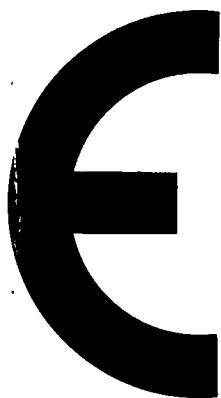


# Bulletin

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## OF THE EUROPEAN COMMUNITIES

Commission



No 10 1984

Volume 17

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*Supplements to the Bulletin are published in a separate series at irregular intervals. They contain official Commission material (e.g. communications to the Council, programmes, reports and proposals). The Supplements do not appear in Spanish and Portuguese.*



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**OF THE EUROPEAN**  
**COMMUNITIES**

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Commission of the European Communities  
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**No 10**  
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PART ONE

**SPECIAL FEATURES**

## Bulletin information service

Readers can obtain information on developments since this issue went to press (date of adoption of instruments by the Council, of opinions given by Parliament or the Economic and Social Committee, of publication in the Official Journal, etc.) by telephoning the document services of the Information Offices at the following numbers:

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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

FF = Franc français

HFL = Nederlandse gulden (Hollandse florijn)

IRL = Irish pound / punt

LFR = Franc luxembourgeois

LIT = Lira italiana

UKL = Pound sterling

USD = United States dollar



# 1. Adoption of supplementary and amending budget No 1/1984

1.1.1. With the adoption of supplementary and amending budget No 1/1984 by the President of Parliament on 25 October, the Community's fear of a hiatus in its payments has been averted and it now has available the appropriations it requires to meet its obligations—particularly in agriculture—in the last months of the year.

Thus, for the first time, the Community budget has exceeded the maximum appropriations available under the present system of own resources and exhausted its VAT resources.

Also for the first time, a system of repayable advances from Member States to be settled by an intergovernmental agreement will be used to fund the Community budget.

1.1.2. The fact that this budget has been adopted so late, though the Commission sent the preliminary draft to the Council on 6 July, is due to the delay in starting the budgetary procedure.<sup>1</sup> Although the Council reached agreement on the draft in September,<sup>2</sup> it was linked with other matters (the draft budget for 1985 and above all own resources and budget discipline). It was only by giving up the prospect of a joint decision that the Council was able to approve, subject to certain undertakings, draft supplementary and amending budget No 1/1984 and the draft general budget for 1985 on 3 October.<sup>3</sup>

The Council undertook, first, to provide finance before the end of 1985 for expenditure not covered by the draft 1985 budget (agricultural expenditure and compensation for the United Kingdom) and, second, to adopt the budget discipline instrument before the budget procedure for 1985 is completed.

## Budget procedure

1.1.3. Draft supplementary and amending budget No 1/1984, transmitted by the Council to Parliament on 3 October,

involved expenditure of 1 861.16 million ECU, only 138.22 million ECU less than the Commission's proposal.<sup>2</sup>

On the income side, the Council did not agree to reduce estimates of traditional own resources by 560 million ECU, but increased income by 222 million ECU to reflect a change in the rules on sugar production levies and by 150 million ECU to allow for the surplus forecast for the current financial year.

To finance expenditure in excess of the current own resources available (1 003.4 million ECU), the Representatives of the Governments of the Member States undertook to make repayable advances available to the Community. An intergovernmental agreement was reached on how much each Member State would contribute (Table 1).

Table 1 — *Repayable advances*

	%	million ECU
Belgium	3.45	34 617
Denmark	1.99	19 968
France	22.79	228 675
Germany	28.76	288 578
Greece	1.53	15 352
Ireland	0.86	8 629
Italy	15.33	153 820
Luxembourg	0.25	2 509
Netherlands	4.99	50 070
United Kingdom	20.05	201 182
Community	100	1 003 400

The United Kingdom was granted permission to defer completion of its national procedures for making the advances avail-

<sup>1</sup> Bull. EC 7/8-1984, points 2.3.2 and 2.3.3.

<sup>2</sup> Bull. EC 9-1984, point 2.3.2.

<sup>3</sup> Point 2.3.2.

able until it received compensation for 1983<sup>1</sup> and the Council reached agreement on budget discipline.<sup>2</sup>

1.1.4. The Commission upheld its reservations on the draft supplementary and amending budget (and on the draft budget for 1985) in the following statement:

'In view of the difficulties which the absence of a Council decision on supplementary and amending budget No 1/1984 and the preliminary draft budget for 1985 would have entailed for the normal functioning of the Community, the Commission considers that Council decisions have one good quality: the fact that they exist. It may be their only value, but it is an important one.

The Commission must nevertheless strongly emphasize the concern it has expressed to the Council as regards both the level of resources which the Council considered necessary for 1984 and 1985 and the procedures for mobilization of these resources.

Furthermore, the Commission finds its worst fears confirmed in that the constructions put upon the conclusions reached at European Councils from Stuttgart to Fontainebleau inevitably led to ambiguities, contradictions and omissions and will continue to do so in the future, as has become clear at recent Council meetings.'

1.1.5. On 23 October Parliament gave a first reading to the Council draft. Parliament restored the Commission's reductions in estimated income, resulting in an increase of 473 million ECU in the share to be financed by repayable advances from the Member States.

In adopting the amendments, Parliament asserted that it was anxious to have accurate budget forecasts and said it could not accept that more than a quarter of the financing of the supplementary expenditure, which was essential to meet the Community's obligations, should come from the cancellation of appropriations for structural policies. It also considered that Member States were departing from the procedures laid down in the Treaties by settling unilaterally the national advances to finance the supplementary and amending budget.

With regard to expenditure, Parliament adopted amendments concerning in particular the sale of Christmas butter and the transfer from Chapter 100 (Reserve) to the line of appropriations earmarked for forestry measures in Mediterranean zones, the fisheries agreements in the Mediterranean and with the developing countries, and the setting up of the Europe-Latin America Institute.

1.1.6. At a special meeting in Strasbourg which began on 24 October, the Council gave a second reading to the budget and rejected Parliament's amendment to the amount of advances from the Member States. It considered that these lay outside the normal budget procedure and stated that the sum of 473 million ECU entered by Parliament was not covered by the inter-governmental agreement on supplementary income and so did not exist as income. At the same time, it considered that it was impossible to enter the sum as expenditure since this would mean that the budget was no longer balanced.

The Council did, however, agree to Parliament's request to transfer the reserve appropriations and to enter appropriations for the sale of cut-price butter to consumers (Christmas butter).

1.1.7. Following the conciliation meeting with the Council, the budget to which Parliament gave a second reading on 25 October was as follows:

(i) On the income side, Parliament, on the basis of the Commission's estimates, increased estimated revenue from customs duties by 260 million ECU. At the same time, it reduced the surplus forecast for the financial year, put by the Council at 500 million ECU for expenditure not com-

<sup>1</sup> This condition was fulfilled on 17 October: point 2.3.5.

<sup>2</sup> On 13 November the Council adopted a common position on budget discipline which is to be discussed with Parliament on 21 November.

mitted in sectors other than agriculture, by 234 million ECU so as not to affect the overall volume of revenue. This amendment is thus equivalent to making more appropriations available for structural policies.

(ii) On the expenditure side, the budget has resulted in the transfer of 65 million ECU from the reserve to the lines and certain transfers within agricultural expenditure, making it possible in particular to finance the sale of cut-price butter to consumers at a cost of 150 million ECU.

1.1.8. On 25 October the President of Parliament, Mr Pierre Pflimlin, recorded that the budget was finally adopted. He stated that Parliament had remained faithful to the line it had been following since July. Its main concern was to make up the deficit in the original 1984 budget so as to prevent the Community from having to suspend payments from October and so that it could meet its obligations and continue its work normally until the end of the year.

## 2. Accession negotiations with Spain and Portugal

1.2.1. Dr Garret FitzGerald, Irish Prime Minister and President of the Council, Mr Mário Soares, Portuguese Prime Minister, and Mr Lorenzo Natali, Vice-President of the Commission, signed a joint statement in Dublin on 24 October in which they acknowledged the irreversibility of the process of Portugal's integration into the Community, declared their determination to reach agreement on the issues still outstanding and indicated their firm objective of achieving accession on 1 January 1986.

'1. On 28 March 1977 the Portuguese Government submitted a formal request that Portugal be admitted to full membership of the European Communities.

On 6 June 1978 the Council of Ministers of the European Economic Community gave a unanimously favourable reply to the Portuguese request. That decision implemented the call by the founding members, in the preamble to the Treaty establishing the European Economic Community, for other European nations which shared their ideal to join them in the common effort to defend peace and freedom.

Both sides recognized that enlargement would reinforce the political unity of Europe, increase its

influence in the world and bring about the economic and social development which Portugal so rightly desires.

2. The negotiations in preparation for Portugal's accession to the Communities began on 17 October 1978. Being aware of the level of economic and social development in Portugal and of the need to safeguard the Community's capacity for internal and external development, the negotiators had and will have to seek the most appropriate solutions to all the problems arising in the context of the balanced and harmonious integration of Portugal into the Community.

3. Both the Community and Portugal are now in a position to state that there is agreement on a large number of chapters in the negotiations. As regards certain major chapters still under discussion, the two parties are determined to reach mutually satisfactory negotiated conclusions in the very near future.

This situation and the political will expressed by both sides for enlargement of the Communities makes it possible to acknowledge the irreversibility of the process of Portuguese integration into the European Communities.

4. Without prejudice to the powers of the national parliaments, the firm objective is that the future

enlargement of the Community should become reality on 1 January 1986, a date whose political and economic significance has been fully recognized.'

On the day after this statement was signed the Portuguese delegation, led by Mr Mário Soares, was received by Mr Thorn and Mr Natali for political discussions on the progress of the negotiations and the prospects for their conclusion in the near future.

On 23 October, on the occasion of the 26th ministerial-level meeting of the negotiations

on Spain's accession on the Community, Mr Peter Barry, Irish Foreign Minister and President of the Council, made a statement to Mr Fernando Morán, his Spanish opposite number, in which he expressed the Community's commitment to Spain's accession in terms similar to those used of Portugal. He confirmed that the date of accession would be 1 January 1986 and stressed the irreversibility of the process of Spain's integration into the Community.

### 3. Telecommunications: implementation of harmonization and first phase of opening up access to public contracts

1.3.1. The Council took one more step along the path leading to a European telecommunications policy when, on 15 October, the Industry Ministers approved two draft recommendations<sup>1</sup> from the Commission on the implementation of harmonization and the first phase of opening up access to public telecommunications contracts.<sup>2</sup>

The first of these recommendations calls for greater consultation between national telecommunications administrations before new services are introduced to prevent further dispersion of innovation, which paralyses action by industrialists who do not know the size of the market on which they can reckon. From 1985 new services should be set up 'on the basis of a common harmonized approach' so that 'compatible services are offered throughout Europe'. A second stage will be introduced in 1986.

It is recommended:

'that the Governments of the Member States ensure that:

(i) the telecommunications administrations:

(a) consult each other, preferably in the framework of CEPT, before they introduce any new service, notably between Member States, with a view to establishing common guidelines so that the necessary innovation takes place under conditions compatible with harmonization;

(b) ensure that all new services that are introduced from 1985 onwards are introduced on the basis of a common harmonized approach, notably with regard to services between Member States, so that compatible services are offered throughout Europe, taking into account the progress of work in CEPT, CEN/Cenelec, CCITT and ISO;

(c) from 1986 onwards, when they order digital transmission and switching systems that are designed for progressive integration of services, do so taking full account of recognized standards in the Community;

(ii) the Commission is regularly informed of the progress of work, which it will examine periodically with the Senior Officials Group on telecommu-

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<sup>1</sup> Formally adopted on 12 November: OJ L 298, 16.11.1984.

<sup>2</sup> Bull. EC 9-1980, point 1.2.1 *et seq.*

munications set up by the Council on 4 November 1983.'

1.3.2. The second recommendation concerns the opening-up of public contracts, i.e. foreign competitors should be allowed immediate access to tender for all contracts for new telematic terminals and all conventional terminals for which there are common type-approval specifications as this is essential to the creation of a single market. In the immediate future contracts of up to 10% of the value of annual orders would be opened up. It is recommended:


(i) that the Governments of the Member States ensure that telecommunications administrations provide opportunities for undertakings established in the other Community countries, following their usual procedures and on a non-discrimination basis, to tender for:

(a) all new telematic terminals and all conventional terminals for which there are common type-approval specifications;

(b) their contracts for switching and transmission apparatus and conventional terminal apparatus for which there are no common type-approval specifications for at least 10% in value of their annual orders;

(ii) that the Governments of the Member States report to the Commission at the end of each six-month period, starting at the end of 1984, on the measures taken by the telecommunications administrations to implement this policy, their practical effects, the problems encountered and any further action needed. These data will be examined by the Commission with the Senior Officials Group on Telecommunications set up by the Council on 4 November 1983.'





PART TWO

ACTIVITIES  
IN OCTOBER 1984

# 1. Building the Community

## Economic and monetary policy

### Council

2.1.1. The 1 October meeting of the Council (economic and financial affairs) was devoted largely to arrangements for implementing the principles of budgetary and financial discipline defined by the European Council at Fontainebleau.<sup>1</sup> The outcome was considered by Foreign Ministers at their Council meeting on 20 October, but no conclusions were reached.

### Economic situation

#### Annual economic report 1984-85

2.1.2. On 31 October the Commission transmitted to the Council, Parliament and the Economic and Social Committee its annual economic report for 1984-85.<sup>2</sup> The report is accompanied by an economic review providing a detailed analysis of recent economic trends and the immediate outlook.

The report makes the following main points:

Following three years of recession, economic activity has been picking up in the Community since 1983 and should continue to expand in 1985. This recovery is partly due to the buoyant trend of Community exports, particularly to the United States; however, Community domestic demand also increased in 1984 thanks mainly to a marked improvement in the climate for productive investment.

The deceleration in the average inflation rate—which should persist in 1985—has been accompanied by a narrowing of inflation differentials in the Community, which suggest that the monetary stability which has been a feature of the European Monetary System for more than 18 months will continue. The greater convergence of current account positions which has accompanied the improvement in the Com-

munity's overall external balance is also helping to reinforce monetary stability among Member States.

However, despite the cyclical upturn in activity, the unemployment rate has continued to rise in 1984 and may well increase further in 1985. Indeed, the worsening labour market situation, the stagnation of employment and the rise in unemployment are still the central concern of economic policy makers in the Community. The Commission therefore sets out economic guidelines for correcting the Community's structural weaknesses and for constructing a sounder economic base with a view to improving the employment situation. The main features of these guidelines are set out below.

As regards the macroeconomic and financial framework, the Commission points to the need to increase the medium-term growth rate and to correct the trends unfavourable to employment by cutting the share of public expenditure and reducing the tax burden; it advocates continued application of a monetary policy which promotes convergence and stability within the European Monetary System. The Commission then lists a number of the suggestions it has put forward to encourage the expansion and competitiveness of the enterprise sector: moves to open up the Community's internal market rapidly; measures to facilitate the setting up of firms; application of Community and national policies to promote technological progress; and preparation of a medium-term programme for improving Europe's transport infrastructure. Turning to the expansion of employment, the Commission advocates restraining the growth of wage costs, helped by a reduction in the tax burden and an increase in labour market flexibility through a relaxation of the regulatory requirements and greater flexibility over working hours. It also suggests more

<sup>1</sup> Bull. EC 6-1984, point 1.1.2.

<sup>2</sup> COM(84) 587 final.



vocational training for the young and wider application of local job-creating measures. In order to stabilize the international economy, the Commission recommends cooperation with the United States and Japan to ensure that the main disequilibria between industrialized countries are corrected smoothly and that the overall growth of world trade remains adequate. The Commission is in favour of an international monetary and trading system and of action to get the problem of indebtedness under control.

### Medium-term policy

2.1.3. As in March,<sup>1</sup> Parliament adopted on 26 October three resolutions on a programme for European economic recovery.<sup>2</sup>

### Economic Policy Committee

2.1.4. With Mr Byat in the chair, the Economic Policy Committee held its 149th meeting in Brussels on 10 October, when it examined the Commission's annual economic report for 1984-85, and its 150th meeting at Chevincourt, France, on 19 and 20 October, when it examined employment strategies.

### European Monetary System

2.1.5. On 11 October Parliament adopted four resolutions on the role and use of the ECU and on monetary problems.<sup>3</sup>

### Monetary Committee

2.1.6. At its 306th meeting, held on the islands of Rhodes on 12 October with Mr Michel Camdessus in the chair, the Monetary Committee discussed the follow-up to the informal meeting of Ministers of Finance on 15 and 16 September. It also examined the matters under discussion within the Group of Ten and the IMF.

## Internal market and industrial affairs

### Strengthening the international market

#### Council

2.1.7. The Council meeting on the internal market, held on 9 October,<sup>4</sup> agreed in principle on the basic Regulation concerning the single document.<sup>5</sup> It also reached agreement in principle on the proposal for a Directive amending the fourth Council Directive of 1978 concerning the annual accounts of certain types of companies<sup>6</sup> and resolved the major outstanding problem relating to the proposal for a Directive on tourist assistance.<sup>7</sup> The other items on the agenda—the Community trade mark<sup>8</sup> (which was given a first reading), self-employed commercial agents,<sup>9</sup> right of establishment in the field of pharmacy<sup>10</sup> and product liability<sup>11</sup>—were discussed, but no agreement was reached.

### Free movement of persons and freedom to provide services

#### *Mutual recognition of diplomas and access to occupations*

#### Veterinary surgeons

2.1.8. The Advisory Committee on Veterinary Training adopted an interim report

<sup>1</sup> OJ C 117, 30.4.1984; Bull. EC 3-1984, point 2.4.20.

<sup>2</sup> Point 2.4.12; OJ C 315, 26.11.1984.

<sup>3</sup> Point 2.4.5; OJ C 300, 12.11.1984.

<sup>4</sup> Point 2.4.15.

<sup>5</sup> Point 2.1.33.

<sup>6</sup> Bull. EC 7/8-1984, point 2.1.20.

<sup>7</sup> Point 2.1.49.

<sup>8</sup> Supplement 5/80—Bull. EC; OJ C 351, 31.12.1980; Bull. EC 7/8-1984, point 2.1.21.

<sup>9</sup> Point 2.1.17.

<sup>10</sup> OJ C 35, 18.2.1981; Bull. EC 2-1981, point 2.1.8; OJ C 40, 15.2.1984; Bull. EC 1-1984, point 2.1.4.

<sup>11</sup> OJ C 241, 14.10.1976; OJ C 271, 26.10.1979.

aimed at evaluating the different levels of basic training in the Member States and at formulating appropriate recommendations, particularly for the harmonization of the level and number of subjects covered by the syllabus for veterinary studies. A final report will be submitted to the Committee at its next meeting, scheduled for February 1985.

2.1.9. The group of senior officials responsible for the free movement of veterinary surgeons exchanged information on problems arising in the implementation of the Directives on the free movement of veterinary surgeons and mutual recognition of their diplomas.<sup>1</sup>

2.1.10. The Advisory Committee on Training in Nursing met on 15 and 16 October. It discussed the outcome of the public debate on the report on training in psychiatric nursing that it had published earlier in the year<sup>2</sup> and agreed to continue its work on this nursing speciality with a view to making appropriate recommendations to the Commission in 1985. It also discussed interim reports on paediatric nursing and general care nursing.

## Free movement of goods

2.1.11. In response to an application from the Greek Government the Commission, in view of the persistence of the difficulties in certain industries in respect of which authorization to limit imports until 31 October had been given in January,<sup>3</sup> adopted a Decision in October extending the authorization until 30 November and bringing additional products within its scope.<sup>4</sup>

## *Removal of technical and administrative barriers to trade*

### Industrial products

2.1.12. On 25 October the Commission transmitted to the Council a proposal

additional to its May proposal on the limit values for pollutant emissions by motor vehicles.<sup>5</sup>

2.1.13. On 3 October the Commission sent the Council a proposal for a Directive relating to restrictions on the marketing and use of certain dangerous substances and preparations (second PCB/PCT directive).<sup>6</sup>

### Foodstuffs

2.1.14. On 15 October the Council adopted a Directive on the approximation of the laws of the Member States relating to ceramic articles intended to come into contact with foodstuffs.<sup>7</sup>

To protect human health and prevent contamination of food, this Directive limits the quantities of lead and cadmium that may be transferred to food from ceramic articles.

