987 as part of the social dialogue.¹

The second, which is to consider the prospects of the European labour market as the Single Act is gradually implemented, will be giving particular attention to the question of improving the operation of the labour market and the imbalance between supply and demand on that market. It will be examining the first annual report on the employment situation and trends in the Community which the Commission said it would be presenting at the January meeting.²

Employment and labour market

Reorganization of working time

2.1.81. On 16 March Parliament adopted a resolution³ on the application of the Council recommendation of 10 December 1982 on the principles of a Community policy with regard to retirement age.⁴ Stressing the need to allow older people to continue to take an active part in social and political life, Parliament called on the Council to address to the Governments of the Member States a further recommendation drawing on the principles set out in the first and inviting them, in particular, to establish early retirement schemes for certain priority categories of workers and to ensure by means of a variety of measures a harmonious and gradual transition from working life to retirement.

2.1.82. On the same day Parliament also adopted a resolution on seasonal employment,³ in which it called on the Commission to organize the compilation of official statistics on this form of work and to present a set of minimum rules governing it on the basis of a comparative study of the legislation in the several Member States. Reiterating its call for a general Directive on special labour contracts, Parliament invited the Member States to ensure proper monitoring of seasonal work and stricter control of suppliers of labour. Finally, it called on the Council to revise Community regu-

lations on social security and adapt them to the specific situation of seasonal workers.

Financial instruments

European Social Fund

2.1.83. On 23 March the Commission approved 10 159 applications for assistance from the European Social Fund totalling ECU 3 523.92 million for 11 467 programmes or projects.

Table 1 — *ESF assistance*

<i>ECU million¹</i>	
Applications approved, by category and region	Amounts
Operations to assist young people under 25:	
in less-favoured regions	1 235 999
in other regions	1 331 999
Operations to assist people aged 25 or over:	
in less-favoured regions	396 499
in other regions	441 499
Specific operations	117 925
Total	3 523 924

¹ March 1989 rates.

Living and working conditions and social protection

Equal opportunities for men and women

2.1.84. On 16 March Parliament adopted a resolution on spouses in agriculture and family businesses.³ It stressed the importance of the role of women working on fam-

¹ Bull. EC 3-1987, point 2.1.93.

² Bull. EC 1-1989, point 1.2.3.

³ OJ C 96, 17.4.1989.

⁴ OJ C 357, 18.12.1982; Bull. EC 12-1982, point 2.1.54.

ily holdings and asked that they be given a genuine occupational status. Parliament proposed that Council Directive 86/613/EEC of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood¹ be amended and supplemented to this end. It also called on Member States and professional organizations to conduct information and awareness campaigns.

Health and safety

Public health

Cancer

2.1.85. On 30 March the Commission adopted, for transmittal to the Council, a proposal for a Directive on the advertising of tobacco products in the press and by means of bills and posters.² This proposal, which is part of the 'Europe against cancer' programme,³ complements the ban on advertising tobacco products on radio and television which is contained in the proposal for a Directive on broadcasting activities.⁴

It provides that any advertising for a tobacco product must carry a clearly readable health warning, i.e. for products other than cigarettes the general warning 'Tobacco seriously damages your health' and, for cigarettes, a specific warning to be chosen from a standard list drawn up by each Member State from 12 options set out in the Directive plus two warnings which *must* appear ('Smoking causes cancer' and 'Smoking causes heart disease').

The proposal also stipulates that the text of the warning cover a minimum of 10% of the total advertising insert and that the advertisement may show only the packaging and factual information, thus excluding any misleading advertising.

Tobacco advertising in publications mainly intended for young people will be forbidden, for almost all smokers start smoking before the age of 20 and many of them become addicted at an age when they are most vulnerable. There would also be a ban on indirect advertising, i.e. references to brands of tobacco on products other than tobacco itself, such as lighters, matches, shoes or clothing.

Health and safety at work

2.1.86. On 17 March the Commission adopted, for transmittal to the Council, three amended proposals⁵ for Directives concerning minimum safety and health requirements for the workplace,⁶ for the use by workers of machines, equipment and installations⁷ and for the use of personal protective equipment at work.⁸ The amendments take account of the views expressed by Parliament in its opinions (first reading) delivered on 16 November 1988 (first two proposals)⁹ and 14 December 1988 (third proposal).¹⁰

Human resources, education, training and youth

Cooperation in education

2.1.87. On 16 March Parliament delivered its opinion¹¹ on the proposal for a Decision on preventing environmental damage by the implementation of education and training

¹ OJ L 359, 19.12.1986; Bull. EC 12-1986, point 2.1.152.

² COM(89) 163 final.

³ OJ C 50, 26.2.1987; Bull. EC 12-1986, points 1.4.1 to 1.4.11; OJ L 160, 28.6.1988; Bull. EC 6-1988, point 2.1.148.

⁴ OJ C 179, 17.7.1986; Bull. EC 3-1986, points 1.2.1 to 1.2.15; Supplement 5/86 — Bull. EC.

⁵ COM(89) 85, 86 and 87 final.

⁶ OJ C 141, 30.5.1988; Bull. EC 2-1988, point 1.2.5.

⁷ OJ C 114, 30.4.1988; Bull. EC 2-1988, point 1.2.6.

⁸ OJ C 161, 20.6.1988; Bull. EC 2-1988, point 1.2.7.

⁹ OJ C 326, 19.12.1988; Bull. EC 11-1988, point 2.1.134.

¹⁰ OJ C 12, 16.1.1989; Bull. EC 12-1988, point 2.1.179.

¹¹ OJ C 96, 17.4.1989.

measures.¹ Parliament gave broad support to the Commission's proposal, requiring the competent authorities in the Member States to introduce environmental education and training in curricula at all levels. One of Parliament's suggested amendments called for specific educational measures, and another for pilot projects. Parliament also stipulated cooperation with environmental protection groups, consumer organizations and the trade union movement.

2.1.88. On 17 March Parliament passed a resolution on illiteracy and education for children whose parents have no fixed abode. It welcomed the burgeoning interest shown by Community institutions in combating illiteracy and called for an integrated approach to this problem concentrating on preventive measures. Parliament asked the Commission to present a specific action programme to solve the particular educational problems of children of travelling people.

2.1.89. On 30 March the Economic and Social Committee adopted an opinion on the two proposals for Decisions concerned with the Lingua programme for the promotion of foreign language teaching in the Community.² The Committee welcomed the proposals, taking the view that the programme rightly emphasized the importance of human resources for training and language diversity within the Community. It nevertheless hoped that the programme would be extended in such a way as to offer the widest possible access to language learning for all Community citizens and to enable other types of teachers and teaching than those at present envisaged to be taken into account.

Higher education

2.1.90. On 16 March the Commission adopted the second annual progress report³ on the Community action programme on student mobility (Erasmus).⁴ This programme, which has encountered considerable interest since its launch in 1987,⁵ scored a high success in 1988, as is borne out

by the considerable rise in the number of applications for assistance. Financial support was granted to 1 091 university cooperation programmes, 948 (87%) of which were concerned with student mobility. In the course of the 1988/89 academic year, 1 267 grants for study visits were awarded and aid was also granted to 23 projects presented by associations or groups of universities, as well as to 12 publications dealing with university cooperation and mobility. The year also saw completion of preparations for the European Credit Transfer System (ECTS)⁶ and implementation of appropriate measures to assess and monitor the programme.

Vocational training

Transition from school to working life

2.1.91. On 17 March Parliament adopted a resolution⁷ on the Commission's final report⁸ on the second Community action programme (1982-87)⁹ on the transition of young people from education to adult and working life and on the essential features of a Community vocational training policy in the context of the 1992 internal market. Noting the Commission's efforts in this field, Parliament nevertheless hoped that an integrated approach for a common vocational training policy would emerge and called on the Commission to supplement along these lines its communication on education in the European Community (medium-term prospects 1989-92).¹⁰ The

¹ OJ C 172, 1.7.1988; Bull. EC 4-1988, point 2.1.85.

² Bull. EC 12-1988, point 2.1.157.

³ COM(89) 119 final. First report: Bull. EC 4-1988, point 2.1.87.

⁴ OJ L 166, 25.6.1987; Bull. EC 6-1987, point 2.1.93.

⁵ Bull. EC 5-1987, point 1.3.1 *et seq.*; Bull. EC 10-1987, point 2.1.79.

⁶ OJ C 197, 27.7.1988; Bull. EC 7/8-1988, point 2.1.87; Bull. EC 12-1988, point 2.1.158.

⁷ OJ C 96, 17.4.1989.

⁸ Bull. EC 12-1987, point 2.1.144.

⁹ OJ C 193, 28.7.1982; Bull. EC 5-1982, point 2.1.35; Bull. EC 12-1985, point 2.1.101.

¹⁰ Bull. EC 5-1988, point 1.2.3 to 1.2.9.

resolution outlined appropriate policy objectives and called on the Commission to combine existing programmes and projects in an integrated work and action programme to run until 1992.

Information, communication and culture

Priority information programme

2.1.92. On 15 March the Commission adopted the operational guidelines for its priority information programme, having already adopted the policy guidelines on 1 February.¹ With material and human resources at a premium, making it imperative to be strictly selective and to concentrate the use of these resources, the Commission identified the priority sub-areas and suggested appropriate ways of putting them across.

Project 1992

Team 92

2.1.93. 'Team 92' became operational at the beginning of March. This scheme involves groups of speakers trained in response to growing demand for information about 1992 at seminars, conferences and symposia within the Community. Over 350 people were trained under this Commission initiative during the winter of 1988/89, and the first results are beginning to show in the field. In Denmark, for example, over 32 000 people have so far attended lectures by Team 92. It must be stressed that speakers are acting in a private capacity, at the invitation of Commission Offices, and in no way officially represent the Commission's views.

Public awareness

European Yacht Race

2.1.94. The third European Yacht Race, the leading sporting event under the

people's Europe programme, will be held in July and August, starting from Hamburg to mark the city's 800th anniversary.

This top sporting event, sponsored by the Commission and supported by its President, Mr Jacques Delors, attracts the best sailors and the fastest multihulls in the world, the embodiment of European and international high technology. The European Community race is not only a sporting challenge: it is an economic and political event along the lines envisaged by the Fontainebleau Summit,² which called for the creation of European sporting competitions, the formation of multinational teams and the development of relations between Member States' citizens. The two previous races involved vessels of 11 different nationalities and a number of multinational crews. Economic and political as well as sporting links were forged between the various ports of call. The media coverage was considerable: the 1987 competition received over 11 hours' television coverage, and was the subject of almost 3 000 newspaper articles, 1 500 photos and 30 hours of radio coverage.

1992 Olympics

2.1.95. At its 15 March meeting the Commission agreed in principle to a Community presence at the 1992 Olympics at Barcelona and Albertville in the following form:

- (i) Community participation in the opening and closing ceremonies;
- (ii) identification of athletes as belonging to the Community, having regard to the Olympic Charter;
- (iii) a firm Community commitment to the promotion of new technologies, particularly as regards high-definition television, mobile communications and microcircuit cards.

The Commission will keep a close watch on developments and step up contacts with the various Olympic authorities, with a

¹ Bull. EC 2-1989, point 2.1.84.

² Bull. EC 6-1984, point 1.1.1 *et seq.*

view to promoting the Community's image at the 1992 Olympic Games.

Regional policy

Reform of the structural Funds

2.1.96. Acting under Council Regulation (EEC) No 2052/88 of 24 June 1988—the framework Regulation—on the reform of the structural Funds,¹ on 21 March the Commission formally adopted:

(i) the first list of areas eligible under Objective 2 ('converting the regions, frontier regions or parts of regions ... seriously affected by industrial decline'); the regions and areas concerned account for 15% of the Community's population and have been selected according to basic criteria relating to unemployment, the share of industrial employment in total employment and the fall in industrial employment, together with other criteria which permit the inclusion of (a) areas adjacent to those satisfying the basic criteria, (b) urban communities and (c) areas experiencing severe sectoral problems; the decision affects nine Member States—Greece, Ireland and Portugal are excluded because the whole of their territory is eligible under Objective 1 ('promoting the development and structural adjustment of the regions whose development is lagging behind')—and will be followed by a decision on the regions concerned by Objective 5b ('promoting the development of rural areas'), so completing the first real assisted areas map for Community regional aid purposes;

(ii) the indicative allocation between Member States of 85% of ERDF appropriations under Objective 2 for the period 1989-93.

Coordination of programmes

Regional development programmes

2.1.97. In accordance with the framework Regulation,¹ the Member States sent their

regional development plans to the Commission within the time allowed.

2.1.98. On 6 March the Commission made a financial contribution of ECU 15 million to the International Fund for Ireland, which was set up by the United Kingdom and Ireland in 1986. Besides constituting assistance for economic development, the contribution also reflects the Community's desire to support efforts to achieve reconciliation between the people of the region. It is additional to grants from the structural Funds.

2.1.99. On 17 March Parliament adopted a resolution on the impact of infrastructures and the tertiary sector on regional development — prospects for a new regional policy.² After pointing to the existence of disparities in the provision, quality and type of infrastructures and services between the regions of the Community, Parliament stressed the role which these can play in regional development. It considered that the implementation of major infrastructure projects in transport, telecommunications, energy, the environment and the service sector in the most deprived regions would contribute to the completion of the internal market, greater economic cohesion and improved competitiveness of the Community's economic system. It accordingly asked that the Community's structural instruments step up their contribution by diversifying assistance to these sectors so as to facilitate in the medium and long term the insertion of these regions into a pattern of economic relationships which is better attuned to the reality of the Community.

Coordination of Member States' regional policies

2.1.100. On 17 March Parliament adopted a resolution on the promotion of regional development agencies as an essential part of regional policy.² Parliament considered

¹ OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159.

² OJ C 96, 17.4.1989.

that, by reason of their specific structure, working methods and the type of services which they offer, the agencies can greatly assist the least-developed regions in utilizing regional aid and attracting investment capital. Accordingly, it called on national and regional governments in those Member States where there are no such agencies to take the necessary legal steps to set them up. Parliament also considered that it would be appropriate for regional development agencies to combine together at both national and Community level with a view to improving the quality of their services and asked the Commission to support such efforts.

Financial instruments

European Regional Development Fund

ERDF grants

Studies

2.1.101. On 16 March the Commission decided to grant financial assistance for basic studies and economic assessments linked to preparation of national programmes of Community interest for the Italian regions of Molise (ECU 31 000) and Calabria (ECU 36 000).

Aid to disaster victims

2.1.102. On 1 March the Commission decided to provide ECU 300 000 in emergency aid from Article 690 of the budget to help those affected by the storms which hit northern, central and eastern Spain on 26 and 27 February.

2.1.103. On 16 March Parliament adopted resolutions on the hurricane-force winds in Valencia, Spain; the drought and forest fires in Spain; urgent measures for the Liguria region, Italy; the storms in the Mediterranean (Corsica, France); damage caused by the protracted period of drought (Greece); the drought in the southern regions of the

Community; and exceptional weather conditions.¹ It asked the Commission to provide emergency assistance to those affected.

Environment

Community action on the environment (ACE) and other financial measures

2.1.104. On 22 March the Commission, acting under Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds,² approved financial assistance of ECU 1.042 million to three incentive projects contributing to the maintenance or re-establishment of seriously threatened biotopes which shelter endangered species. The three projects are concerned with grazing management in the Charente coastal marshes in France, protecting the habitats of the Bonelli's eagle in the south of France and safeguarding valley bottoms in the Ardennes in Belgium and Luxembourg.

Prevention and reduction of pollution and nuisance

Protection of the aquatic environment

Discharges of dangerous substances

2.1.105. On 17 March Parliament adopted an opinion¹ on the proposal for a Directive³ amending Council Directive 86/280/EEC of 12 June 1986 concerning limit values and quality objectives for discharges of certain dangerous substances (dichloroethane, trichlorobenzene, trichloroethylene and perchloroethylene).⁴ It introduced an

¹ OJ C 96, 17.4.1989.

² OJ L 103, 25.4.1979.

³ OJ C 253, 29.9.1988; Bull. EC 9-1988, point 2.1.84.

⁴ OJ L 181, 4.7.1986; Bull. EC 6-1986, point 2.1.147.

amendment that would defer the effective date of the Directive by a year, to 1 January 1991.

International cooperation

2.1.106. On 10 March the Commission adopted a proposal for a Decision, for transmission to the Council, concluding the Convention on Cooperation on the Management of Water Resources in the Danube Basin (Regensburg Convention).¹

2.1.107. On 10 March the Commission also adopted, for transmission to the Council, a proposal for a Decision² authorizing it to take part, on behalf of the Community, in the negotiations on the adoption by the International Commission for the Protection of the Rhine against Pollution of draft recommendations to the Contracting Parties intended to supplement, in respect of certain organochlorine compounds, Annex IV to the Convention.³

Air pollution

Sulphur dioxide and suspended particulates

2.1.108. On 17 March Parliament adopted a favourable opinion⁴ on the proposal for a Council Directive⁵ amending Directive 80/779/EEC of 15 July 1980 on air quality limit values and guide values for sulphur dioxide and suspended particulates.⁶

International cooperation

2.1.109. On 2 March the Council adopted conclusions on international cooperation on the environment, especially on air pollution. This confirms the Community's interest in all efforts which can be made at international level to ease the way for decisions for which it is responsible under the Treaty.

Noise abatement

Motor cycles

2.1.110. On 14 March the Council adopted, on a proposal from the Commission,⁷ Directive 89/235/EEC⁸ amending Directive 78/1015/EEC of 23 November 1978 on the permissible sound level and exhaust system of motor cycles,⁹ on which it had adopted a common position in October 1988.¹⁰

Controls on chemicals, industrial hazards and biotechnology

Chlorofluorocarbons

2.1.111. At the Council meeting of 2 and 3 March Environment Ministers adopted conclusions on the deterioration of the ozone layer (→ point 1.2.1 *et seq.*), which was also the subject of a resolution passed by Parliament on 16 March.

Waste disposal

2.1.112. At its March meeting the Economic and Social Committee delivered an opinion endorsing the proposal for a Council Directive on the disposal of polychlorinated biphenyls (PCBs) and polychlorinated terphenyls (PCTs).¹¹ It asked the Commission to promote an increase in the capacity for destructive disposal of PCBs and PCTs and to encourage further restrictions on their transportation.

¹ OJ C 98, 19.4.1989; COM(89) 28 final.

² COM(89) 88.

³ OJ L 240, 19.9.1977.

⁴ OJ C 96, 17.4.1989.

⁵ OJ C 254, 30.9.1988; Bull. EC 9-1988, point 2.1.86.

⁶ OJ L 229, 30.8.1980.

⁷ OJ C 44, 17.2.1988; Bull. EC 1-1988, point 2.1.59.

⁸ OJ L 98, 11.4.1989.

⁹ OJ L 349, 13.12.1978.

¹⁰ Bull. EC 10-1988, point 2.1.107.

¹¹ OJ C 319, 12.12.1988; Bull. EC 10-1988, point 2.1.111.

2.1.113. At the end of the diplomatic conference held in Basle from 20 to 22 March under the auspices of the United Nations Environment Programme, the Community and eight Member States signed the Global Convention on the Control of the Transboundary Movements of Hazardous Wastes. This convention should allow controls on international trade in hazardous waste to be stepped up and put an end to the abuses denounced by the public in the past.

Protection and use of resources

Fauna and flora

2.1.114. On the basis of the Commission paper on the protection of the African elephant,¹ the Council on 2 March confirmed Community support for efforts made by African States to protect their elephant populations. It welcomed the Commission's intention to propose stricter conditions for the commercial importation of African elephant ivory and hold discussions with a view to obtaining the widest possible consensus on the measures to be followed for the protection of this species.

2.1.115. On 17 March the Commission adopted, for transmission to the Council, a proposal for a Directive² to extend *sine die* Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom.³

Improving the quality of life

Increasing awareness and information

2.1.116. On 31 March the Economic and Social Committee adopted an opinion endorsing the proposal for a Council Directive on the freedom of access to information on the environment.⁴ It asked the Com-

mission, however, to be attentive to the formulation of certain provisions, particularly those which might obstruct the application by the Member States of more rigorous measures and those on the secrecy and confidentiality of information. It took the view that legislative bodies and Community authorities and administrations should also be obliged to provide access to information.

Consumers

Protection of economic and legal interests

Consumer credit

2.1.117. On 15 March Parliament delivered an opinion (first reading)⁵ endorsing the Commission proposal⁶ for amendment of Council Directive 87/102/EEC of 22 December 1986 on consumer credit.⁷ Parliament adopted a number of technical amendments relating, in particular, to the determination of costs and charges.

Agriculture

Continuing reform of the CAP

2.1.118. Following the political agreement reached at its meeting on 23 and 24 January⁸ on the Commission's proposals concerning income aids,⁹ beef/

¹ Bull. EC 12-1988, point 2.1.220.

² COM(89) 112 final.

³ OJ L 91, 9.4.1983; Bull. EC 3-1983, point 2.1.85.

⁴ OJ C 335, 30.12.1988; Bull. EC 10-1988, point 2.1.119.

⁵ OJ C 96, 17.4.1989.

⁶ OJ C 155, 14.6.1988; Bull. EC 4-1988, point 2.1.125.

⁷ OJ L 42, 12.2.1987; Bull. EC 12-1986, point 2.1.205.

⁸ Bull. EC 1-1989, point 2.1.53 *et seq.*

⁹ OJ C 236, 2.9.1987; Bull. EC 4-1989, point 1.2.1 *et seq.*; OJ C 180, 9.7.1988; Bull. EC 5-1988, point 2.1.118.

veal,¹ milk quotas ('SLOM'),² nuts,³ the arrangements for small producers of cereals⁴ and agri-monetary measures, on 2 March and 20 and 21 March the Council adopted the following Regulations:

(i) (EEC) No 571/89 amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal, repealing Regulation (EEC) No 1302/73 and extending Regulation (EEC) No 4132/88;⁵

(ii) (EEC) No 572/89 amending Regulation (EEC) No 468/87 laying down general rules applying to the special premium for beef producers;⁶

(iii) (EEC) No 573/89 amending Regulation (EEC) No 1357/80 introducing a system of premiums for maintaining suckler cows and repealing Regulation (EEC) No 1199/82;⁶

(iv) (EEC) No 729/89 laying down general rules for the special arrangements applicable to small producers as part of the co-responsibility arrangements in the cereals sector;⁷

(v) (EEC) No 763/89 amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products;⁸

(vi) (EEC) No 764/89 amending Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68;⁸

(vii) (EEC) No 765/89 amending Regulation (EEC) No 1079/77 on a co-responsibility levy and on measures for expanding the markets in milk and milk products;⁸

(viii) (EEC) No 766/89 establishing, for the period running from 1 April 1989 to 31 March 1990, the Community reserve for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68;⁸

(ix) (EEC) No 767/89 setting the intervention price for butter from 1 April 1989;⁸

(x) (EEC) No 768/89 establishing a system of transitional aids to agricultural income;⁸

(xi) (EEC) No 789/89 instituting specific measures for nuts and locust beans and

amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables;⁹

(xii) (EEC) No 790/89 setting the level of additional flat-rate aid for the formation of producers' organizations and the maximum amount applied to aid for quality and marketing improvement in the nut- and locust-bean-growing sector.⁹

2.1.119. On 17 March Parliament adopted an opinion on the proposal relating to Regulation (EEC) No 789/89.¹⁰

The rural challenge

2.1.120. On 30 March the Economic and Social Committee adopted an opinion on two proposals for Regulations that form part of the package of proposals on Community strategy and action in the forestry sector.¹¹ The proposals in question are to amend Council Regulations (EEC) Nos 3528/86 and 3529/86 of 17 November 1986 on the protection of the Community's forests against atmospheric pollution and fire respectively.¹² Being of the opinion that the Community must take firm action to promote a common policy on protecting woodlands against harmful influences, the Committee approved the proposed measure as representing a first step in this direction. In the light of recent discussions on climatological phenomena affecting the environment, the Committee was, moreover, of the opinion that woodlands are of fundamental importance and that this should be reflected

¹ OJ C 300, 25.11.1988; Bull. EC 10-1988, point 2.1.144; COM(89) 111 final.