2.1.15. Belgium and Luxembourg sent the Commission their lists of recognized mineral waters<sup>8</sup> as required by the Council Directive of 15 July 1980, which took effect on 17 July this year.<sup>9</sup>

### Pharmaceuticals

2.1.16. On 3 October the Commission sent the Council a report on the adoption of urgent measures to facilitate the development and marketing of medicinal products derived from biotechnology and other high-technology medicinal products in the Community.<sup>10</sup> It is accompanied by a proposal for a Directive, a proposal for a recommendation and three proposals for Directives

<sup>1</sup> OJ L 362, 23.12.1978.

<sup>2</sup> Bull. EC 11-1983, point 2.1.7.

<sup>3</sup> OJ L 23, 28.1.1984; OJ L 36, 8.2.1984; Bull. EC 1-1984, point 2.1.7.

<sup>4</sup> OJ L 299, 17.11.1984.

<sup>5</sup> Point 2.1.77.

<sup>6</sup> Point 2.1.83.

<sup>7</sup> OJ L 277, 20.10.1984.

<sup>8</sup> OJ C 305, 16.11.1984.

<sup>9</sup> OJ L 229, 30.8.1980; Bull. EC 9-1984, point 2.1.15.

<sup>10</sup> OJ C 293, 5.11.1984; COM(84) 437 final.

amending the Directives of 26 January 1965,<sup>1</sup> 20 May 1975<sup>2</sup> and 28 September 1981.<sup>3</sup>

## *Business law*

### **Economic and commercial law**

#### *Commercial agents*

2.1.17. The proposal for a Directive to coordinate the laws of the Member States relating to self-employed commercial agents,<sup>4</sup> examined by the Council on 9 October, is still subject to a fundamental reservation on the part of one Member State, which considers that freedom of contract should be the rule in this area.

However, Mr Karl-Heinz Narjes, Member of the Commission with special responsibility for the internal market, claimed that harmonization of legislation was in fact necessary: continuing divergences of law in this field—which stem mainly from differing business and social structures which affect the cost of agents' services—were harmful to the profession and created distortions of competition.

### **Small business — Business Cooperation Centre — Distributive trades**

#### **Business Cooperation Centre**

2.1.18. The Business Cooperation Centre organized a seminar at the 'Techno alimentaria' fair in Barcelona on the food-processing industry in Spain and the Community. The main problems arising for the industry as Spain is about to join the Community were reviewed.

#### **Distributive trades**

2.1.19. On 5 October the Committee on Commerce and Distribution adopted, at its

plenary meeting, opinions on electronic methods of payment and the distributive trades and on selective distribution of motor vehicles.<sup>5</sup>

## **Industry**

### **Council**

2.1.20. At its meeting on 15 October the Council agreed on two recommendations — one on telecommunications,<sup>6</sup> the other on the extension of the first part of the multiannual data-processing programme.<sup>7</sup>

It also examined the situation in the ship-building industry<sup>8</sup> and the proposal on an exploration programme for non-energy raw materials.<sup>9</sup>

### *Steel*<sup>10</sup>

#### **Market situation**

##### *Crude steel production*

2.1.21. In the third quarter<sup>11</sup> the Member States produced a total of 28.376 million tonnes of crude steel. Output for the first nine months was 11.8% up on the same period last year (89.170 million tonnes compared to 79.792 million tonnes). Individual increases varied: 30.5% in the Netherlands, 29.5% in Denmark, 24.3% in Luxembourg,

<sup>1</sup> OJ 22, 9.2.1965.

<sup>2</sup> OJ L 147, 9.6.1975.

<sup>3</sup> OJ L 317, 6.11.1981.

<sup>4</sup> OJ C 13, 18.1.1977; OJ C 56, 2.3.1979.

<sup>5</sup> These documents are available from the Commission: Directorate-General III, Directorate A (Distributive Trades and Industrial Affairs I), Distributive Trades Division (doc. III/189/84 and III/724/84).

<sup>6</sup> Points 1.3.1 and 1.3.2.

<sup>7</sup> Point 2.1.29.

<sup>8</sup> Point 2.1.26.

<sup>9</sup> OJ C 75, 19.3.1983; Bull. EC 3-1983, point 2.1.20.

<sup>10</sup> International relations are dealt with in the 'Commercial policy' and 'Relations with industrialized countries' sections of the 'Enlargement and external relations' chapter.

<sup>11</sup> Second quarter: Bull. EC 7/8-1984, point 2.1.22.

13.4% in Italy, 13% in Belgium, 11.8% in the Federal Republic of Germany, 10.6% in France and 1.1% in the United Kingdom. The corresponding increase in the United States was 17.5% and in Japan 10.1%.

2.1.22. The overall growth rate for the OECD countries fell to 6.5% in the third quarter because of sluggish demand from the building industry and the running-down

of stocks. For the year, the International Iron and Steel Institute expects consumption in the western world to increase by 9% over 1983 and to settle at that level for 1985, although trends will still differ from one market to another. It predicts that demand will decline slightly in the industrialized countries because of the low level of investment. Demand forecasts are as follows:

	Community	United States	Japan	Developing countries	World
1984	93.6	113.3	74.2	99.8	709.8
1985	93	100	73	104	700
1986	91	100	73	122	722

## Crisis measures

### *Production quotas*

2.1.23. The Commission, which is responsible for managing the quota system, decided on 30 October<sup>1</sup> to notify firms of its intentions after 1 April 1985 as regards the application of Article 14B of the Decision of 31 January 1984 extending the monitoring and production quota system.<sup>2</sup> Firms which have not carried out at least 85% of their restructuring plans by 1 April will not qualify for additional quotas under that Article. Firms already receiving additional quotas will continue to benefit

on the basis of the average of quarterly quota supplements allocated. The Commission will refer a proposal for an amendment of its January 1984 Decision to the Council and to the ECSC Consultative Committee in accordance with Article 58 of the ECSC Treaty.

2.1.24. On 30 October the Commission slightly increased the definitive rates of abatement for the establishment of production quotas for the fourth quarter (Table 2).<sup>3</sup>

<sup>1</sup> OJ C 304, 15.11.1984.

<sup>2</sup> OJ L 29, 1.2.1984.

<sup>3</sup> OJ L 288, 1.11.1984..

Table 2 — *Rates of abatement for the establishment of production quotas for the fourth quarter (definitive rates)*

Product	Production	Part of quotas which may be delivered in the common market
I a Hot-rolled wide strip, also narrow strip and sheet	39	45
I b Cold-rolled sheet	35	39
I c Galvanized sheet	10	21
I d Other coated flat products	+ 39 <sup>1</sup>	+ 39 <sup>1</sup>
II Reversing-mill plate	43	49
III Heavy sections	49	55
IV Wire rod	35 <sup>1</sup>	37 <sup>1</sup>
V Reinforcing bars	45 <sup>1</sup>	48 <sup>1</sup>
VI Merchant bars	38 <sup>1</sup>	40 <sup>1</sup>

<sup>1</sup> Unchanged.

For the next quarter's quotas the Commission will bear in mind the seasonal lull at that time of the year and is planning tighter quotas for the beginning of next year.

### *Social measures*

2.1.25. On 23 October the Council formally adopted the transfer of 62.5 million ECU from the general budget to the ECSC budget<sup>1</sup> to finance social support measures in respect of 1984 in connection with the restructuring of the steel industry — support for early retirement, short-time working and resettlement grants. The transfer had been agreed by the Council in July.<sup>2</sup>

### *Shipbuilding*

2.1.26. On 11 October the Commission sent the Council its sixth report on the state of the shipbuilding industry.<sup>3</sup> The imbalance on the market worsened last year to the disadvantage of Community shipyards, whose market share fell from 17 to 11%, mainly because two shipbuilding countries, Japan and South Korea, sharpened their efforts and cornered 65% of the world market.

In the Community this sparked off a fresh wave of closures and lay-offs. Further efforts to improve competitiveness are called for, alongside the strengthening of international cooperation to ensure that all bear their fair share of the consequences of the crisis. In furthering these objectives, the Commission will encourage better use of the Community dimension, especially for measures relating to standardization, R&D and demand.

On the last point, mention should be made of the fall in orders placed by Community-based shipowners with yards in the Member States (from 70% to 51% of tonnage) and the fact that last year they placed a mere 1% of their orders with yards in other Community countries.

## **Telecommunications and information technology**

### **Esprit programme**

2.1.27. On 30 October the Commission approved for transmission to the Council the 1985 work plan for the Esprit programme,<sup>4</sup> which updates the strategic objectives of the 1984 work plan.<sup>5</sup> For each of the five areas (advanced microelectronics, software technology, advanced information processing, office systems and computer-integrated manufacture) it contains a list of projects on the basis of which a call for proposals will be issued early next year.

### **Microelectronics**

2.1.28. On 24 October the Commission sent the Council the second report on Community actions in the field of microelectronic technology<sup>6</sup> describing the progress following the second call for proposals.<sup>7</sup>

### **Multiannual data-processing programme**

2.1.29. On 15 October the Council agreed to a two-year extension of the first part of the multiannual data-processing programme (1979-83),<sup>8</sup> except for work on standardization, which is to end in 1985. An amount of 11 million ECU has been earmarked for the continuation of activities on standardization, public procurement, information and analysis, and research.

### **Telecommunications**

2.1.30. On 15 October the Council reached agreement<sup>9</sup> on two recommendations con-

<sup>1</sup> OJ L 291, 8.11.1984.

<sup>2</sup> Bull. EC 7/8-1984, point 2.1.34.

<sup>3</sup> COM(84)550 final.

<sup>4</sup> COM(84)608 final.

<sup>5</sup> OJ L 81, 24.3.1984; Bull. EC 2-1984, point 1.3.1 *et seq.*

<sup>6</sup> COM(84)567 final; Bull. EC 10-1983, point 2.1.28.

<sup>7</sup> OJ C 49, 19.2.1983.

<sup>8</sup> OJ C 334, 10.12.1983; Bull. EC 11-1983, point 2.1.26.

<sup>9</sup> Points 1.3.1 and 1.3.2.

cerning telecommunications transmitted to it by the Commission in September 1980.<sup>1</sup> One concerns the harmonization of standards and the other the first phase of opening up access to public contracts.

## Industrial innovation and the information market

### Transnational measures to promote innovation

2.1.31. Under the plan to develop a supporting infrastructure for innovation and technology transfer<sup>2</sup> the Commission has just concluded a number of contracts with the European Association for the Transfer of Technology, Innovation and Industrial Information.<sup>3</sup> On behalf of the Community, the Association will organize study trips and exchanges for the staff of technology transfer and innovation advisory services and similar private and public bodies to help establish contacts across frontiers and thereby improve Community-wide cooperation.

The Commission had addressed a call for proposals to these services<sup>4</sup> in August.

### Financing of innovation

2.1.32. The fifth annual<sup>5</sup> symposium on financing industrial innovation—on the theme 'Improving venture capital opportunities'—was held in October in cooperation with the European Venture Capital Association.<sup>6</sup> Some 200 venture capital specialists, experts in new technology developments, bankers and consultants from 18 countries discussed transborder investment, problems and opportunities in information-technology-based business and how aspiring entrepreneurs, venture managers and venture capitalists can be selected and nurtured. They came to the conclusion that the existing legal framework is not adequate, the efforts to harmonize national legislation are taking too long and are based on priorities established several years ear-

lier, differences in accounting practices and in company law are obstacles to cross-border venture capital financing, and the ECU should be used more often so as to spread the risks caused by changing exchange rates.

## Customs union

### Simplification of customs formalities

#### Single document

2.1.33. At the meeting of the Council on 9 October,<sup>7</sup> two years of negotiating came to an end when the proposal for a Regulation on the simplification of formalities in trade within the Community was agreed on in principle.<sup>8</sup> The main purpose of the Regulation is to introduce a single administrative document to be used in intra-Community trade.

However, the proposal can only be formally adopted in conjunction with the proposal regarding the form itself,<sup>9</sup> and here the Council agreed to dispense with 12 of the items required. It instructed its subordinate bodies to continue working on this simplification so that the proposed Regulation for the new form could be adopted in December.

### Common Customs Tariff

#### Annual updating

2.1.34. On 30 October the Commission sent to the Council its proposal for the

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<sup>1</sup> Bull. EC 9-1980, point 1.2.7.

<sup>2</sup> OJ L 353, 15.12.1983; Bull. EC 10-1983, point 2.1.32.

<sup>3</sup> Bull. EC 5-1984, point 2.1.31; Bull. EC 6-1984, point 2.1.25.

<sup>4</sup> OJ C 210, 10.8.1984; Bull. EC 9-1984, point 2.1.22.

<sup>5</sup> Bull. EC 11-1983, point 2.1.30.

<sup>6</sup> Bull. EC 5-1984, point 2.1.35.

<sup>7</sup> Point 2.4.15.

<sup>8</sup> OJ C 203, 6.8.1982; Bull. EC 6-1982, point 2.1.10; OJ C 102, 15.4.1983; Bull. EC 4-1983, point 2.1.30.

<sup>9</sup> OJ C 71, 16.3.1983; Bull. EC 12-1982, point 2.1.20; OJ C 209, 5.8.1983; Bull. EC 7/8-1983, point 2.1.27.

Common Customs Tariff applicable from 1 January 1985,<sup>1</sup> amending the CCT annexed to Regulation (EEC) No 950/68 of 28 June 1968.<sup>2</sup>

The differences between the 1984 and the 1985 CCT are mostly a consequence of making a further Tokyo Round tariff cut. For most products this is the sixth cut (out of the eight agreed in 1979); for textiles it is the fourth. Another change is the substantial expansion of the list of goods for use in civil aircraft which can be imported duty-free.

Lastly, the Commission left the way open for an extra tariff cut for certain products on 1 January 1985.<sup>3</sup>

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2.1.35. In October Parliament endorsed<sup>4</sup> the proposal for a Decision concerning the conclusion of the International Convention on the Harmonized Commodity Description and Coding System.<sup>5</sup>

## Economic tariff matters

### Suspensions

2.1.36. On 3 October the Council adopted a Regulation temporarily and totally suspending the CCT duties on three industrial products falling within subheading ex 85.21 D II (certain types of integrated circuit).<sup>6</sup>

### Tariff quotas

2.1.37. On 23 October the Council adopted a Regulation increasing the Community tariff quota opened for 1984 for newsprint falling within CCT subheading 48.01 A by 65 000 tonnes (from 570 000 to 635 000 tonnes).<sup>7</sup>

2.1.38. The Commission adopted two Regulations in October opening, allocating and providing for the administration of Community tariff quotas for the following products:

(i) strawberries, falling within CCT subheading ex 08.08 A II, originating in the African, Caribbean and Pacific States (1984/85);<sup>8</sup>

(ii) fresh or chilled tomatoes, falling within CCT subheading ex 07.01 M I, originating in the African, Caribbean and Pacific States (1984/85).<sup>9</sup>

## Community import surveillance

2.1.39. On 8 October the Commission adopted a Regulation establishing ceilings and Community surveillance for imports of carrots and onions, falling within CCT heading ex 07.01, originating in the African, Caribbean and Pacific States (1985).<sup>9</sup>

## Origin

2.1.40. The Commission has decided to apply at Community level the ACP-EEC Customs Cooperation Committee Decision No 2/84 derogating from the Lomé Convention's rules of origin for tufted carpets from Jamaica. As a result of this Decision, 80 000 square yards of such carpets, the backing of which is imported from third countries, may receive preferential treatment in the period up to 28 February 1985.

2.1.41. The rules of origin set out in Protocol 3 to the EEC-EFTA country Agreements, in which the concept of 'originating products' and methods of administrative cooperation are defined, have been amended by various decisions of the Joint Committees. To simplify the operation of the Agreements and ease the work of users and customs authorities, it was felt that all these decisions should be combined and that

<sup>1</sup> COM(84)573 final.

<sup>2</sup> OJ L 172, 22.7.1968.

<sup>3</sup> Point 2.2.5.

<sup>4</sup> OJ C 300, 12.11.1984.

<sup>5</sup> OJ C 120, 4.5.1984; Bull. EC 4-1984, point 2.1.31.

<sup>6</sup> OJ L 264, 5.10.1984.

<sup>7</sup> OJ L 281, 25.10.1984.

<sup>8</sup> OJ L 288, 1.11.1984.

<sup>9</sup> OJ L 268, 9.10.1984.

the Joint Committees be empowered to amend Protocol 3 *en bloc* in future.

On 3 October, therefore, the Council adopted a Regulation concluding an Agreement in the form of an exchange of letters with each of the EFTA countries, consolidating and amending the text of Protocol 3 to these ends.

## Competition

### Thirteenth Report on Competition Policy

2.1.42. On 25 October the Economic and Social Committee gave an opinion<sup>1</sup> on the *Thirteenth Report on Competition Policy*, published by the Commission in April.<sup>2</sup>

### General rules applying to undertakings

#### Protection of the confidentiality of legal papers

2.1.43. On 12 October the Commission asked the Council<sup>3</sup> for authority to open negotiations with certain non-member countries with a view to the conclusion of agreements designed to extend the protection of the confidentiality of legal papers in connection with the application of the rules on competition to papers originating from independent lawyers in those countries, under conditions of reciprocity.<sup>4</sup>

### Restrictive practices, mergers and dominant positions: specific cases

#### Abuse of dominance

##### IBM

2.1.44. The full text of IBM's undertaking to change its business practices is published in Part Three of this issue of the Bulletin.<sup>5</sup>

## State aids

### Regional aids

#### France

2.1.45. On 10 October the Commission took a final decision regarding the regional planning premium (*prime à l'aménagement du territoire*) aid scheme, in respect of which it had initiated the procedure provided in Article 93(2) of the EEC Treaty in June 1982.<sup>6</sup>

On the basis of additional information supplied by the French Government, the Commission was able, firstly, to accept the designation of certain areas in regard to which it had expressed doubts as to whether the proposed aids were compatible with the common market and, secondly, to declare that the regional planning premiums which the Government was intending to grant in respect of certain industrial projects were incompatible with the common market under Article 92. These projects were located in the following departments: Doubs (cantons of Audeux, Etupes and Hérimoncourt), Eure (cantons of Bernay and Louviers and at Pont-Audemer), Territoire de Belfort (cantons of Beaucourt, Delle, Grandvillars, Rougemont, Giromagny, Fontaine, Châtenois-les-Forges), Seine-Maritime (cantons of Pavilly-Duclair and Elbeuf and the *arrondissement* of Le Havre), Sarthe (*arrondissements* of La Flèche and Le Mans), Haute-Saône (*arrondissement* of Vesoul). However, these areas may still receive aid for a transitional period which expires on 31 December 1985.

Moreover, aid may in certain circumstances be granted outside assisted areas, provided that the Commission has given its prior

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<sup>1</sup> Point 2.4.40.

<sup>2</sup> Bull. EC 4-1984, points 2.1.34 to 2.1.44.

<sup>3</sup> COM(84) 548 final.

<sup>4</sup> Bull. EC 6-1983, point 2.1.60; Case 155/79 *AM & S Europe Ltd v Commission* [1982] ECR 1575; Sixteenth General Report, points 829 and 853.

<sup>5</sup> Point 3.4.1.

<sup>6</sup> Bull. EC 6-1982, point 2.1.45.



consent having been notified of all industrial projects exceeding 4.5 million ECU or in regard to which nominal aid intensity is equal to or greater than 15%. In areas designated for a maximum rate of aid of 17%, aid may be granted at a higher rate provided that the Commission has given its prior consent to any project involving investment of over 2 million ECU or a premium per job created greater than FF 35 000.

## Industry aids

### Shipbuilding

#### Italy

2.1.46. On 10 October the Commission initiated the Article 93(2) procedure in respect of a plan to assist shipbuilding and ship repairing notified by the Italian Government.

The Commission considers that at the present time this scheme—involving *inter alia* producer aids for shipbuilding at rates of 25% for the large shipyards of northern Italy and 30% for those of the Mezzogiorno (which may be increased by 20%) and special aids for ship repairing—is not compatible with the terms of the Council Directive of 28 April 1981,<sup>1</sup> notably because the proposed aids do not appear to be justified by restructuring measures aimed at eliminating existing overcapacity. The Commission's main concern is the danger that the aid will undermine the determination of Community industrialists to rationalize this industry and will be detrimental to the adjustment of overcapacity already under way in other Member States.

### Food

#### Belgium

2.1.47. The Commission decided to initiate the Article 93(2) procedure in respect of a capital injection of BFR 125 million made by the Belgian Government,

via the Société Régionale d'Investissement de Wallonie (SRIW), to a company in Tournai manufacturing equipment for the food industry. The Commission felt that this aid threatened to affect trading conditions to an extent which conflicted with the common interest and could distort competition. The Commission received no reply to its three requests for information on this acquisition, in which it made clear that any aid granted without prior notification and before a final decision was taken might be subject to a recovery order.

The Commission had already decided on 17 April<sup>2</sup> that aids granted to the company in 1980 and 1982 were incompatible with the common market and had to be discontinued. The aid at issue in the second procedure initiated by the Commission was granted before this final decision but after the initiation of the first procedure.

### Ceramics

#### Belgium

2.1.48. On 24 October the Commission decided that aid of BFR 83 million (taking the form of a government holding) which the Belgian Government had granted to a manufacturer of ceramic sanitaryware and dishes at La Louvière in 1983 was incompatible with the common market and consequently must be discontinued. The Article 93(2) procedure was initiated in April.<sup>3</sup> The aid had not been notified.

In February 1983 the Commission had taken a final decision finding against a similar aid of BFR 475 million to the firm in question<sup>4</sup> and had initiated the Article 93(2) procedure with respect to the plan to grant additional aid of BFR 295.3 million;<sup>5</sup> this procedure has not yet led to a final decision.

<sup>1</sup> OJ L 137, 23.5.1981; Bull. EC 4-1981, point 2.1.20; OJ L 371, 30.12.1982; Bull. EC 12-1982, point 2.1.45.

<sup>2</sup> OJ L 276, 19.10.1984.

<sup>3</sup> OJ C 174, 3.7.1984.

<sup>4</sup> OJ L 91, 9.4.1983.

<sup>5</sup> OJ C 269, 9.10.1984.

It is the Commission's opinion that the aid granted to the firm in 1983 served to cover part of its losses and to maintain production capacity. Such aids for continued operation do not normally satisfy any of the tests for exemption in Article 92.

## Financial institutions and taxation

### Financial institutions

#### *Insurance*

##### Tourist insurance

2.1.49. On 9 October the Council approved in principle a proposal for a Directive<sup>1</sup> bringing certain tourist assistance operations within the scope of the first Council Directive of 24 July 1973 on direct insurance other than life assurance.<sup>2</sup> The Directive will be adopted once certain Member States have completed the necessary administrative procedures. With a view to providing safeguards for travellers, the Directive aims at subjecting organizations providing tourist assistance which is in the nature of insurance to the same government control as insurance companies. It will thus have the effect of eliminating barriers to the right of establishment in this field.

### Taxation

#### *Indirect taxes*

##### Turnover taxes

2.1.50. The Council decided to grant authorization, published on 5 October,<sup>3</sup> for a derogation sought by the Governments of the Netherlands and the Federal Republic of Germany<sup>4</sup> from application of Article 27 of the sixth VAT Directive.<sup>5</sup> The derogation, which is effective from 10 September

1984, applies in the context of a draft agreement between the two Governments and makes all the construction and maintenance work in the harbour at Emden subject to German VAT alone.

2.1.51. On 23 October the Council decided to authorize France to derogate from the application of Article 27(1) to (4) of the sixth VAT directive<sup>5</sup> in respect of automatic gaming machines.<sup>6</sup> The purpose of the derogation is to prevent tax evasion or avoidance in connection with such machines by introducing for a period of four years an arrangement whereby any deductible tax credits will not be refunded but set against tax due in subsequent tax periods.

## Employment, education and social policy

### Employment

#### Standing Committee on Employment

2.1.52. The Standing Committee on Employment held its 28th meeting<sup>7</sup> on 25 October under the chairmanship of Mr Ruairi Quinn, the Irish Minister for Labour. Discussions at the meeting centred on the Commission communication—accompanied by a draft resolution—on long-term unemployment.<sup>8</sup>

At the close of the meeting the Chairman drew the following conclusions:

#### 'Introduction

The problem of long-term unemployment has reached critical proportions. Apart from the econ-

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<sup>1</sup> OJ C 51, 10.3.1981, Bull. EC 12-1980, point 2.1.39; OJ C 30, 4.2.1983; Bull. EC 1-1983, point 2.1.28.

<sup>2</sup> OJ L 228, 16.8.1973; Bull. EC 7/8-1973, point 2122.

<sup>3</sup> OJ L 264, 5.10.1984.

<sup>4</sup> Bull. EC 7/8-1984, point 2.1.85.

<sup>5</sup> OJ L 145, 13.6.1977.

<sup>6</sup> OJ L 285, 30.10.1984.

<sup>7</sup> Bull. EC 5-1984, point 2.1.69.

<sup>8</sup> Bull. EC 9-1984, point 2.1.43.

omic costs, the social deprivation being experienced by the long-term unemployed is so compelling that it requires a more effective response from the Community and its Member States. Existing policies have not been able to contain the accelerating rise in the numbers forced to endure long spells without work.

On present trends, the level of unemployment in the Community is likely to remain high throughout much of this decade and the long-term unemployed may be among the last to benefit from any upturn in the economy.

While labour market and employment policy measures have a role to play, they must be linked to the development of an economic strategy aimed at combating unemployment. It has been underlined that in the context of such a strategy it is essential that the stronger Member States consider, in conjunction with other measures, a controlled reflation of their economies.

### General measures

1. General measures to be pursued should include:

- (i) increased productive investment, particularly in the area of new technology;
- (ii) improvement in the functioning of the internal market;
- (iii) reinforcement of the Community's commercial policy;
- (iv) establishment of new enterprises, particularly small and medium-sized enterprises, which are an important source of jobs;
- (v) improvement in the competitiveness of the European economy.

2. The development of the social dialogue is a necessary prerequisite to the promotion of social cohesion and to an upturn in the European economy.

3. More effective labour market and employment policies are essential in the fight against long-term unemployment. In this respect the following measures have a central importance:

- (i) gathering of information and statistics, in particular from national sources, to give a clearer and more concrete picture of long-term unemployment;
- (ii) forward-looking management of labour markets related to the specific needs of the long-term unemployed;
- (iii) reinforcement of training systems and programmes so as to permit all workers to adapt and develop their skills in view of the changing needs

of the market; this should apply especially to the long-term unemployed, who need to be motivated to undergo training, be offered more training possibilities, and helped to enter or re-enter employment;

- (iv) improvement in the organization and operation of labour market agencies;
- (v) development of schemes to improve the access of the long-term unemployed to work;
- (vi) reduction and reorganization of working time in such a way as to maintain competitiveness and uphold the interests of workers and the unemployed and to take account of differing practices, both in the Member States and between economic sectors;
- (vii) elimination of obstacles which impede the creation of lasting and productive employment, without adversely affecting the social protection of workers.

### Specific measures

1. National authorities should:

- (i) ensure that information on the characteristics and geographical distribution of the long-term unemployed is such that relevant policy responses can be given by Member States and the Community;
- (ii) be capable of identifying individuals at risk of becoming long-term unemployed so that the required targeting of assistance can be achieved;
- (iii) ensure that where redundancies are pending appropriate support is offered to the workers concerned before they become unemployed, in cooperation wherever possible with both sides of industry;
- (iv) endeavour to ensure that the long-term unemployed continue to benefit from appropriate social security support to prevent them from falling back into poverty.

2. Employers agreed:

- (i) to promote the recruitment of the long-term unemployed through the use of government incentive schemes and other means;
- (ii) to give active support, wherever possible, to voluntary and community job-creation efforts by, for example, seconding staff, allowing the use of vacant premises or assisting with product identification and development.

3. Trade unions agreed to:

- (i) provide for continued participation in their activities by workers who become long-term unemployed;

(ii) cooperate with governments and employers in their efforts to assist the long-term unemployed and those in danger of becoming long-term unemployed by:

- (a) providing a focus for worker involvement in local employment initiatives;
- (b) affording support, counselling and advice for workers about to become redundant.

4. At Community level, the view has been taken that the Commission should vigorously pursue its efforts to ensure the implementation of existing policy commitments:

- (i) work with the Member States to achieve a better understanding of the nature and extent of long-term unemployment;
- (ii) encourage and support the Member States' policy efforts, cooperate with both sides of industry in the development of their actions and provide appropriate support by the European Social Fund to combat long-term unemployment;
- (iii) consider the possibility of developing some kind of social guarantee for long-term unemployed in the form of positive measures aimed at offering, for example, training, retraining or work experience after a certain period of unemployment.<sup>7</sup>

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2.1.53. Parliament delivered an opinion, on 25 October, on the communication from the Commission to the Council and the Standing Committee on Employment on action to combat long-term unemployment in the Community context,<sup>1</sup> and on the accompanying draft resolution.<sup>2</sup> While approving the objectives stated by the Commission, Parliament nevertheless expressed certain reservations with regard to the general approach, which it found inadequate, and called for objective, harmonized and more adequately broken-down statistical data on long-term unemployment.

### Freedom of movement for workers

2.1.54. On 25 October the Economic and Social Committee adopted an own-initiative opinion on migrant workers.<sup>3</sup>

### Financial instruments

#### Special measures of Community interest in the field of employment

2.1.55. Following Parliament's decision to transfer appropriations,<sup>4</sup> the Commission

adopted a Decision on 19 October granting financial assistance of 275 million ECU to the United Kingdom<sup>5</sup> within the framework of special measures of Community interest in the field of employment.<sup>6</sup>

### Social integration of handicapped persons

2.1.56. On 25 October the Commission approved the first batch of applications for exceptional financial support for Greece in the social field,<sup>7</sup> granted on the basis of the Council Regulation of 26 March 1984.<sup>8</sup> The sum of 6.3 million ECU granted for these projects is intended to finance the construction and equipment of rehabilitation centres for mentally ill and mentally handicapped persons.

### Measures for ECSC workers

#### *Social measures in the steel industry*

2.1.57. On 23 October the Council gave its formal approval to the transfer of 62.5 million ECU to the ECSC from the general budget of the European Communities to finance the 1984 tranche of the 1983-86 programme of social measures accompanying restructuring in the Community's steel industry.<sup>9</sup>

### Education and vocational training

#### Transition from school to working life

2.1.58. On 30 and 31 October the Commission, with the technical assistance of the European Centre for the Development of Vocational Training, organized a conference in Berlin which enabled representatives

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<sup>1</sup> OJ C 315, 26.11.1984.

<sup>2</sup> Bull. EC 9-1984, point 2.1.43.

<sup>3</sup> Point 2.4.41.

<sup>4</sup> Point 2.3.5.

<sup>5</sup> OJ L 290, 7.11.1984.

<sup>6</sup> OJ L 177, 4.7.1984; Bull. EC 6-1984, point 2.1.49.

<sup>7</sup> OJ L 289, 6.11.1984.

<sup>8</sup> OJ L 88, 31.3.1984; Bull. EC 3-1984, point 2.1.71.

<sup>9</sup> Point 2.1.25.

of the two sides of industry to meet with project directors involved in the transition from school to working life programme. The objective of the conference was to enable employers and trade unionists to discuss with education specialists ways of opening the final period of compulsory education to involve some preliminary experience of the world of work.

### Vocational training

2.1.59. At its meeting on 18 and 19 October the Advisory Committee on Vocational Training exchanged views on information, guidance and advisory services in the Community and discussed new approaches in adult education with a view to helping the Commission in the drafting of any proposals it might envisage in these two areas.

## Living and working conditions and social protection

### Fight against poverty

2.1.60. On 25 October Parliament delivered an opinion<sup>1</sup> on the proposal for a Decision on specific Community action to combat poverty for 1985-89.<sup>2</sup> It shared the Commission's concern to find effective and lasting solutions to the problem of poverty, stressing that the essential focus of the programme must be on action and refusing to endorse a repetition of the first programme of pilot schemes and studies.

### Equality between men and women

2.1.61. At its meeting on 3 and 4 October the Advisory Committee on Equal Opportunities for Women and Men, chaired by Mrs S. Meehan, a member of the Irish Employment Equality Agency, examined a draft memorandum on income tax and equal treatment of men and women. It also considered what action might be taken in response to Parliament's resolution of 17 January 1984 on the situation of women

in Europe<sup>3</sup> and what approach might be adopted with regard to equal opportunities for girls and boys at school.

2.1.62. On 25 October Parliament delivered an opinion<sup>1</sup> on the draft recommendation on the promotion of positive action for women in the Member States.<sup>4</sup> While it acknowledges that the recommendation may prove useful in familiarizing people with the concept of positive measures and thus encourage their implementation, it nevertheless considers that a binding legal instrument is the best way to promote such action.

2.1.63. On 25 October the Economic and Social Committee adopted an opinion<sup>5</sup> on the proposal for a Directive on equal treatment for women engaged in an activity, including agriculture, in a self-employed capacity, and on protection during pregnancy and motherhood.<sup>6</sup>

### Social protection

2.1.64. On 25 October the Economic and Social Committee adopted an own-initiative opinion on current social problems in the Community.<sup>7</sup>

## Health and safety

### Health and safety at work

2.1.65. The Commission transmitted to the Council a draft reply to the questionnaire on safety in the use of asbestos,<sup>8</sup> drawn up by the International Labour Office in preparation for the 71st session of the International Labour Conference, which is to take place in 1985. The draft is based in

<sup>1</sup> OJ C 315, 26.11.1984.

<sup>2</sup> OJ C 208, 8.8.1984; Bull. EC 7/8-1984, point 2.1.100.

<sup>3</sup> OJ C 46, 20.2.1984; Bull. EC 1-1984, points 2.1.45 and 2.4.7.

<sup>4</sup> OJ C 143, 30.5.1984; Bull. EC 4-1984, point 2.1.65.

<sup>5</sup> Point 2.4.46.

<sup>6</sup> OJ C 113, 27.4.1984; Bull. EC 3-1984, point 2.1.76.

<sup>7</sup> Point 2.4.42.

<sup>8</sup> COM(84)460 final.

particular on the Council Directive of 19 September concerning the protection of workers from the risks related to exposure to asbestos at work.<sup>1</sup>

### Health and safety (ECSC)

2.1.66. The Mines Safety and Health Commission, meeting from 22 to 24 October, discussed reports on group accidents in the Federal Republic of Germany and Belgium. It approved the annual report for 1983 and a proposal to the governments concerning safety training for offshore workers, and adopted harmonized forms for the submission of accident statistics relating to all the mining industries. This should lead to an improvement in the quality of the data collected. Lastly, it approved three reports on ventilation in mines, which, once disseminated, could play an important part in combating the risk of explosion.

### Health and safety (Euratom)

2.1.67. Acting under Article 37 of the Euratom Treaty, the Commission delivered a favourable opinion on the plan for the discharge of radioactive effluents from the Philippsburg 2 nuclear power station (KKP 2) in the Federal Republic of Germany.

## Culture

### Relations between Europe and Latin America

2.1.68. Cultural relations between Europe and Latin America were the subject of a symposium supported by the Commission which was held in Louvain.<sup>2</sup> Participants considered the reciprocal influences in theatre and music and presented papers on the methodology of research into music manuscripts. They also referred to the creation of a Europe-Latin America Institute<sup>3</sup> and mentioned the cultural aspects of the Cartagena Agreement of December 1983.<sup>4</sup> It was decided to hold a week of infor-

mation and musical performances in 1985, as part of European Music Year.

At the end of the symposium, a 'resolution' was adopted on the strengthening of cultural ties, the interests of cultural goods and workers, preservation of the Latin American musical heritage (oral tradition, archives and musical transcription) and the making available of finance.

## Regional policy

### Coordination and programmes

#### Regional development studies

2.1.69. In October a regional development study cofinanced by the Commission was completed: it examines the role played by regional incentives in investment decisions of firms in the United Kingdom.

### Financial instruments

#### *European Regional Development Fund*

#### ERDF grants

##### *Non-quota section*

2.1.70. On 8 October the Commission decided<sup>5</sup> which steelmaking areas in Belgium would receive grants from the non-quota section of the ERDF in the second stage of the specific Community measure to assist certain areas adversely affected by the restructuring of the steel industry<sup>6</sup> — the provinces of Hainaut and Liège. The Community's financial contribution to assist these areas has been set at 15 million ECU.

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<sup>1</sup> OJ L 263, 24.9.1983; Bull. EC 6-1983, point 2.1.95.

<sup>2</sup> See also Bull. EC 12-1983, point 2.1.97.

<sup>3</sup> Bull. EC 7/8-1984, point 2.2.29.

<sup>4</sup> Bull. EC 12-1983, point 2.2.45.

<sup>5</sup> OJ L 275, 18.10.1984.

<sup>6</sup> OJ C 27, 31.1.1984; Bull. EC 1-1984, point 2.1.54.

*Disaster relief*

2.1.71. The Commission decided on 31 October to grant emergency relief — 100 000 ECU — to the Messinia region, in Greece, hit by earthquake on 9 October.

2.1.72. On 11 October Parliament adopted a resolution on the natural disasters caused by Hurricane Hortense in Aquitaine.<sup>1</sup>

**Environment and consumers****Environment**

2.1.73. On 3 October the Council and the Representatives of the Governments of the Member States meeting in the Council formally adopted<sup>2</sup> two resolutions agreed upon in June.<sup>3</sup> One concerned the relationship between the environment and development and the other new forms of cooperation on water with developing countries.

2.1.74. On 30 October the Commission adopted a communication on the environmental dimension of the Community's development policy for transmission to the Council.<sup>4</sup>

*Prevention and reduction of pollution and nuisances***Freshwater and marine pollution***Hexachlorocyclohexane discharges*

2.1.75. On 9 October the Council adopted a Directive on limit values and quality objectives for hexachlorocyclohexane discharges<sup>5</sup> which it had approved in June.<sup>6</sup>

*Protection of the North Sea*

2.1.76. On 25 October Parliament adopted two resolutions on the International Conference on the Protection of the North Sea held in Bremen.<sup>7</sup>

**Air pollution**

2.1.77. Further to the proposals it made in May on motor vehicle pollutant emissions,<sup>8</sup> the Commission sent to the Council on 25 October a proposal on emission levels (for carbon monoxide, hydrocarbons and nitrogen oxides)<sup>9</sup> which will result in emissions being drastically reduced.

**Chemicals**

2.1.78. On 22 October the Council supplemented the negotiating directives it had given to the Commission in January 1982 in respect of a draft worldwide framework convention on the protection of the ozone layer.<sup>10</sup> With a view to enabling the Community to become a contracting party, the Council invited the Commission and the Member States to reject any clause in the convention which would make signature by the Community subject to signature by one or more Member States.

2.1.79. Three hundred scientific experts from governmental, agricultural, environmental and industrial circles in the Member States attended the first European symposium, held in Dublin from 15 to 17 October, to deal with the environmental problems caused by the use of chemicals in agriculture.