² OJ C 265, 12.10.1988; Bull. EC 9-1988, point 2.1.102.

³ OJ C 322, 15.12.1988; Bull. EC 10-1988, point 2.1.129.

⁴ Bull. EC 11-1988, point 2.1.188.

⁵ OJ L 61, 4.3.1989.

⁶ OJ L 63, 7.3.1989.

⁷ OJ L 80, 23.3.1989.

⁸ OJ L 84, 29.3.1989.

⁹ OJ L 85, 30.3.1989.

¹⁰ OJ C 96, 17.4.1989.

¹¹ OJ C 312, 7.12.1988; Bull. EC 9-1988, point 1.2.1 *et seq.*

¹² OJ L 326, 21.11.1986; Bull. EC 11-1986, point 2.1.203.

in a forestry policy not just at Community level but at world level too.

Agricultural prices and related measures for 1989/90

2.1.121. On 30 March the Economic and Social Committee also adopted an opinion on the farm price proposals and related measures for 1988/89.¹ The Committee noted that the Commission's proposals were commensurate with the efforts to ensure continuity and cohesion in adjusting European agriculture to the new conditions on Community and world markets. Nevertheless, it felt that this adjustment process must be accompanied by social measures which should be implemented to the same extent in all Member States. The Committee called on the Commission to draw up by the end of 1989 a comprehensive blueprint for the future of agriculture and rural populations, which should contain a coordinated set of effective, concrete measures. In addition, the Committee's opinion was accompanied by a whole series of amendments aimed at recalling the need for a 'quality' policy for specific products.

Market organizations

Cereals and rice

2.1.122. On 6 March the Council, acting on a proposal from the Commission,² adopted Regulation (EEC) No 592/89 on the transfer to Italy of 300 000 tonnes of barley held by the Spanish intervention agency³ in order to offset the shortage of fodder brought about by the prolonged drought.

2.1.123. On 9 March the Commission adopted for transmission to the Council three proposals for Regulations:⁴

(i) amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals;⁵

(ii) setting general rules on the production aid for high-quality flint maize;

(iii) fixing the production aid for sowings in the 1988/89 marketing year of certain varieties of high-quality flint maize.

These proposals should help launch this crop in the most suitable areas of the Community to meet increased demand, in particular for milling into groats and meal (grits) for human consumption.

2.1.124. On 16 March the Commission adopted for transmission to the Council a proposal for a Regulation⁶ amending Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice.⁷ This proposal amends the existing arrangements as regards imports of milled rice into Réunion and the amount of the subsidies for consignments of Community origin.

2.1.125. On 21 March the Commission adopted Regulation (EEC) No 743/89 laying down detailed rules for the application of a direct aid scheme for small producers of cereals.⁸ This lays down the scale for the allocation among Member States of the overall amount of aid provided for under Council Regulation (EEC) No 729/89 of 20 March 1989 (→ point 2.1.118).

Fruit and vegetables

2.1.126. On 30 March the Commission adopted Regulation (EEC) No 816/89 establishing the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector from 1 January 1990.⁹

¹ Bull. EC 1-1989, point 2.1.60 *et seq.*

² COM(89) 75 final.

³ OJ L 65, 9.3.1989.

⁴ OJ C 87, 8.4.1987; COM(89) 54 final.

⁵ OJ L 281, 1.11.1975.

⁶ OJ C 99, 20.4.1989; COM(89) 116 final.

⁷ OJ L 166, 25.6.1976.

⁸ OJ L 80, 23.3.1989.

⁹ OJ L 86, 31.3.1989.

2.1.127. On 15 March the Commission took note of the undertaking by apple suppliers in the southern hemisphere to restrict their apple exports to the Community in 1989 to an overall quantity of 580 000 tonnes. It will monitor closely actual imports of such apples and will consider the case for applying import restrictions should this figure be exceeded.

Wine

2.1.128. On 7 March the Commission adopted¹ for transmission to the Council an amended proposal for a Regulation² to amend Council Regulations (EEC) Nos 347/79 of 5 February 1979 on general rules for the classification of vine varieties and 355/79 of the same date laying down general rules for the description and presentation of wines and grape musts.³ The aim of the amendment is to specify, given past misuse of the terms relating to the bottling of a wine by the producer that appear on the label affixed to the container used, that in future such terms may only be used by a group of vineyards if the grapes used for the production of the wine in question were harvested on those holdings and made into wine by that group.

2.1.129. On 31 March the Commission adopted a report to be sent to the Council on foreseeable trends in the planting and replanting of vineyards in the Community and on the balance of production and consumption in the wine sector (1985/86 and 1986/87 wine years).⁴

Milk and milk products

2.1.130. On 21 March the Council, acting on a proposal from the Commission,⁵ adopted Regulation (EEC) No 770/89⁶ amending Regulation (EEC) No 3667/83 of 19 December 1983 relating to the continuing import of New Zealand butter into the United Kingdom on special terms.⁷ This Regulation further extends for the period from 1 April to 31 May 1989 the existing

arrangements applicable to such imports.⁸ This means that 31 040 tonnes may be imported on the same terms as previously with a levy of ECU 76.39/100 kg, which is equivalent to 25% of the intervention price.

Beef/veal

2.1.131. On 2 March the Council adopted estimates concerning:

(i) young male bovine animals for fattening weighing 300 kg or less for the period 1 January to 31 December 1989 (89/168/EEC);⁹ the estimated shortfall remains stable at 175 000 head;

(ii) beef and veal for processing for the period 1 January to 31 December 1989 (89/169/EEC);⁹ the estimate is set at 20 000 tonnes, two thirds for preserved foods and one third for other processed products.

2.1.132. On 2 March the Council, in the light of these estimates, adopted Regulation (EEC) No 574/89 opening for 1989 a special quota for the import at 20% duty of 6 000 tonnes of high-quality beef.⁹

2.1.133. On 22 March the Commission adopted Regulation (EEC) No 746/89 laying down detailed rules for the application of these special quota arrangements, in particular as regards checks on the nature, provenance and origin of the products in question.¹⁰

2.1.134. On 20 March the Commission adopted Regulation (EEC) No 714/89 laying down detailed rules applying to the special premium for beef producers¹¹ introduced

¹ COM(89) 96 final.

² Bull. EC 5-1988, point 2.1.132.

³ OJ L 54, 5.3.1979.

⁴ COM(89) 138 final.

⁵ COM(89) 159 final.

⁶ OJ L 84, 29.3.1989.

⁷ OJ L 366, 28.12.1983; Bull. EC 12-1983, point 2.1.148.

⁸ OJ L 362, 30.12.1988; Bull. EC 12-1988, point 2.1.248.

⁹ OJ L 63, 7.3.1989.

¹⁰ OJ L 80, 23.3.1989.

¹¹ OJ L 78, 21.3.1989.

by Council Regulation (EEC) No 572/89 of 2 March (→ point 2.1.118) as a permanent support instrument. The Commission Regulation relates primarily to the lodging of applications, the marking and identification of eligible cattle, administrative and on-the-spot checks and the sanctions to be applied in cases of fraud.

Sugar

2.1.135. On 29 March the Commission adopted, for transmission to the Council, two proposals for Regulations¹ amending respectively Council Regulations (EEC) Nos 3033/80 of 29 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products² and 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemicals industry.³

The lack of either a production refund or of tariff protection comparable with that for agricultural products has resulted in the Community laevulose industry becoming uncompetitive with producers of chemically pure fructose (laevulose) in non-member countries. In order to restore normal conditions of competition, the Commission is proposing:

(i) that imports of laevulose into the Community from non-member countries that do not benefit from preferential tariffs should be made subject to an agricultural levy; the levy on laevulose should be the same as for isoglucose,⁴ in order to ensure coherence with the trade arrangements in force in the sugar sector;

(ii) that a quantity (to be set) of laevulose should be made eligible for a production refund based on the sugar content.

Processed fruit and vegetables

2.1.136. On 20 March the Council, acting on a proposal from the Commission⁵ endorsed by Parliament on 17 March,⁶ adopted Regulation (EEC) No 762/89 intro-

ducing a specific measure for certain grain legumes.⁷ The Regulation provides for an aid per hectare to be paid to maintain crops of chick-peas, lentils and vetches and lays down a maximum guaranteed area for the Community. The measure will apply until the end of the 1991/92 marketing year.

Structures

2.1.137. On 6 March the Council, acting on a proposal from the Commission,⁸ adopted Regulation (EEC) No 591/89⁹ amending Regulation (EEC) No 797/85 of 12 March 1985¹⁰ as regards extensification of production. The amendment is intended to allow Member States to limit the scheme, where administrative difficulties linked to particular agronomic or economic conditions so require, to an experimental application within the framework of pilot programmes to be carried out in 1989 and 1990.

Within this context, the Council has made it a requirement for Member States to carry out pilot programmes, as an alternative to the general extensification scheme, in at least the beef/veal and wine sectors from 1 January 1989 and for other surplus products from 1 January 1990.

Legislation

Veterinary and animal husbandry

2.1.138. On 6 March the Council, acting on a proposal from the Commission,¹¹

¹ COM(89) 71 final.

² OJ L 323, 29.11.1980.

³ OJ L 94, 9.4.1986.

⁴ OJ L 177, 1.7.1981; Bull. EC 6-1981, point 2.1.88.

⁵ OJ C 6, 7.1.1989; OJ C 60, 9.3.1989.

⁶ OJ C 96, 17.4.1989.

⁷ OJ L 80, 23.3.1989.

⁸ OJ C 20, 26.1.1989; Bull. EC 12-1988, point 2.1.275.

⁹ OJ L 65, 9.3.1989.

¹⁰ OJ L 93, 30.3.1985; Bull. EC 3-1985, point 2.1.111 *et seq.*

¹¹ Bull. EC 12-1988, point 2.1.283.

adopted Decision 89/187/EEC¹ determining the powers and conditions of operation of the Community reference laboratories provided for by Council Directive 86/469/EEC of 16 September 1986 concerning the examination of animals and fresh meat for the presence of residues.²

2.1.139. On 21 March the Council, acting on a proposal from the Commission,³ adopted Directive 89/227/EEC⁴ amending Directives 72/462/EEC of 12 December 1972⁵ and 77/99/EEC of 21 December 1976⁶ to take account of the introduction of public-health and animal-health rules to govern imports of meat products from non-member countries.

The Directive extends to meat products the rules applicable since 1973 to imports of livestock and fresh meat from non-member countries. It empowers the Commission to approve meat product establishments authorized to export these products to the Community, and is an important step towards the achievement of the internal market, creating common health rules to govern the import of these products.

2.1.140. On 28 March the Commission adopted for transmission to the Council a proposal for a Directive⁷ to amend Directives 81/602/EEC of 31 July 1981⁸ and 88/146/EEC of 7 March 1988⁹ in respect of the prohibition of certain substances having a hormonal action and of substances having a thyrostatic action. The purpose is to allow for therapeutic treatment of a sheep disease known as 'ovine balanoposthitis'.

2.1.141. On 17 March Parliament adopted an opinion¹⁰ on the proposal for a Regulation laying down health conditions for the marketing of fish and fish products concerning nematodes.¹¹ Being of the opinion that the completion of the internal market requires, in addition to maintaining a high level of consumer protection, the introduction of further quality standards for fish products, the House approved the Commission's proposal subject to a number of technical amendments.

2.1.142. In March Parliament approved¹⁰ a proposal for a Regulation on animal health conditions governing intra-Community trade in ovine and caprine animals¹² and a proposal for a Directive¹² to amend Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from non-member countries,⁵ in order to include ovine and caprine animals.

2.1.143. On 31 March the Economic and Social Committee adopted an opinion on the proposal for a Regulation on animal health conditions governing intra-Community trade in and importation from non-member countries of embryos of domestic animals of the bovine species.¹³ The Committee endorsed the proposal and in particular the idea of embryo collection by supervised and approved teams. It nevertheless made a number of recommendations and comments of a technical nature.

Livestock feed

2.1.144. On 13 March the Commission, having received Parliament's opinion,¹⁴ adopted for transmission to the Council an amendment¹⁵ to the proposal¹⁶ for a Directive to amend Council Directive 79/373/EEC of 7 April 1979 on the marketing of compound feedingstuffs.¹⁷ The amendment concerns the particulars which must or may

¹ OJ L 66, 10.3.1989.

² OJ L 275, 26.9.1986; Bull. EC 9-1986, point 2.1.122.

³ OJ C 286, 25.10.1984; Bull. EC 10-1984, point 2.1.106.

⁴ OJ L 93, 6.4.1989.

⁵ OJ L 302, 31.12.1972.

⁶ OJ L 26, 31.1.1977.

⁷ OJ C 99, 20.4.1989; COM(89) 136 final.

⁸ OJ L 222, 7.8.1981; Bull. EC 7/8-1981, point 2.1.76.

⁹ OJ L 70, 16.3.1988; Bull. EC 3-1988, point 2.1.138.

¹⁰ OJ C 96, 17.4.1989.

¹¹ OJ C 66, 11.3.1988; Bull. EC 2-1988, point 2.1.136.

¹² OJ C 48, 27.2.1989; Bull. EC 12-1988, point 2.1.280.

¹³ OJ C 76, 28.3.1989; Bull. EC 12-1988, point 2.1.280.

¹⁴ OJ C 12, 16.1.1989; Bull. EC 12-1988, point 2.1.295.

¹⁵ OJ C 100, 21.4.1989; COM(89) 125 final.

¹⁶ OJ C 178, 7.7.1988; Bull. EC 5-1988, point 2.1.164.

¹⁷ OJ L 86, 6.4.1979.

figure on the label, packaging or container of the feedingstuffs.

State aid

2.1.145. Under Articles 92 to 94 of the EEC Treaty, the Commission decided to make no comment on the introduction of the following proposed schemes, which had been duly notified.

Germany

Baden-Württemberg

Scheme to promote the construction of farm housing.

Hessen

Aid for publicity measures aimed at facilitating the marketing of agricultural produce.

Spain

Royal Decree No 808/1087 on aid to young farmers.

Order implementing this Decree and laying down the conditions for granting aid to young farmers.

France

Measures envisaged at the special agricultural conference held on 25 February 1988:

- (i) the setting-up of an agricultural debt relief fund;
- (ii) defrayal of interest payments in the wine sector;
- (iii) defrayal of interest payments in the milk sector;
- (iv) aid for pig producers in financial difficulties.

Greece

Approval of an aid programme for the improvement of livestock.

Aid to farmers and poultry breeders following natural disasters.

Measures to support livestock farmers.

Plant-production research and demonstration programme.

Netherlands

Aid for innovation in agriculture.

United Kingdom

Specific case: investment for the construction of broiler processing plants.

Measures to assist the British Egg Industry Council.

Feasibility study and marketing aid to encourage agricultural diversification.

European Agricultural Guidance and Guarantee Fund

Guarantee Section

2.1.146. On 20 March the Council, acting on a proposal from the Commission, adopted Regulation (EEC) No 787/89¹ amending Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the EAGGF Guarantee Section.² This amendment means that costs arising from the special measures designed to guarantee the use and/or destination of products held by intervention agencies are to be financed by means of standard amounts uniform throughout the Community.

¹ OJ L 85, 30.3.1989.

² OJ L 216, 5.8.1978.

2.1.147. On 20 March the Council, acting on a proposal from the Commission, also adopted Regulation (EEC) No 788/89¹ amending Regulation (EEC) No 3247/81 of 9 November 1981 on the financing by the EAGGF Guarantee Section of certain intervention measures, particularly those involving the buying-in, storage and sale of agricultural products by intervention agencies.² The Regulation changes, *inter alia*, the method of calculating the prices to be repaid to the Guarantee Section where products in intervention storage have deteriorated or have been destroyed.

Fisheries

Resources

Internal aspects

Community measures

Control measures

2.1.148. On 30 March the Economic and Social Committee adopted an opinion on the proposal for a Decision on a Community financial contribution towards expenditure incurred by Member States in enforcing the Community system for the conservation and management of fishery resources.³ The Committee endorsed the proposal, considering it necessary for the control of fishing. Sanctions were required as a deterrent, but the Committee was doubtful as to the legitimacy of some of the measures proposed.

External aspects

2.1.149. On 9 March the Commission adopted, for transmittal to the Council, a proposal for a Regulation on the conclusion of an agreement between the Community

and the Government of Mauritius on fishing in Mauritian waters.⁴ The proposed agreement, which was initialled in Port Louis on 23 November 1988,⁵ provides, for a period of three years and in return for financial compensation from the Community, for the issue of fishing licences to 40 tuna seiners and a limited number of line-fishing vessels and for a period of exploratory fishing for crustaceans.

2.1.150. On 13 March the Commission adopted, for transmittal to the Council, a proposal for a Regulation⁶ to amend Regulation (EEC) No 2245/85 of 2 August 1985 laying down certain technical measures for the conservation of fish stocks in the Antarctic.⁷ The purpose of the proposed Regulation is the implementation by the Community of a number of conservation measures adopted by the Commission for the Conservation of Antarctic Marine Living Resources.⁸ These measures place a temporary ban on direct fishing for *Chamsocephalus gunnari* and limit the total catch of *Patagonotothen brevicauda guntheri*.

Transport

Inland transport

Road transport

Admission to the occupation

2.1.151. On 14 March the Council approved the proposal for a Directive⁹ to amend Council Directives 74/561/EEC of

¹ OJ L 85, 30.3.1989.

² OJ L 327, 14.11.1981; Bull. EC 11-1981, point 2.1.109.

³ OJ C 20, 26.1.1989; Bull. EC 11-1988, point 2.1.233.

⁴ OJ C 86, 7.4.1989; COM(89) 73 final.

⁵ Bull. EC 11-1988, point 2.1.239.

⁶ COM(89) 95 final.

⁷ OJ L 210, 7.8.1985; Bull. EC 7/8-1985, point 2.1.176.

⁸ OJ L 252, 5.9.1981.

⁹ OJ C 102, 16.4.1988; Bull. EC 3-1988, point 2.1.188.

12 November 1974 on admission to the occupation of road haulage operator,¹ 74/562/EEC of the same date for the occupation of road passenger transport operator¹ and 77/796/EEC of 12 December 1977 aiming at the mutual recognition of the relevant diplomas and certificates.² This marks the culmination of the programme to ensure uniform application of the requirements laid down in Directives 74/561/EEC and 74/562/EEC and tightens up the minimum standards of good repute, financial standing and professional competence to be satisfied by all transport operators.

Technical aspects

2.1.152. On 14 March the Council reached agreement on the proposal for a Directive³ to amend Council Directive 85/3/EEC of 19 December 1984 on the weights and dimensions of commercial vehicles.⁴ The amendments concern two-, three- and four-axle vehicles, including articulated buses and four-axle combined vehicles.

2.1.153. On 17 March Parliament endorsed⁵ the proposal for a Directive relating to compulsory use of safety belts in vehicles of less than 3.5 tonnes.⁶

Inland waterways

Structural improvement

2.1.154. On 14 March the Council agreed on the proposal for a Regulation⁷ to reduce the structural overcapacity in the fleets of Member States linked by inland waterway with the aid of a coordinated Community vessel-scraping scheme combined with arrangements to ensure that the benefits of this scheme are not cancelled out by extra vessels being brought into service. Each Member State may exempt vessels of less than 450 tonnes from the Regulation if the economic and social situation of the industry so requires, provided the measure forms

part of a national structural improvement plan approved by the Commission.

Shipping

2.1.155. On 17 March Parliament adopted a resolution on safety at sea.⁵ Considering all the problems connected with safety at sea and safeguarding the marine environment, Parliament called for a comprehensive Community initiative providing a framework for a Community policy to reduce the number of shipping accidents and cut maritime pollution to the minimum at international level. Parliament also called for stricter enforcement of the key international conventions and regulations, the setting-up of a European Foundation for Safety at Sea and closer cooperation with the USA, Canada, Japan and the Scandinavian countries.

2.1.156. Also on 17 March Parliament adopted a resolution on Community measures to prevent distortions of competition arising from implementation of the London (Marpol) Convention of 2 November 1973 for the prevention of pollution from ships.⁵ Parliament asked the Commission to study the financial impact of the Convention on the cost structures of shipping lines and seaports in each Member State since the Convention entered into force on 10 February 1983 and to propose suitable Community measures to prevent non-uniform application of the Convention which might distort competition between shipping lines or ports.

¹ OJ L 308, 19.11.1974.

² OJ L 334, 24.12.1977.

³ OJ C 90, 11.9.1971; OJ C 16, 18.1.1979; Bull. EC 9-1981, point 2.1.110; OJ C 173, 2.7.1988; OJ C 214, 16.8.1988; Bull. EC 5-1988, point 2.1.186.

⁴ OJ L 2, 3.1.1985; Bull. EC 12-1984, point 2.1.200.

⁵ OJ C 96, 17.4.1989.

⁶ OJ C 298, 23.11.1988; Bull. EC 10-1988, point 2.1.183.

⁷ OJ C 297, 22.11.1988; Bull. EC 5-1988, point 2.1.189; OJ C 31, 7.2.1989; Bull. EC 12-1988, point 2.1.336.

Multimodal transport

2.1.157. Finally, on 14 March the Council agreed to the proposal¹ to amend Council Regulation (EEC) No 1107/70 of 4 June 1970 on the granting of aids for transport by rail, road and inland waterway.² Until 31 December 1992 aid may be granted to investment in infrastructure and fixed or mobile transshipment facilities and to measures to cut the cost of operating combined transport services carrying intra-Community traffic in transit through other countries.