At this meeting, which was organized jointly by the Commission and the National Board for Science and Technology, experts looked at the undesirable effects of these products on the environment, took stock of how they were used and identified the main ways in which they could be best used from the environmental and economic viewpoints.

<sup>1</sup> Point 2.4.7; OJ C 300, 12.11.1984.

<sup>2</sup> OJ C 272, 12.10.1984.

<sup>3</sup> Bull. EC 6-1984, point 2.1.71.

<sup>4</sup> Point 2.2.33.

<sup>5</sup> OJ L 274, 17.10.1984.

<sup>6</sup> Bull. EC 6-1984, point 2.1.73.

<sup>7</sup> Point 2.4.12; OJ C 315, 26.11.1984.

<sup>8</sup> OJ C 178, 6.7.1984; Bull. EC 5-1984, point 1.2.1 *et seq.*

<sup>9</sup> COM(84)564 final.

<sup>10</sup> Bull. EC 1-1982, point 2.1.40.

The symposium provided an opportunity to identify what measures might be taken as regards legislation, research, education, information and vocational training, with a view to protecting the environment while safeguarding the interests of agriculture and the chemical industry.

### *International cooperation*

2.1.80. A meeting was held in Tokyo from 16 to 18 October under the cooperation procedures between the Commission and Japan on the environment established in June 1977.<sup>1</sup> Discussions centred on the serious environmental problems caused by different sources of pollution and on the protection of the environment and natural resources. One of the main areas discussed in the field of chemicals was the application by Japan of methods which are internationally recognized, particularly by OECD, in compulsory tests of new chemicals before they are marketed and the recognition by Japan of the tests carried out by other countries in accordance with these methods (good laboratory practice, etc.).

2.1.81. The Community hosted, for the first time, a meeting of the Action Plan for the Mediterranean in Brussels from 23 to 26 October. All the Contracting Parties (all the Mediterranean countries with the exception of Albania, plus the Community) and numerous international organizations were represented.

The meeting, which was concerned with the contributions which bilateral and multilateral Mediterranean programmes can make to the Action Plan's objectives, reaffirmed (a) the urgent need for practical measures to combat pollution of the Mediterranean in a spirit of regional solidarity and (b) the need for greater cooperation between the Contracting Parties.

The participants also agreed in principle to projects to improve the capacity of marine research laboratories, to build a hydrodynamic model of the Western Mediterranean, to develop renewable energy sources and aquaculture and to protect the monk seal,

which is threatened with extinction. To ensure greater protection against oil pollution they also expressed support for a programme to build deballasting stations for oil tankers and reception facilities for the oily residues from vessels in 53 ports of 16 Mediterranean countries. These projects will cost over USD 200 million. The idea of a 'Mediterranean Day' in all the countries in the area was also supported. This will be submitted for the approval of the Contracting Parties to the Barcelona Convention at the high-level meeting to be held in Italy in September 1985.

## **Consumers**

### *Physical protection*

2.1.82. On 15 October the Council adopted a Directive on the approximation of the laws of the Member States relating to ceramic articles intended to come into contact with foodstuffs.<sup>2</sup>

2.1.83. On 3 October the Commission transmitted to the Council a proposal for a Directive relating to restrictions on the marketing and use of certain dangerous substances and preparations.<sup>3</sup> In view of the fact that polychlorinated biphenyls and polychlorinated terphenyls are suspected of having carcinogenic effects and of involving other health risks, the Commission asked the Council to amend the Directive of 17 July 1976<sup>4</sup> — which already placed severe restrictions on the marketing and use of these substances — so as to impose an almost total prohibition, especially with regard to substances used in transformers and other electrical equipment.

2.1.84. In October Belgium and Luxembourg sent the Commission their lists of recognized natural mineral waters.<sup>5</sup> Ger-

<sup>1</sup> Bull. EC 5-1977, point 2.1.41.

<sup>2</sup> Point 2.1.14.

<sup>3</sup> COM(84)513 final.

<sup>4</sup> OJ L 262, 27.9.1976; OJ L 263, 24.9.1983.

<sup>5</sup> Point 2.1.15.



many, France and Italy sent in their lists in August.<sup>1</sup>

### *Consumer information, education and representation*

2.1.85. In October the Economic and Social Committee gave its opinion<sup>2</sup> on the proposals on the indication of the prices of foodstuffs and non-food products,<sup>3</sup> laid before the Council in January 1984 and December 1983 respectively.

### **Consumers' Consultative Committee**

2.1.86. At its meeting in Brussels on 24 October the Consumers' Consultative Committee first of all welcomed the fact that a forthcoming meeting of the Council would be devoted to health problems. It then drew up working priorities for 1984/85. While sustaining its defence of consumer interests in areas which it was already dealing with, the Committee decided to concentrate on two new areas: European policy on product safety, and Community policy on competition and prices transparency.

Finally, the Committee gave its opinion on three proposals for Directives, respectively on coffee extracts and chicory extracts,<sup>4</sup> and the indication of food and non-food prices.<sup>3</sup>

## **Agriculture**

### **Council**

2.1.87. The Council devoted its meeting on 1 and 2 October to discussing changes in the market organization for wine. No progress was achieved, however, at either this meeting or that on 22 and 23 October,<sup>5</sup> when the proposal on improving the efficiency of agricultural structures<sup>6</sup> and milk sector problems (quota system, stock disposal measures)<sup>7</sup> were also discussed.

The representative market price and the threshold price for olive oil for the 1984/85 marketing year were set.

### **Economic aspects of the common agricultural policy**

#### **Introduction of the ECU into the common agricultural policy**

2.1.88. On 19 October the Commission once more proposed to the Council that the ECU be permanently adopted for common agricultural policy purposes.<sup>8</sup> The ECU was introduced for a trial period in 1979,<sup>9</sup> and this has been extended by eight prolongations, the last of which expires on 31 December. The Commission first proposed permanent adoption in February 1980,<sup>10</sup> but this was rejected because of political disagreement on how and according to what timetable the MCAs were to be reduced. These disagreements were largely settled last March,<sup>11</sup> and the Commission is now renewing its proposal.

### **Market organizations**

#### **Adjustment of basic regulations**

##### *Wine*

2.1.89. The proposals for improving the common organization of the market in wine<sup>12</sup> were again discussed in depth by the Council on 1 and 2 and on 22 and 23

<sup>1</sup> OJ C 218, 18.8.1984.

<sup>2</sup> Point 2.4.43.

<sup>3</sup> OJ C 53, 24.2.1984; Bull. EC 1-1984, point 2.1.66; OJ C 8, 13.1.1984; Bull. EC 12-1983, point 2.1.131.

<sup>4</sup> OJ C 90, 31.3.1984.

<sup>5</sup> Point 2.4.15.

<sup>6</sup> Point 2.1.103.

<sup>7</sup> Points 2.1.90 and 2.1.99.

<sup>8</sup> OJ C 298, 9.11.1984; COM(84)565 final.

<sup>9</sup> Thirteenth General Report, point 313.

<sup>10</sup> OJ C 57, 7.3.1980; Bull. EC 3-1980, point 2.1.65.

<sup>11</sup> OJ L 90, 1.4.1984; Bull. EC 3-1984, points 1.2.3 and 2.1.116 *et seq.*

<sup>12</sup> Bull. EC 7/8-1984, points 2.1.130 to 2.1.132; Bull. EC 9-1984, points 2.1.80 to 2.1.82.

October, but it has not yet been possible to secure agreement.

### *Milk*

2.1.90. To mitigate certain practical difficulties encountered by the Member States following introduction of the additional levy on milk production<sup>1</sup> and more particularly to alleviate the financial problems that collection of the levy for the first time may cause numerous producers or purchasers, the Commission has made certain changes in the arrangements which are designed to soften their immediate impact.<sup>2</sup> The main concession granted is limitation of the first payment to 50% of the levy amount due for the first two quarters, with any balance payable at the end of the 12-month period.

### **Market trends**

#### *Cereals*<sup>3</sup>

2.1.91. Community production of common wheat has set a new record in 1984. According to the mid-October estimates it will be more than 69 million tonnes, some 25% higher than in 1983. This substantial increase is due essentially to an increase in average yield (to 6.07 tonnes per hectare compared with 5.03 in 1983) and secondly to an increase in the areas sown. The exceptionally favourable conjunction of very good weather at both sowing and flowering times and good plant health during the growing period, together with the fact that varieties of common wheat are constantly being developed that outperform their predecessors, account for the increase in yields.

Areas increased in 1983 by 3.7% compared with 1982 owing to the economic advantage to producers of growing common wheat rather than maize or barley.

The estimated Community requirement for the 1984/85 marketing year, which includes some 2.2 million tonnes of imported strong wheat, and the existence of a carryover stock of 5.7 million tonnes indicate a possible surplus for export and carryover stock (additional to the normal working stock) of

26.8 million tonnes for the marketing year (1983/84: 16.8 million tonnes). However, the high cost of the dollar, the increase in estimated world import requirements (104 million tonnes for 1984/85 compared with 99 million tonnes for 1983/84) and the fall in production in certain exporting countries should permit exports on fairly advantageous terms as far as the Community budget is concerned. There will still, however, probably be a marked increase in the size of the carryover stock at the end of the marketing year.

2.1.92. Production of durum wheat is likewise increasing substantially and has reached almost 6 million tonnes in 1984.

The annual rate of growth since 1977 is 3.6% for yield and 5.1% for areas sown, contrasting with a 3.5% reduction per year in Community requirements since 1972. As the world market is relatively restricted, no increase in export outlets can be looked for to absorb the very large surpluses in 1984/85, and the carryover stock at 31 July 1984 showed a marked increase.

#### *Pigmeat*

2.1.93. As a result of a much better market situation than in the first half of the year<sup>4</sup> and an increase in Community exports sustained by the favourable exchange rates for the dollar and the yen, it was necessary, given the present budgetary constraints, to reduce the refunds granted for most products in the sector by amounts varying from 10 to 33%. The reductions were made in two stages.<sup>5</sup>

2.1.94. The Community pig herd survey in August confirmed the general trend shown up by the previous survey, total numbers being down by 2.3% compared with August 1983. There was, however, a 3.1%

<sup>1</sup> OJ L 90, 1.4.1984; Bull. EC 3-1984, point 1.2.4; Bull. EC 9-1984, point 2.1.83.

<sup>2</sup> OJ L 282, 26.10.1984; OJ L 283, 27.10.1984.

<sup>3</sup> See Bull. EC 7/8-1984, point 2.1.123 *et seq.*

<sup>4</sup> Bull. EC 6-1984, point 2.1.93.

<sup>5</sup> OJ L 187, 14.7.1984; OJ L 268, 9.10.1984.

increase in the Dutch herd to 11.3 million head, which puts it in second place in the Community after Germany (24.2 million head) and ahead of France (10.6 million head). While these figures clearly confirm that production will remain low until next spring, they indicate just as clearly that the breeding herd is being built up again and that production will begin to rise from April 1985, particularly in Denmark, the Netherlands and the United Kingdom. Should the figures for the December survey confirm this expected upturn, a new cyclical fall in prices in 1985 appears inevitable.

### *Textile fibres*

2.1.95. The area under cotton in the Community has risen substantially for the third consecutive year, to 192 000 ha compared with 168 000 ha in 1983 and 137 000 ha in 1982.

As the weather was not favourable at the beginning of the growing period, yields will not be very high. Production is expected to work out at some 460 000 tonnes of unginned cotton, i.e. 147 000 tonnes of fibre. Since this amount of unginned cotton is lower than the quantity (500 000 tonnes) for which there is entitlement to the full aid, the Commission has fixed at 100 the percentage of the aid to be paid provisionally to ginners pending determination of the actual production figure.<sup>1</sup>

Because of the relatively easy supply position for cotton fibre, world market prices at the beginning of the 1984/85 marketing year were fairly low. They may rise again, however, as a result of damage to the new crop, particularly in the United States.

2.1.96. A shortage of flax fibre and strong demand from the clothing sector led Community growers to increase sowings of fibre flax by some 20%. Bad weather in September and at the beginning of October, however, prevented the harvesting of some 5 800 hectares (9% of the Community area). As a result, individual growers have suffered serious financial losses and it is proving impossible to build up stocks.

As a result of information campaigns aimed at flax users, demand in the clothing sector is expected to remain very good over the next two years. The trend in the household linen and furnishing sectors is less favourable, however.

2.1.97. For hemp the situation as a whole has improved as a result of an increase in prices for short flax fibre. Moreover, in order to assist in the fight against drug abuse, the Council in 1982<sup>2</sup> and the Commission in 1984<sup>3</sup> adopted with effect from 1 August 1984 measures restricting both aid for Community hemp production and the importation of hemp and hemp seed.

2.1.98. After a number of very difficult years that saw a considerable decline in silkworm rearing in the Community, the general situation has improved and the drop in Community cocoon production appears to have stopped.

### **Prices and specific measures**

#### *Milk and milk products*

2.1.99. Under its general policy of reducing stocks of milk products, the Commission has taken certain measures to dispose of butter both inside and outside the Community.

There will be a special programme of cut-price sales to Community consumers of 200 000 tonnes of butter ('Christmas butter'), most of which will come from public stocks and the rest either from private stocks or from the free market, the latter quantities being exclusively for Greece and Italy,<sup>4</sup> where stocks are virtually non-existent. The operation will last from 16 November 1984 to 31 January 1985<sup>5</sup> and the price reduction, i.e. the aid granted, will be some 160 ECU per 100 kg of butter.

<sup>1</sup> OJ L 231, 29.8.1984.

<sup>2</sup> OJ L 162, 12.6.1982.

<sup>3</sup> OJ L 191, 19.7.1984.

<sup>4</sup> OJ L 279, 23.10.1984; OJ L 280, 24.10.1984; OJ L 287, 31.10.1984; OJ L 288, 1.11.1984.

<sup>5</sup> OJ L 279, 23.10.1984.

There will be special sales of butter for export to the Middle East and the Soviet Union,<sup>1</sup> involving only butter from public stocks. The selling price will vary depending on whether the butter is at least six or more than eighteen months old. To prevent disturbance to the world market, fairly lengthy periods (nine months) have been allowed for removal and export of the butter. It is hoped to dispose of 200 000 tonnes in this way.

Because the age of some of the butter being sold for export means that its selling price is lower than the minimum laid down in the International Dairy Arrangement concluded in GATT, the Community on 17 October notified the GATT Secretariat of the measures proposed.

Strong reaction to the proposed measures from the other dairy-product-exporting countries led to a number of meetings in October both in the GATT framework (Milkfat Protocol, International Dairy Products Council) and with individual countries (New Zealand and Australia) to try to iron out the differences.

It was, however, not until 16 November that a further meeting of the International Dairy Products Council was able to adopt by general agreement a resolution embodying a *modus vivendi* with the Community's measures.<sup>2</sup>

2.1.100. The Commission referred to the Council a proposal that aid to small milk producers granted under the Regulation of 27 April 1984<sup>3</sup> be extended to those small producers who began milk deliveries after the end of 1983 and that Member States other than Greece grant aid only to those producers who are liable for the co-responsibility levy.<sup>4</sup>

2.1.101. The Commission also sent the Council a proposal for a Regulation suspending the Community free-at-frontier values for Cheddar from Australia and New Zealand and increasing the import levy.<sup>5</sup> These measures are designed to allow trade to proceed as regularly as possible on bases

which are closer to the reality of the cheese market.

Pending adoption of this proposal, the Council extended until 31 December 1984 the derogation from observance of the free-at-frontier value on import of these products to the Community.<sup>6</sup>

### Sheepmeat

2.1.102. On 26 October the Commission adopted a Regulation laying down detailed rules for the application of the premium for producers of sheepmeat<sup>7</sup> and repealing the 1980 Regulation.<sup>8</sup> Adoption of this Regulation has provided a solution to the technical problems raised by the Council's stated intention in connection with the 1984/85 prices package<sup>9</sup> to harmonize the national implementing provisions on the granting and monitoring of the ewe premium paid to producers in the various regions of the Community when their income drops as a result of a fall in market prices. Producers will be required to undertake to keep on the farm for 100 days the number of ewes for which application for the premium is made.

### Structures

2.1.103. When it met on 22 and 23 October the Council was unable to adopt the Regulation on improving the efficiency of agricultural structures<sup>10</sup> and on a proposal from the Commission<sup>11</sup> decided to extend the validity of the existing directives and decisions in order to cover the period 1 July to 31 December 1984.<sup>12</sup>

<sup>1</sup> OJ L 279, 23.10.1984.

<sup>2</sup> Bull. EC 11-1984 (forthcoming).

<sup>3</sup> OJ L 115, 1.5.1984.

<sup>4</sup> COM(84)561 final.

<sup>5</sup> COM(84)599 final.

<sup>6</sup> OJ L 280, 24.10.1984; COM(84)560 final.

<sup>7</sup> OJ L 283, 27.10.1984.

<sup>8</sup> OJ L 275, 18.10.1980.

<sup>9</sup> OJ L 90, 1.4.1984; Bull. EC 3-1984, point 1.2.6.

<sup>10</sup> OJ C 347, 22.12.1983; Bull. EC 9-1983, point 1.2.1 *et seq.*

<sup>11</sup> Bull. EC 6-1984, point 2.1.100.

<sup>12</sup> OJ L 285, 30.10.1984.

## Agricultural legislation

### Veterinary and animal husbandry legislation

2.1.104. Following the Council's adoption last May of a resolution establishing a programme of work for the harmonization of veterinary, plant health and animal feed legislation,<sup>1</sup> the Commission put forward a number of proposals.

2.1.105. On animal health the Commission proposed amending certain provisions on classical and African swine fever in Directives 64/432/EEC, 72/461/EEC and 80/215/EEC.<sup>2</sup> The Commission considers that the present situation with regard to classical swine fever requires stricter measures on trade in live animals and fresh meat and a recasting of the conditions under which the status of 'region officially free of swine fever' is to be modified when an outbreak occurs.

The Commission thinks that the Council should also lay down rules applying to trade in live pigs, fresh pigmeat and pigmeat products in the event of an outbreak of African swine fever.

2.1.106. Turning to public health, the Commission on 10 October referred to the Council a proposal for a Directive on public health and animal health problems affecting the importation of meat products from third countries.<sup>3</sup>

2.1.107. As part of its management of protective measures the Commission adjusted the geographical scope of the restrictive measures applicable to trade in live animals<sup>4</sup> and meat in line with developments in the classical swine fever situation. The improved situation in Belgium and Italy warranted termination of the restrictive measures applicable to the two countries. Account was taken of the extension of emergency vaccination zones in the Netherlands and their establishment in the Federal Republic of Germany. The Commission also found it necessary to alter the status of certain German regions (Upper and Lower

Bavaria) as free or officially free of classical swine fever.<sup>5</sup>

Two outbreaks of exotic foot-and-mouth disease on Greece's border with Turkey led to the introduction in July of restrictive measures applying to the prefecture of Evros.<sup>6</sup> The vigorous measures taken by the Greek authorities eliminated the disease and the Commission was able to lift the measures.

An outbreak of foot-and-mouth disease was detected in Germany on 28 September. The measures taken by the German authorities were deemed to be satisfactory and no Community protective measure was taken.

2.1.108. The Commission also adopted a number of implementing decisions dealing with its financial contribution towards the eradication of exotic foot-and-mouth disease in Greece,<sup>5</sup> Laying down guidelines for the approval of frontier inspection posts for the importation of bovine animals and swine from third countries<sup>7</sup> and, in the animal husbandry sector, laying down the criteria for entering cattle in herd-books.<sup>8</sup>

### Animal feed

2.1.109. The Commission has proposed to the Council that it amend Directive 74/63/EEC on the fixing of maximum permitted levels for undesirable substances and products in feedingstuffs, Directive 77/101/EEC on the marketing of straight feedingstuffs and Directive 79/373/EEC on the marketing of compound feedingstuffs.<sup>9</sup>

The changes include the introduction of provisions making it possible to regulate the presence of substances judged to be undesirable in raw materials used for feed

<sup>1</sup> OJ C 134, 22.5.1984.

<sup>2</sup> OJ C 272, 12.10.1984.

<sup>3</sup> OJ C 286, 25.10.1984; COM(84)530 final.

<sup>4</sup> OJ L 250, 19.9.1984; OJ L 256, 26.9.1984.

<sup>5</sup> OJ L 275, 18.10.1984.

<sup>6</sup> OJ L 196, 26.7.1984.

<sup>7</sup> OJ L 211, 8.8.1984.

<sup>8</sup> OJ L 237, 5.9.1984.

<sup>9</sup> COM(84)445 final.

purposes. Maximum contents would be fixed and if a set level of contamination was exceeded the sale of the raw materials concerned direct to farmers as straight feedingstuffs and even their use by feed compounders would be prohibited. For the time being the proposal concerns mainly aflatoxin B1 in raw materials of vegetable origin.

The fixing of rules on the labelling of raw materials and the introduction of additional provisions on the marking of compound feedingstuffs should help towards better information for farmers and at the same time take account of changes in trade practices.

## Competition

2.1.110. Under Articles 92, 93 and 94 of the EEC Treaty the Commission decided to make no comment on the introduction of proposed schemes notified by:

### Federal Republic of Germany

Aid for a pilot rape planting scheme. Reduction in the interest rates on operating credits in the wine sector.

### Greece

Aid for farmers whose holdings were damaged by fire in 1983.

Proposal to grant aid to farmers to cover the cost of autumn potato crops damaged by heavy rain and to producers of early potatoes in the Ayia (Larisa) area affected by the potato surplus in 1983.

### Denmark

Final balance sheets for 1983 for eight funds belonging to vocational organizations financed by means of assigned charges.

Aid to help combat infectious bovine rhinotracheitis.

## Italy

*Marche*: Amendment of Regional Act No 42 of 28 October on agriculture in mountain, hill and less-favoured areas; credit facilities in connection with sugar beet cultivation.

*Sicily*: Urgent irrigation work; new rules on advance payment for grapes delivered to cooperatives.

2.1.111. As part of the same review the Commission decided to terminate the Article 93(2) procedure in respect of a German measure involving premiums for breeding heifers exported from Bavaria to non-member countries, since the measure had not been implemented.

## Fisheries

### Resources

#### *Internal aspects*

#### Community measures

##### *TACs and quotas for 1985*

2.1.112. On 26 October the Commission sent the Council a proposal on the fixing of autonomous TACs for certain fish stocks and groups of stocks for 1985 and the conditions under which they may be fished.<sup>1</sup> The TACs and the quotas relate to stocks managed exclusively by the Community, accounting for approximately 15% of catch potential for the seven most important species.

#### *Prohibition measures*

2.1.113. On the basis of information received from the national authorities concerning the exhaustion of certain quotas the Commission:

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<sup>1</sup> COM(84)591 final.

(i) banned vessels flying the flag of the United Kingdom from fishing for herring in division VIIa with effect from 27 September,<sup>1</sup> in divisions Vb (EC zone), VIa North and VIb with effect from 29 September,<sup>2</sup> and in division VIa (Clyde stock) with effect from 5 October;<sup>3</sup>

(ii) banned vessels flying the flag of Denmark from fishing for sole in division IIa (EC zone) and subarea IV with effect from 4 October,<sup>2</sup> for sprat in subarea III with effect from 15 October,<sup>3</sup> and for saithe in divisions IIa (EC zone), IIIa, IIIb, c and d (EC zone) and subarea IV with effect from 25 October;<sup>4</sup>

(iii) banned vessels flying the flag of France from fishing for sole in divisions VIII f and g with effect from 1 October,<sup>5</sup> for Northern deepwater prawns in NAFO subarea 1 with effect from 13 October,<sup>6</sup> and for herring in divisions IIa (EC zone) and IVa (EC zone) with effect from 20 October<sup>7</sup> and in division IVb (EC zone) with effect from 22 October;<sup>8</sup>

(iv) banned vessels flying the flag of the Netherlands from fishing for herring in divisions VIa South and VIIb and c with effect from 23 October.<sup>9</sup>

## National measures

### *Protection of local stocks*

2.1.114. Under Article 19 of Regulation (EEC) No 171/83<sup>10</sup> the Commission approved the following measures:

#### United Kingdom

Draft Sea Fishing (North-West Scottish Coastal Waters) (Prohibition of Fishing Methods) Order 1984, applying to certain stretches of water off the north-west coast of Scotland.

### *External aspects*

#### Bilateral relations

##### *Faeroe Islands*

2.1.115. Parliament having given its opinion,<sup>11</sup> the Council on 3 October autho-

rized<sup>12</sup> conclusion of an agreement in the form of an exchange of letters between the Community, Denmark and the Faeroe Islands on salmon fishing in the North Atlantic.<sup>13</sup>

#### *Norway and Sweden*

2.1.116. Consultations with a view to arranging reciprocal fishing rights for 1985 were held during October with both Norway and Sweden.

#### *Skagerrak and Kattegat*

2.1.117. The Community, Norway and Sweden consulted in Oslo on 17 October with a view to establishing fishing arrangements for 1985 in the Skagerrak and Kattegat. Further consultations will be held in November.

#### *Canada*

2.1.118. At the first of its two October part-sessions Parliament endorsed<sup>14</sup> the Commission's proposal to establish a scientific observation programme between the Community and Canada in the Regulatory Area of the NAFO Convention.<sup>15</sup>

## Multilateral relations

### *Fishery Committee for the Eastern Central Atlantic*

2.1.119. The Commission represented the Community at the ninth session of the Fish-

<sup>1</sup> OJ L 261, 2.10.1984.

<sup>2</sup> OJ L 263, 4.10.1984.

<sup>3</sup> OJ L 275, 18.10.1984.

<sup>4</sup> OJ L 280, 24.10.1984.

<sup>5</sup> OJ L 268, 9.10.1984.

<sup>6</sup> OJ L 272, 13.10.1984.

<sup>7</sup> OJ L 277, 20.10.1984.

<sup>8</sup> OJ L 285, 30.10.1984.

<sup>9</sup> OJ L 278, 23.10.1984.

<sup>10</sup> OJ L 24, 27.1.1983.

<sup>11</sup> OJ C 274, 15.10.1984; Bull. EC 9-1984, point 2.1.103.

<sup>12</sup> OJ L 264, 5.10.1984.

<sup>13</sup> OJ C 214, 14.8.1984; Bull. EC 7/8-1984, point 2.1.158.

<sup>14</sup> OJ C 300, 12.11.1984.

<sup>15</sup> Bull. 6-1984, point 2.1.119; Bull. 7/8-1984, point 2.1.155.

ery Committee for the Eastern Central Atlantic, which was held at Banjul, Gambia, from 15 to 19 October at the invitation of the FAO. The Committee discussed scientific research, conservation and management of resources, and technical assistance with particular reference to future financing of the fisheries development project in the Eastern Central Atlantic.

## Markets and structures

### *Market organization*

2.1.120. Since the disposal of frozen squid on the Community market was encountering serious difficulties as a result of abnormally low-priced imports, the Commission on 1 October adopted protective measures applicable until 31 December to the importation of frozen squid from Poland.<sup>1</sup>

### *Structures*

#### Competition

2.1.121. Under Articles 92 to 94 of the EEC Treaty the Commission decided to raise no objection to the granting of aid for an experimental fishing project in the Netherlands (sum set aside: HFL 300 000).

2.1.122. The Commission initiated the scrutiny procedure provided in Article 93(2) of the Treaty in respect of two provisions of a Sicilian bill concerning the fisheries sector whereby the granting of all possible aids (regional, national and Community) would result in a cumulative rate of 95% of the investment amount and whereby the subsidy of LIT 370 000 to LIT 400 000 per gross register ton would continue to be granted to fishermen and shipowners in 1984. The sum of LIT 25 000 million has been set aside for the purposes of the second measure, which is already under examination following notification in 1983.<sup>2</sup>

## Transport

2.1.123. Parliament adopted a resolution on the implementation of a genuine common transport policy on 11 October.<sup>3</sup>

## Inland transport

### Frontier checks and formalities

2.1.124. On 15 October the Commission sent the Council a proposal<sup>4</sup> that the Community and the Member States should make a joint declaration accepting, subject to certain reservations, the recommendations made in the consolidated resolution on the facilitation of road transport adopted by the United Nations Economic Commission for Europe. This resolution brings together in a single document a series of rules and procedures concerning transport, including definitions and procedures applicable to passenger and goods services by road, and vehicle insurance and registration arrangements.

### *Infrastructure*

#### Special measures of Community interest

2.1.125. On 17 October, after Parliament had agreed to transfer the requisite appropriations earlier in the month,<sup>5</sup> the Commission adopted two Decisions<sup>6</sup> granting financial assistance to the United Kingdom and to the Federal Republic of Germany for special transport infrastructure measures of benefit to the entire Community.<sup>7</sup>

### *Approximation of structures*

#### Summer time

2.1.126. On 24 October Parliament endorsed<sup>8</sup> the proposal for a third Directive on summer time arrangements.<sup>9</sup>

<sup>1</sup> OJ L 261, 2.10.1984.

<sup>2</sup> Bull. EC 9-1983, point 2.1.126.

<sup>3</sup> Point 2.4.7; OJ C 300, 12.11.1984.

<sup>4</sup> COM(84) 552 final.

<sup>5</sup> Point 2.3.5.

<sup>6</sup> OJ L 290, 7.11.1984.

<sup>7</sup> OJ L 177, 4.7.1984; Bull. EC 6-1984, point 2.1.126.

<sup>8</sup> Point 2.4.12; OJ C 315, 26.11.1984.

<sup>9</sup> OJ C 179, 7.7.1984; Bull. EC 6-1984, point 2.1.131.



## *Operation of the market*

### **Market observation**

2.1.127. On 10 October the Commission reported to the Council on its conclusions and experience in connection with the establishment of a system for observing the markets for road, rail and inland waterway transport between the Member States.<sup>1</sup> This report, made pursuant to the Council resolution of July 1981,<sup>2</sup> calls on the Council to approve measures to continue and expand the market observation system and to reconsider the Commission proposal on this matter<sup>3</sup> with a view to providing a legal basis for a permanent market observation system.

### **Air transport**

2.1.128. Parliament adopted a resolution on Eurocontrol on 11 October.<sup>4</sup>

### **International cooperation**

2.1.129. Mr Contogeorgis met Mr Sekanina, the Austrian Minister of Public Works, and Mr Lacina, the Minister of the National Economy and Transport, in Vienna on 4 and 5 October for talks on the transport negotiations between the Community and Austria, with particular reference to problems connected with the road vehicles transiting Austria, including Austria's proposal to transfer some of this transit traffic to rail and its request for the Community to contribute towards the cost of infrastructure investments.<sup>5</sup>

## **Energy**

### **Formulating and implementing a Community energy policy**

#### **Special measures of Community interest relating to energy strategy**

2.1.130. Following this month's decision to transfer appropriations taken by Parlia-

ment,<sup>6</sup> the Commission adopted on 17 October two Decisions granting financial assistance totalling 255 million and 201 million ECU respectively to the United Kingdom and the Federal Republic of Germany<sup>7</sup> under the Regulation introducing special measures of Community interest relating to energy strategy.<sup>8</sup>

### **Specific problems**

#### **Oil and gas**

##### *Natural gas*

2.1.131. On 30 October the Commission sent to the Council a communication<sup>9</sup> in which—in the light of recent developments in the natural gas sector—it makes a more detailed analysis of diversification and security of supply sources, which it had already looked at in the communication it sent in April,<sup>10</sup> and examines the role of natural gas in the Community's overall energy balance. The Commission considers that the following factors may alter the outlook for this sector: surplus supply, and the fact that the competitiveness of natural gas and its role in the Community's overall energy balance will be determined—to a greater extent than hitherto—by the price at which it is supplied, and in particular the relationship between the price of natural gas and that of substitute fuels. In the Commission's opinion, this will entail greater flexibility as regards prices and supply conditions where contracts for imported natural gas are concerned.

<sup>1</sup> COM(84) 541 final.

<sup>2</sup> Fifteenth General Report, point 447.

<sup>3</sup> OJ C 1, 5.1.1976; OJ C 351, 31.12.1980; Bull. EC 12-1980, point 2.1.124.

<sup>4</sup> Point 2.4.7; OJ C 300, 12.11.1984.

<sup>5</sup> Bull. EC 12-1983, point 2.1.204.

<sup>6</sup> Point 2.3.5.

<sup>7</sup> OJ L 283, 27.10.1984.

<sup>8</sup> OJ L 177, 4.7.1984; Bull. EC 6-1984, point 2.1.134.

<sup>9</sup> COM(84) 583 final.

<sup>10</sup> Bull. EC 4-1984, point 2.1.121.

This communication will be discussed at the next Council meeting on energy in November.

## Research and development

### Scientific and technical objectives

#### Promoting industrial competitiveness

##### *Biomolecular engineering*

2.1.132. The research and training programme in the field of biomolecular engineering (1982-86),<sup>1</sup> which was launched in 1982, produced results of fundamental importance for agriculture and the agri-food industries following a call for proposals in February 1982.<sup>2</sup> For the first time, in two contracting laboratories at Leiden and Ghent a foreign gene was introduced and expressed in a plant belonging to the subclass Monocotyledoneae, which also includes all the cereals forming the basis of human and animal nutrition. As a result, a new micro-organism, *Staphylococcus carnosus*, can now be added to the still very restricted list of hosts for the cloning and expression of genes which are of interest for nutrition. This success is all the more important in view of the fact that the bacterium in question is non-pathogenic in man, unlike certain strains of *Escherichia coli*, which is by far the most widely used micro-organism in genetic engineering at present.

In the cheese sector, the development of genetic cloning vectors for bacteria of the genus *Streptococcus* suggests that, in future, it will be possible to transfer the genes which contribute to flavour development.

##### *Technical research on steel*

2.1.133. The Commission decided to make available 7 572 100 ECU for the execution of six pilot/demonstration projects under Article 55(2)(c) of the ECSC

Treaty. With the assent of the Council and after consulting the ECSC Consultative Committee, it also decided to provide finance totalling 17 627 900 ECU for 74 research projects.

#### Improving the management of raw materials

2.1.134. The basic aim of the substitution and materials technologies subprogramme of the Raw Materials Research and Development Programme (1982-85)<sup>3</sup> is to reduce the Communities' dependence on external sources for the supply of such strategic raw materials as silver, tungsten, tin, cobalt, chromium and cadmium.

In this connection, the development of tinless black-plate coating processes can be regarded as an important achievement of the programme. The black plate is subjected to chromate passivation and the action of an organic coating. The corrosion-resistance obtained is in conformity with existing food-processing regulations, and the operation of the pilot-scale plants used proved satisfactory.

This subprogramme also led to the production of a new category of hard alloys in which cobalt is replaced by nickel. Half a dozen different alloy powders were successfully prepared for use in plasma spraying. In particular, the use of nickel- and boride-based alloys as steel coatings proved extremely promising and three patent applications were filed.

#### Improving the management of energy resources

##### *Nuclear energy from fission*

2.1.135. From 1 to 3 October the Commission held a seminar on the results of the first Community shared-cost research programme on the safety of thermal water

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<sup>1</sup> OJ L 375, 30.12.1981; OJ L 305, 8.2.1983.

<sup>2</sup> OJ C 50, 25.2.1982.

<sup>3</sup> OJ L 174, 21.6.1982.

reactors.<sup>1</sup> The main items discussed were loss of coolant accidents, the protection of nuclear plant against explosions from outside sources and the distribution of radioactivity in the atmosphere following a reactor accident. Apart from the substantial scientific results obtained from the programme, an even more important benefit was participants' increased mutual understanding in respect of nuclear safety at Community level.

2.1.136. In October the Economic and Social Committee endorsed the proposal for a third shared-cost research programme on the management and storage of radioactive waste (1985-89).<sup>2</sup>

## Improving living and working conditions

### *Environment*

2.1.137. A symposium on the environmental problems posed by the use of chemical products in agriculture, organized jointly by the Commission and the National Board for Science and Technology, was held in Dublin from 15 to 17 October.<sup>3</sup>

### *Research into the social aspects of steel*

2.1.138. Acting under Article 55(2)(c) of the ECSC Treaty, the Commission decided to allot funds totalling 2 382 300 ECU to nine research projects under the research programme on the technical control of nuisances and pollution at the place of work and in the environment of iron and steel works<sup>4</sup> and to make 989 100 ECU available

for the execution of five projects forming part of the fifth programme on industrial hygiene in mines.<sup>5</sup>

## Stimulating the Community's scientific and technical potential

2.1.139. At its seventh meeting<sup>6</sup> the Committee for the European Development of Science and Technology adopted a report containing a methodological evaluation of the implementation in 1983 and 1984 of the experimental Community action to stimulate the efficacy of the Community's scientific and technical potential.<sup>7</sup> The acceptance of a major project to develop a resonance plant for muon spin was confirmed. Muon spin relates to the use of muons, which are elementary particles linking protons and neutrons in nuclei, for the study of the atomic structure of materials.

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2.1.140. In October Parliament<sup>8</sup> and the Economic and Social Committee<sup>9</sup> endorsed the proposal for a Decision on a programme of multisectoral activities to stimulate European cooperation and scientific and technical interchange (1985-88), which the Commission had sent to the Council in April.<sup>10</sup>

<sup>1</sup> OJ L 83, 3.4.1979.

<sup>2</sup> OJ C 166, 26.6.1984; Bull. EC 4-1984, point 2.1.129.

<sup>3</sup> Point 2.1.79.

<sup>4</sup> OJ C 147, 13.6.1979.

<sup>5</sup> OJ C 332, 8.12.1983; Bull. EC 11-1983, point 2.1.199.

<sup>6</sup> Bull. EC 7/8-1984, point 2.1.180.

<sup>7</sup> OJ L 181, 6.7.1983; OJ C 182, 8.7.1983; Bull. EC 6-1983, point 2.1.259.

<sup>8</sup> OJ C 315, 26.11.1984.

<sup>9</sup> Point 2.4.44.

<sup>10</sup> OJ C 142, 29.5.1984; Bull. EC 4-1984, point 2.1.132.

## 2. Enlargement and external relations

### Enlargement and bilateral relations with applicant countries

2.2.1. In Dublin on 24 October Dr Garret FitzGerald, President of the Council, Mr Mário Soares, the Portuguese Prime Minister, and Mr Lorenzo Natali, Vice-President of the Commission, signed a joint statement reaffirming the objective that Portugal should join the Community on 1 January 1986.<sup>1</sup>

At a ministerial session with Spain the President of the Council, speaking on behalf of the Community, confirmed the irreversibility of the process of Spain's integration into the Community and the objective of accomplishing Spain's accession on 1 January 1986.

#### Portugal

##### Accession negotiations

2.2.2. The 23rd ministerial-level negotiating meeting was held in Luxembourg on 3 October. The Community made statements on the customs union, external relations and the application of VAT in Madeira and the Azores. Portugal made statements on agriculture, patents and the customs union.

Following the Council meeting of Foreign Ministers on 22 and 23 October, Portugal was informed of the Community position on social affairs, olive oil and sugar (supplies to Portuguese refineries during the transitional period).

#### Spain

##### Accession negotiations

2.2.3. The 25th and 26th ministerial-level negotiating meetings<sup>2</sup> took place in Luxembourg on 3 and 23 October. On 3 October the Spanish delegation made state-

ments on the ECSC, economic and financial questions (inclusion of the peseta in the ECU) and external relations (the Community's financial and social cooperation policy towards countries enjoying preferential treatment).