Energy

General aspects

Promotion of energy technology

2.1.158. On 1 March the Commission adopted for transmission to the Council a proposal for a Regulation on the promotion of energy technology—the Thermie programme.³ This new five-year Community initiative should begin in 1990 after the expiry on 31 December 1989 of the present energy demonstration programmes covered by Council Regulation (EEC) No 3640/85 of 21 December 1985 and the oil and gas technology programme covered by Council Regulation (EEC) No 3639/85 of 21 December 1985.⁴ The new programme provides for financial support from the Community to help promote new energy technologies in the fields of energy efficiency, renewable energy sources, coal and other solid fuels and oil and gas. The Commission believes that Community action in these areas is vital to strengthen the security of energy supply, to maintain the competitive position of the European industry and for the completion of the internal market in energy.

Community financial support will take the form of grants not exceeding 40% of the

total cost of the projects approved. Preference will be given to joint ventures between undertakings from more than one Member State, to projects put forward by small and medium-sized enterprises, to projects in high-priority areas (targeted projects) and to initiatives located in the less-prosperous parts of the Community.

Transparency of energy prices

2.1.159. On 1 March the Commission approved for transmission to the Council a communication on the transparency of consumer energy prices.⁵ This follows on from the working paper of 6 May 1988 on the internal energy market.⁶ The Commission's purpose is to enable European consumers to check that the prices they are charged reflect fair conditions of competition. In order to fill in the gaps in the information available concerning the prices charged to major end-users, the Commission will propose to the Council the establishment of a legal instrument which should provide it with the means of obtaining the necessary information on prices for regular publication. The efforts to increase the transparency of prices will be aimed mainly at the natural gas and electricity markets.

Evaluation of the energy technology programmes

2.1.160. On 20 March the Commission adopted for transmission to the Council a communication⁷ on the evaluation of the energy demonstration and oil and gas technology development programmes.⁴ The experts responsible for this evaluation confirmed the relevance of the programmes and their positive contribution to the attainment

¹ OJ C 113, 29.4.1988; Bull. EC 3-1988, point 2.1.194.

² OJ L 130, 15.6.1970.

³ OJ C 101, 22.4.1989; COM(89) 121 final.

⁴ OJ L 350, 27.12.1985; Bull. EC 12-1985, point 2.1.226.

⁵ COM(89) 123 final.

⁶ Bull. EC 4-1988, point 1.1.1 *et seq.*

⁷ COM(89) 164 final.

of the Community's energy objectives, but they did voice certain criticisms concerning the insufficient impact of the energy demonstration programme on energy supply and demand in the Community. They also stressed the need for continued action in the areas concerned.

Specific aspects

Solid fuels

2.1.161. On 10 March the Commission adopted a report on the market for solid fuels in the Community in 1988 and the outlook for 1989. There was a slight increase (0.1%) in the Community's gross internal energy consumption in 1988, owing to extremely mild weather conditions. Deliveries of solid fuels are fairly stable, and Community coal production continues to fall and will amount to no more than 209 million tonnes in 1989.

2.1.162. The report was studied by the ECSC Consultative Committee under Articles 19 and 46 of the ECSC Treaty on 14 March. The Committee regretted the decline of solid fuels in the Community's energy balance.

2.1.163. Also on 14 March the ECSC Consultative Committee studied the Commission report on the application of Community rules on State aid to the coal industry in 1987.¹ Although recognizing the importance of this first report, the Committee thought it too soon to try and evaluate the real effectiveness of the Community

rules in view of the great variety of aid granted by Member States.

2.1.164. Acting under Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry,² on 30 March the Commission authorized Germany to grant supplementary aid for 1987 (DM 684 million) and for 1988 (DM 4 700 million). At the same time the Commission asked that the German authorities put forward plans for a reduction in aid and for the restructuring of the industry.

Electricity

2.1.165. On 17 March Parliament adopted an opinion³ on the proposal for a Council Decision on a Community action programme for improving the efficiency of electricity use.⁴ It called for amendments in respect of the conservation of raw materials, environmental pollution, consumer choice, the use of new technologies and the frequency of Commission reports.

2.1.166. The Economic and Social Committee adopted an opinion on this proposal on 30 March. Considering the measures proposed more likely to produce a slowdown in the growth of the Community's total electricity consumption than an actual decline in consumption, the Committee felt that the Commission should encourage research projects, the establishment of efficiency standards for electrical appliances and equipment, and cooperation between existing energy databases.

¹ Bull. EC 10-1988, point 2.1.193.

² OJ L 177, 1.7.1986; Bull. EC 6-1986, point 2.1.236.

³ OJ C 96, 17.4.1989.

⁴ OJ C 307, 2.12.1988; Bull. EC 10-1988, point 2.1.197.

2. External relations

Commercial policy

General matters

Commercial policy instruments

Easing of restrictive measures

2.2.1. Under Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level,¹ the Commission adopted decisions on the opening or modification of quotas.²

Trade protection

2.2.2. On 13 March the Commission adopted its sixth annual report to Parliament on the Community's anti-dumping and anti-subsidy activities.³ Although the report concentrates mainly on activities during 1987 under Community provisions and GATT rules, for purposes of comparison details are also included of the number of investigations and reviews initiated and concluded in 1985 and 1986.

2.2.3. Trade protection measures taken in March are shown in Table 2.

¹ OJ L 346, 8.12.1983.

² OJ C 66, 16.3.1989; OJ C 67, 17.3.1989; OJ C 73, 21.3.1989; OJ C 79, 30.3.1989; OJ C 80, 31.3.1989.

³ COM(89) 106 final. Fifth report: Bull. EC 3-1988, point 2.2.6.

Table 2 — *Trade protection measures*

Council	Commission
<p>Anti-dumping proceedings</p> <p><i>Definitive anti-dumping duty on imports of:</i></p> <p>Paint, distemper, varnish and similar brushes originating in China (and definitive collection of the provisional anti-dumping duty on such imports)</p> <p>OJ L 79, 22.3.1989 (provisional anti-dumping duty OJ L 272, 4.10.1988)</p>	<p>Anti-dumping proceedings</p> <p><i>Notice of initiation of an anti-dumping proceeding concerning imports of:</i></p> <p>'Denim' originating in Turkey, Indonesia, Hong Kong or Macao</p> <p>OJ C 73, 21.3.1989</p> <p>Dense sodium carbonate originating in the USA</p> <p>OJ C 64, 14.3.1989 (definitive anti-dumping duty: OJ L 311, 29.11.1984) (acceptance of undertaking: OJ L 206, 2.8.1984)</p> <p>NPK-fertilizers originating in Hungary, Poland, Romania or Yugoslavia</p> <p>OJ C 55, 4.3.1989</p> <p><i>Provisional anti-dumping duty on imports of:</i></p> <p>Certain flat-rolled products of iron or non-alloy steel, cold-rolled, originating in Yugoslavia</p> <p>OJ L 78, 21.3.1989 (initiation of proceeding: OJ C 184, 14.7.1988)</p> <p>Calcium metal originating in China or the Soviet Union</p> <p>OJ L 78, 21.3.1989 (initiation of proceeding: OJ C 20, 26.1.1988)</p>

Council	Commission
	<p><i>Notice of intention to carry out a review of an anti-dumping measure concerning imports of:</i></p> <p>N-propyl alcohol originating in the USA OJ C 64, 14.3.1989 (acceptance of undertaking: OJ L 106, 19.4.1984)</p> <p><i>Notice of continuation of an anti-dumping measure in force concerning imports of:</i></p> <p>Synthetic fibre hand-knitting yarn originating in Turkey OJ C 53, 2.3.1989 (acceptance of undertaking: OJ L 67, 9.3.1984)</p> <p><i>Notice of impending expiry of an anti-dumping measure concerning:</i></p> <p>Certain kinds of ballbearings originating in Singapore OJ C 74, 22.3.1989 (definitive anti-dumping duty: OJ L 193, 21.7.1984)</p> <p>Oxalic acid originating in the German Democratic Republic OJ C 60, 9.3.1989 (acceptance of undertaking: OJ L 239, 7.9.1984)</p> <p>'Horticultural' glass originating in Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania or the Soviet Union OJ C 55, 4.3.1989 (acceptance of undertaking: OJ L 224, 21.8.1984)</p> <p>Angles, shapes and sections, of iron or steel, originating in the German Democratic Republic OJ C 55, 4.3.1989 (acceptance of undertaking: OJ L 227, 24.8.1984)</p>

Industrialized countries

pave the way for the Uruguay Round negotiations planned for April.

United States

2.2.4. On 10 and 11 March Mr Frans Andriessen and Mr Ray Mac Sharry had a meeting in Brussels with Mr Clayton Yeutter, United States Secretary of Agriculture, and Mrs Carla Hills, Us Trade Representative.

The object of the talks, which focused mainly on the agricultural sector, was to

Japan

2.2.5. The informal consultations begun in Tokyo on 9 and 10 February on the residual quantitative restrictions applied by Community countries to Japan¹ resulted in agreement being reached in Brussels on 17 March. The Community offered to

¹ Bull. EC 2-1989, point 2.2.10.

remove 68 quantitative restrictions, and the Japanese agreed in return not to raise the matter in GATT if reasonable progress were made on the elimination of the remaining restrictions. In the light of this, both parties agreed to continue consultations.

Australia

2.2.6. During his visit to Brussels on 22 March, Senator Gareth Evans, Australian Minister for Foreign Affairs and Trade, had meetings with Mr Andriessen and Mr Mac Sharry at which discussion centred on the agricultural aspect of the Uruguay Round trade negotiations. Commenting on the outcome of the meeting of ministers of the Cairns Group¹ which took place in Waitangi, New Zealand, from 17 to 19 March, Senator Evans acknowledged that some progress was being made on the question of long-term action. He thought, however, that there would be difficulties in the short term because the Cairns Group intended to seek quick results in the form of a freeze on price support, export subsidies, and access and production controls. Mr Andriessen and Mr Mac Sharry reiterated the view that the total elimination of support for agriculture was an unrealistic goal, but expressed optimism about the long-term results of the agricultural trade negotiations.

Bilateral issues such as access to the Community market for Australian lamb, beef, apples and beans, and also cooperation in science and technology, were also discussed.

European Free Trade Association

2.2.7. Ministers from the Member States, together with Mr Delors and Mr Andriessen, representing the Commission, held an informal meeting in Brussels on 20 March with EFTA ministers. The co-chairmen were Mr Francisco Fernández Ordóñez, Spanish Minister for Foreign Affairs, for the Community, and Mr Thor-

vald Stoltenberg, Norway's Minister for Foreign Affairs, for the EFTA countries.

In the course of this most constructive meeting, ministers reviewed the special relationship between the Community and EFTA in the light of the Community's programme for completing the internal market and implementing the Single European Act, and of the Declaration adopted at the meeting of the Heads of Government of the EFTA States in Oslo on 15 March.

Ministers noted that important results were being achieved in establishing the 'European economic space' referred to in the 1984 Luxembourg Declaration.²

They discussed the scope for broadening and deepening cooperation in the areas linked to the internal market and in other areas such as research, technology, education, environment, social policy and transport.

Ministers also exchanged views on the ideas outlined to Parliament by Mr Delors in his speech of 17 January dealing with the scope for expanding cooperation and ways and means of achieving a more structured partnership.³

Eastern European countries

Bilateral relations

Poland

2.2.8. In the wake of the authorization given by the Council in February,⁴ nego-

¹ This group was set up in Cairns, Queensland, in August 1986 at Australia's instigation with the new GATT round in view. It represents those countries which claim that they do not subsidize their agriculture and maintain that their trade is upset by the subsidies given by the major industrialized countries. Its members are Argentina, Australia, Brazil, Canada, Chile, Colombia, Hungary, Indonesia, Malaysia, New Zealand, the Philippines, Thailand and Uruguay.

² Bull. EC 4-1984, point 1.2.1 *et seq.*

³ Bull. EC 1-1989, point 1.1.1.

⁴ Bull. EC 2-1989, point 2.2.21.

tiations opened in Brussels on 21 and 22 March for an agreement on trade and commercial and economic cooperation between the Community and Poland.

Czechoslovakia

2.2.9. On 13 March the Council adopted, on a proposal from the Commission,¹ Decision 89/215/EEC concerning the conclusion of an Agreement between the Community and Czechoslovakia on trade in industrial products.² This Agreement comes into force on 1 April following the exchange of instruments of ratification.

Mediterranean, Gulf and Arabian Peninsula countries

Mediterranean countries

Financial and technical cooperation

2.2.10. Under Decisions 88/30/EEC, 88/31/EEC and 88/32/EEC³ concerning the financial Protocols to the Cooperation Agreements between the Community and Algeria, Egypt and Jordan, the Commission decided in March to finance the operations set out in Table 3.

Table 3 — *Operations financed under the financial Protocols*

		<i>(ECU million)</i>
	Operation	Grant
Algeria	Management training	3.2
	Programme of cooperation with Aprue (Agence pour la promotion et la rationalisation de l'utilisation de l'énergie)	3.6
	Third programme of scientific cooperation with the Ministry of Higher Education	12.2
Egypt	Investment promotion	1.5
	Icarda — Regional programme in the Nile valley; further research into the development of wheat, barley and winter food legume crops	2.5
Jordan	Aid for the Agricultural Credit Corporation to help low-income farmers	1.0
	Economic geology project	1.0

Andorra

2.2.11. On 20 March, on a proposal from the Commission,⁴ the Council adopted a Decision authorizing the Commission to open negotiations on an agreement in the form of an exchange of letters with Andorra with a view to Community arrangements with Andorra to replace the national arrangements currently obtaining.

Turkey

2.2.12. On 17 March Parliament adopted a resolution on economic and trade relations between the Community and Tur-

¹ OJ C 7, 10.1.1989; Bull. EC 12-1988, point 2.2.37.

² OJ L 88, 31.3.1989.

³ OJ L 22, 27.1.1988; Bull. EC 12-1987, point 2.2.31.

⁴ Bull. EC 12-1988, point 2.2.22.

key,¹ expressing the view that the two parties should take the necessary steps to meet their obligations under the Association Agreement² and that problems arising in the implementation of the Association should be resolved within the framework provided.

Malta

2.2.13. The fifth ministerial-level meeting of the EEC-Malta Association Council was held in Brussels on 20 March under the chairmanship of Dr U. Bonnici, Maltese Minister for Education.³ The Community delegation was led by Mr F. Fernández Ordóñez, Spain's Foreign Minister and President of the Council. The Commission was represented by Mr A. Matutes.

The emphasis was on the progress made in relations between the two sides, both in trade and in cooperation generally. Technical and financial assistance was also discussed, both parties welcoming the successful implementation of the second financial Protocol.⁴

2.2.14. On 15 March the Commission adopted a proposal to be transmitted to the Council for a Decision on the conclusion of a Protocol on financial and technical cooperation between the European Economic Community and the Republic of Malta.⁵ This third five-year financial Protocol will come into force in the second half of 1989.⁶ Like other instruments of cooperation, its purpose is essentially to develop economic links between the Community and Malta in fields such as industry, education, research, technology, trade and services. To this end it provides for loans from the EIB totalling ECU 23 million, grants of ECU 12.5 million and aid for risk capital of ECU 2.5 million.

2.2.15. The outcome of the negotiations was approved by the Council on 20 March and the Protocol was signed at the EEC-Malta Association Council meeting on the same day.

Morocco

2.2.16. Mr Matutes visited Morocco from 21 to 28 March and was received by King Hassan II. He also met several members of the Government and the President of the Banque marocaine de commerce extérieur.

The visit was an opportunity for Mr Matutes to underline the importance the Community attaches to cooperation with Morocco, which he believed should take the form primarily of genuine industrial, scientific, trade and economic partnership, including specific measures to encourage contacts between European and Moroccan businessmen. He also welcomed Morocco's economic progress and its firm commitment to liberalization.

Egypt

2.2.17. President Mubarak's visit on 10 March was the first occasion on which an Egyptian Head of State had visited the Commission. The President had talks with Mr Delors and Mr Matutes and with the full Commission at a special meeting. The talks concentrated on two areas: Egypt's role in the Middle East peace process and its economic plight. President Mubarak asked the Community for understanding and support for the reforms required by the IMF. For social and political reasons, Egypt wished these reforms to be implemented gradually.

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2.2.18. On 15 March Parliament adopted a resolution on the political situation in the Western Sahara.¹ It considered that the Community had a duty to give its support to the project to establish a Maghreb Arab Union, given the importance of the region, and reaffirmed the right of the Saharan

¹ OJ C 96, 17.4.1989.

² OJ 217, 29.12.1964.

³ Previous meeting: Bull. EC 5-1986, point 2.2.29.

⁴ OJ L 216, 5.8.1986; Bull. EC 7/8-1986, point 2.2.18.

⁵ OJ C 98, 19.4.1989; COM(89) 132 final.

⁶ Second financial Protocol: OJ L 216, 5.8.1986; Bull. EC 7/8-1986, point 2.2.18.

people to self-determination and independence. It also reiterated its support for the relevant resolutions of the UN General Assembly. Parliament urged the Member States (in the Community and the European political cooperation framework) to encourage the organization of a referendum and creation of the conditions needed for the opening of negotiations between Morocco and the Polisario Front, and to reach a common position on the situation in the Western Sahara. It called on the Commission to step up its humanitarian aid to all the people of the Sahara.

Asia

South and East Asia

2.2.19. On 31 March the Economic and Social Committee adopted an own-initiative opinion on relations between the Community and the newly industrializing countries of south-east Asia, in which it examined the repercussions of the rapid development of those countries and proposed solutions to the problems which their emergence into international trade is causing the Community. The Committee suggested closer economic cooperation with those countries, greater Community efforts on research in order to cope with the competition, and the adoption of defensive measures in cases of failure to comply with the GATT rules.

Association of South-East Asian Nations (Asean)

Indonesia

2.2.20. During his visit to the Commission on 13 March, Mr Arifin Siregar, the Indonesian Trade Minister, was received by Mr Frans Andriessen and Mr Abel Matutes.

The purpose of the visit was to allow an initial general exchange of views with an eye to political negotiations. Mr Siregar

indicated Indonesia's desire to step up its trade with the Community in order to cope with growing economic difficulties and reduce its dependence on oil.

Mr Andriessen and Mr Matutes underlined the consistency of the policies pursued by the Commission in its relations with the Asean countries, including support for export promotion and closer economic and industrial cooperation.

The talks also covered multilateral trade issues (GATT) and two bilateral problems: the rise in Indonesia's exports of manioc to the Community and the ban on Indonesian exports of rattan to the Community.

China

2.2.21. Mr Bangemann visited Beijing from 20 to 22 March, where he had talks with Mr Li Peng, Prime Minister, Mr Yao Yilin, Deputy Prime Minister, and Mr Zheng Tuobin, Minister for Foreign Economic Relations and Trade.

They discussed the promotion of European investment in China, progress towards 1992 and the single market, economic development problems, reform in China, the situation in Tibet and the stepping-up of relations between the Community and China.

On the first day of his visit, Mr Bangemann opened the second China-Community symposium on investment,¹ which was attended by Mr Wu Xueqian, Deputy Prime Minister. The symposium brought together over 600 European and Chinese lawyers to study the legal and practical aspects of investment in China.

2.2.22. On 17 March Parliament adopted a resolution on economic and trade relations between the European Community and the People's Republic of China.² It recognized that the Community can contribute to steady and consistent growth in

¹ First symposium: Bull. EC 12-1987, point 2.2.37.

² OJ C 96, 17.4.1989.

China by intensifying and broadening its cooperation. It also supported China's readmission to GATT. Lastly, it asked the Commission to pay close attention to developments in trade and economic relations between China and Hong Kong and between China and Taiwan.

South Korea

2.2.23. Visiting South Korea from 22 to 24 March, Mr Bangemann had talks with Mr Cho Soon, Deputy Prime Minister and Minister for the Economic Planning Board, Mr Han Seung-Soo, Minister for Trade and Industry, Mr Lee Kyu-Sung, Minister for Finance, and Mr Choi Young Chul, Minister for Communications. The talks covered the various aspects of relations between the Community and South Korea, progress towards the single market and the mutual interest in the development of a multilateral non-discriminatory trade system in which Korea would have to assume the responsibilities arising from its growing role in international trade.

Mr Bangemann also met representatives of the Federation of Korean Industries and the Korean Foreign Trade Association. These contacts represented an extension of the current dialogue with the South Korean Government to include private-sector organizations.

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2.2.24. On 17 March Parliament adopted a resolution on economic and trade relations between the European Community and the Pacific Basin.¹ Noting that, in recent years, trade within the Pacific region had increased sharply, growing more dynamically than world trade in general, Parliament stressed that the Community must reinforce its economic and trade links with the Pacific countries with a view to retaining and increasing its role in the region. It also pointed to the GATT multilateral trade negotiations in the Uruguay Round as the principal forum for seeking greater multilat-

eral discipline, a prerequisite for the harmonious development of both the Community and the Pacific region.

Latin America

Bilateral relations

Brazil

2.2.25. On 16 March Parliament adopted a resolution on Community aid to the Grande Carajás project and the destruction of the Amazonian forest for the world's climate and the impact of its destruction on the rise in the earth's temperature, Parliament took the view that the Brazilian Government had failed to fulfil the terms of the agreement with the Commission, which lays down that Community aid to the project must not harm the environment or the indigenous people. It therefore called for an immediate stop to further payments from the Community for this scheme and asked the Commission to take the appropriate steps. It also decided to inform the Brazilian Government, the World Bank, the IMF and the UN Environment Programme of its position.

Bolivia

2.2.26. On 7 March, following a favourable opinion from the Committee on Aid to Developing Countries in Asia and Latin America, the Commission approved the financing of a rural self-sustained development programme (Programa de Autodesarrollo Campesino — PAC II). The total cost of the programme is ECU 23.5 million, of which the EEC will provide ECU 18.5 million from the appropriations entered under Article 930 of the Community budget.

¹ OJ C 96, 17.4.1989.

Colombia

2.2.27. On 16 March Parliament adopted a resolution on political murders in Colombia.¹ Deploring the murders, it expressed its sympathy with the families of victims and wished the injured a full recovery. It urged the Colombian Government and the political organizations to continue their efforts for peace and called on the authorities to disband all paramilitary and vigilante organizations and to conclude a truce of indefinite duration with the armed movements and guerilla organizations. It called for support from the European political cooperation process for a solution of Colombia's political and social problems, and called on the Governments of the Twelve and the international community to combat drug traffickers.

Mexico

2.2.28. On 17 March Parliament adopted a resolution on economic and trade relations between the Community and Mexico.¹ It noted Mexico's efforts to honour its external debt commitments and invited all the parties concerned to renegotiate the debt as a matter of urgency in order that the servicing of the debt should not continue to undermine the country's economic development. Parliament also urged the Community and Mexico to exploit to the full the agreement on which their trade and cooperation relations are based, with the aim of strengthening them, so that the opening-up of the Mexican market might be matched by the Community.

Venezuela

2.2.29. On 16 March Parliament adopted a resolution on the riots in Venezuela,¹ deploring the bloodshed and expressing its sympathy for the relatives of the victims. Parliament condemned the violence which accompanied these events and urged that law and order be upheld by less repressive

methods. It called on the Commission to grant emergency aid to Venezuela to help meet the population's immediate supply problems. Parliament underlined the extreme gravity of the economic and social situation of the countries of Latin America and the need to find a solution to the problem of their indebtedness.