On 23 October the Community presented a 'mini-package' concerning the customs union and free movement of industrial goods (duration of transitional tariff measures and tariff dismantling by Spain), agriculture (vegetable oils and fats) and social affairs (in reply to requests made by Spain in February).<sup>3</sup>

##### Pre-accession aid

2.2.4. On 18 October the Commission sent the Council a proposal to grant Spain specific financial aid to facilitate and accelerate the adjustment of its fishing capacity.<sup>4</sup>

This aid, amounting to 28.5 million ECU to be charged to the 1985 budget, would be granted for the permanent withdrawal of vessels 12 metres or more in length and would anticipate the application of Community structural policy in Spain (Council Directive 83/515/EEC of 4 October 1983).<sup>5</sup>

#### Commercial policy

##### Contribution to the reversal of protectionist trends

2.2.5. On 19 December 1983 the Council had decided,<sup>6</sup> acting on a proposal from the Commission, that the Community

<sup>1</sup> Point 1.2.1.

<sup>2</sup> 23rd and 24th meetings: Bull. EC 9-1984, point 2.2.4.

<sup>3</sup> Bull. EC 2-1984, point 2.2.4.

<sup>4</sup> OJ C 298, 9.11.1984; COM(84) 569 final.

<sup>5</sup> OJ L 290, 22.10.1983; Bull. EC 10-1983, point 2.1.162.

<sup>6</sup> Bull. EC 12-1983, point 2.2.8. The Council confirmed its decision on 14 May.

should speed up the Tokyo Round tariff reductions by making the cuts scheduled for 1 January 1986 on 1 January 1985. This was to be done on two conditions: economic growth forecasts to be confirmed in the course of 1984, and the Community's principal trading partners in OECD to take similar action. The first of these conditions has been met, but the second has not: the Community's principal trading partners in OECD (notably the United States) have not taken similar action).

The Commission therefore confined itself to proposing accelerated tariff cuts on 1 January 1985 in respect of products of particular interest to developing countries; however, it did ask the Council to call for accelerated implementation of the cuts scheduled for 1 January 1986 on the understanding that the Community's major trading partners, including the United States, did likewise.

The Council did as the Commission asked in the conclusions adopted on 23 October.

## Implementing the common commercial policy

### *Commercial policy instruments*

#### Easing of restrictive measures

2.2.6. Under the Council Regulation of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community

level,<sup>1</sup> the Commission decided to open quotas for the following:

*Benelux—Albania:* boy's woven trousers;<sup>2</sup> men's and boys' woven cotton trousers;<sup>3</sup>

*Benelux—People's Republic of China:* wood screws;<sup>2</sup>

*United Kingdom—Hungary:* Tableware and other domestic or toilet articles in porcelain, china or other pottery<sup>4</sup> (CCT 69.11-69.12); statuettes and other ornaments, articles of personal adornment and furniture.<sup>4</sup>

*Italy—Hungary:* chemical fertilizers (including urea);<sup>4</sup> natural honey;<sup>5</sup>

*Italy—Czechoslovakia:* unwrought aluminium, alloyed or not alloyed;<sup>6</sup>

*Italy—Bulgaria:* cast or rolled glass and drawn or blown glass.<sup>7</sup>

#### Trade protection

2.2.7. The trade protection measures taken in October are shown in Table 3.

<sup>1</sup> OJ L 346, 14.11.1983.

<sup>2</sup> OJ C 266, 5.10.1984.

<sup>3</sup> OJ C 291, 31.10.1984.

<sup>4</sup> OJ C 272, 12.10.1984.

<sup>5</sup> OJ C 276, 16.10.1984.

<sup>6</sup> OJ C 279, 19.10.1984.

<sup>7</sup> OJ C 288, 27.10.1984.

Table 3

Council	Commission
	<p><i>Anti-dumping proceedings</i></p> <p><i>Provisional anti-dumping duty</i> on imports of: Copper sulphate originating in Poland OJ L 275, 18.10.1984 (initiation of proceeding: OJ C 90, 31.3.1984)</p>

Council	Commission
	<p><i>Notice of initiation of proceeding concerning imports of:</i></p> <p>Glycine originating in Japan OJ C 265, 4.10.1984</p> <p>Plasterboard originating in Spain OJ C 276, 16.10.1984</p> <p>Basic chromium sulphate originating in Yugoslavia OJ C 276, 16.10.1984</p> <p><i>Acceptance of undertakings given in connection with anti-dumping proceedings concerning imports of:</i></p> <p>Copper sulphate originating in Bulgaria or Hungary, and termination of proceeding OJ L 275, 18.10.1984 (initiation of proceeding: OJ C 90, 31.1.1984)</p> <p>Paraformaldehyde originating in Spain, and termination of proceeding OJ L 282, 26.10.1984 (initiation of proceeding: OJ C 145, 1.6.1984)</p> <p><i>Termination of proceeding concerning imports of:</i></p> <p>Copper sulphate originating in Spain OJ L 275, 18.10.1984 (initiation of proceeding: OJ C 90, 31.3.1984)</p>

*Treaties and trade agreements:  
extension or automatic renewal*

2.2.8. On 15 October the Council authorized the extension or automatic renewal of certain trade agreements between Member States and other countries for which the date of expiry or the date for giving notice falls between 1 November 1984 and 1 January 1985 (third batch for 1984).<sup>1</sup>

*Export credits*

2.2.9. The Council decided on 23 October to extend until 15 April 1985 the period of validity of certain guidelines for officially supported export credits; these guidelines, which were adopted in October 1983,<sup>2</sup> remain unchanged.

**Sectoral commercial policy measures**

*Iron and steel products*

**Steel: external measures**

*1985 arrangements*

2.2.10. On 23 October the Council adopted the guidelines to be followed by the Commission in extending the steel arrangements with certain non-member countries to cover 1985, subject to certain adjustments.<sup>3</sup>

<sup>1</sup> OJ L 274, 17.10.1984.  
<sup>2</sup> Bull. EC 10-1983, point 2.2.10.  
<sup>3</sup> Bull. EC 9-1984, point 2.2.8.

2.2.11. On 11 October Parliament adopted a resolution calling attention to the threat to jobs in the European steel industry that would be caused by an increase in steel imports from non-member countries.<sup>1</sup>

### *Textile products*

#### **GATT Textiles Committee**

2.2.12. The GATT Textiles Committee met in Geneva on 17 and 22 October to undertake a major review of the current Multifibre Arrangement. In his statement to the Committee the Community representative emphasized that the situation in the Community textiles and clothing sector continued to give rise to concern, since demand for these products was stagnant and was likely to remain so for the next few years. None the less, the Community had managed the bilateral agreements concluded under MFA III in such a way as to allow trade in this sector to expand.

#### **Agreements and arrangements with non-member countries**

##### *MFA countries*

2.2.13. Consultations with Thailand which took place on 15 October resulted in agreement on the introduction of a new quantitative limit on Thai exports of women's suits to the United Kingdom.

2.2.14. Consultations with Hungary took place on 30 October to discuss certain management issues.

##### *Mediterranean preferential countries*

2.2.15. Following several rounds of consultations<sup>2</sup> with Portugal, agreement was reached in Lisbon on 10 October on a number of hitherto outstanding problems arising from the adjustment of Portuguese textile exports to the Community in 1984.

2.2.16. An initial round of talks took place between the Community and Tunisia in

Brussels on 22 October on the renewal of the present textiles arrangement for a further two-year period (1985-86).

## **Relations with industrialized countries**

### **United States**

2.2.17. On 7 October the United States Congress passed the Trade and Tariff Act of 1984, which was signed into law by President Reagan on 30 October. The Council, in a resolution adopted at its meeting on 2 and 3 October, expressed its concern at this legislation, containing as it does a number of provisions which are in breach of the spirit and the letter of the United States' GATT obligations.

Accordingly, the Community has requested that a special meeting of the GATT Subsidies Committee should be convened shortly to examine the provisions which would allow American grape growers to reintroduce petitions seeking anti-dumping and countervailing duties against imports of European wines, despite the fact that in March the US International Trade Commission had rejected their complaints.<sup>3</sup> The Community also requested consultations in GATT on new provisions concerning the origin marking of steel pipes and fittings by die-stamping.

The Community and its Member States also reiterated their concern to the United States authorities on the new procedural rules for obtaining 'distribution licences' for exports of export-controlled products. These new rules have extraterritorial effects which are unacceptable to the Community and its Member States.

### **Japan**

2.2.18. Mr Davignon was in Tokyo from 1 to 5 October. He took part in the second

<sup>1</sup> Point 2.4.7; OJ C 300, 12.11.1984.

<sup>2</sup> Bull. EC 9-1984, point 2.2.14.

<sup>3</sup> Bull. EC 3-1984, point 2.2.19.

round-table meeting organized by the European and Japanese associations of consumer electronics manufacturers and had talks with Mr Shintaro Abe (Minister of Foreign Affairs), Mr Hikosaburo Okonogi (Minister of International Trade and Industry), Mr Michiyuki Isurugi (Minister of Science and Technology) and members of the Diet. With Mr Okonogi he discussed trends in bilateral trade relations and some more specific problems such as the implementation of Japan's undertakings on exports of certain sensitive products to the Community. With Mr Isurugi, Mr Davignon talked about strengthening scientific and technological cooperation between the Community and Japan and about the discussions being held on the adoption of a framework agreement with Japan on this topic.

2.2.19. The 24th round of high-level consultations with Japan were held in Brussels from 29 to 31 October. The difficulties in relations with Japan have currently eased somewhat: the Community's trade deficit has stabilized in 1984 (around 13 000 million ECU), and since Mr Thorn's visit to Japan and the ministerial round-table meeting of May 1984<sup>1</sup> cooperation of all kinds is the order of the day.

However, the Community's concern on trade persists, as the structure of bilateral trade is still unsatisfactory. Most of the increase in Community exports to Japan consists of semi-finished, mineral and chemical products: the Community would like to export more high-value-added products. The Commission has also put to the Japanese authorities for their consideration a number of requests concerning tariffs and quantitative restrictions, standards and certification procedures, the improvement of the distribution system, access to banking and service activities and measures to counter infringements and abuse of trade marks.

The discussions also covered macroeconomic and financial questions and the development of cooperation in the spheres of industry, science and technology, energy and development aid. Both sides expressed

satisfaction at the strengthening of relations between the Community and Japan in the private and public sectors.

### European Free Trade Association

2.2.20. In October both bilateral and multilateral contacts with the EFTA countries were stepped up.

2.2.21. Mr Dalsager went to Oslo to discuss the reasons for stagnation in agricultural trade with the Norwegian authorities. Mr Contogeorgis went to Vienna at the invitation of the Austrian Government to review transport questions.<sup>2</sup> Mr Davignon also went to Vienna for talks with the Austrian authorities on new European initiatives in the spheres of technology and industrial innovation addressing the need to confront international competition. Mr Seppo Lindblom, the Finnish Minister of Trade and Industry, called on Mr Ortolí for talks on economic and financial problems.

2.2.22. On 11 and 12 October the annual meeting was held of the Joint Committee for the Clock and Watch Agreement (set up by the 1967 EEC-Switzerland Clock and Watch Agreement). Both parties confirmed that in spite of adverse economic conditions, the agreements were functioning satisfactorily.

2.2.23. The annual meeting between delegations from the Community's Economic and Social Committee and EFTA's Consultative Committee was held in Berne. The discussions covered implementation of the cooperation guidelines decided at last April's EEC-EFTA ministerial meeting.<sup>3</sup>

## Relations with other countries and regions

### Mediterranean countries

#### Yugoslavia

2.2.24. A team of senior Commission officials visited Yugoslavia in October for

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<sup>1</sup> Bull. EC 5-1984, points 2.2.14 and 2.2.15.

<sup>2</sup> Point 2.1.129.

<sup>3</sup> Bull. EC 4-1984, point 1.2.1 *et seq.*



exploratory talks concerning a second Financial Protocol, the first having expired in February.<sup>1</sup> They also discussed the programme approved by the Cooperation Council<sup>2</sup> and bilateral trade matters. Bilateral trade is currently increasing at a satisfactory rate, though there are still problems over Yugoslav exports of beef/veal to Greece and in the sheepmeat sector.

2.2.25. The European Investment Bank granted, over and above the resources provided under the Financial Protocol, which were used up in February, a specially authorized loan of 60 million ECU towards the financing of two sections of the trans-Yugoslav highway and a tunnel through the Karawanken.<sup>3</sup>

### Jordan

2.2.26. The EEC-Jordan Cooperation Council, set up under the 1978 Agreement,<sup>4</sup> met for the first time in Luxembourg on 23 October. The two delegations were led by Mr Peter Barry, President of the Council, and Mr Taher Masri, Jordan's Foreign Minister. The Commission was represented by Mr Pisani.

The Cooperation Council expressed its full satisfaction with the progress of economic, technical and financial cooperation and discussed ways of further improving it in the future. It welcomed the fact the funds available under the first Financial Protocol (40 million ECU) had been fully committed and that 58% of the 63 million ECU under the second Protocol (which came into force on 1 January 1983) would be committed by the end of the year. The Council examined the implementation of trade provisions and voiced the hope that there would be regular contact between the European and Jordanian Parliaments.

## Countries of the Gulf and the Arabian Peninsula

### Yemen Arab Republic

2.2.27. The Cooperation Agreement between the Community and the Yemen

Arab Republic, which had been initialled in May,<sup>5</sup> was signed on 9 October.

## Asia

### Pakistan

2.2.28. On 23 October the Council authorized the Commission to open negotiations with a view to concluding a commercial and economic cooperation agreement with Pakistan,<sup>6</sup> to succeed the Trade Agreement of 1976,<sup>7</sup> which had been automatically renewed since 1981.

## Latin America

### Argentina

2.2.29. The President of the Commission, Mr Thorn, had talks in Strasbourg on 24 October with the President of Argentina, Mr Raúl Alfonsín, who was paying a visit to the European Parliament.

## State-trading countries

### China

2.2.30. Mr Haferkamp visited China from 24 September to 6 October for the first of the high-level consultative meetings between the Commission and the Chinese Government agreed upon in 1983.<sup>8</sup> He had talks with Mr Zhao Ziyang, the Prime Minister, Mrs Chen Muhua, the Minister of Foreign Economic Relations and Trade, Mr Zhou Nan, the Deputy Foreign Minister, and other senior members of the Chinese

<sup>1</sup> Bull. EC 2-1984, point 2.2.25.

<sup>2</sup> Bull. EC 6-1984, point 2.2.33.

<sup>3</sup> Point 2.4.55.

<sup>4</sup> OJ L 268, 27.9.1978.

<sup>5</sup> Bull. EC 5-1984, point 2.2.25; OJ C 258, 26.9.1984; Bull. EC 9-1984, point 2.2.23.

<sup>6</sup> Bull. EC 2-1984, point 2.2.30.

<sup>7</sup> OJ L 168, 28.6.1976.

<sup>8</sup> Bull. EC 4-1983, point 2.2.32; Bull. EC 11-1983, point 2.2.42.

Government. The talks bore on the economic situations of the two sides and possible ways of developing relations between them, and on the world's major political and economic issues.

On 26 September Mr Haferkamp and Mrs Chen Muhua initialled the Trade and Economic Cooperation Agreement negotiated in September.<sup>1</sup>

Mr Haferkamp attended ceremonies to celebrate the 35th anniversary of the founding of the People's Republic and had talks with President Li Xiannian.

## Poland

2.2.31. Following the proclamation of martial law in Poland, the Community decided to assist the Polish people in their difficult situation by sending emergency aid in the form of food and medical supplies.<sup>2</sup> This aid, distributed by non-governmental organizations to the neediest sections of the population, continued up to October of this year. Operations relating to the final instalment of 14 million ECU approved in October 1983 have recently been completed.<sup>3</sup> No further emergency aid for Poland is currently envisaged.

## Development

### Environment and development

2.2.32. On 3 October the Representatives of the Governments of the Member States adopted two resolutions on environment and development<sup>4</sup> which they had approved in June.<sup>5</sup>

2.2.33. On 30 October the Commission adopted a communication on ensuring that the environmental dimension becomes an integral part of Community development cooperation policy.<sup>6</sup>

In view of the accelerating deterioration of the environment in the developing countries as a result of a combination of different

climatic, economic and demographic factors, the Commission placed emphasis on the following principles:

(i) economic and social development and environmental protection are not only compatible but mutually reinforcing;

(ii) it is necessary to encourage and assist developing countries, notably by providing the services of experts and introducing appropriate methods, to implement strategies for conserving their resources and improving their own capacity to manage the environment.

In addition, the Commission hopes that each Member State will be guided by the same principles in its bilateral cooperation activities and ensure that its policy in this sphere is coordinated with that of the Community and those of the other Member States.

## Negotiations for a new ACP-EEC Convention

2.2.34. The fifth ACP-EEC ministerial meeting opened in Brussels on 9 October. Despite intensive preparation and a two-day extension (until 13 October), the meeting ended without having produced an overall agreement that would enable the negotiations to be concluded. The Community devoted very long internal discussions to the finalization of its position on the overall volume of funds on offer, but the outcome failed to satisfy the expectations of the ACP States. The latter preferred, under the circumstances, to leave open a number of the negotiating issues still outstanding, notably certain aspects relating to policy dialogue and the programming of Community aid, the use of Stabex transfers and a number of

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<sup>1</sup> Bull. EC 9-1984, point 2.2.26.

<sup>2</sup> Bull. EC 12-1981, point 1.4.6; Bull. EC 2-1982, point 2.2.44; Bull. EC 6-1982, point 2.2.71.

<sup>3</sup> Bull. EC 5-1983, point 2.2.29; Bull. EC 7/8-1983, point 2.3.2; OJ L 331, 28.11.1983; Bull. EC 10-1983, points 2.3.1 and 2.4.8.

<sup>4</sup> OJ C 272, 12.10.1984.

<sup>5</sup> Bull. EC 6-1984, point 2.1.71.

<sup>6</sup> COM(84) 605 final.

particularly sensitive questions concerning trade, fisheries, investment, shipping and various articles of the introductory chapter.

The question of human rights—reserved for the co-chairmen to handle—is another issue still outstanding.

2.2.35. On the basis of the positions which emerged during the final stage of the ministerial meeting, the negotiations were continued throughout October at senior official and ambassador level with the result that on 28 October an *ad referendum* agreement was reached on almost all the outstanding issues. The chief obstacle to complete agreement was the size of the European Development Fund, and on this point the ACP States stressed that final agreement on their part remained subject to the Community making a more satisfactory offer.

On the Community side, the agreement was accepted on 30 October by the Council bodies concerned.

2.2.36. On 25 October Parliament adopted a resolution on the renewal of the Lomé Convention.<sup>1</sup>

## Generalized tariff preferences

2.2.37. On 25 October the Economic and Social Committee delivered its opinion<sup>2</sup> on the proposals made by the Commission in July concerning the Community's generalized tariff preferences scheme for 1985.<sup>3</sup>

## Commodities and world agreements

### Wheat

2.2.38. On 4 and 5 October a meeting of representatives of the wheat-exporting countries (United States, Australia, Canada, Argentina and the Community) took place in Bariloche, Argentina, at the invitation

of the Argentine Government. The meeting discussed the world wheat market situation and prospects for 1984/85 and also the policies of each country in terms of production and trade.

The Community outlined the measures which it proposed to take to cope with this year's exceptional harvest, in particular its intention both to export larger quantities than in previous years and to build up stocks.

### Sugar

2.2.39. Despite the lack of success in the negotiations for an international sugar agreement including economic provisions, an administrative agreement was concluded and will enter into force on 1 January 1985.<sup>4</sup>

On 9 October<sup>5</sup> the Commission recommended that the Council decide before 16 November to sign this agreement, so that the instruments of ratification could be deposited in New York before 31 December.

### Coffee

2.2.40. The 42nd meeting of the International Coffee Council, which was held in London, was largely concerned with determining the initial annual quota for the 1984/85 coffee year, establishing the price range and the question of the admission of new members.

The initial annual export quota for 1984/85 was set at 59 million 60-kg bags, compared with the quota of 56.2 million for the previous year. Over 2 million additional bags were added to the quota for the first quarter of the year (October to December) in order to smooth the shift of the indicator

<sup>1</sup> Point 2.4.12; OJ C 315, 26.11.1984.

<sup>2</sup> Point 2.4.45.

<sup>3</sup> Bull. EC 7/8-1984, points 2.2.38 to 2.2.41.

<sup>4</sup> Bull. EC 6-1984, point 2.2.48.

<sup>5</sup> COM(84) 537 final.

price moving average to a more acceptable level in view of the expected shortfall of approximately 700 000 bags of robusta coffee in the first quarter of the year.

The price range for 1984/85 would remain the same as for the previous year (US cts 120-140/lb) in the hope that consumption would not be discouraged, particularly in Europe, as a result of the increased strength of the dollar in relation to European countries.

With the admission of Cuba and Zambia, the International Coffee Organization will now number among its members almost all the world's producer countries.

## **Campaign against hunger**

### **Emergency plan for Ethiopia and the Sahel**

2.2.41. Owing to the exceptional gravity of the food situation in Ethiopia (6 million people affected so far) and in a number of other African countries (2 to 3 million victims), the Commission announced on 30 October the launching of an emergency plan to help the people of these countries. The plan involves the allocation of some 32 million ECU from the Community budget and will fit into the wider context of the mobilization and coordination of Member States' aid. It follows on the operations launched by the Community at the end of 1983 in the face of the worsening food situation in African countries suffering from the drought.<sup>1</sup>

An emergency plan for Africa, involving in the region of 80 million ECU, was first put in operation in April; for Ethiopia alone — in respect of which the Community is the principal donor — the amount of humanitarian aid already sent or currently being mobilized now totals 43.8 million ECU for 1984.

The urgent requirements of the Sahel countries and Ethiopia over the next three months are estimated at around 56 million ECU. The operation which the Commission

has just announced would cover all these countries.

In the particular case of Ethiopia, although the problems are not very much different elsewhere, the bulk of the efforts will have to be directed towards bringing the aid to the people in need.

Over November and December more than 160 000 tonnes of cereals are expected to reach Ethiopia's ports, and this could be sufficient to feed the afflicted population for three months. If the help is to prove effective, however, it is essential to step up the ports' handling capacity and the quantity which can be transported by road, which at present is only 15 000 tonnes a month. The Community could play an important role by financing the provision of extra vehicles and paying running costs. It should also finance the transport of food by air, as it is doing already in the case of the airlift between Asmara and Mekele.

The priority given to getting the supplies to the stricken areas should not exclude other operations such as the supply of drugs or blankets, the purchase of food on local or regional markets, and so on.

2.2.42. During October Parliament adopted a number of resolutions expressing its concern over the current famine in Africa.<sup>2</sup>

## **Food aid**

### **Normal operations**

2.2.43. The Commission decided in October, following the favourable opinion delivered by the Food Aid Committee, to approve the following allocations:

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<sup>1</sup> Seventeenth General Report, point 726.

<sup>2</sup> Points 2.4.7 and 2.4.12; OJ C 300, 12.11.1984; OJ C 315, 26.11.1984.

Country	Quantity (tonnes)			
	Cereals	SMP	BO	VO
Sierra Leone	6 000	400	—	—
Ghana	15 000	1 200	340	—
Togo	3 000	—	—	—
Ethiopia	25 000	—	—	500
Somalia	23 000	2 800	500	—
Sudan	7 000	400	50	—
Kenya	11 000	—	—	—
Uganda	—	—	200	—
Tanzania	15 000	1 200	340	300
Rwanda	4 000	200	50	—
Burundi	—	100	30	—
Guyana	—	300	185	—
Ecuador	—	200	—	—
Peru	5 000	1 400	200	—
<b>Total</b>	<b>114 000</b>	<b>8 200</b>	<b>1 895</b>	<b>800</b>

SMP: skimmed-milk powder.

BO: butteroil.

VO: vegetable oil.

## Emergency operations

2.2.44. The Commission also decided on emergency food aid allocations to the following countries or bodies:

- (i) Philippines: 350 tonnes of skimmed-milk powder;
- (ii) Niger: 3 000 tonnes of cereals;
- (iii) Rwanda, via the WFP, as an additional contribution to the International Emergency Food Reserve: 302 tonnes of sugar;
- (iv) Ethiopia, via various NGOs: 10 000 tonnes of cereals, 350 tonnes of skimmed-milk powder, 200 tonnes of butteroil and 250 tonnes of vegetable oil;
- (v) Zaire, via Formulac (NGO): 50 tonnes of skimmed-milk powder.

## Emergency aid

2.2.45. On 16 October the Commission decided to provide emergency aid totalling 250 000 ECU for victims of the floods in Kampuchea, which have destroyed 236 000

ha of crops and affected 1 million inhabitants, 50 000 of whom require immediate help. This aid, implemented by the Commission Delegation in Thailand with the help of Trocaire and SOS Enfants du Cambodge, will cover the purchase and distribution of medical supplies, clothing, cooking utensils and specific foods.

2.2.46. On 25 October Parliament adopted a resolution on emergency aid for El Salvador.<sup>1</sup>

## Stabex

### Transfers for 1983

2.2.47. On 3 October the Commission approved an initial instalment of transfers for 1983 under the export earnings stabilization system. The distribution by product and country is as follows:

<sup>1</sup> Point 2.4.12; OJ C 315, 26.11.1984.

Recipient ACP State	Product	Amount (ECU)
Grenada	Cocoa beans	1 230 867
Guinea-Bissau	Palm nuts	437 356
Mali	Groundnut products	3 200 724
Solomon Islands	Copra	1 463 298
	Sawn wood	34 791
Swaziland	Cotton products	5 085 350
Rwanda	Hides and skins	497 157
Togo	Coffee	4 190 324
	Cocoa	9 543 759
Tonga	Copra products	732 546
	Bananas	11 034
Tuvalu	Copra	7 384
	Total	26 425 590

The Commission had received a total of 51 transfer requests from 26 ACP States. Examination of 29 of the requests has been completed; 17 had to be rejected and the 12 that were admissible are covered by this decision.

## ACP Protocols

### Sugar

2.2.48. The negotiations conducted by the Community with the ACP States concerned and with India on the question of guaranteed prices for cane sugar for the 1984-85 delivery period resulted in the following prices being fixed: 44.34 ECU/100 kg for raw sugar and 54.68 ECU/100 kg for white sugar. These prices are backdated to 1 July of this year.<sup>1</sup>

### Sysmin

2.2.49. In October the Commission took two decisions on financing under Sysmin for Rwanda and Guyana.<sup>2</sup>

Rwanda had presented a request for Sysmin financing for tin. Tin exports generally

account for over 10% of the country's total exports, but in 1982 production fell by 16% from the average for 1978-81 as a result of the mining company's inability to renew and maintain its production capacity. Since all these factors meet the requirements laid down in the second Lomé Convention, the Commission decided that Rwanda's request could be granted on the understanding that a series of measures would be taken to improve the situation in the sector.

The Commission also decided to grant an advance of 3 million ECU for the bauxite industry in Guyana. This sum is mainly intended for the purchase of spare parts (the shortage of which has meant that facilities are at present severely under-utilized) pending measures for a complete overhaul of the industry.

## Financial and technical cooperation

### ACP States and OCTs

2.2.50. In October the Commission took decisions involving the allocation of third,

<sup>1</sup> OJ L 292, 9.11.1984.

<sup>2</sup> Bull. EC 9-1984, point 2.2.34.

fourth and fifth EDF resources totalling 96 934 720 ECU to finance projects, programmes and emergency aid operations administered by it in the following sectors:

	ECU
Industrialization	12 904 200
Rural production	31 614 520
Fisheries	800 000
Education and training	13 490 000
Social development	4 000 000
Transport and communications	27 228 000
Water engineering	4 329 000
Trade promotion	559 000
Tourism	110 000
Emergency aid (of which 1 700 000 for drought relief in Kenya)	1 900 000
Total	96 934 720

### *Non-associated developing countries*

2.2.51. The Commission took decisions in October on a number of financing agreements for trade promotion schemes in several non-associated developing countries:

- (i) Central America — member countries of Asoexpo: 140 000 ECU for agri-food packaging requirements;
- (ii) Andean Group: 600 000 ECU for business personnel training and the transfer of Community technology, plus 600 000 ECU for intra-regional trade, these funds to be administered by the Junta;
- (iii) China: 350 000 ECU for the improvement of advertising photography;
- (iv) Philippines: 500 000 ECU for the manufacture of ceramics and 350 000 ECU for the rattan furniture industry.

2.2.52. With the endorsement of the Committee on Aid to Non-associated Developing Countries, the Commission decided in October to finance the following projects, the cost of which is to be charged to the 1984 appropriations under Article 930 of the Community budget:

*Colombia:* reconstruction programme (autonomous project); this will cost 5.9 million ECU, 3.9 million ECU of which is to be provided by the Community;

*Laos:* water supply (parallel cofinancing with Unicef); the total cost of the project will be 3.7 million ECU, 1.2 million ECU of which will be provided by the Community.

### **Relations with NGOs**

2.2.53. In the period 1 January to 31 October a total of 20 700 000 ECU was committed by the cofinancing of 181 developing-country projects presented by 87 NGOs.

The Commission also contributed 2 600 000 ECU to 51 campaigns informing the European public about development issues.

### **International organizations and conferences**

#### **General Agreement on Tariffs and Trade**

#### **Group on Quantitative Restrictions and Other Non-tariff Measures**

2.2.54. The Group on Quantitative Restrictions and Other Non-tariff Measures held two final meetings on 15 and 24 October, concluding its two-year work programme. It made a series of recommendations urging those Contracting Parties which maintained quantitative restrictions and other non-tariff measures to make written proposals by the end of April 1985, to be reviewed multilaterally in the course of next year.

## Committee on Trade and Development

2.2.55. A special meeting of the Committee on Trade and Development was held from 9 to 20 October.<sup>1</sup> It was given over entirely to consultations on the implementation of Part IV of the General Agreement, in accordance with the decision of the GATT ministerial meeting in November 1982.<sup>2</sup>

The meeting provided the Contracting Parties with an opportunity to examine and discuss the Community's record and those of Japan and the United States. It was demonstrated in the discussion and the papers provided that the Community had fully implemented Part IV and its relations with the developing countries constituted one of the most extensive and intensive examples of North-South dialogue.

## Textiles Committee

2.2.56. The GATT Textiles Committee met in Geneva on 17 and 22 October and held a general discussion on the Multifibre Arrangement.<sup>3</sup>

## International Dairy Products Council

2.2.57. A number of meetings between the Community and certain dairy-product-exporting countries were held at the International Dairy Products Council in October concerning the measures taken by the Commission to reduce butter stocks.<sup>4</sup>

## Council of Europe

2.2.58. During the second part of its 36th ordinary session, held in Strasbourg from 26 September to 4 October, the Parliamentary Assembly of the Council of Europe supported the appeal for closer European cooperation (notably between the Council of Europe and the Community) made by Mr Marcelino Oreja, of Spain, after taking office as the new Secretary-General on 1

October. The Assembly stressed the importance of a rapid conclusion to the negotiations for the accession of Spain and Portugal and the need for Europe to be one of Latin America's major economic partners.

## Conference on Security and Cooperation in Europe

### Seminar on economic, scientific and cultural cooperation in the Mediterranean

2.2.59. As provided in the concluding document of the Madrid follow-up meeting to the Conference on Security and Cooperation in Europe (CSCE),<sup>5</sup> a seminar on economic, scientific and cultural cooperation in the Mediterranean was held in Venice, at the invitation of the Italian Government, from 16 to 26 October.

It was attended by the 35 States which took part in CSCE, by Egypt and Israel and by five international organizations (ECE, WHO, UNEP, ITU and Unesco).

The Community's activities in the Mediterranean area over the last five years were described in a paper presented by Ireland (as current President of the Council). The head of the Irish delegation made a statement on behalf of the Community and the 10 Member States. Commission representatives, attending the meeting as part of the Presidency's delegation, according to CSCE practice, described what the Community had done in its economic and scientific cooperation with the Mediterranean countries.

The countries participating took stock of progress as regards cooperation in the Mediterranean since the Valletta meeting of experts in 1979. A final report was adopted,

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<sup>1</sup> Bull. EC 10-1983, point 2.2.68.

<sup>2</sup> Bull. EC 11-1982, point 1.1.1 *et seq.* and 3.4.1.

<sup>3</sup> Point 2.2.12.

<sup>4</sup> Point 2.1.99.

<sup>5</sup> Bull. EC 9-1983, points 2.2.60, 2.2.61 and 2.4.2.



based largely on the texts put forward by Ireland and Italy. It recommended that cooperation should be intensified, especially on issues such as protection of the environment, transport, scientific research and culture.

### Regional development banks

2.2.60. The Arab Group of Funds and the Community held their fifth annual meeting in Paris on 3 October. Representatives of the Arab Bank (BADEA), the Arab Fund (AFESD), the Islamic Development Bank, the Kuwait Fund, the OPEC Fund and the Saudi Fund met with Commission and European Investment Bank representatives. The meeting reviewed numerous cofinanced and potentially cofinanceable projects in 35

countries as well as the status of the ACP-EEC negotiations and the Community's southern Mediterranean protocols.

### Diplomatic relations

2.2.61. The President of the Council and the President of the Commission received the following ambassadors, who presented their letters of credence as Heads of Mission to the European Communities, to take effect on 4 October: HE Mr Luis Ramiro Alfonsin (Argentine Republic); to take effect on 22 October: HE Mr Mohamed Megdiche (Republic of Tunisia); and to take effect on 26 October: HE Mr Ahmed Ghozali (People's Democratic Republic of Algeria).

## 3. Financing Community activities

### Budgets

#### General budget

##### 1984 budget

2.3.1. On conclusion of the work of the budgetary authority, supplementary and amending budget No 1/1984 was adopted on 25 October.<sup>1</sup>

##### 1985 budget

#### *Establishment of draft budget by the Council*

2.3.2. On 3 October, when it established draft supplementary and amending budget No 1/1984, the Council also established the draft general budget for 1985. Unlike the Commission, the Council decided to remain

within the limits of existing own resources, particularly the 1% ceiling on VAT. Hence, the budget does not cover a certain amount of agricultural expenditure (1 315 million ECU) nor the agreed compensation to the United Kingdom. Its adoption was accompanied by the following statement:

'In deciding on a budget appropriation for the 1985 EAGGF of 18 000 million ECU, i.e. a reduction of 1 315 million ECU with regard to the figure considered necessary by the Commission in the preliminary draft budget, the Council for its part, while emphasizing the need for rigorous market management, undertakes to meet by 1 October 1985 the additional budgetary requirements which will arise in 1985, including the obligations entered into *vis-à-vis* the United Kingdom as prescribed under the Fontainebleau agreement, through a supplementary and amending budget, for which additional funds will be provided.'

<sup>1</sup> Point 1.1.1 *et seq.*



The draft budget sets expenditure at 27 873.08 million ECU in appropriations for commitments and 25 949.38 million ECU in appropriations for payments.

The Council draft differs from the Commission's preliminary draft<sup>1</sup> in the following ways:

*EAGGF Guarantee Section:* reduction of 1 315 million ECU;

*Research, energy and industry:* reductions of 178.0 million ECU in commitments and 116.1 million ECU in payments, including reductions of 126.7 million ECU and 81.8 million ECU respectively in the research and investment sector;

*Social and Regional Funds:* reductions in payment appropriations of 32.5 million ECU for the Regional Fund and 18 million ECU for the Social Fund; no change in commitment appropriations for the Social Fund but a reduction of 10 million ECU for the Regional Fund; overall, reductions in structural policies total 509.5 million ECU in commitments and 376.5 million ECU in payments;

*Development aid:* reductions of 312.2 million ECU in commitments and 306.1 million ECU in payments.

The total reductions amount to 2 378.9 million ECU in commitments and 2 177.9 million ECU in payments, or 7.9% and 7.7% respectively.

Compared with the 1984 budget, as amended by supplementary and amending budget No 1/1984, the appropriations approved by the Council mean reductions of 1 391.37 million ECU in commitments and 1 299.25 million ECU in payments. However, since these appropriations can be covered from the own resources now available, requiring a VAT rate of 0.98%, the unused portion of available own resources corresponds roughly to Parliament's margin of manoeuvre in non-compulsory expenditure. In the Council's view, this amounts to 239 million ECU.

Table 4 shows the changes made to each area at each stage of the budgetary procedure.

## Own resources

2.3.3. On 25 October Parliament adopted its opinion on the amended proposal for a Decision on the Communities' system of own resources,<sup>2</sup> which the Commission had sent on 9 July to Parliament and the Council.<sup>3</sup>

Parliament particularly regretted that the principle of a single VAT rate for all the Member States had been dropped and that the new Decision which would go forward for ratification by parliaments incorporated the system for correcting the United Kingdom's budget imbalances, which could reduce the new VAT own resources to about 1.3% on average. It was also concerned about the uncertainty surrounding an increase in the VAT rate above its new ceiling and proposed the introduction of a Community procedure to enable the ceiling to be raised to 1.6% from 1988.

It further proposed that existing imbalances should be corrected via the expenditure side on the basis of a temporary regulation, rather than via the revenue side.

2.3.4. On 11 October Parliament debated<sup>4</sup> the proposals for Regulations introducing measures to cover budgetary requirements in 1984 and 1985 should the new resources Decision not enter into force in time.<sup>5</sup> It condemned the decision to cover the 1984 deficit by means of advances based on an agreement between governments and the fact that one arm of the budgetary authority was by itself issuing rules on budget discipline.

In the light of the Council's decision to cover the 1984 budget deficit by means of an intergovernmental agreement, on 22 October the Commission withdrew its proposal for a Regulation on measures to cover the 1984 budget deficit.<sup>6</sup>

<sup>1</sup> Bull. EC 5-1984, point 2.3.2.

<sup>2</sup> Point 2.4.10; OJ C 315, 26.11.1984.

<sup>3</sup> OJ C 193, 21.7.1984; Bull. EC 7/8-1984, point 2.3.9.

<sup>4</sup> OJ C 300, 12.11.1984.

<sup>5</sup> OJ C 193, 21.7.1984; Bull. EC 7/8-1984, point 2.3.3; OJ C 196, 25.7.1984; Bull. EC 7/8-1984, point 2.3.4.

<sup>6</sup> OJ C 193, 21.7.1984; Bull. EC 7/8-1984, point 2.3.3.

## Financial compensation

1983

2.3.5. On 9 October Parliament approved by an overwhelming majority the decision recommended by its Committee on Budgets authorizing transfer from Chapter 100 of the appropriations required to pay financial compensation to the United Kingdom and Germany for 1983.<sup>1</sup>

Following the transfer and pursuant to the Regulation adopted by the Council in June,<sup>2</sup> on 17 October the Commission approved Decisions to finance measures in the fields of energy, social affairs and transport in these two Member States.<sup>3</sup>

## ECSC operating budget

### Transfer from the general budget to the ECSC budget

#### *Social measures in the steel industry*

2.3.6. On 23 October the Council formally adopted a Decision to make an exceptional contribution of 62.5 million ECU from the 1984 general budget to the ECSC budget to finance social measures in the steel industry.<sup>4</sup>

## Financial operations

### ECSC

#### Loans raised

2.3.7. In October the Commission made a 50 million ECU public issue at par for 10 years with 11.25% interest and a private placing in German marks for the equivalent of 31 million ECU.

#### Loans paid out

2.3.8. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission made the following loans in October, totalling 270.90 million ECU.

#### *Industrial loans*

2.3.9. Industrial loans (Article 54) paid out during the month amounted to 147.10 million ECU. They were used to finance a project in the steel industry.