African, Caribbean and Pacific (ACP) countries and overseas countries and territories (OCTs)

Stabex

Advances

2.2.30. On 6 March, under the system for the stabilization of export earnings, the Commission approved three advances on transfers on the basis of 1988 exports. These were granted to Chad (ECU 3 million for cotton), Equatorial Guinea (ECU 0.9 million for cocoa) and Senegal (ECU 0.4 million for groundnut products).

Financial and technical cooperation

European Development Fund

2.2.31. In March the Commission allocated resources from the fourth, fifth and sixth EDFs totalling ECU 81 078 000 to finance projects, programmes and emergency aid operations which it administers (see Table 4).

¹ OJ C 96, 17.4.1989.

Table 4 — *Financing of operations under the fourth, fifth and sixth EDFs*

ECU million

	Project/programme	Amount	
		Grants	Loans
<i>Economic infrastructure</i>			
Niger	Access road to the university hospital centre	0.750	
Zaire	Supply of equipment for roads		7.500
Dominica	Road	1.670	
<i>Rural production</i>			
Chad	Mainly agricultural integrated projects	28.000	
Chad	Rehabilitation of the Zakouma national park	1.600	
Uganda	National parks	3.400	
Fiji	Rehabilitation of coconut plantations	1.100	
Seychelles	Rural development	2.922	
Ethiopia	Sectorial import programme	10.500	
<i>Trade promotion</i>			
Mayotte	Rural electrification	2.200	2.000
<i>Social development</i>			
Niger	Training	4.366	
Caribbean	Hotel training	4.400	
<i>Trade promotion</i>			
Central African Community States	Industrial forum	2.300	
All ACP States	Assistance to the ACP-EEC trade organization	3.420	
<i>Emergency aid</i>			
Mozambique	Aid to local communities following the recent troubles	0.650	
Malawi	Aid to Mozambican refugees	0.650	
All ACP States	Epidemic control	0.650	
Sudan	Aid to victims of the conflict in southern Sudan, via humanitarian organizations	3.000	
	Total	71.578	9.500

2.2.32. On 17 March Parliament adopted a resolution on the evaluation of development programmes and projects and the application of its results (feedback).¹ It welcomed the Commission's move to introduce a standard evaluation scheme and made a number of suggestions for the criteria to be applied in the scheme and the way it should be used. It hoped that there would be systematic feedback of the results of evaluation, which should be extended to all Third World projects. Parliament also called on the Commission to involve all those affected by the proposed scheme in its design and implementation.

Regional cooperation

2.2.33. On 17 March Parliament adopted a resolution on freedom of circulation in the front-line countries,¹ in which it asked the Commission to provide specific aid for projects supported in southern Africa. It reaffirmed its support for freedom of movement in Angola and Namibia and asked the Council and the Foreign Ministers meeting in the European political cooperation context to back all peace efforts in Mozambique. It asked the Community and the Member States to provide more financial aid for the restoration of the Beira corridor and the port of Beira, the restoration of railway networks and rolling stock in the front-line countries and the development of a shipping fleet for river and coastal transport. Lastly, Parliament called for the strengthening of transport fleets in these countries, speedier financing of projects submitted by them to the EDF, aid for refugee camps and support for the peace process between Angola and South Africa.

Visits

2.2.34. On 7 March Mr Marín had a meeting in Brussels with Mrs Eugenia Charles, Prime Minister of Dominica, and Mr John Compton, Prime Minister of Saint Lucia.

The talks centred on the impact of the single market on world trade in bananas, which are of great importance to the economies of Dominica and Saint Lucia and of other Caribbean countries. Mr Marín spoke of the Commission's wish to pursue the objectives of the current Protocol on bananas and to extend beyond 1992 the advantages accruing to the Community's traditional ACP suppliers.

2.2.35. On 9 March Mr Delors and Mr Marín had talks with Mr Daniel Toroitich arap Moi, President of Kenya. Both sides referred to topical issues relating to the Community's 1992 deadline and to the situation in Africa. The visit also provided an opportunity to confirm the satisfactory state of relations between Kenya and the Community. President Moi expressed the hope that the negotiations on the new ACP-EEC Convention would result in greater account being taken of the needs of ACP States, and that an independent Namibia would soon be able to join the ACP group.

2.2.36. On 17 March Mr Joaquim Chissano, President of Mozambique, and several members of his government visited the Commission for talks with Mr Delors and Mr Marín. Mr Chissano spoke of the problems facing his country and expressed the hope that the Community would play an active part in developments in southern Africa with a view to building up security in the region. Other subjects broached during the talks included possible Community support for the appeal to be launched in April by the United Nations concerning the emergency situation in Mozambique in 1989-90, bilateral relations between Mozambique and the Community, regional cooperation and the Mozambique economic rehabilitation programme.

2.2.37. On 17 March Mr Marín had a meeting with Mr Mbaye Diouf, Senegal's

¹ OJ C 96, 17.4.1989.

Minister for Rural Development, with whom he signed the fisheries Protocol between Senegal and the Community.¹

General development cooperation

Commodities and world agreements

Cocoa

2.2.38. At a special session held in London from 13 to 17 March at the request of several consuming countries,² the International Cocoa Council was obliged to recognize that differences of opinion persisted between producers and consumers about the main procedures laid down in the Agreement. The talks failed to resolve any of the issues on the agenda: the suspension of the levy, the fixing of realistic intervention price ranges and the implementation of the Agreement's provisions on maintaining the quality of the 250 000 tonnes of cocoa stocked.

Jute

2.2.39. At its 11th session, held in Dhaka from 8 to 15 March, the International Jute Council achieved positive results on a number of major issues relating to the negotiation of a new Agreement, the adoption of the 1989/90 budget and the election of a new Executive Director.³ A consensus was reached on the financing of marketing and R&D activities from the Common Fund, on the use of environmental considerations to promote jute, a natural fibre, as an alternative to synthetic textiles and on a more transparent procedure for the election of the Executive Director.

Food aid

Standard food aid

2.2.40. On 1 March the Commission adopted Decision 89/171/EEC concerning the establishment of overall quantities of food aid for 1989 and establishing a list of products to be supplied as food aid.⁴ This decision keeps to the overall quantities decided on 13 March last year, though with increases for sugar (up from 11 000 tonnes to 14 200 tonnes) and vegetable oil (up from 34 000 tonnes to 40 000 tonnes).⁵ Groundnuts were added to the 1988 list of products, which was otherwise unchanged.

The allocation of resources from the budget will be decided during the triologue between Parliament, the Council and the Commission called for by Parliament during the adoption of the Communities' general budget for 1989.⁶ The sharp increases in prices on the world market could lead to a drastic reduction of the Community's 1989 programme. For this reason the Commission has proposed a solution whereby appropriations could be transferred between the two chapters of the budget relating to food aid which, being affected inversely by price movements on the world market, could, taken together, cover almost the entire cost of food aid for 1989.

2.2.41. In March the Commission, with the endorsement of the Food Aid Committee, approved the food aid operations listed in Table 5.

¹ Bull. EC 5-1988, point 2.1.173.

² Previous regular session: Bull. EC 1-1989, point 2.2.20.

³ Previous session: Bull. EC 11-1988, point 2.2.39.

⁴ OJ L 63, 7.3.1989.

⁵ OJ L 85, 30.3.1988; Bull. EC 3-1988, point 2.2.49.

⁶ Bull. EC 12-1988, point 2.3.1.

Table 5 — *Food aid operations*

	Cereals	Vegetable oil	Milk powder	Sugar	Butter-oil	Legumes
Mozambique	80 000	2 000	—	—	—	5 000
Djibouti	5 000	—	—	—	—	—
WFP ¹	5 000	4 000	10 000	2 000	—	—
NGOs ²	100 000	3 500	10 000	2 500	1 500	—
Total	190 000	9 500	20 000	4 500	1 500	5 000

¹ Other products to a value of ECU 3 million.

² Beans and dried fish to a value of ECU 4 million.

Emergency aid

Venezuela

2.2.42. On 13 March the Commission granted emergency aid of ECU 500 000 to Venezuela in response to the crisis there. The aid will be used to buy, transport and distribute food and, where necessary, other essential goods and will be administered by the Commission Delegation and Fundacón, a Venezuelan non-governmental organization.

Democratic Yemen

2.2.43. In response to an appeal from the Government of the People's Democratic Republic of Yemen following the torrential rains and flooding in central and eastern parts of the country, the Commission on 29 March granted emergency aid of ECU 25 000 for victims of the disaster. This aid will be administered by Médecins sans frontières (France) and will be used to buy medicines, medical equipment, water tanks, pumps and water-chlorination kits.

Cooperation via non-governmental organizations

2.2.44. In the period from 1 January to 31 March the Commission committed ECU 26.3 million for the co-financing in develop-

ing countries of 197 projects presented by 115 non-governmental organizations.

The Commission also committed ECU 1 643 000 to 23 campaigns to increase European public awareness of development issues.

Self-sufficiency aid for refugee groups

Namibia

2.2.45. On 17 March the Commission granted ECU 1 000 000 in emergency aid for the repatriation of Namibian refugees. This was in response to an appeal by the Secretary-General of the United Nations on 3 March. The aid will help finance the UNHCR programme for Namibian refugees which was announced at the donors' conference in New York on 16 March.

Angola

2.2.46. In response to a request from the World Food Programme, the Commission granted emergency aid of ECU 250 000 to co-finance the purchase of food for Namibian refugees in Angola.

Measures to assist victims of apartheid

2.2.47. On 9 March Mr Andriessen and Mr Marín met representatives of the Com-

mission's South African partners in the programme to support the victims of apartheid and the disadvantaged people of South Africa.¹ Discussions focused on the condition of detainees and the state of emergency in South Africa, and on the new South African legislation, the Disclosure of Foreign Funding Act, which obliges organizations designated by the South African Government receiving external funding to disclose details of the sources and use of that funding. Mr Andriessen and Mr Marin said the Commission would ensure that the special programme continued. They also reiterated the Community's unswerving commitment to the total abolition of apartheid and the Commission's determination to support its South African partners.

Cooperation in international forums

IMF/World Bank

2.2.48. Preparing for the spring meetings of the International Monetary Fund and the World Bank, the Council on 13 March reached the following conclusions on the debt problem:

Ministers expressed their support for consideration of the evolution of the debt strategy for the highly indebted middle-income countries within the framework of the principles already agreed. They note with satisfaction the role played by the Community and its Member States in the successful initiatives for the debt of low-income countries.

They agreed with Secretary of the Treasury Brady that the problem contains economic, political and social elements, and welcomed the openness of his approach. They considered with interest the suggestions that Mr Brady has put forward for strengthening the debt strategy, some of which coincide with suggestions already put forward by some EEC member countries, and they agreed that they merited thorough study.

The key to the resumption of durable growth in the debtor countries, which is essential to the resolution of debt problems, is the implementation of policies in those countries of deep economic reform. Efforts to reverse capital flight must be strengthened. Both targets will include and be buttressed by increased openness of markets. Indus-

trial countries should similarly ensure open and growing markets, especially in the context of the Uruguay Round, to which the Community is fully committed.

Ministers agreed that voluntary debt or debt service reduction on a case-by-case basis can play an important role in the success of sound economic plans. They also agreed that, where applicable, regulatory and fiscal systems should be adapted in order to facilitate voluntary debt reduction by commercial banks. They also agreed to consider the role of the International Monetary Fund and the World Bank with a view to examining the possibility that they could provide financial support for debt and debt service reduction. To ensure a strong financial position for the IMF, they hope that a consensus can be reached on a quota increase and welcomed the recent US attitude on this subject.

International organizations and conferences

United Nations

General Assembly

2.2.49. In accordance with the brief it was given in December 1988 during the 43rd session of the General Assembly,² the Second Committee met from 27 February to 2 March. Following its deliberations, the General Assembly convened a special session devoted to international economic cooperation, in particular to the revitalization of economic growth and development in the developing countries. The special session will be held in New York, at ministerial level, from 23 to 27 April 1990.

Organization for Economic Cooperation and Development

2.2.50. On 17 March Parliament adopted a resolution on relations between the Community and the OECD.³ It expressed the

¹ Bull. EC 9-1985, point 2.5.1.

² Bull. EC 12-1988, point 2.2.68.

³ OJ C 96, 17.4.1989.

view that the OECD should consider extending its membership to those countries which can now be considered industrialized democracies, and called on it to pay more attention to events relating to the completion of the single market and the European Monetary System.

With a view to institutionalizing the Community's participation in the work of the OECD, Parliament considered a consolidation of relations between the two organizations to be necessary and urged them to embark upon negotiations with a view to preparing the Community's accession to the OECD. Finally, it proposed that negotiations be entered into with the aim of establishing an Assembly made up of parliamentarians from OECD countries and members of the European Parliament.

Council of Europe

2.2.51. On 20 March Council examined the Commission's communication of 8 March on relations between the Community and the Council of Europe¹ and adopted the following conclusions:

1. The Council and the Commission welcome the initiative taken by the Netherlands Government on cooperation between the European Community and the Council of Europe.²

2. Relations between the Community and the Council of Europe are based on the broadest possible cooperation between the two organizations. Given their different aims and the developing nature of the European Community, such cooperation cannot take the form of an allocation of spheres of competence.

3. The Community wishes to continue the sound practical cooperation with the Council of Europe which it has pursued hitherto. This cooperation, which is based on the 1987 exchange of letters³ and which has already proved its worth, could be rendered even more effective through measures such as those described in the Commission communication of 8 March:

- (i) a regular comparison could be made of the work programmes of each organization;⁴
- (ii) the implementation of joint projects could be continued and improved;⁵
- (iii) the Commission will continue to look into possible Community participation in the Conven-

tions of the Council of Europe in areas covered by the Community's powers;

(iv) this potential could be increased by the use of the open partial agreements procedure.

4. As far as cooperation at political level is concerned, the Community stresses the importance of continuing the contacts which already exist particularly by means of the six-monthly report from the President-in-Office of the Council of the Communities to the Committee of Ministers of the Council of Europe.

In an effort to intensify cooperation at this level, the Council and the Commission consider it would be useful for:

(i) the Commission to report annually to the Council on cooperation with the Council of Europe;

(ii) the Commission and the Presidency of the Council to hold regular meetings with the General Secretariat and the Presidency of the Committee of Ministers of the Council of Europe.

5. As the 40th anniversary of the setting up of the Council of Europe approaches, the Community wishes to demonstrate the importance it attaches to the Council of Europe's objectives being achieved.

2.2.52. On 22 March the Committee of Ministers of the Council of Europe held a special meeting with a view to preparing the 5 May session marking the 40th anniversary of the creation of the Council of Europe.⁶

Diplomatic relations

2.2.53. HE Mr Ingo Oeser, Head of Mission of the German Democratic Republic to the European Communities, and HE Mr Vladimir G. Shemiatenkov, Head of Mis-

¹ COM(89) 124 final.

² Bull. EC 2-1989, point 2.2.43.

³ OJ L 273, 26.9.1987; Bull. EC 6-1987, point 2.2.56.

⁴ This might allow the Community to programme its work in such a way that it might be able to take Council of Europe proceedings into consideration when preparing its own decisions.

⁵ In this context the Council drew attention to the resolution adopted by the Council and the Ministers for Cultural Affairs meeting within the Council on 27 May 1988: OJ 197, 27.7.1988; Bull. EC 5-1988, point 2.1.92.

⁶ Previous meeting: Bull. EC 5-1988, point 2.2.58.

sion of the Union of Soviet Socialist Republics to the European Communities, whose appointments took effect on 2 March, presented their letters of credence to the President of the Council and the President of the Commission.

The Heads of Mission of the German Democratic Republic and the Union of Soviet Socialist Republics are the first ambassadors from those countries to be accredited to the Communities, bringing the number of diplomatic missions to 137.

3. Intergovernmental cooperation

European political cooperation

Arab Cooperation Council

2.3.1. On 14 March the Member States released the text of the following message from the Presidency to the Member States of the Arab Cooperation Council:

The Presidency has, on behalf of the European Community and its Member States, delivered to the Governments of the four members of the Arab Cooperation Council the following message:

The Community and its Member States welcome the establishment of the Arab Cooperation Council by Egypt, Iraq, Jordan and the Yemen Arab Republic.

They trust that the process of economic integration thus initiated, which is open to other Arab countries, will encourage social and economic development in the Middle East as well as peace in the region.

In this regard, the Community could envisage complementing this effort of regional integration by cooperation on matters of mutual interest.

Lebanon

2.3.2. On 20 March the Twelve issued the following statement:

The Twelve, gravely concerned by the recent deterioration of the situation in Lebanon, which has resulted in a large number of civilian victims, reiterate their support for the national unity, integ-

riety, full sovereignty and independence of Lebanon without the presence of any non-Lebanese forces.

They call on the parties involved in the latest outbreaks of fighting to avoid any action which might further heighten the tension.

The Twelve also declare their support for the appeal launched by the Chairman of the Arab League Committee of Six for an end to these confrontations, so that the Committee can continue its efforts to find a solution to the Lebanese crisis. They stress the importance of the role played by Unifil and they reiterate their support for it.

Sudan

2.3.3. On 21 March the Twelve issued the following statement:

The Twelve express their deep concern with the present situation in Sudan.

The persistence of this situation, unless it is soon alleviated, will aggravate the suffering of the population of the southern regions, which, because of the lack of food, will be exposed to calamities similar to those suffered last year. The resumption of flights for distribution of food aid in the south relieves the needs of part of the population and is a useful action on the part of the Community and the States, persons and organizations involved.

The Community and its Member States are convinced that a ceasefire is necessary to facilitate an adequate programme of assistance and an effective large-scale distribution of food aid before the coming rainy season, with a view to preventing the death of thousands of persons in that area. A ceasefire which guarantees the humanitarian assistance, in conditions of restored internal stability,

by the Sudanese authorities in conjunction with the UN agencies, the World Food Programme, the International Committee of the Red Cross and other non-governmental organizations in the area presently at war is essential to ensure the distribution of the necessary aid and the beginning of the resettlement of the many persons displaced.

They urgently call upon the parties to the conflict to cease immediately their hostilities, to open negotiations for peace and to engage in a genuine process of national reconciliation which will lead to a definitive end to the conflict and the beginning of reconstruction.

Tibet

2.3.4. On 21 March the Twelve issued the following press statement following the representations made in Beijing by the ambassadors of the three Member States comprising the 'troika':

The Ambassadors of the troika in Beijing have carried out a *démarche* on behalf of the Twelve at the Chinese Ministry of Foreign Affairs concerning the situation in Tibet, in the context of the commitments of the Chinese authorities to ensure full respect for human rights.

Pakistan

2.3.5. On 27 March the Twelve released the text of the following message to the authorities of Pakistan on the occasion of Pakistan's national day:

On the occasion of the National Day of Pakistan, the 12 Member States of the European Community send their warmest congratulations to the Government and people of Pakistan.

The Twelve welcome the progress made by Pakistan in the process of democratization under President Ghulam Ishaq Khan and Prime Minister Benazir Bhutto, thus meeting the aspirations of its people for constitutional democracy, respect for human rights and stable foreign relations based on peace, security and development for all nations in the region.

Romania

2.3.6. On 28 March the Twelve issued the following press statement on their represen-

tations to the Romanian authorities following Romania's refusal to comply with the provisions of the Vienna concluding document concerning the human dimension:

The Ambassador of the Presidency in Bucharest, on behalf of the 12 Member States of the European Community, has made a *démarche* to the Romanian authorities, requesting information about the situation of 24 Romanian citizens, signatories of a letter to President Ceausescu appealing against the Romanian Government's decision to continue with the destruction of villages under the 'systematization project'.

The Romanian Government did not accept the *note verbale* of the Presidency, and refused to provide the requested information under point 1 of the mechanism of the human dimension contained in the concluding document of the Vienna follow-up meeting to the CSCE, contending that the *démarche* was an interference in Romania's internal affairs. Furthermore, the Romanian Ministry of Foreign Affairs also stated that their compliance with CSCE commitments has to be in accordance with internal legislation and their political system.

CSCE documents clearly state the obligation of all participating States to ensure that internal laws and regulations are in conformity with CSCE provisions and international obligations.

Lebanon

2.3.7. On 31 March the Twelve issued the following joint statement:

The Twelve are deeply concerned by the steady deterioration of the situation in Beirut in the last few days, in particular by the continuing bombardment which is resulting in a very high number of victims among the civilian population as well as in widespread destruction in the capital. They reiterate the terms of their statement of 20 March. Out of humanitarian concern, they launch a new appeal to the forces involved in the conflict to put an end to confrontation and to permit the emergence of a peaceful solution to the current crisis.

The Twelve join in the recent ceasefire appeal made by the Arab League and urge all parties concerned to observe it strictly.

*

2.3.8. On 14 March Parliament adopted the following two resolutions:

The security of Western Europe. This resolution covered East-West relations, the Western powers' relations with each other, the security relations of the Community and its Member States with the rest of the world (including economic security) and institutional arrangements.

European arms exports. Having regard to the scale of the arms trade, to the need for rationalization, harmonization, monitoring and restrictions, to the strategic choices

available and to the desirability of a common market in arms, Parliament called on the Commission to examine arms exports from Member States and to consider an arms industry conversion programme. The House asked the Member States to take measures to halt illegal transactions and the Community to develop a common arms sales policy. Recommendations for controlling the arms trade were made to the Council, the Commission and governments.

4. Human rights and fundamental freedoms

Racism and xenophobia

2.4.1. In the wake of the report published in December 1985 by its Committee of Inquiry into the Rise of Fascism and Racism in Europe, and the adoption of the Joint Declaration against Racism and Xenophobia¹ on 11 June 1986 by Parliament, the Council, the Representatives of the Member States meeting within the Council and the Commission, Parliament wished to involve national parliaments and the other Community institutions in the measures which were being taken to implement the Joint Declaration.

A symposium was held in Strasbourg on 14 March, and many speakers took the opportunity to express their concern. Lord Plumb emphasized that respect for human dignity and the rejection of all forms of racial discrimination were part of the common cultural and legal heritage of all the Member States, and that all who live in a multiracial society ought to be able to play an equal part in its political, social and cultural life.

Right to vote in local elections

2.4.2. On 15 March Parliament gave its opinion on the proposal for a Directive on

voting rights for Community nationals in local elections in their Member State of residence (→ point 2.7.2).

Bioethics

2.4.3. On 16 March Parliament adopted a resolution on the ethical and legal problems posed by genetic engineering,² in which it opposed the use of genetic data by employers or insurance companies and in legal proceedings, other than in exceptional circumstances, but agreed that gene transfers were an acceptable form of therapy, provided the patient's consent was obtained. The House asserted that the human embryo deserved no less respect than any other human being. Numerous amendments were adopted to keep these issues clearly separate from the debate on abortion.

2.4.4. On the same day Parliament passed a resolution on artificial insemination *in vivo* and *in vitro*,² in which it spoke of the need for extensive research into the causes

¹ OJ C 176, 14.7.1986; Bull. EC 6-1986, point 1.4.1.

² OJ C 96, 17.4.1989.

of infertility and methods of prevention and cure, and called for the harmonization and simplification, where possible, of adoption procedures. It also expressed concern at the 'waste' of embryos which *in vitro* fertilization could entail and advocated the use of techniques which eliminated this risk. Finally, it considered that, in general, any form of surrogate motherhood should be rejected.

Human rights throughout the world

2.4.5. While in Santiago de Compostela for an informal meeting on 30 and 31 March, the Ministers for Culture of the Member States vigorously condemned the 'intolerable' incitement to murder the writer, Salman Rushdie, and declared that the Community could never abandon its commitment to the right of free speech. They also condemned the imprisonment of the Czech writer, Vaclav Havel, who had laid a wreath at the grave of Jan Palach, the student who killed himself in 1968 in protest at the entry into Prague of Soviet troops.

2.4.6. During its March part-session Parliament adopted resolutions on the following subjects:¹

- *Romania.* Parliament condemned human rights violations in Romania and called upon the Commission, the governments of the Member States and the Council to review their relations with this country in the light of the current situation and to use negotiations on cooperation with Romania to reaffirm the importance attached by the Community to human rights. It urged the governments of Member States to strip President Ceausescu, members of his family and other representatives of the regime of any honours presented to them by Member States.
- *Human rights in Czechoslovakia.* Parliament condemned the arrest of Vaclav Havel

and his friends and called for their immediate release and that of all other political prisoners. It called upon the Foreign Ministers meeting in the European political cooperation context to make an official protest to the Government of Czechoslovakia and to do all in their power to secure the speedy release of non-violent dissidents.

- *Hostages in Lebanon.* Parliament once again demanded the release of all hostages still held in Lebanon and called upon the Council to make clear to those Middle Eastern governments known to have influence on the terrorist organizations concerned that the development of constructive relations with the Community depended upon the release of the hostages.

- *The application of the death penalty to political prisoners in Chile.* Parliament urged that Chile's military dictatorship be condemned for its systematic repression and violation of the fundamental rights of political prisoners and called upon the Commission and the Council to examine the possibility of applying economic and political sanctions to prevent the death sentences being carried out.

- *The exile of trade unionists in Chile.* Parliament called for the unconditional release by the Chilean authorities of two trade unionists sentenced to 541 days of internal exile for calling a national strike in 1987, and for the rights of trade unions to be recognized and guaranteed.

- *Human rights in Tibet.* Having regard to the declaration of martial law in Tibet on 7 March, Parliament urged the Chinese Government to hold immediately the postponed talks with the Dalai Lama on the future of Tibet and called upon the Foreign Ministers of the Twelve and the Commission to use their good offices to help both parties reach a just solution to Tibet's problems.

¹ OJ C 96, 17.4.1989.

5. Financing Community activities

Budgets

General budget

Budgetary procedure

Supplementary and amending budget No 1/89

2.5.1. On 13 March the Council established draft supplementary and amending budget No 1/89 on the basis of the preliminary draft presented by the Commission on 9 February.¹ The additional expenditure of ECU 2 685 610 (as against ECU 3 457 460 in the preliminary draft) is intended to increase the Court of Justice's staff complement by 51 posts so that Council Decision 88/591/ECSC, EEC, Euratom of 24 October 1988 establishing a Court of First Instance² can be implemented in September.

Own resources

2.5.2. On 2 March the Commission adopted an amendment³ to its proposal for a Regulation⁴ implementing Council Decision 88/376/EEC of 24 June 1988 on the system of the Communities' own resources,⁵ to incorporate various amendments called for by Parliament in its opinion of 13 December 1988,⁶ in particular as regards the accounting arrangements, the information which the Member States must supply to the Commission in cases of fraud and irregularities, and the frequency and content of the Commission's reports on the functioning of the inspection arrangements.

Budgetary discharge

2.5.3. On 13 March, after hearing a statement by Mr Mart, President of the Court of Auditors, introducing the main topics in the Court's annual report on the implementation of the general budget for 1987,⁷ the Council adopted a recommendation to Parliament concerning the discharge to be given

to the Commission in respect of the implementation of this budget.

ECSC operating budget

2.5.4. On 16 March the Council examined the Commission's communication of 15 February on the financing of the ECU 150 million ECSC social programme over four years⁸ and arrived at the following conclusions:

The Council notes that ECU 110 million can already be financed from the ECSC's own funds and that, therefore, financing for the years 1988 to 1989 is guaranteed. The Commission is referring the use of reserves to the Court of Auditors for consideration. In the light of the Court of Auditors' opinion, the Council will take a decision on financing for the remainder without excluding a transfer from the EEC general budget to the ECSC budget, should the need arise.

Financial operations

ECSC

Loans raised

2.5.5. In March the Commission made a number of private placings in Swiss francs, French francs and lire for the equivalent of ECU 19.2 million. It also made two public issues—the first a five-year UKL 54 million issue with an interest rate of 11% and an issue price of 101 3/4%, the second an eight-year UKL 68 million issue with an interest rate of 10 3/4% and an issue price of 101 5/8%.

¹ Bull. EC 2-1989, point 2.3.2.

² OJ L 319, 25.11.1988; Bull. EC 10-1988, point 2.4.1.

³ OJ C 80, 31.3.1989; COM(89) 62 final.

⁴ OJ C 255, 1.10.1988; Bull. EC 9-1988, point 2.3.2.

⁵ OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.5.

⁶ OJ C 12, 16.1.1989; Bull. EC 12-1988, point 2.3.4.

⁷ OJ C 316, 12.12.1988; Bull. EC 11-1988, point 2.3.4.

⁸ Bull. EC 2-1989, point 2.3.7.

Loans paid out

2.5.6. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission paid out loans totalling ECU 104.87 million broken down as follows:

Industrial loans

2.5.7. Industrial loans (Article 54) amounting to ECU 53.79 million were paid out to Italy and the United Kingdom.

Conversion loans

2.5.8. Conversion loans (Article 56) totalling ECU 47.92 million were paid out to France and the United Kingdom.

Workers' housing

2.5.9. Housing loans totalling ECU 3.16 million were granted for steelworkers and mineworkers in Belgium, Denmark, Germany, Greece, Italy and the Netherlands.

EEC-NCI

Loans raised

2.5.10. In March the Commission made a USD 140 million four-year public issue at 10% with an issue price of 101.45%.

Anti-fraud measures

Strategy

2.5.11. On 13 March, after examining the report by the Court of Auditors and the discharge to be given to the Commission in respect of the implementation of the general budget for 1987 (→ point 2.5.3), the Council adopted a statement on the campaign against fraud and irregularities affecting the Community budget.¹ The Council agreed to re-examine this matter on a regular basis and:

(i) instructed its appropriate subordinate bodies to complete their work on the Commission proposals to the Council in this area as quickly as possible;

(ii) called upon the Member States meeting within the Council:

(a) taking account of their responsibilities in administering Community expenditure and income, to make the best possible use of their powers in monitoring that administration, preventing and suppressing fraud and irregularities and recovering income irregularly avoided or expenditure irregularly made;

(b) to instruct their administrations involved to make their cooperation with the Commission departments in this area as close as possible and to cooperate with the Commission to ensure that the measures (especially legislative measures) necessary to strengthen surveillance systems are taken;

(iii) called upon the Member States meeting within the Council to take the steps necessary to ensure that these measures are brought to the attention of the national institutions concerned;

(iv) instructed the Presidency to inform the European Parliament of the above.

2.5.12. The Council also took note of the following Commission statement, which had been agreed at the Commission meeting on 8 March:

The Commission has always regarded the campaign against fraud as a matter of priority and its action in this area has never ceased to be both sustained and resolute.

The Commission would point out that the implementation of the anti-fraud policy is based on a sharing of responsibilities between the Commission, which draws up and proposes the regulatory framework, the Council, which adopts that framework, and the Member States, which apply and enforce it under the supervision of the Commission.

However, the success of this policy requires a collective and joint commitment from all those

¹ A public hearing on this issue was organized by Parliament's Committee on Budgetary Control in January: Bull. EC 1-1989, point 2.3.4.

involved, and in the first instance from the Council and the Member States.

The Commission welcomes the Council's statement calling on its appropriate subordinate bodies to take a decision on the Commission's proposals at the earliest opportunity. In particular, it hopes to see early decisions by the Council on the various texts currently pending, which in some cases were submitted several years ago.

In accordance with its plan of action to combat fraud,¹ the Commission has decided on a series of initiatives to intensify its action. Thus it undertakes to:

- (i) revise its proposal on the monitoring and surveillance of export refunds, in the light of the comments by the Court of Auditors;
- (ii) propose adjustments to improve the operation and monitoring of the intervention storage system;
- (iii) propose an amendment to Directive 77/435/EEC on the scrutiny of the accounts of undertakings receiving payments from the EAGGF Guarantee Section;²
- (iv) make proposals aimed at the conclusion of mutual assistance agreements with third countries;
- (v) review the Member States' introduction of the supervisory arrangements laid down in the new regulations on the structural Funds;

(vi) in the context of the measures to simplify Community legislation, present between now and the end of the year a draft European Customs Code and measures to simplify Community transit procedures.

In line with its farm price proposals for 1989/90,³ the Commission will also pay particular attention to the simplification of agricultural regulations, in which it will include appropriate control measures and administrative penalties.

The Commission will also consider with the Member States, in the Committee for the Coordination of Action against Fraud, chaired by the Unit for the Coordination of Fraud Prevention, any measures to minimize the risk of fraud and optimize the anti-fraud campaign by laying down effective procedures that will ensure real cooperation between the Member States and the Commission.

The Commission hereby gives an undertaking—which it will repeat to the European Parliament—to send the Council an annual report on action against fraud.

¹ Bull. EC 12-1988, point 2.3.18.

² OJ L 172, 12.7.1977.

³ Bull. EC 1-1989, points 2.1.60 to 2.1.70.

6. Statistics

General

Legislation

2.6.1. On 3 March the Commission adopted, for transmittal to the Council, a draft Regulation on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities.⁴ The purpose of the project is to enable Eurostat to gain access to essential statistical information available in the Member States so that it can compile essential statistics, carry out the necessary analyses and offer the Member States, in return,

a level of confidentiality comparable with that in the national statistics agencies.

Programmes

2.6.2. After Parliament had delivered its opinion at first reading⁵ and the Commission had amended its proposal,⁶ the Council adopted on 14 March a common position on the proposal for a Decision instituting a programme for the research

⁴ OJ C 86, 7.4.1989; COM(89) 3 final.

⁵ OJ C 47, 27.2.1989; Bull. EC 1-1989, point 2.5.1.

⁶ COM(89) 94 final.

and development of statistical expert systems (Doses).¹ Only a few technical or formal amendments were made to the original proposal.

Data

*Community financing of regional investment in 1987*²

2.6.3. In 1987 the Community increased its funding of investment in the less-favoured regions. Its efforts were directed towards regions where general development is lagging behind and regions where the industrial base is in decline. Aid was also provided for investment projects in industries important to regional development which need to adapt.

ECU 4 026 million was provided in the form of investment grants from the ERDF and EAGGF Guidance Section. At the same time, the EIB (from its own resources and from NCI funds), the ECSC and Euratom granted loans amounting to ECU 8 700 million. This represents an increase over 1986 of 5.3% in grants and 1.4% in loans. The regions covered by Objective 1 (Promoting the development and structural adjustment of the regions whose development is lagging behind) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the reform of the structural Funds³ and two thirds of investment grants and about a quarter of loans in 1987.

2.6.4. The ERDF and the EIB, both of whose activities may cover all sectors of the economy, funded most of the Community participation, i.e. about 91% of grants and 86% of loans. Investment subsidies from the ERDF amounted to ECU 3 660 million, 10.8% higher than in 1986. Infrastructure was the main beneficiary (with 75% of the total), and aid was concentrated on certain regions (10 regions where just under 12%

of the Community population live received half of all subsidies).

In 1987 the EIB granted loans amounting to ECU 7 500 million,⁴ a sharp increase on the previous year. Aid was again concentrated on infrastructure, though financing for agriculture, manufacturing industry and the tertiary sector is becoming more important; three Member States (Italy, United Kingdom and France) received the bulk of the aid.

2.6.5. The EAGGF Guidance Section awarded a total of ECU 364 million in direct investment subsidies for the modernization of structures in 1987, almost 30% down on the previous year. Only Belgium and Portugal received more than in 1986. As in previous years, the improvement of conditions for the processing and marketing of agricultural products was the central objective.

2.6.6. The ECSC and Euratom granted loans of ECU 1 250 million for the modernization and restructuring of the coal and steel industries and for the construction of nuclear power stations, 17.2% less than in 1986. One of the reasons for the reduction was the sharp decrease in loans to the steel industry.

2.6.7. To combat serious regional and sectoral problems, some regions received aid from more than one source at the same time. Of the 20 regions with the highest amounts of financial participation per inhabitant, 11 had funding from two financing instruments at the same time, while three regions (Ireland, Algarve and Alentejo) received aid from three sources, the ERDF, the EAGGF and the EIB.

¹ OJ C 203, 4.8.1988; Bull. EC 7/8-1988, point 2.5.1.

² Eurostat, *Rapid reports*: 'Regions', No 1/1989. This publication is particularly important since 1987 has been taken as the basis for a doubling of the structural Funds by 1993.

³ OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159.

⁴ Bull. EC 1-1988, points 2.4.48 *et seq.*

7. Institutions and organs of the Communities

Parliament

Strasbourg: 13 to 17 March¹

Highlights

2.7.1. In March Parliament approved the Commission's work programme for 1989 presented by Mr Delors in February;² it did, however, make certain requests and stressed a number of points (→ point 2.7.18). The House also adopted a resolution on a salient feature of the programme, the social dimension of the internal market (→ point 2.1.79).

Other major items on the agenda included the European Company Statute (→ point 2.1.30), protection of the ozone layer (→ point 1.2.1 *et seq.*), security and the sale of arms (→ point 2.3.8), the ethical problems involved in genetic engineering and methods of fertilization (→ point 2.4.3) and voting rights for Community citizens in local elections (→ point 2.7.2).

During this penultimate part-session before the June elections, Parliament also strove to make progress with its legislation programme, particularly with regard to the freedom to provide financial services (→ points 2.1.4 to 2.1.8). As well as addressing many difficult situations involving human rights, as is its wont, Romania being in the firing line this time, Parliament also organized a symposium on racism and xenophobia to witness to its concern about their resurgence (→ point 2.4.1).

Voting rights for Community citizens

2.7.2. Parliament held a lively and distinguished debate on the proposal for a Council Directive on voting rights for Community nationals in local elections in their Member State of residence.³ Waiving its earlier demands, which had prompted it, in its February resolution on the fight against racism and xenophobia,⁴ to insist upon

extension of the right to vote to nationals of non-member countries as well, Parliament took the same line as the Commission — that of restricting its right to citizens of the Member States, in order to secure real results in the Council: it rejected amendments in favour of the maximalist approach.

This stance was deplored by several speakers during the debate or explanations of vote. They included Mr Wurtz (*Com/F*), who recalled the February vote on an amendment he had tabled himself, Mr Telkämper (*Rainbow/D*), who pointed out that persons not belonging to another Member State still share in Community life, notably by paying taxes, and Mr Rothley (*S/D*), who also suggested that voting rights for Community nationals be extended to include national elections. Mr Janssen van Raay (*EPP/NL*) said that both Denmark and the Netherlands were already allowing nationals of non-member countries to vote in local elections, but he believed that it was better left to the Member States to decide one way or the other.

Two Luxembourg members, Mrs Wurth-Polfer (*LDR*) and Mr Estgen (*EPP*), highlighted the special problems that application of the Directive might cause in the Grand Duchy, where the population included a large proportion of non-nationals. Those who spoke against the Commission's proposal included Mr Guermeur (*EDA/F*), who cited legal and political grounds, namely the problem of ensuring that nobody was allowed to vote twice, both in the country of residence and in the country of origin, and the fact that the French Constitution

¹ The texts of the resolutions adopted by Parliament appear in OJ C 96, 17.4.1989, and the report of the proceedings is published in OJ Annex 2-375 and 376. The political groups and countries of origin of members speaking in the debates are shown in brackets after their names. The key to the abbreviations can be found in Bull. EC 1-1988, page 51 (footnote 2).

² Bull. EC 2-1989, points 1.1.1 to 1.1.7.

³ OJ C 246, 20.9.1988; Bull. EC 6-1988, point 2.1.20; Supplement 2/88 — Bull. EC.

⁴ OJ C 69, 20.3.1989; Bull. EC 2-1989, point 2.1.82.

restricted the right to vote exclusively to French citizens. Mr Palmieri (ER/F) spoke of 'suicidal drift' in describing the proposal, which he saw as the first step towards granting voting rights to non-Community nationals.

Replying for the Commission, Mr Dondelinger said that the proposal was a realistic one and that in the absence of the necessary legal base, he could not accept any amendment that would extend rights to persons other than citizens of the Member States of the Community.

In the end, it was by 246 votes to 56 and 13 abstentions that the resolution was passed approving the Commission's proposal subject to Parliament's amendments. These included granting the right to stand for election under the same conditions as the right to vote, the possibility of waiving application of the Directive for the first election after its entry into force for those Member States in which the proportion of residents originating in another Member State exceeded 20% of the electorate (not the total population) and the option for Member States to restrict the offices of mayor or deputy mayor to their own nationals.

Opinions, decisions and resolutions

2.7.3. Parliament gave its opinion (first reading) on Commission proposals concerning:

Directive on a solvency ratio for credit institutions (→ point 2.1.5);

second Directive on the taking up and pursuit of the business of credit institutions (→ point 2.1.6);

Directive on the compulsory winding-up of direct insurance undertakings (→ point 2.1.7);

Directive on the annual accounts and consolidated accounts of insurance undertakings (→ point 2.1.8);

eighth amendment to the Directive relating to restrictions on the marketing and use of certain dangerous substances and preparations (→ point 2.1.15);

eighth amendment to the Directive concerning the colouring matters that are authorized for use in foodstuffs intended for human consumption (→ point 2.1.19);

Directive concerning single-member private limited companies (→ point 2.1.29);

amendment to the Directive concerning consumer credit (→ point 2.1.117).

2.7.4. Parliament adopted decisions (second reading) on the Council's common positions on the following Commission proposals:

Directive on the own funds of credit institutions (→ point 2.1.4); amendment to the Directive concerning cocoa and chocolate products intended for human consumption (→ point 2.1.18);

Regulation on the entry in the accounts and terms of payments of the amounts of the import or export duties resulting from a customs debt (→ point 2.1.24).

2.7.5. Parliament gave opinions on the following Commission proposals:

Decision adopting a research and training programme in the field of remote handling in hazardous and disordered nuclear environments (1989-93) (→ point 2.1.47);

Decision on preventing environmental damage by the implementation of education and training measures (→ point 2.1.87);

amendment to the Directive on limit values and quality objectives for discharges of certain dangerous substances (→ point 2.1.105);

amendment to the Directive on air quality limit values and guide values for sulphur dioxide and suspended particulates (→ point 2.1.108);

Regulation instituting specific measures for nuts and amending the Regulation on the common organization of the market in fruit and vegetables (→ point 2.1.119);

Regulation introducing a specific measure for certain grain legumes (→ point 2.1.136);

Regulation laying down health conditions for the marketing of fish and fish products concerning nematodes (→ point 2.1.141);

Regulation and Directive on health problems involved in intra-Community trade and with imports of ovine and caprine animals (→ point 2.1.142);

Regulation laying down special measures for improving the production and marketing of Community citrus fruit;

amendment to the Regulation concerning the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

amendment to Directive 64/432/EEC as regards administrative areas and a cessation of seriological testing for brucellosis in certain types of swine;

Directive relating to the compulsory use of safety belts in vehicles of less than 3.5 tonnes (→ point 2.1.153);

Decision on a Community action programme for improving efficiency of energy use (→ point 2.1.165);

Directive on voting rights for Community nationals in local elections in their Member State of residence (→ point 2.7.2).

2.7.6. Parliament also passed resolutions on:

the ozone layer (→ point 1.2.1 *et seq.*);

the Commission memorandum on the internal market and industrial cooperation — Statute for the European Company — Internal Market White Paper, point 137 (→ point 2.1.30);

the setting-up of an agricultural research institute in the Community (→ point 2.1.45);

the 'brain drain' (→ point 2.1.52);

the social dimension of the internal market (→ point 2.1.79);

application of the Council recommendation of 10 December 1982 on the principles of a Community policy with regard to retirement age (→ point 2.1.81);

seasonal work (→ point 2.1.82);

spouses in agriculture and family businesses (→ point 2.1.84);

illiteracy and education for children whose parents have no fixed abode (→ point 2.1.88);

the Commission's final summary report on the Second European Community Action Programme (1982-87) concerning the transition of young people from education to adult and working life and on the essential features of a Community vocational training policy in the context of the 1992 internal market (→ point 2.1.91);

the impact of infrastructures and the tertiary sector on regional development — prospects for a new regional policy (→ point 2.1.99);

regional development agencies as an essential part of regional policy (→ point 2.1.100);

urgent measures for the Liguria region (→ point 2.1.103);

the drought in the southern regions of the Community (→ point 2.1.103);

damage caused by the protracted period of drought (→ point 2.1.103);

exceptional weather conditions (→ point 2.1.103);

the drought and forest fires in Spain (→ point 2.1.103);

the hurricane-force winds in Valencia (→ point 2.1.103);

the storms in the Mediterranean (→ point 2.1.103);

safety at sea (→ point 2.1.155);

Community measures to prevent distortions of competition arising from implementation of the Marpol Convention to the detriment of ports and shipping companies of the European Community (→ point 2.1.156);

economic and trade relations with Turkey (→ point 2.2.12);

the political situation in the Western Sahara (→ point 2.2.18);

economic and trade relations between the Community and the People's Republic of China (→ point 2.2.22);

economic and trade relations between the Community and the Pacific Basin (→ point 2.2.24);

Community aid to the Grande Carajás project and the destruction of the Amazon region (→ point 2.2.25);

political murders in Colombia (→ point 2.2.27);

economic and trade relations with Mexico (→ point 2.2.28);

the riots in Venezuela (→ point 2.2.29);

the evaluation of development programmes and projects and the application of their results (feedback) (→ point 2.2.32);

freedom of circulation in the front-line countries (→ point 2.2.33);

relations with the OECD (→ point 2.2.50);

The security of Western Europe (→ point 2.3.8);

European arms exports (→ point 2.3.8);

the ethical and legal problems of genetic engineering (→ point 2.4.3);

artificial insemination *in vivo* and *in vitro* (→ point 2.4.4);

Romania (→ point 2.4.6);

human rights in Czechoslovakia (→ point 2.4.6);

the hostages in Lebanon (→ point 2.4.6);

the application of the death penalty to political prisoners in Chile (→ point 2.4.6);

The exile of trade unionists in Chile (→ point 2.4.6);

human rights in Tibet (→ point 2.4.6);

the Commission's work programme for 1989 (→ point 2.7.18).

Council

2.7.7. 1301st meeting — Environment
(Brussels, 2 and 3 March)

President: Mr Sáenz Cosculluela, Spanish Minister for Public Works and Town Planning

Commission: Mr Ripa di Meana

Main items

Ozone layer: conclusions adopted (→ point 2.1.1 *et seq.*);

International cooperation on the environment: conclusions adopted (→ point 2.1.109);

Protection of the African elephant: exchange of views (→ point 2.1.114).

Other business

Genetically modified micro-organisms: discussion;

Municipal waste incineration: common position adopted;

Protection of the aquatic environment against certain dangerous substances: initial discussion;

Atmospheric pollution by sulphur dioxide and suspended particulate matter: initial review;

Global convention on dangerous waste: exchange of views.

2.7.8. 1302nd meeting — Industry
(Brussels, 6 March)

President: Mr Aranzadi, Spanish Minister for Industry and Energy

Commission: Mr Bangemann, Sir Leon Brittan, Mr Pandolfi and Mr Cardoso e Cunha

Main items

Industrial and commercial aspects of the introduction of high-definition television: conclusions adopted (→ point 2.1.54);

Strategic programme for innovation and technology transfer — Sprint (1989-93): agreement on financing and substantive approval (→ point 2.1.54);

Social measures for the steel industry (1988-91): conclusions adopted (→ point 2.5.4).

Other business

Community policy on small and medium-sized businesses: exchange of views;

Use of the ecu in ECSC instruments: examination;

Restructuring of Finsider: briefing;

Situation in the shipbuilding industry: exchange of views;

Situation in the textile industry: exchange of views.

2.7.9. 1303rd meeting — Agriculture (Brussels, 6, 7 and 8 March)

President: Mr Romero Herrera, Spanish Minister for Agriculture, Fisheries and Food

Commission: Mr Mac Sharry

Main items

Agricultural prices and related measures (1989/90): discussion continued;

Agri-monetary measures linked with the farm price review: exchange of views;

Aid for agricultural production conversion: exchange of views;

Voluntary-restraint agreement with New Zealand on sheepmeat and goatmeat: discussion;

Special arrangement for New Zealand butter imports to the United Kingdom: held over for next meeting;

Community strategy and action on forestry: initial exchange of views.

2.7.10. 1304th meeting — Economic and financial affairs (Brussels, 13 March)

President: Mr Solchaga Catalán, Spanish Minister for Economic Affairs and Finance

Commission: Mr Delors, Mr Christophersen and Mr Schmidhuber

Main items

Tenth anniversary of the European Monetary System: commemoration (→ point 1.1.1 *et seq.*);

Economic situation in the Community: first-quarter review (→ point 2.1.1);

Spring meetings of the IMF and the World Bank (debt problem): conclusions adopted (→ point 2.2.48);

Report by the Court of Auditors and discharge to the Commission for 1987: recommendation adopted (→ point 2.5.3);

Fraud and irregularities affecting the Community budget: declaration adopted (→ point 2.5.11) and Commission statement noted (→ point 2.5.12).

Other business

Special reports by the Court of Auditors: briefing.

2.7.11. 1305th meeting — Research (Brussels, 14 March)

President: Mr Solana Madariaga, Spanish Minister for Education and Science

Commission: Mr Pandolfi

Main items

Framework programme of research and technological development: general discussion (→ point 2.1.35);

Specific research and technological development programme in the fields of industrial manufacturing technologies and advanced materials applications — Brite/Euram (1989-92): adopted (→ point 2.1.39);

Specific research and technological development programme in food science and technology — Flair (1989-mid 1993): common position adopted (→ point 2.1.44);

Research and technological development programme on the decommissioning of nuclear installations (1989-93): adopted (→ point 2.1.46);

Specific research and technological development programme on non-nuclear energy and the rational use of energy — Joule (1989-92): adopted (→ point 2.1.48);

Specific research and technological development programme on marine science and

technology — MAST (1989-92): common position adopted (→ point 2.1.49);

Community support plan for access to large-scale scientific facilities (1989-92): adopted (→ point 2.1.51);

Community programme on strategic analysis, forecasting and assessment in research and technology — Monitor (1988-92): common position adopted (→ point 2.1.53);

Specific programme for the dissemination and utilization of scientific and technological research results — Value (1989-92): common position adopted (→ point 2.1.57);

Specific programme to develop a machine translation system of advanced design — Eurotra: common position adopted (→ point 2.1.59);

Specific programme for the research and development of statistical expert systems — Doses: common position adopted (→ point 2.6.2).

2.7.12. 1306th meeting — Internal market (Brussels, 13 and 14 March)

President: Mr Solbes, Spanish State Secretary for the European Communities

Commission: Mr Bangemann and Mr Dondelinger

Main item

Television without frontiers: broad agreement in principle (→ point 2.1.10).

2.7.13. 1307th meeting — Transport (Brussels, 14 March)

President: Mr Barrionuevo Peña, Spanish Minister for Transport, Tourism and Communications

Commission: Mr Van Miert

Main items

Access to road haulage business: agreement on Directive (→ point 2.1.151);

Weight and size of commercial road vehicles: agreement on Directive (→ point 2.1.152);

Structural reform of inland waterway transport: agreement in principle on Regulation (→ point 2.1.154);

Aid for combined transport: agreement on Regulation (→ point 2.1.157).

Other business

National road haulage by non-resident hauliers (cabotage): discussion resumed

Negotiations with non-member transit countries (Austria, Switzerland, Yugoslavia): briefing.

2.7.14. 1308th meeting — General affairs (Brussels, 20 March)

President: Mr Fernández Ordóñez, Spanish Minister for Foreign Affairs

Commission: Mr Delors, Mr Andriessen and Mr Matutes

Main items

Relations with Malta: approval of outcome of negotiations on the third Financial Protocol (→ point 2.2.14);

Relations with the Council of Europe: conclusions adopted (→ point 2.2.51).

Other business

Uruguay Round — mid-term review: briefing

2.7.15. 1309th meeting — Agriculture (Brussels, 20, 21 and 22 March)

President: Mr Romero Herrera, Spanish Minister for Agriculture, Fisheries and Food

Commission: Mr Mac Sharry

Main items

Arrangements for New Zealand butter imports to the United Kingdom; Regulation adopted (→ point 2.1.130);

Health rules governing the import of meat products from non-member countries: Directive adopted (→ point 2.1.139).

Other business

Agricultural prices and related measures (1989/90): discussion continued;

Milk and milk products; beef/veal: extension of current marketing years to 30 April; Voluntary-restraint agreement with New Zealand on sheepmeat and goatmeat: exchange of views;

Aids for investment in pig production: examination;

Permissible preservatives in foodstuffs intended for human consumption (natamycin): examination.

Commission ¹

2.7.16. On 10 March Mr Mubarak, President of the Arab Republic of Egypt, paid a visit to the Commission (→ point 2.2.17).

2.7.17. On 30 March a meeting was held with the President of the Council to take stock of Spain's first three months in the chair and to discuss a programme for the following three months.

2.7.18. On 15 March Parliament adopted two resolutions² at the end of its debate on the Commission's programme, which had been presented in February.³ It welcomed the programme and made a number of comments and proposals on individual points, highlighting in particular the need for practical measures on the social dimension of the internal market, the urgent need for harmonization of indirect taxation and taxes on savings, and the need to make significant progress towards economic and monetary union. Parliament called on the Commission to pay particular attention to environmental problems and to observance of the deadlines laid down for the elimination of internal physical frontiers, and regretted that the programme had not

addressed the question of the reform of the Community's institutional system. It also expressed the hope that a number of regulations would be adopted in the field of social policy, stressing a range of measures on equal opportunities for men and women.

Measures taken

2.7.19. Priority information programme: operational guidelines (→ point 2.1.92).

1992 Olympics: agreement in principle on Community participation (→ point 2.1.95).

Reform of the structural Funds: first definitive list of areas eligible under Objective 2 and indicative allocation of ERDF appropriations (→ point 2.1.96).

Food aid: establishment of overall quantities for 1989 and list of products to be supplied (→ point 2.2.40).

Campaign against fraud: statement (→ point 2.5.12).

Measures proposed

Proposals to be adopted under the cooperation procedure

2.7.20. Advertising of tobacco products: proposal for a Directive (→ point 2.1.85).

Other proposals and recommendations

2.7.21. Environmental cooperation in the Danube Basin (Regensburg Convention — notification): proposal for a Decision (→ point 2.1.106).

Convention on the protection of the Rhine: proposal for a Decision (→ point 2.1.107).

Protection of seal pups: proposal for a Directive (→ point 2.1.115).

Production aid for flint maize: proposals for Regulations (→ point 2.1.123).

¹ Selected items.

² OJ C 96, 17.4.1989.

³ Bull. EC 2-1989, points 1.1.1 to 1.1.7; Supplement 2/89 — Bull. EC.

Fishing agreement with Mauritius: proposal for a Regulation (→ point 2.1.149).

Conservation of fish stocks in the Antarctic: proposal for a Regulation (→ point 2.1.150).

Thermie programme: proposal for a Regulation (→ point 2.1.158).

Statistical confidentiality: proposal for a Regulation (→ point 2.6.1).

Communications and reports

2.7.22. Tenth anniversary of the European Monetary System: communication (→ point 1.1.1 *et seq.*).

Erasmus I: annual progress report (→ point 2.1.90).

Transparency of energy prices: communication (→ point 2.1.159).

Evaluation of energy demonstration programmes: communication (→ point 2.1.160).

Relations with the Council of Europe: communication (→ point 2.2.51).

Court of Justice¹

2.7.23. New cases

Case	Subject	Basis
Free movement of goods		
60/89 Monteil and Sammani v Procureur de la République ¹	Is Article 30 of the EEC Treaty infringed where an authorization is required to place on the market body-care preparations which are not presented for treating or preventing disease in human beings and which are merely applied rather than 'administered' within the meaning of Council Directive 65/65/EEC on proprietary medicinal products, and where the sale of such preparations is restricted to pharmacists?	Article 177 EEC
Customs union		
43/89 Gerlach v Inspecteur der Invoerrechten en Accijnzen	Under which CCT heading (subheading) must a COM-recorder be classified?	Article 177 EEC
52/89 HZA München-Mitte v Universität Stuttgart	Validity of Commission Decision 79/20/EEC completing Commission Decision 77/373/EEC excluding from admission free of CCT duties the scientific apparatus described as 'Precision lock-in amplifier', PAR, model 124A with plug-in preamplifier, PAR, model 116	Article 177 EEC

¹ For more detailed information see the material published by the Court of Justice in the *Official Journal* and the *European Court Reports* and the publications of its Information Office (e.g. the weekly *Proceedings of the Court*).

Case	Subject	Basis
Right of establishment		
14/89 Criminal proceedings against Pierini	<ol style="list-style-type: none"> 1. Obligation on Member States to enact rules governing paramedical professions 2. Application of the criminal law of a Member State to a person qualified to exercise a profession in other Member States where the first Member State has failed to enact rules governing the profession 	Article 177 EEC
38/89 Ministère public v Blanguernon ²	In accordance with the wording and spirit of Article 54(3)(g) of the EEC Treaty and the fourth company law Directive (Council Directive 78/660/EEC), may national laws enacted pursuant thereto enter into force individually when not all the Member States have adopted equivalent legislation which is a necessary condition for the simultaneous coordination required by the Directive?	Article 177 EEC
Freedom to supply services		
49/89 Corsica Ferries v Direction générale des douanes ³	Must the EEC Treaty, and in particular Articles 59, 62 and 84 thereof, be interpreted as meaning that a Member State is authorized, in connection with the use by a ship of harbour installations situated within its island territory, to levy charges on the embarkation and disembarkation of passengers when they travel to or arrive from a port situated in another Member State, whilst in the case of transportation between two ports situated within national territory those charges are levied only on embarkation from an island port?	Article 177 EEC
Taxation		
53/89 Public Prosecutor and Minister for Finance v Proost ⁴	VAT charged in Belgium on a motor vehicle purchased in the Netherlands, where the vehicle is registered and where VAT has been paid, if the vehicle belongs to a Dutch undertaking and is at the disposal of a manager who lives in Belgium	Article 177 EEC
Competition		
56/89 and 56/89 R Publishers Association v Commission ⁵	<ol style="list-style-type: none"> 1. Annulment of Commission Decision 89/44/EEC relating to a proceeding pursuant to Article 85 of the EEC Treaty (IV/27.393 and IV/27.394, Publishers Association — Net Book Agreements) 2. Suspension of the application of the contested Decision 	Article 173 EEC Articles 185 and 186 EEC

Case	Subject	Basis
SIV v Commission	Annulment of Commission Decision 89/93/EEC relating to a proceeding under Articles 85 and 86 of the EEC Treaty (IV/31.906, Italian flat glass)	Article 173 EEC
97/89 Fabbrica Pisana v Commission	Subject-matter identical with <i>SIV v Commission</i> above	Article 173 EEC
76/89 and 76/89 R RTE v Commission	1. Annulment of Commission Decision 89/205/EEC relating to a proceeding under Article 86 of the EEC Treaty (IV/31.851 — Magill TV Guide/ITP, BBC and RTE) 2. Suspension of the application of the contested Decision	Article 173 EEC Articles 185 and 186 EEC
77/89 and 77/89 R British Broadcasting Corporation and BBC Entreprises v Commission	Subject matter identical with <i>RTE v Commission</i> above	Article 173 EEC Articles 185 and 186 EEC
91/89 and 91/89 R ITP v Commission	Subject matter identical with <i>RTE v Commission</i> above	Article 173 EEC Articles 185 and 186 EEC
State aid		
74/89 Commission v Belgium ⁵	Failure to comply with Commission Decision 84/111/EEC on a measure to assist Fabelta/Beaulieu	Article 93(2) EEC
86/89 Italy v Commission	Annulment of the Commission Decision of 30 November 1988 on the production and marketing of wine sector products	Article 173 EEC
Social policy		
33/89 Kowalska v City of Hamburg ⁶	Is a provision of a collective agreement which excludes part-time employees from payment of a severance grant compatible with Article 119 of the EEC Treaty and with Council Directive 75/117/EEC on equal pay for men and women, where about 90% of part-time employees are women? Does the freedom of contract of the parties to the agreement extend to such a clause?	Article 177 EEC
90/89 France v Council	Annulment of Council Decision 89/27/EEC adopting the second phase of the programme on cooperation between universities and industry regarding training in the field of technology (Comett II) (1990-94)	Article 173 EEC
94/89 Germany v Council	Subject matter identical with <i>France v Council</i> above	Article 173 EEC
Agriculture		
8/89 Zardi v Consorzio Agrario Provinciale di Ferrara	Are Article 4b of Council Regulation No 2727/75 on the common organization of the market in cereals, introduced by Article 1 of Council	Article 177 EEC

Case	Subject	Basis
27/89 <i>Société coopérative agricole de Rozay-en-Brie, Provins et environs and Others v Office national interprofessionnel des céréales</i>	<p>Regulation No 1097/88, and Commission Regulation No 1432/88 valid on the basis of the principle of proportionality, in so far as they require cereal producers to pay the additional co-responsibility levy, in its entirety, when the product is put on to the market, before the happening of the event constituted by the exceeding of the maximum guaranteed quantity fixed by the Community institutions and regardless of whether that event may actually happen, wholly or in part?</p> <p>Do Council Regulations Nos 2727/75 and 1146/76 and Commission Regulations Nos 1629/77 and 400/86 infringe Articles 7, 40(3) and 190 of the EEC Treaty?</p>	Article 177 EEC
44/89 <i>Von Deetzen v HZA Oldenburg</i> ¹	<p>1. Is Article 177 of the EEC Treaty to be interpreted as meaning that a further request for a preliminary ruling is permissible where the national court cannot reach a decision because the competent Community institutions have not enacted any legislation following a declaration by the Court of Justice that certain legislation is invalid, and measures need to be adopted in order to remedy that legal situation?</p> <p>2. If Question 1 is answered in the affirmative, what is the effect of the Court's judgment in Case 170/86 <i>Von Deetzen v HZA Hamburg-Jonas</i> inasmuch as the Council has taken no action since then?</p>	Article 177 EEC
87/89 <i>Sonito and Others v Commission</i>	Annulment of the Decision of 17 January 1989 not to act on the applicants' complaint relating to fraud in connection with tomato production aid, and damages for the loss suffered by the applicants as a result of the Commission's conduct	Articles 173, 178 and 215 EEC
Insurance		
63/89 <i>Les Assurances du Crédit (Namur) and Compagnie belge d'Assurance Crédit v Council and Commission</i>	Application for damages for loss suffered by the applicants by reason of the unlawful adoption of Council Directive 87/343/EEC amending, as regards credit insurance and suretyship insurance, Directive 73/239/EEC on the taking-up and pursuit of the business of direct insurance other than life assurance	Articles 178 and 215 EEC
Commercial policy		
69/89 <i>Nakajima All Precision v Council</i>	1. Seeking a declaration that Articles 2(3)(b)(ii) and 19 of Council Regulation No 2423/88 on protection against dumped or subsidized imports from countries not members of the Community are not applicable	Articles 173 and 184 EEC

Case	Subject	Basis
Staff Regulations	2. Annulment of Articles 1, 2 and 3 of Council Regulation No 3651/88 imposing a definitive anti-dumping duty on imports of serial-impact dot-matrix printers originating in Japan	
37/89 Weiser v Caisse nationale des Barreaux français	Is a French lawyer who abandons his practice in order to become an official of the European Communities entitled to claim the benefit of Article 11(2) of Annex VIII to the Staff Regulations of Officials of the European Communities?	Article 177 EEC
Infringements		
62/89 Commission v France ⁵	Seeking a declaration that by failing to ensure observance of the quotas allocated to it for 1985 for catches of redfish and flatfish in the waters of the Faeroe Islands France has failed to fulfil the obligations imposed on it by Article 5(2) of Council Regulation No 170/83 and Articles 1(1) and (2), 6 to 9 and 10(1) and (2) of Council Regulation No 2057/82 in conjunction with Article 1 of Council Regulation No 6/85	Article 169 EEC
68/89 Commission v Netherlands ⁷	Seeking a declaration that by requiring travellers presenting themselves at the Dutch border to answer questions regarding the purpose and duration of their journey and the financial means at their disposal the Netherlands has failed to fulfil its obligations	Article 169 EEC
70/89 Commission v Italy	Failure to comply with Council Directive 83/513/EEC on limit values and quality objectives for cadmium discharges	Article 169 EEC
88/89 Commission v Greece	Failure to comply with Council Directive 83/183/EEC on tax exemptions applicable to permanent imports from a Member State of the personal property of individuals, with particular reference to the complete exemption from tax of motor vehicles with a cylinder capacity of more than 1800 cc	Article 169 EEC
93/89 Commission v Ireland	Seeking a declaration that by requiring nationals of other Member States to set up an Irish company before obtaining a licence to fish Ireland has failed to fulfil its obligations under Article 52 of the Treaty	Article 169 EEC
95/89 Commission v Italy	Seeking a declaration that by prohibiting the importation of cheeses to which nitrates have been added Italy had failed to fulfil its obligations under Articles 30 to 36 of the Treaty	Article 169 EEC
96/89 Commission v Netherlands	Seeking a declaration that by admitting to free circulation in 1983 approximately 60 000	Article 169 EEC

Case	Subject	Basis
	tonnes of manioc which had been exported from Thailand without an export certificate at a reduced levy of 6% and by refusing to place the own resources not levied at the Commission's disposal, together with interest as from 29 June 1984, the Netherlands has failed to fulfil its obligations	

Disputes between the Community and its staff

v Commission:

65/89 Costacurta¹

82/89 Barbi

v Council:

89/89 Brems

v Parliament:

78/89 Dautremont and Others — Annulment of a decision to refuse reimbursement of travel expenses necessarily incurred for the purposes of the applicants' daily missions

84/89 Blackman

¹ OJ C 80, 31.3.1989.

² OJ C 75, 23.3.1989.

³ OJ C 78, 29.3.1989.

⁴ OJ C 87, 8.4.1989.

⁵ OJ C 94, 15.4.1989.

⁶ OJ C 68, 18.3.1989.

⁷ OJ C 99, 20.4.1989.

2.7.24. Judgments

Date and Case	Held
<p>Free movement of goods</p> <p>7.3.1989: 215/87 — Schumacher v HZA Frankfurt am Main-Ost¹</p>	<p>A national provision which prohibits the importation by a private individual for his personal needs of medicinal products authorized in the Member State of importation, where they are available without medical prescription, and purchased in a pharmacy in another Member State is incompatible with Articles 30 and 36 of the EEC Treaty</p>
<p>Customs union</p> <p>15.3.1989: 303/87 — University of Stuttgart v HZA Stuttgart-Ost²</p>	<p>Consideration of the question asked has revealed no factor of such a kind as to affect the validity of Commission Decision 85/C 57/03 of 1 March 1985</p>

Date and Case	Held
<p>Commercial policy</p>	
<p>15.3.1989: 191/88 — Co-Frutta v Commission</p>	<p>The application is dismissed as inadmissible (Seeking the annulment of the Commission Decision of 30 June 1988 authorizing Italy not to apply Community treatment to fresh bananas originating in certain non-member countries)</p>
<p>Taxation</p>	
<p>15.3.1989: 317/86, 48, 49, 285 and 363 to 367/87, 65 and 78 to 80/88 Lambert and Others v Directeur des services fiscaux de l'Orne and Others²</p>	<p>1. Article 33 of the sixth VAT Directive (Council Directive 77/388/EEC) must be interpreted as meaning that as from the introduction of the common system of VAT the Member States are no longer entitled to impose on the supply of goods, the provision of services or imports liable to VAT, taxes, duties or charges which can be characterized as turnover taxes</p> <p>2. A charge which, although providing for different amounts according to the characteristics of the taxed article and possibly its location, is assessed exclusively on the basis of the placing thereof at the disposal of the public, without in fact taking account of the revenue which could be generated thereby, may not be regarded as a charge which can be characterized as a turnover tax</p> <p>3. Article 95 of the EEC Treaty also applies to internal taxation which is imposed on the use of imported products where those products are essentially intended for such use and have been imported solely for that purpose</p> <p>4. A system of taxation graduated according to the various categories of automatic games machines, which is intended to achieve legitimate social objectives and which procures no fiscal advantage for domestic products to the detriment of similar or competing imported products, is not incompatible with Article 95</p> <p>5. Article 30 of the EEC Treaty does not apply to the taxation of products originating in other Member States the compatibility of which with the Treaty falls under Article 95 thereof</p>
<p>15.3.1989 — Hamann v Finanzamt Hamburg-Eimsbüttel²</p>	<p>Ocean-going sailing yachts, used by those hiring them for the pursuit of sailing as a sport, are 'forms of transport' within the meaning of Article 9(2)(d) of the sixth VAT Directive (Council Directive 77/388/EEC)</p>
<p>Social security</p>	
<p>2.3.1989: 359/87 — Pinna v Caisse d'allocations familiales de la Savoie³</p>	<p>Until such time as the Council adopts new rules which are in conformity with Article 51 of the EEC Treaty, the fact that Article 73(2) of Regu-</p>

Date and Case	Held
<p>14.3.1989: 1/88 — Baldi v Caisse de Compensation pour allocations familiales de l'Union des classes moyennes⁴</p>	<p>lation No 1408/71 has been declared invalid means that the system for the payment of family benefits laid down in Article 73(1) of that Regulation is of general application</p> <ol style="list-style-type: none"> 1. Article 78(2) of Regulation No 1408/71 applies only to the case of an orphan whose deceased father or mother personally had the status of a worker 2. It follows from Article 73 of Regulation No 1408/71 that while a worker remains subject to the social legislation of a Member State he is entitled in respect of the members of his family who reside on the territory of another Member State to the family benefits provided for by the legislation of the first State, as if they were residing on its territory 3. Where, in the cases referred to in Article 77(2)(a) and Article 77(2)(b)(i) of Regulation No 1408/71, the amount of benefits payable by the State of residence is less than that of the benefits paid by the other State responsible for payment, a worker retains the benefit of the higher amount and is entitled to receive from the competent social institution of the latter State an additional benefit equal to the difference between the amount of benefits payable by the State of residence and that of the benefits provided for by the other State responsible for payment in respect of persons entitled to an invalidity pension, together with, where appropriate, the supplement provided for by the legislation of the latter State in respect of the children of persons so entitled
<p>15.3.1989: 389 and 390/87 — Echternach and Moritz v Netherlands Minister for Education and Science⁵</p>	<ol style="list-style-type: none"> 1. A national of a Member State who in another Member State occupies a post governed by a special statute under international law, such as for example a post at the European Space Agency, must be regarded as a worker within the meaning of Article 48(1) and (2) of the Treaty and is entitled, as are the members of his family, to the rights and privileges prescribed in those provisions and in Council Regulation No 1612/68 on freedom of movement for workers within the Community, and in particular Article 12 thereof 2. A child of a worker of a Member State who has been in employment in another Member State retains the status of member of a worker's family within the meaning of Regulation No 1612/68 where that child's family returns to the Member State of origin and the child remains in the host State, even after a certain period of absence, in order to continue his studies there, which he could not do in the State of origin

Date and Case	Held
<p>Infringements</p> <p>15.3.1989: 105/88 — Commission v France</p>	<p>3. The benefit of the rights which a member of the family of a worker of a Member State derives from the provisions of Community law may not be made subject to the grant of a temporary residence permit on certain conditions</p> <p>4. Article 12 of Regulation No 1612/68 must be interpreted as meaning that it refers to any form of education, including courses in economic sciences provided at a university and post-secondary vocational studies carried out at a technical college</p> <p>5. Aid granted to cover the costs of students' education and maintenance is to be regarded as a social advantage to which the children of Community workers are entitled under the same conditions as those under which the same advantage is granted to a State's own nationals</p> <p>Removed from the Court Register (Seeking a declaration that, by instituting and maintaining in force in respect of automatic gaming machines tax rules imposing a general limitation on the right of taxpayers to deduct the input VAT from the tax due on the receipts from such machines, France has failed to comply with the sixth VAT Directive (Council Directive 77/388/EEC), and in particular Article 18(4) thereof, and with the derogation granted to it in that respect by Council Decision 84/517/EEC)</p>

Disputes between the Community and its staff

v Commission:

10.3.1989: 126/87 Del Plato¹ — The application is dismissed

13.3.1989: 2/88 Leva and Others — Removed from the Court Register (Seeking annulment of a letter rejecting an application for the transfer of national pension rights to the Community scheme)

¹ OJ C 87, 8.4.1989.

² OJ C 92, 13.4.1989.

³ OJ C 81, 14.4.1989.

⁴ OJ C 97, 18.4.1989.

⁵ OJ C 99, 20.4.1989.

Court of Auditors

2.7.25. The Court of Auditors adopted a special report on the agri-monetary system on 30 March, highlighting its impact on the common price system and its incompatibility with the objective of the single market. The report examines the Community's efforts towards gradually ending the system and analyses the switchover mechanism that is meant to avoid the creation of new positive monetary compensatory amounts. It also looks into the effect of green exchange rates and MCAs in budgetary terms. The Court's final conclusion is that the essential preconditions for achieving the goal set by the Commission and the Council of eliminating the agri-monetary system have not yet been met.

2.7.26. On the same day, the Court of Auditors also adopted a special report on the organization of the markets in fresh and processed fruit and vegetables. In the report it examines the financial compensation system for the withdrawal of fresh produce from the market and the subsidies granted for processing. The report also covers the administration of aid schemes and market management.

Economic and Social Committee

264th plenary session

2.7.27. The Economic and Social Committee held its 264th plenary session in Brussels on 30 and 31 March with Mr Masprone in the chair. The meeting was attended by Mr Chaves González, the President of the Council, and Mr Oreja, Secretary-General of the Council of Europe. On the occasion of the Council of Europe's 40th anniversary, Mr Oreja gave an account of its activities in the social field. The President of the Council set out in detail his priorities in the economic and social fields and stressed the importance of the Committee's role, both as a major forum for a variety of social

and professional interest groups and in its advisory capacity.

2.7.28. The Committee debated and adopted opinions on the following items:

Public procurement in sectors not covered by Community legislation (→ point 2.1.12);

Annual and consolidated accounts of small businesses (→ point 2.1.28);

Access to information on the environment (→ point 2.1.116);

Farm prices (→ point 2.1.121);

Animal health rules governing calf embryos (→ point 2.1.143);

Relations with newly industrializing countries in South-East Asia (→ point 2.2.19);

GATT Uruguay Round.

2.7.29. The Committee, by a large majority, adopted opinions on the following items without a debate:

The making up by volume of prepackaged liquids (→ point 2.1.20);

The Epoch and STEP research and development programmes (→ point 2.1.38);

The Lingua programme (→ point 2.1.89);

Protecting health and the environment against PCBs and PCTs (→ point 2.1.112);

Forestry: combating atmospheric pollution and fires (→ point 2.1.120);

Forestry: agricultural opinions (→ point 2.1.120);

Fisheries: financing (→ point 2.1.148);

The efficient use of electricity (→ point 2.1.166).

ECSC Consultative Committee

2.7.30. 276th meeting

(Toulouse, 14 March)

Chairman: Mr Laurens

Items of business

Forward programme for steel (2nd quarter): consultation (→ point 2.1.32);

Extension of the prohibition of alignment on offers of iron and steel products from certain non-member countries:¹ consultation;

Financial aid to technical research projects on steel and coal: consultation (→ points 2.1.41 and 2.1.43);

Medium-term policies for technical research on coal: examination;

Solid fuels market in 1988 and 1989: consultation (→ point 2.1.162);

State aid to the coalmining industry in 1987: examination (→ point 2.1.163);

Extension of readaptation aid for workers taking early retirement: briefing.

European Investment Bank ²

Operations in March

2.7.31. Loans announced by the European Investment Bank in March for investments within the Community totalled ECU 102.6 million,³ broken down as follows: ECU 42.3 million in France, ECU 33.2 million in the United Kingdom, ECU 18.2 million in Spain and ECU 8.2 million in Denmark. Outside the Community, the Bank lent ECU 23 million, including ECU 5 million from risk capital, to projects in three ACP States under the third Lomé Convention.⁴

Community

France

2.7.32. The Bank granted a global loan of FF 300 million to Crédit Local de France — CAECL SA, which will use the funds to finance small and medium-scale public

infrastructure projects (mainly the secondary road network, port infrastructures and urban transport) in those parts of Normandy and Picardy that are eligible for national regional aid.

The Bank cooperates closely with Crédit Local de France (CLF), the main local authority financing body in France, in the financing of small and medium-scale infrastructure projects in regions suffering development or conversion problems. The new loan has been made available in the form of a line of credit with multiple options as regards both currency (French francs, ecus or other currencies) and duration (up to 15 years). This formula, which has many advantages, has already been used several times in recent months for other regional loans. Most regions of France are now covered.

United Kingdom

2.7.33. The Bank lent UKL 22 million to infrastructure, tourism and industrial projects: UKL 15 million for a 26-km pipeline to link Ravenspurn North gas field in the North Sea to another pipeline which joins the national grid at Dimlington, Humberside; UKL 5 million for the construction of a 119-bedroom hotel for businessmen and tourists in Solihull, close to Birmingham international airport and the National Exhibition Centre; and UKL 1.85 million for the establishment of a pinewood furniture factory at Cramlington, near Newcastle.

Spain

2.7.34. In the infrastructure sector, the Bank lent PTA 2.5 billion to the Comunidad

1 OJ L 73, 15.3.1978.

2 Further details can be obtained from the European Investment Bank, 100 boulevard Konrad Adenauer, L-2950 Luxembourg (tel. 4379-1).

3 The conversion rates at 30 December 1988 used by the EIB in statistics for the first quarter were ECU 1 = BFR 43.58, DKR 8.03, DM 2.08, DR 172.91, ESC 171.70, FF 7.10, HFL 2.35, IRL 0.78, LFR 43.58, LIT 1 531, PTA 132.88, UKL 0.65, USD 1.17.

4 OJ L 86, 31.3.1986; Bull. EC 4-1986, point 2.2.31.

Autónoma de Castilla-La Mancha for upgrading 450 km of regional and rural roads under the General Road Plan to further the development of what is one of Spain's least industrialized regions which over the past two decades has lost approximately one third of its population.

Outside the Community

2.7.35. The EIB lent ECU 18 million for the rehabilitation and extension of the telecommunications network in Zimbabwe. This loan, granted to the State, will be onlent to the Post and Telecommunications Corporation, a wholly owned parastatal company. The project, costed at ECU 50 million, comprises the most urgent components of a five-year investment programme of ECU 192 million for which additional financing is being provided by several Member States of the Community and by Norway, Sweden, Canada and

Japan. The EIB-financed portion will improve telex services and the automatic billing system and reduce breakdowns, especially in the capital, Harare.

2.7.36. In Guyana the Bank granted a global loan of ECU 4 million from risk capital to Guyana Cooperative Agricultural and Industrial Development Bank to support small and medium-sized businesses in the industrial and agro-industrial sector.

2.7.37. In Grenada the Bank advanced ECU 1 million in the form of a global loan from risk capital to Grenada Development Bank, which will onlend it in the form of smaller loans and equity participations to small and medium-sized firms in the industrial, agro-industrial and tourism sectors. In 1987 Grenada Development Bank received a first global loan of ECU 1.4 million to help finance seven projects—five in tourism and two in industry.¹

¹ Bull. EC 7/8-1987, point 2.4.77.

PART THREE

DOCUMENTATION

1. The ecu

Values in national currencies of one ecu

31 March 1989¹

BFR/ LFR	Belgian franc and Luxembourg franc (convertible)	43.5979
	Belgian franc and Luxembourg franc (financial)	43.7767
DKR	Danish krone	8.10130
DM	German mark	2.08260
DR	Greek drachma	175.987
ESC	Portuguese escudo	171.548
FF	French franc	7.03662
HFL	Dutch guilder	2.34833
IRL	Irish pound	0.780155
LIT	Italian lira	1 526.98
PTA	Spanish peseta	129.641
UKL	Pound sterling	0.651083
AUD	Australian dollar	1.34597
CAD	Canadian dollar	1.31380
FMK	Finnish mark	4.68081
NKR	Norwegian krone	7.56477
NZD	New Zealand dollar	1.79061
OS	Austrian schilling	14.6520
SFR	Swiss franc	1.82545
SKR	Swedish krone	7.06853
USD	United States dollar	1.10033
YEN	Japanese yen	145.772

¹ OJ C 81, 1.4.1989.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3, and Bull. EC 10-1984, point 3.1.1.

Representative rates ('green' rates)

Conversion rates into national currencies for the ecu used in connection with the common agricultural policy

March 1989		
National currency/product		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc All products	48.2869
DKR	Danish krone Sheepmeat and goatmeat Pigmeat Other products	8.66492 8.93007 8.84165
DM	German mark Milk and milk products Cereals Other products	2.38591 2.37360 2.36110
DR	Greek drachma Sheepmeat and goatmeat Pigmeat Eggs and poultrymeat Cereals, sugar, wine, olive oil and tobacco Other crop products Structures Other products	180.508 163.533 (165.268 from 6.3.1989) 149.762 164.729 156.020 190.827 145.018
ESC	Portuguese escudo All products	188.007
FF	French franc Milk and milk products Sheepmeat and goatmeat Beef/veal Pigmeat Wine Other livestock products Other products	7.58418 7.65577 7.81036 7.85183 7.54389 7.56606 7.58418
HFL	Dutch guilder Milk and milk products and cereals Other products	2.66089 2.64704

March 1989		
National currency/product		Value in national currency of ECU 1
IRL	Irish pound Sheepmeat and goatmeat Beef/veal and pigmeat Other livestock products Crop products	0.829788 0.856765 0.844585 0.843818
LIT	Italian lira Pigmeat Cereals and oilseeds Wine Fruit and vegetables and tobacco Other products	1 716.00 1 635.00 1 641.00 1 668.00 1 652.00
PTA	Spanish peseta Sheepmeat and goatmeat Pigmeat Other livestock products Crop products	153.315 146.854 155.786 154.213
UKL	Pound sterling Sheepmeat and goatmeat Beef/veal Pigmeat Other livestock products Crop products	0.671291 0.710546 0.723693 0.685035 0.675071

2. Infringement procedures

Initiation of proceedings for failure to implement directives

Letters of formal notice

3.2.1. In March the Commission sent letters of formal notice for failure to incorporate directives into national law (the Commission not having been informed of national implementing measures) in the following cases:

Internal market

Council Directive 86/457/EEC of 15 September 1986 on specific training in general medical practice¹ (Denmark, France, Germany, Italy).

Environment

Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment² (Germany).

Reasoned opinions

3.2.2. In March the Commission delivered reasoned opinions for failure to inform it of national measures to give effect to the following directives:

Agriculture

Council Directive 84/378/EEC of 28 June 1984³ amending the Annexes to Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Luxembourg).

Council Directive 85/574/EEC of 19 December 1985⁴ amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Greece, Luxembourg).

Second Commission Directive 86/546/EEC of 29 October 1986⁵ amending the Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Belgium, Greece, Luxembourg, Netherlands, United Kingdom).

Council Directive 86/651/EEC of 18 December 1986⁶ amending, consequent on the accession of Spain and Portugal, Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Greece, Luxembourg).

Council Directive 87/298/EEC of 2 March 1987⁷ amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Greece, Luxembourg).

Environment

Council Directive 85/339/EEC of 27 June 1985 on containers of liquids for human consumption⁸ (Greece).

Commission Directive 85/405/EEC of 11 July 1985⁹ adapting to technical progress Council Directive 79/113/EEC on the approximation of the laws of the Member States relating to the determination of the noise emission of construction plant and equipment (Greece, Luxembourg).

Proceedings terminated

3.2.3. The Commission decided not to continue the following infringement proceedings:

Internal market

Council Directive 83/229/EEC of 25 April 1983 on the approximation of the laws of the Member States relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs¹⁰ (Ireland).

Council Directive 83/417/EEC of 25 July 1983 on the approximation of the laws of the Member States relating to certain lactoproteins (caseins and caseinates) intended for human consumption¹¹ (Germany, Italy).

¹ OJ L 267, 19.9.1986.

² OJ L 175, 5.7.1985.

³ OJ L 207, 2.8.1984.

⁴ OJ L 372, 31.12.1985.

⁵ OJ L 323, 4.11.1986.

⁶ OJ L 382, 31.12.1986.

⁷ OJ L 151, 11.6.1987.

⁸ OJ L 176, 6.7.1985.

⁹ OJ L 233, 30.8.1985.

¹⁰ OJ L 123, 11.5.1983.

¹¹ OJ L 237, 26.8.1983.

Council Directive 83/635/EEC of 13 December 1983¹ amending for the second time Directive 76/118/EEC on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption (Germany, Italy, Netherlands).

First Commission Directive 85/503/EEC of 25 October 1985 on methods of analysis for edible caseins and caseinates² (Denmark, France, Greece, Italy).

Council Directive 85/573/EEC of 19 December 1985,³ amending Directive 77/436/EEC on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts (Belgium, Denmark, Ireland, Italy, Luxembourg).

Council Directive 85/585/EEC of 20 December 1985³ amending Directive 64/54/EEC on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption (Denmark, France, Italy, Luxembourg, Netherlands, United Kingdom).

Council Directive 73/361/EEC of 19 November 1973 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the certification and marking of wire-ropes, chains and hooks⁴ (Greece).

Council Directive 75/324/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to aerosol dispensers⁵ (Greece).

Commission Directive 76/434/EEC of 13 April 1976⁶ adapting to technical progress Council Directive 73/361/EEC on the approximation of the laws of the Member States relating to the certification and marking of wire-ropes, chains and hooks (Greece).

Commission Directive 82/621/EEC of 1 July 1982⁷ adapting to technical progress Council Directive 76/891/EEC on the approximation of the laws of the Member States relating to electrical energy meters (Greece).

Council Directive 83/128/EEC of 28 March 1983⁸ amending Directive 76/764/EEC on the approximation of the laws of the Member States on clinical mercury-in-glass, maximum reading thermometers (Germany).

Council Directive 83/575/EEC of 26 October 1983⁹ amending Directive 71/316/EEC on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control (Italy).

Commission Directive 84/414/EEC of 18 July 1984¹⁰ adapting to technical progress Directive 76/764/EEC on the approximation of the laws of the Member States on clinical mercury-in-glass, maximum reading thermometers (Germany).

Council Directive 84/525/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, steel gas cylinders¹¹ (Greece).

Council Directive 84/526/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, unalloyed aluminium and aluminium alloy gas cylinders¹¹ (Greece).

Council Directive 84/527/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to welded unalloyed steel gas cylinders¹¹ (Greece).

Council Directive 84/528/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for lifting and mechanical handling appliances¹¹ (Belgium, Germany, Greece, Italy).

Council Directive 84/529/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to electrically operated lifts¹¹ (Belgium, France, Germany, Italy, Luxembourg).

Council Directive 84/532/EEC of 27 September 1984 on the approximation of the laws of the Member States relating to common provisions for construction plant and equipment¹¹ (Italy, Luxembourg).

Council Directive 84/539/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to electro-medical equipment used in human or veterinary medicine¹¹ (Greece, Ireland, Italy, United Kingdom).

Commission Directive 85/146/EEC of 31 January 1985¹² adapting to technical progress Council Directive 73/362/EEC on the approximation of the laws of the Member States relating to material measures of length (Germany).

¹ OJ L 357, 21.12.1983.

² OJ L 308, 20.11.1985.

³ OJ L 372, 31.12.1985.

⁴ OJ L 335, 5.12.1973.

⁵ OJ L 147, 9.6.1975.

⁶ OJ L 122, 8.5.1976.

⁷ OJ L 252, 27.8.1982.

⁸ OJ L 91, 9.4.1983.

⁹ OJ L 332, 28.11.1983.

¹⁰ OJ L 228, 25.8.1984.

¹¹ OJ L 300, 19.11.1984.

¹² OJ L 54, 23.2.1985.

Council Directive 86/96/EEC of 18 March 1986¹ amending Directive 80/232/EEC on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain prepackaged products (France, Italy).

Council Directive 86/217/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to tyre pressure gauges for motor vehicles² (Germany, Ireland, Italy).

Commission Directive 86/312/EEC of 18 June 1986³ adapting to technical progress Council Directive 84/529/EEC on the approximation of the laws of the Member States relating to electrically operated lifts (Belgium, Greece, Italy, Luxembourg).

Council Directive 87/19/EEC of 22 December 1986⁴ amending Directive 75/318/EEC on the approximation of the laws of the Member States relating to analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of proprietary medicinal products (Germany, Greece, Ireland, Italy, Netherlands).

Council Directive 87/20/EEC of 22 December 1986⁴ amending Directive 81/852/EEC on the approximation of the laws of the Member States relating to analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products (Germany, Greece, Ireland, Netherlands).

Council Directive 87/21/EEC of 22 December 1986⁴ amending Directive 65/65/EEC on the approximation of the provisions laid down by law, regulation or administrative action relating to proprietary medicinal products (Germany, Ireland, Italy, Netherlands).

Council Directive 87/22/EEC of 22 December 1986 on the approximation of national measures relating to the placing on the market of high-technology medicinal products, particularly those derived from biotechnology⁴ (Germany, Greece, Ireland, Italy, Netherlands).

Commission Directive 73/350/EEC of 7 November 1973⁵ adapting to technical progress Council Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (Greece).

Council Directive 77/212/EEC of 8 March 1977⁶ amending Directive 70/157/EEC on the permissible sound level and the exhaust system of motor vehicles (Greece).

Council Directive 78/1015/EEC of 23 November 1978 on the approximation of the laws of the

Member States on the permissible sound level and exhaust system of motor cycles⁷ (Greece).

Commission Directive 85/205/EEC of 18 February 1985⁸ adapting to technical progress Council Directive 71/127/EEC on the approximation of the laws of the Member States relating to the rear-view mirrors of motor vehicles (Greece).

Council Directive 86/298/EEC of 26 May 1986 on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors⁹ (Ireland).

Council Directive 86/415/EEC of 24 July 1986 on the installation, location, operation and identification of the controls of wheeled agricultural or forestry tractors¹⁰ (Netherlands).

Commission Directive 86/562/EEC of 6 November 1986¹¹ adapting to technical progress Council Directive 71/127/EEC on the approximation of the laws of the Member States relating to the rear-view mirrors of motor vehicles (France, Greece, Netherlands).

Commission Directive 84/291/EEC of 18 April 1984¹² adapting Council Directive 78/631/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous preparations (pesticides) (Italy).

Council Directive 85/467/EEC of 1 October 1985¹³ amending for the sixth time (PCBs/PCTs) Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (France, Greece, Italy).

Commission Directive 86/508/EEC of 7 October 1986¹⁴ adapting to technical progress for the second time Council Directive 77/728/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of paints, varnishes, printing inks, adhesives and similar products (Germany, Ireland, Italy, Netherlands, United Kingdom).

¹ OJ L 80, 25.3.1986.

² OJ L 152, 6.6.1986.

³ OJ L 196, 18.7.1986.

⁴ OJ L 15, 17.1.1987.

⁵ OJ L 321, 22.11.1973.

⁶ OJ L 66, 12.3.1977.

⁷ OJ L 349, 13.12.1978.

⁸ OJ L 90, 29.3.1985.

⁹ OJ L 186, 8.7.1986.

¹⁰ OJ L 240, 26.8.1986.

¹¹ OJ L 327, 22.11.1986.

¹² OJ L 144, 30.5.1984.

¹³ OJ L 269, 11.10.1985.

¹⁴ OJ L 295, 18.10.1986.

Council Directive 85/432/EEC of 16 September 1985 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of certain activities in the field of pharmacy¹ (Denmark, France, Netherlands).

Council Directive 85/433/EEC of 16 September 1985 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy, including measures to facilitate the effective exercise of the right of establishment relating to certain activities in the field of pharmacy¹ (Denmark, Germany).

Council Directive 85/584/EEC of 20 December 1985² amending, on account of the accession of Spain and Portugal, Directive 85/433/EEC concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy, including measures to facilitate the effective exercise of the right of establishment relation to certain activities in the field of pharmacy (Germany).

Council Directive 65/65/EEC of 26 January 1965 on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products³ (Italy).

Council Directive 75/318/EEC of 20 May 1975 on the approximation of the laws of Member States relating to analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of proprietary medicinal products⁴ (Italy).

Second Council Directive 75/319/EEC of 20 May 1975 on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products⁴ (Italy).

Employment, education and social policy

Council Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work⁵ (Luxembourg).

Council Directive 82/605/EEC of 28 July 1982 on the protection of workers from the risks related to exposure to metallic lead and its ionic compounds at work⁶ (first individual Directive within the meaning of Article 8 of Directive 80/1107/EEC) (France).

Council Directive 83/477/EEC of 19 September 1983 on the protection of workers from the risks related to exposure to asbestos at work⁷ (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC) (Greece, Luxembourg, United Kingdom).

Agriculture

Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material⁸ (Greece).

Council Directive 68/89/EEC of 23 January 1968 on the approximation of the laws of the Member States concerning the classification of wood in the rough⁹ (Greece).

Council Directive 71/161/EEC of 30 March 1971 on external quality standards for forest reproductive material marketed within the Community¹⁰ (Greece).

Commission Directive 72/169/EEC of 14 April 1972 on determining the characteristics and minimum conditions for inspecting vine varieties¹¹ (Greece).

Commission Directive 74/13/EEC of 4 December 1973¹² amending Annex 3 to Council Directive 71/161/EEC on external quality standards for forest reproductive material (Greece).

Council Directive 74/649/EEC of 9 December 1974 on the marketing of material for the vegetative propagation of the vine produced in third countries¹³ (Greece).

Council Directive 77/101/EEC of 23 November 1976 on the marketing of straight feedingstuffs¹⁴ (Italy).

Council Directive 79/372/EEC of 2 April 1979¹⁵ amending Directive 77/101/EEC on the marketing of straight feedingstuffs (Italy).

Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs¹⁵ (Italy).

First Commission Directive 79/797/EEC of 10 August 1979¹⁶ amending the Annex to Council Directive 77/101/EEC on the marketing of straight feedingstuffs (Italy).

First Commission Directive 80/509/EEC of 2 May 1980¹⁷ amending the Annex to Council Directive

¹ OJ L 253, 24.9.1985.

² OJ L 372, 31.12.1985.

³ OJ 22, 9.2.1965.

⁴ OJ L 147, 9.6.1975.

⁵ OJ L 327, 3.12.1980.

⁶ OJ L 247, 23.8.1982.

⁷ OJ L 263, 24.9.1983.

⁸ OJ L 125, 11.7.1966.

⁹ OJ L 32, 6.2.1968.

¹⁰ OJ L 87, 17.4.1971.

¹¹ OJ L 103, 2.5.1972.

¹² OJ L 15, 18.1.1974.

¹³ OJ L 352, 28.12.1974.

¹⁴ OJ L 32, 3.2.1977.

¹⁵ OJ L 86, 6.4.1979.

¹⁶ OJ L 239, 22.9.1979.

¹⁷ OJ L 126, 21.5.1980.

79/373/EEC on the marketing of compound feedingstuffs (Italy).

Second Commission Directive 80/510/EEC of 2 May 1980¹ amending the Annex to Council Directive 77/101/EEC on the marketing of straight feedingstuffs (Italy).

Commission Directive 80/511/EEC of 2 May 1980 authorizing, in certain cases, the marketing of compound feedingstuffs in unsealed packages or containers¹ (Italy).

Second Commission Directive 80/695/EEC of 27 June 1980² amending the Annex to Council Directive 79/373/EEC on the marketing of compound feedingstuffs (Italy).

Commission Directive 82/475/EEC of 23 June 1982 laying down the categories of ingredients which may be used for the purposes of labelling compound feedingstuffs for pet animals³ (Italy).

Third Commission Directive 82/937/EEC of 21 December 1982⁴ amending the Annex to Council Directive 77/101/EEC on the marketing of straight feedingstuffs (Italy).

Council Directive 84/378/EEC of 28 June 1984⁵ amending the Annexes to Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Belgium, Netherlands, United Kingdom).

Council Directive 84/587/EEC of 29 November 1984⁶ amending Directive 70/524/EEC concerning additives in feedingstuffs (Greece, Ireland, Netherlands).

Commission Directive 85/429/EEC of 8 July 1985⁷ amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs (Greece).

Commission Directive 85/520/EEC of 11 November 1985⁸ amending Directive 85/429/EEC amending the Annex to Council Directive 70/524/EEC concerning additives in feedingstuffs (France, Greece, Italy).

Council Directive 85/574/EEC of 19 December 1985⁹ amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Belgium, Denmark, Italy, Netherlands, United Kingdom).

Second Commission Directive 86/29/EEC of 5 February 1986¹⁰ amending Commission Directive 85/429/EEC amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs (France, Greece).

Commission Directive 86/109/EEC of 27 February 1986 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed'¹¹ (France, Germany, Italy).

Commission Directive 86/174/EEC of 9 April 1986 fixing the method of calculation for the energy value of compound poultryfeed¹² (United Kingdom).

Commission Directive 86/267/EEC of 20 May 1986¹³ amending Directive 72/169/EEC on determining the characteristics and minimum conditions for inspecting vine varieties (Greece).

Council Directive 86/355/EEC of 21 July 1986¹⁴ amending Directive 79/117/EEC prohibiting the placing on the market and use of plant protection products containing certain active substances (Belgium, France, Greece).

Commission Directive 86/403/EEC of 28 July 1986¹⁵ amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs (Belgium, Greece, Luxembourg, United Kingdom).

Commission Directive 86/525/EEC of 27 October 1986¹⁶ amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs (Luxembourg, United Kingdom).

Second Commission Directive 86/546/EEC of 29 October 1986¹⁷ amending the Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Denmark, Italy).

Council Directive 86/651/EEC of 18 December 1986¹⁸ amending, consequent on the accession of Spain and Portugal, Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Belgium, Denmark, Italy, Netherlands, United Kingdom).

¹ OJ L 126, 21.5.1980.
² OJ L 188, 22.7.1980.
³ OJ L 213, 21.7.1982.
⁴ OJ L 383, 31.12.1982.
⁵ OJ L 207, 2.8.1984.
⁶ OJ L 319, 8.12.1984.
⁷ OJ L 245, 12.9.1985.
⁸ OJ L 323, 4.12.1985.
⁹ OJ L 372, 31.12.1985.
¹⁰ OJ L 39, 14.2.1986.
¹¹ OJ L 93, 8.4.1986.
¹² OJ L 130, 16.5.1986.
¹³ OJ L 169, 26.6.1986.
¹⁴ OJ L 212, 2.8.1986.
¹⁵ OJ L 233, 20.8.1986.
¹⁶ OJ L 310, 5.11.1986.
¹⁷ OJ L 323, 18.11.1986.
¹⁸ OJ L 382, 31.12.1986.

Commission Directive 87/234/EEC of 31 March 1987¹ amending the Annex to Council Directive 77/101/EEC on the marketing of straight feeding-stuffs (Greece, United Kingdom).

Commission Directive 87/235/EEC of 31 March 1987¹ amending the Annex to Council Directive 79/373/EEC on the marketing of compound feedingstuffs (France, Germany, Greece, Ireland, Italy, Luxembourg, United Kingdom).

Council Directive 87/298/EEC of 2 March 1987² amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Italy).

Council Directive 87/316/EEC of 16 June 1987³ amending Directive 70/524/EEC concerning additives in feedingstuffs in respect of Carbadox (Denmark).

Council Directive 87/317/EEC of 16 June 1987³ amending Directive 70/524/EEC concerning additives in feedingstuffs in respect of Olaquinox (Denmark).

Council Directive 80/214/EEC of 22 January 1980⁴ amending Directive 77/99/EEC on health problems affecting intra-Community trade in meat products (Italy).

Council Directive 80/1100/EEC of 11 November 1980⁵ amending Directive 80/215/EEC with regard to swine vesicular disease and classical swine fever (Italy).

Council Directive 80/1102/EEC of 11 November 1980⁵ amending Directive 64/432/EEC with regard to enzootic bovine leukosis (Italy).

Council Directive 83/90/EEC of 7 February 1983⁶ amending Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat (Ireland).

Commission Directive 84/319/EEC of 7 June 1984⁷ amending the Annexes to Council Directive 77/96/EEC on the examination for trichinae (*trichinella spiralis*) upon importation from third countries of fresh meat derived from domestic swine (Italy).

Council Directive 84/644/EEC of 11 December 1984⁸ amending Directive 64/432/EEC as regards brucellosis in respect of the buffered brucella antigen test, the micro-agglutination test and the milk ring test as applied to samples of milk (France, Italy).

Council Directive 85/320/EEC of 12 June 1985⁹ amending Directive 64/432/EEC as regards certain

measures relating to classical swine fever and African swine fever (Italy).

Council Directive 85/321/EEC of 12 June 1985⁹ amending Directive 80/215/EEC as regards certain measures relating to African swine fever (Belgium, Italy).

Council Directive 85/325/EEC of 12 June 1985⁹ amending Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat (Belgium, Ireland).

Council Directive 85/326/EEC of 12 June 1985⁹ amending Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat (Belgium, Italy).

Council Directive 85/327/EEC of 12 June 1985⁹ amending Directive 77/99/EEC on health problems affecting intra-Community trade in meat products (Belgium, Ireland, Italy).

Council Directive 85/328/EEC of 20 June 1985⁹ amending Directive 77/99/EEC on health problems affecting intra-Community trade in meat products (Belgium, Italy).

Council Directive 85/358/EEC of 16 July 1985¹⁰ supplementing Directive 81/602/EEC concerning the prohibition of certain substances having a hormonal action and of any substances having a thyrostatic action (Germany, Greece, United Kingdom).

Second Commission Directive 85/509/EEC of 6 November 1985¹¹ amending the Annex to Council Directive 82/471/EEC concerning certain products used in animal nutrition (Denmark, France, Greece, Ireland, Italy).

Council Directive 86/587/EEC of 18 November 1986¹² amending Annex I to Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat (Denmark, France, Greece, Luxembourg, Netherlands).

Transport

Council Directive 82/603/EEC of 28 July 1982¹³ amending Directive 75/130/EEC on the establish-

¹ OJ L 102, 14.4.1987.

² OJ L 151, 11.6.1987.

³ OJ L 160, 20.6.1987.

⁴ OJ L 47, 21.2.1980.

⁵ OJ L 325, 1.12.1980.

⁶ OJ L 59, 5.3.1983.

⁷ OJ L 167, 27.6.1984.

⁸ OJ L 339, 27.12.1984.

⁹ OJ L 168, 28.6.1985.

¹⁰ OJ L 191, 23.7.1985.

¹¹ OJ L 314, 23.11.1985.

¹² OJ L 339, 2.12.1986.

¹³ OJ L 247, 23.8.1982.

ment of common rules for certain types of combined road/rail carriage of goods between Member States (Italy).

Council Directive 82/714/EEC of 4 October 1982 laying down technical requirements for inland waterway vessels¹ (France, Germany, Netherlands).

Council Directive 83/416/EEC of 25 July 1983 concerning the authorization of scheduled inter-regional air services for the transport of passengers, mail and cargo between Member States² (United Kingdom).

First Council Directive 80/1263/EEC of 4 December 1980 on the introduction of a Community driving licence³ (Belgium, Greece, Italy).

Council Directive 85/505/EEC of 14 November 1985⁴ amending Directive 65/269/EEC concerning the standardization of certain rules relating to authorizations for the carriage of goods by road between Member States (France, Netherlands).

Council Directive 86/216/EEC of 26 May 1986⁵ amending, on account of the accession of Portugal, Directive 83/416/EEC concerning the authorization of scheduled interregional air services for the transport of passengers, mail and cargo between Member States (France, Greece, United Kingdom).

Council Directive 86/364/EEC of 24 July 1986⁶ relating to proof of compliance of vehicles with Directive 85/3/EEC on the weights, dimensions and certain other technical characteristics of certain road vehicles (Germany, Luxembourg).

Council Directive 86/544/EEC of 10 November 1986⁷ amending Directive 75/130/EEC on the establishment of common rules for certain types of combined road/rail carriage of goods between Member States (Belgium, Luxembourg, Netherlands).

Environment and consumer protection

Council Directive 80/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances⁸ (Greece).

Council Directive 82/176/EEC of 22 March 1982 on limit values and quality objectives for mercury discharges by the chloralkali electrolysis industry⁹ (Greece).

Council Directive 82/884/EEC on a limit value for lead in the air¹⁰ (Greece).

Council Directive 83/513/EEC of 26 September 1983 on limit values as quality objectives for cadmium discharges¹¹ (Greece).

Council Directive 83/623/EEC of 25 November 1983¹² amending Directive 71/307/EEC on the approximation of the laws of the Member States relating to textile names (France).

Council Directive 84/156/EEC of 8 March 1984 on limit values and quality objectives for mercury discharges by sectors other than the chloralkali electrolysis industry¹³ (Greece).

Council Directive 84/360/EEC of 28 June 1984 on the combating of air pollution from industrial plants¹⁴ (Italy).

Council Directive 84/450/EEC of 10 September 1984 relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising¹⁵ (Ireland, United Kingdom).

Council Directive 84/491/EEC of 9 October 1984 on limit values and quality objectives for discharges of hexachlorocyclohexane¹⁶ (Greece).

Council Directive 84/533/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of compressors¹⁷ (Italy).

Council Directive 84/534/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of tower cranes¹⁷ (Italy).

Council Directive 84/535/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of welding generators¹⁷ (Italy).

Council Directive 84/536/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of power generators¹⁷ (Italy).

Council Directive 84/537/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound

¹ OJ L 301, 28.10.1982.

² OJ L 237, 26.8.1983.

³ OJ L 375, 31.12.1980.

⁴ OJ L 309, 21.11.1985.

⁵ OJ L 152, 6.6.1986.

⁶ OJ L 221, 7.8.1986.

⁷ OJ L 320, 15.11.1986.

⁸ OJ L 20, 26.1.1980.

⁹ OJ L 81, 27.3.1982.

¹⁰ OJ L 378, 31.12.1982.

¹¹ OJ L 291, 24.10.1983.

¹² OJ L 353, 15.12.1983.

¹³ OJ L 74, 17.3.1984.

¹⁴ OJ L 188, 16.7.1987.

¹⁵ OJ L 250, 19.9.1984.

¹⁶ OJ L 274, 17.10.1984.

¹⁷ OJ L 300, 19.11.1984.

power level of powered hand-held concrete-breakers and picks¹ (Italy).

Council Directive 84/538/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of lawnmowers¹ (Netherlands).

Council Directive 84/631/EEC of 6 December 1984 on the supervision and control within the European Community of the transfrontier shipment of hazardous waste² (Greece, Ireland, Italy, Luxembourg, United Kingdom).

Commission Directive 85/469/EEC of 22 July 1985³ adapting to technical progress Council Directive 84/631/EEC on the supervision and control within the European Community of the transfrontier shipment of hazardous waste (Germany, Greece, Italy, Luxembourg, United Kingdom).

Council Directive 85/203/EEC of 7 March 1985 on air quality standards for nitrogen dioxide⁴ (Greece).

Council Directive 85/210/EEC of 20 March 1985 on the approximation of the laws of the Member States concerning the lead content of petrol⁵ (Germany, Greece, Italy).

Sixth Commission Directive 85/391/EEC of 16 July 1985⁶ adapting to technical progress Annexes II, III, IV, V and VI to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products (Greece, United Kingdom).

Commission Directive 85/405/EEC of 11 July 1985⁷ adapting to technical progress Council Directive 79/113/EEC on the approximation of the laws of the Member States relating to the determination of the noise emission of construction plant and equipment (Belgium, Denmark, Italy).

Commission Directive 85/406/EEC of 11 July 1985⁷ adapting to technical progress Council Directive 84/533/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of compressors (Italy).

Commission Directive 85/407/EEC of 11 July 1985⁷ adapting to technical progress Council Directive 84/535/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of welding generators (Italy).

Commission Directive 85/408/EEC of 11 July 1985⁷ adapting to technical progress Council Directive 84/536/EEC on the approximation of the laws of the Member States relating to the

permissible sound power level of power generators (Italy).

Commission Directive 85/409/EEC of 11 July 1985⁷ adapting to technical progress Council Directive 84/537/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of powered hand-held concrete-breakers and picks (Italy).

Commission Directive 85/411/EEC of 25 July 1985⁷ amending Council Directive 79/409/EEC on the conservation of wild birds (Denmark, Greece).

Fourth Commission Directive 85/490/EEC of 11 October 1985 on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products⁸ (France, United Kingdom).

Seventh Commission Directive 86/179/EEC of 28 February 1986⁹ adapting to technical progress Annexes II, III, IV and V to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products (Greece, United Kingdom).

Eighth Commission Directive 86/199/EEC of 26 March 1986¹⁰ adapting to technical progress Annexes II, IV and VI to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products (Greece, United Kingdom).

Council Directive 86/279/EEC of 12 June 1986¹¹ amending Directive 84/631/EEC of 6 December 1984 on the supervision and control within the European Community of the transfrontier shipment of hazardous waste (Germany, Greece, Ireland, Italy).

Seventh Commission Directive 86/431/EEC of 24 June 1986¹² adapting to technical progress Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (Denmark, France, Germany, Ireland, Italy).

Council Directive 87/432/EEC of 3 August 1987¹³ adapting to technical progress for the eighth time

¹ OJ L 300, 19.11.1984.

² OJ L 326, 13.12.1984.

³ OJ L 272, 12.10.1985.

⁴ OJ L 87, 27.3.1985.

⁵ OJ L 96, 3.4.1985.

⁶ OJ L 224, 22.8.1985.

⁷ OJ L 233, 30.8.1985.

⁸ OJ L 295, 7.11.1985.

⁹ OJ L 138, 24.5.1986.

¹⁰ OJ L 149, 3.6.1986.

¹¹ OJ L 181, 4.7.1986.

¹² OJ L 247, 1.9.1986.

¹³ OJ L 239, 21.8.1987.

Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (Luxembourg).

Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products¹ (United Kingdom).

Council Directive 82/368/EEC of 17 May 1982² amending for the second time Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products (United Kingdom).

Council Directive 79/581/EEC of 19 June 1979 on consumer protection in the indication of the prices of foodstuffs³ (Luxembourg).

Council Directive 79/831/EEC of 18 September 1979⁴ amending for the sixth time Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (Germany, Italy).

Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption⁵ (Denmark, Ireland).

Council Directive 80/779/EEC of 15 July 1980 on air quality limit values and guide values for sulphur dioxide and suspended particulates (Luxembourg).⁵

First Commission Directive 80/1335/EEC of 22 December 1980 on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products⁶ (Denmark).

Council Directive 82/501/EEC of 24 June 1982 on the major-accident hazards of certain industrial activities⁷ (Greece).

Financial institutions and company law

Council Directive 78/473/EEC of 30 May 1978 on the coordination of laws, regulations and adminis-

trative provisions relating to Community co-insurance⁸ (Italy, Netherlands).

Sixth Council Directive 82/891/EEC of 17 December 1982 based on Article 54(3)(g) of the Treaty, concerning the division of public limited liability companies⁹ (France, United Kingdom).

Third Council Directive 78/855/EEC of 9 October 1978 based on Article 54(3)(g) of the Treaty, concerning mergers of public limited liability companies¹⁰ (France, United Kingdom).

First Council Directive 73/239/EEC of 24 July 1973 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance¹¹ (France).

Customs union and indirect taxation

Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value-added tax: uniform basis of assessment¹² (Italy).

Commission Directive 86/489/EEC of 24 September 1986¹³ amending Directive 77/794/EEC laying down detailed rules for implementing certain provisions of Directive 76/308/EEC on mutual assistance for the recovery of claims resulting from operations forming part of the system of financing the European Agricultural Guidance and Guarantee Fund and of agricultural levies and customs duties, and in respect of value-added tax (Belgium, France, Ireland, Italy, Netherlands).

¹ OJ L 262, 27.9.1976.

² OJ L 167, 15.6.1982.

³ OJ L 158, 26.6.1979.

⁴ OJ L 259, 15.10.1979.

⁵ OJ L 229, 30.8.1980.

⁶ OJ L 383, 31.12.1980.

⁷ OJ L 230, 5.8.1982.

⁸ OJ L 151, 7.6.1978.

⁹ OJ L 378, 31.12.1982.

¹⁰ OJ L 295, 20.10.1978.

¹¹ OJ L 228, 16.8.1973.

¹² OJ L 145, 13.6.1977.

¹³ OJ L 283, 4.10.1986.

3. Additional references in the Official Journal

3.3.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 9-1988

Point 2.1.69

The European Foundation for the Improvement of Living and Working Conditions (Four-year programme)

OJ C 75, 23.3.1989

Bull. EC 12-1988

Point 2.1.6

Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community

Proposal for a Council Regulation (EEC) amending Directive 68/360/EEC on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families

OJ C 100, 21.4.1989

Point 2.1.25

Commission Directive 89/240/EEC of 16 December 1988 adapting to technical progress Council Directive 86/663/EEC on the approximation of the laws of the Member States relating to self-propelled industrial trucks

OJ L 100, 12.4.1989

Point 2.1.36

Proposal for a Council Directive on the legal protection of computer programs

OJ C 91, 12.4.1989

Bull. EC 3-1989

Point 2.1.95

Proposal for a Council Directive supplementing the common system of value-added tax and amending Articles 32 and 28 of Directive 77/388/EEC — Special arrangements for second-hand goods, works of art, antiques and collector's items

Proposal for a Council Regulation (EEC) on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species
OJ C 76, 28.3.1989

Bull. EC 1-1989

Point 2.1.45

Commission Decision 89/250/EEC of 25 January 1989 fixing an indicative allocation between Member States of 85 % of the commitment appropriations of the European Regional Development Fund (ERDF) under Objective 1 as defined by Council Regulation (EEC) No 2052/88

OJ L 101, 13.4.1989

Points 2.1.60 to 2.1.70

Commission proposals on the prices for agricultural products and on related measures 1989/90

OJ C 82, 3.4.1989

Point 2.1.78

Proposal for a Council Regulation (EEC) instituting a certificate for dogs and cats on visits of less than one year in the Member States and introducing Community measures to set up pilot projects for the control and eradication of rabies

OJ C 85, 6.4.1989

Bull. EC 2-1989

Point 2.1.116

Proposal for a Council Regulation on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs

Point 2.1.120

Amended proposal for a Council Directive concerning the placing of EEC-accepted plant protection products on the market

OJ C 89, 10.4.1989

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