#### *Conversion loans*

2.3.10. Conversion loans (Article 56) totalling 123.36 million ECU were granted to the following undertakings.

#### Germany

*Supraregional loans for small and medium-sized businesses:* Bank für Gemeinwirtschaft, Frankfurt; Bayerische Landesbank Girozentrale, Munich; Deutsche Bank, Düsseldorf; Westdeutsche Landesbank Girozentrale, Düsseldorf; Saarländische Investitionskreditbank, Saarbrücken.

#### France

Société des aciers fins de l'est, Paris: Hagondange works.

#### *Loans for subsidized housing*

2.3.11. Loans for subsidized housing totalled 440 000 ECU, of which 290 000 ECU was for steelworkers and 150 000 ECU was for mineworkers.

### EEC-NCI

#### Loans raised

2.3.12. In October the Commission made a private placing in sterling for the equivalent of 41.6 million ECU and two public issues, one for UKL 50 million at par for six years at 11.375% interest and the other for DM 100 million at par for 12 years at 7.5% interest.

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<sup>1</sup> OJ C 300, 12.11.1984; Bull. EC 7/8-1984, point 2.3.11.

<sup>2</sup> OJ L 177, 4.7.1984; Bull. EC 6-1984, point 2.3.4.

<sup>3</sup> Points 2.1.55, 2.1.125 and 2.1.130; OJ L 283, 27.10.1984; OJ L 290, 7.11.1984.

<sup>4</sup> Point 2.1.25.

## Loans paid out

2.3.13. Loan contracts signed in October totalled 45.2 million ECU; 30.6 million ECU was under the first tranche of NCI III<sup>1</sup> and 14.6 million ECU was under the second.<sup>2</sup> The loans were made for the following purposes:

### Energy

#### Italy

*Italgas*: a 21.6 million ECU loan for converting the gas distribution network in Rome and the surrounding area to Algerian natural gas; this will reduce Italy's dependence on oil by replacing some 110 000 toe per year of imports.

*Venefondario*: a 9 million ECU global loan to finance small and medium-scale energy projects in north and central Italy; the projects are in the industrial and infrastructure

sectors and include the rational use of energy in construction work.

### Industrial investment

#### France

*Caisse centrale de crédit coopératif*: a 14.6 million ECU global loan to finance investments by small firms in the industrial sector and directly related services.

### Euratom

#### Loans raised

2.3.14. In October the Commission made a private placing in yen for the equivalent of 27.8 million ECU.

<sup>1</sup> OJ L 164, 23.6.1983.

<sup>2</sup> OJ L 208, 3.8.1984.

## 4. Political and institutional matters

### European political cooperation

2.4.1. At its two October part-sessions Parliament adopted resolutions concerning the arrest and sentencing by the Afghan authorities of the French journalist, Mr Jacques Abouchar, the abuse of psychiatry in the Soviet Union, death sentences in Turkey, the release of Mr Mahmoud Dikerndem, the humanitarian situation in the areas of southern Lebanon occupied by Israel, educational freedom in Malta, the need to ban plastic bullets and on violence and terrorism and the need for stronger action at European level against their resurgence.<sup>1</sup>

### European policy and relations between the institutions

#### European policy

##### Greek memorandum

2.4.2. Acting on the Council Regulation of 26 March 1984 on exceptional financial support in favour of Greece in the social field, the Commission approved a first series of projects on 25 October.<sup>2</sup>

<sup>1</sup> Point 2.4.8 and OJ C 300, 12.11.1984; point 2.4.13 and OJ C 315, 26.11.1984.

<sup>2</sup> Point 2.1.56.

2.4.3. On 11 October Parliament adopted a resolution on the appointment of women to the new Commission.<sup>1</sup>

## Institutions and organs of the Communities

### Parliament

#### *Strasbourg: 9 to 11 October*<sup>2</sup>

2.4.4. Parliament's first October part-session lasted only three days, as the agenda was relatively light. The only items of particular political importance were the decision to release the United Kingdom's rebate, the discussion on the monetary situation and the debate on draft supplementary and amending budget No 1/1984.

#### The monetary situation

2.4.5. The House held a broad debate on the European monetary situation in relation to the movement of the dollar. Members unanimously insisted on full operation of the EMS and called for more extensive use of the ECU in all financial transactions within the Community and with non-member countries.

Speaking for the Italian Communists, Mr Aldo Bonaccini said it was intolerable that the Commission had done nothing about exchange and interest rates or promoting the role of the ECU. Mrs Danièle De March (*Com/F*) felt that Community decisions were essential to counter American behaviour on the currency markets. Mrs Marijke Van Hemeldonck (*Soc/B*) called for the establishment of an 'ECU area' involving non-member countries, notably those of the Third World, and for an end to American pillage of the European capital market by strengthening the EMS and creating a European Monetary Fund. Mr Claude Wolff (*Lib/F*) held that the ECU must have all the characteristics of a true currency: identical status in all the Member States, its own

coins and notes, and use in all transactions between the Ten. For the EPP Group, Mr Karl von Wogau (D) believed that the time had come for the EMS to operate in full: for the United Kingdom to join; for France and Italy to abolish their currency controls; for the Federal Republic of Germany to authorize private individuals to open accounts in ECU; and for the creation of a European central bank. Though he agreed that the United Kingdom should perhaps join the EMS, Mr Peter Beazley (*ED/UK*) considered that, in any event, the dollar would long continue to dominate world finance and the international economy.

The President of the Council, Mr Jim O'Keefe, Minister of State at the Irish Department of Foreign Affairs, stressed the need for the Community to create the conditions for lowering interest rates by containing inflation and budget deficits, while the Americans for their part should reduce their budget deficit.

For the Commission, Mr François-Xavier Ortoli first restated the advantages and drawbacks for the Community of an over-valued dollar. He then identified three lines of action for Europe against the dominant economy of the United States and its all-powerful currency: first, better-coordinated intervention operations with Japan and the United States on the exchange markets; second, finer adjustment of national economic policies to common needs; and third, coordination of Community and

<sup>1</sup> Point 2.4.7; OJ C 300, 12.11.1984.

<sup>2</sup> This report was prepared from *Le point de la session* published by Parliament's Secretariat. The complete texts of the resolutions adopted by Parliament are reproduced in OJ C 300, 12.11.1984, and the reports of the proceedings are contained in OJ Annex 2-317. The political groups of members are indicated in brackets by the following abbreviations: *Soc* = Socialists; *EPP* = European People's Party-Christian Democrats; *ED* = European Democratic Group, *Com* = Communists and Allies; *Lib* = Liberals and Democrats; *EDA* = European Democratic Alliance; *Rainbow* = Rainbow Group; *ER* = European Right; *NA* = Non affiliated. The countries of origin are indicated as follows: B = Belgium, DK = Denmark, D = Federal Republic of Germany, GR = Greece, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

Member States' positions in the relevant international organizations, particularly the Group of Eleven, where reform of the international monetary system was under discussion. As regards the ECU, he suggested a higher return on investments denominated in ECU, wider use by the Member States' central banks and the creation of a European capital market with the abolition of currency controls.

At the end of the debate the House passed four resolutions. The first, moved by the Liberal Group, asked the Commission to present proposals for further development of the EMS to Parliament and the Council, to institute binding arrangements designed to promote convergence between Member States' economic policies and to propose that Member States unreservedly recognize the currency status of the ECU and the principle of the free movement of capital in ECU. The second, moved by the EPP Group, urged the French and Italian Governments to abolish their currency controls, the Federal German Government to authorize private individuals to open accounts in ECU and the United Kingdom Government to bring sterling into the EMS; it also asked the Commission to put forward a proposal for setting up a European central bank. The third, moved by Mr Aldo Bonaccini (*Com/I*), called for a stronger role for the ECU inside and outside the Community, by encouraging its use for purchasing oil products and raw materials and by expanding its function as a financial instrument (quotations, transfers, deposits and loans, etc.). The fourth, which came from the European Right, stressed the need for the ECU to be quoted on all exchange markets in order ultimately to establish a common capital market backed by a common monetary approach to the outside world.

2.4.6. Parliament also gave opinions on a number of Commission proposals, including two Regulations introducing measures to cover budgetary requirements in 1984 given the exhaustion of own resources and reserve measures to cover requirements in 1985.<sup>1</sup>

2.4.7. Parliament also passed resolutions concerning:

- (i) Hurricane Hortense in Aquitaine: considering the devastation caused by the hurricane, the House urged the Commission to grant the victims aid without delay;
- (ii) the urgent need to find a solution to the serious problems facing the poultrymeat and egg sectors: recalling the appeals from producers and producers' associations since 1977 for a common organization of the market, Parliament urged the Commission to report on what it was doing and insisted that the principle of Community preference be respected;
- (iii) Eurocontrol: the House was concerned at the dilatory progress in the move to achieve effective air traffic control and appealed urgently to the Member States most affected to take the appropriate decisions to implement 'Plan I';
- (iv) implementation of a genuine common transport policy: noting that the Council had endorsed a number of Commission proposals in May,<sup>2</sup> Parliament urged it to take the necessary formal decisions;
- (v) rejection of increases in Community steel imports: given the economic and social consequences for European steel of American restrictions on imports from Europe, the House called on the Council to reject the Commission's proposal to relax policy and increase imports in 1985;
- (vi) adoption of a Community aid plan for the Sahel: deeply concerned about the steadily worsening situation in this part of Africa, Parliament proposed that the present aid policy be stepped up and an emergency Community programme adopted to boost Community and Member States' efforts by improving coordination of resources, instruments and funds;
- (vii) the famine in Ethiopia: deeply disturbed by the famine that is threatening hundreds of thousands of lives, the House

<sup>1</sup> Point 2.3.4.

<sup>2</sup> Bull. EC 5-1984, point 2.1.161.

urged the Commission to draw up an emergency food aid programme and to ensure that the food aid is distributed through the international relief agencies to the areas where it is needed most; it also urged the Ethiopian Government to begin negotiations with the liberation movements in Eritrea with a view to restoring peace to the region;

(viii) world hunger: the House stressed the need for sustained action by the Community to combat world hunger and malnutrition; the Commission was asked to increase its provision of cereal food aid and encouraged to develop technical assistance and expand its food-strategy programme under the new Lomé Convention;

(ix) the appointment of women to the new Commission: in the belief that, in the field of women's rights, words must be translated into deeds, Parliament urged the Member States' Governments to appoint 'an appropriate number of women' to the new Commission.

2.4.8. In the field of political cooperation and human rights Parliament passed resolutions on:

(i) the serious situation jeopardizing educational freedom in Malta: alarmed at the acts of violence against Catholics and the serious violations of educational freedom by the Maltese Government, which had after all signed the Helsinki Agreements, Parliament instructed the Council to urge the government to start discussions with the parents' representatives concerned and reach a just and equitable settlement;

(ii) the need for an immediate ban on the use of plastic bullets in Northern Ireland: noting that some 70 000 plastic bullets had already been used by the British army and police against the civilian population, killing and seriously injuring many people, Parliament expressed grave concern at the development of a rapid-fire plastic bullet gun by the Ministry of Defence;

(iii) death sentences in Turkey: the House called on the Turkish authorities to suspend

the carrying-out of any further death sentences immediately;

(iv) the abuse of psychiatry in the Soviet Union: appalled by the widespread abuse of psychiatry for political ends in the USSR, which had nevertheless signed the Helsinki Final Act, and by the persecution of individuals exposing such crimes, notably Mrs Grivnina, Parliament urged the Soviet Government to allow her to emigrate with her family to the Netherlands;

(v) the release of Mr Dikerndem: the House called on the Member States' Foreign Ministers meeting in political cooperation to press the Turkish Government for the immediate release of the former ambassador;

(vi) the arrest in Afghanistan of Mr Jacques Abouchar: almost unanimously (the Greek and French Communists abstaining), Parliament condemned the arbitrary detention of the journalist, while working in his professional capacity, by the Soviet and Afghan forces and called on the governments concerned to allow him a lawyer of his choice and a visit by the French consular authorities and to release him without delay.

### *Strasbourg: 23 to 26 October*<sup>1</sup>

2.4.9. Parliament devoted its second October part-session to adopting draft supplementary and amending budget No 1/1984<sup>2</sup> and to considering the Commission's proposals for new own resources and special budgetary arrangements for the United Kingdom. Three other major debates were also held — on the social situation, renewal of the Lomé Convention and the dual issues of economic recovery and completion of the internal market.

Once again confirming its status as an international forum, the House welcomed Mr Raúl Alfonsín, President of Argentina, whose address was well received.

<sup>1</sup> OJ C 315, 26.11.1984; OJ Annex 2-318.

<sup>2</sup> Point 1.1.1 *et seq.*



## Own resources

2.4.10. The report by Mr Gero Pfennig (EPP/D) was scathingly critical of the Commission's amended proposal on the Communities' system of own resources.<sup>1</sup>

According to the rapporteur, this proposal failed to take full account of the Fontainebleau decision. He also deplored the fact that the Commission, 'the guardian of the Treaties', had seen fit to present a proposal that ran counter to the Community's financial system instituted in April 1970 by abandoning the principle of the uniform VAT rate, and that it had dealt simultaneously with new own resources and the 'British problem', thus perpetuating the old source of conflict embodied in the idea of 'fair returns' for the United Kingdom.

Mr Christopher Tugendhat, Vice-President of the Commission, said in answer that, though the conclusions of the Fontainebleau European Council<sup>2</sup> — which had served as the basis of the Commission's proposal — were neither 'ideal' nor 'perfect', they did represent a successful outcome to long and difficult negotiations. He observed that certain amendments proposed by Mr Pfennig (separation of the increase in own resources and the UK arrangement, raising of the VAT ceiling to 1.6% solely by decision of the budgetary authority) involved substantial changes to the proposal already amended by the Commission after Fontainebleau; also that Mr Pfennig's proposal to correct the United Kingdom's budgetary imbalance for a limited period through expenditure and not through revenue clearly conflicted with the Fontainebleau agreement.<sup>2</sup>

Like Mr Tugendhat, Lord Douro (ED/UK) did not support the proposal to raise the VAT ceiling from 1.4% to 1.6% without ratification by the Member States. In contrast, Mr Gijsbert de Vries (Lib/NL) endorsed the main lines of the Pfennig report but felt that raising the ceiling to 1.4% was simply a makeshift solution that left no room for new policies. Mr Jean-Claude Pasty (EDA/F) was also angry about

the 'disastrous Fontainebleau compromise', which allowed one of the Member States to opt out of present or future common policies and tied the raising of own resources to the mechanism for British compensation. This meant that the United Kingdom would not share in financing the consequences of enlargement, any additional outlay on the common agricultural policy or new policies from which it did not benefit at least 'proportionally'. Mrs Carla Barbarella (Com/I) in turn scouted the connection between the new VAT ceiling—which she thought too low — and the compensation arrangements for the United Kingdom, on the grounds that this would mean applying differentiated rates to the Member States. Mr Olivier d'Ormesson (ER/F) said that own resources must be increased but that raising VAT was no panacea. He suggested that Member States' contributions be fixed according to their actual financial capacity. Mr Robert Chambeiron (Com/F) also proposed other ways of supplementing own resources, such as ending derogations from Community preference (e.g. taxing of oils and fats). Mr Jacques Mallet (EPP/F) restated the basic principle whereby financial solidarity as defined on 21 April 1970 was the key to the Community own resources system and compensation could only be temporary. Mr Altiero Spinelli (Com/I) declared that the proposals in the Pfennig report meant that the next Commission would find itself in a budgetary straitjacket that would compel it to abandon any development of the common policies. The House must be ready to reject the 1985 draft budget, designed 'with no thought of an overall programme', at its first reading and to pass a vote of confidence in the new Commission only if it fell in with Parliament's wishes; if his amendment were not adopted, he would vote against Mr Pfennig's resolution of disguised capitulation.

For the Commission, Mr Tugendhat firmly rebutted these, for the most part conver-

<sup>1</sup> Point 2.3.3.

<sup>2</sup> Bull. EC 6-1984, points 1.1.1 and 1.1.2.

gent, criticisms, contending that it had played its political role to the full with proposals bolder than those of Parliament. Its suggestion for a procedure for raising the VAT ceiling beyond 1.4%, thus enhancing Parliament's role in the matter, has been rejected by the Council and by Parliament. So the Commission had amended its proposals and was now endorsing the need to respect the Fontainebleau agreement.

By 184 votes to 71 and 6 abstentions Parliament then adopted the Pfennig report, which makes a clear distinction between increasing own resources—which must be ratified by the Member States—and the special arrangements for the United Kingdom—which, contrary to the Fontainebleau agreement, do not require ratification and are limited to three years—and rejects any tie-up between the increase and enlargement. During the explanations of vote Mr Jean-Claude Pasty (*EDA/F*) and Mr Gijsbert de Vries (*Lib/NL*) endorsed the Pfennig report, unlike Mrs Barbara Castle (*Soc/UK*), who restated her opposition to the principle of own resources and said she would be voting against the report, which advocated that the adjustment in favour of the United Kingdom be through expenditure. Lord Douro (*ED/UK*) also rejected the report, as he believed that the mechanism for the United Kingdom was 'linked irrevocably' to the increase in own resources.

2.4.11. Parliament gave opinions on a number of Commission proposals, including:

- (i) a decision on specific Community action to combat poverty;<sup>1</sup>
- (ii) a recommendation on the promotion of positive action for women;<sup>2</sup>
- (iii) a communication and a draft resolution on action to combat long-term unemployment;<sup>3</sup>
- (iv) a Directive on summer-time arrangements;
- (v) a Decision adopting a plan to stimulate European cooperation and scientific and technical interchange :1985-88);

2.4.12. Parliament also passed resolutions on:

(i) the programme for European economic recovery: in its three resolutions the House called for completion of the internal market by the removal of technical, tax and administrative barriers and by the final abolition of customs controls, urged the Council to consider proposals for stepping up investment and implementing an integrated economic policy in the field of advanced technologies, endorsed the proposal for creating a European trade mark, and advocated the abolition of State control of economic structures;

(ii) the Bremen International Conference on the Protection of the North Sea: in two resolutions Parliament asked the Commission to request the Member States to comply with ecological requirements in industrial and port activities, and to stop the exploitation of inert resources in sensitive areas and the dumping of toxic and radioactive waste in the North Sea; the House also urged the Community to ratify the United Nations Convention on the Law of the Sea;

(iii) renewal of the Lomé Convention: Parliament urged the Council and the Commission to make up for lost time and settle the questions outstanding; it asked the United Kingdom and German Governments in particular to consent to a substantial increase in the funds earmarked for Lomé III, i.e. more than what was required simply to offset the effects of inflation;

(iv) emergency aid for Ethiopia and the Sahel: the House called on the Commission to allocate at least 20 million ECU from the payment appropriations initially earmarked for the special programme to combat world hunger aid not yet used, in order to finance grain shipments to these two regions;

(v) emergency aid for El Salvador: Parliament urged the Commission to make 3 million ECU immediately available to El

<sup>1</sup> Point 2.1.60.

<sup>2</sup> Point 2.1.62.

<sup>3</sup> Point 2.1.53.

Salvador to help relieve the suffering of the refugees and rebuild the infrastructures and villages destroyed by the civil war.

2.4.13. In the field of political cooperation and human rights Parliament passed resolutions on:

(i) the situation in the areas of southern Lebanon occupied by Israel: the House asked the Israeli authorities to remove all obstructions, notably road-blocks and checkpoints, to the free movement of the civilian population;

(ii) the resurgence of terrorism and the need for stronger European action: to deal with this new wave of terrorist outrages on European soil, Parliament, in two resolutions, called for an urgent meeting of Ministers of Justice to assess progress on the 'European legal area' and take steps to ensure constant cooperation in the battle against terrorism; the House also asked for this issue to be put on the agenda for the next European Council;

(iii) the sentencing of the French journalist, Jacques Abouchar, by the Afghan

authorities: Parliament condemned this violation of human rights and freedom of information and urged the Soviet authorities, signatories to the Helsinki Final Act, to order the Afghan Government to have the sentence reviewed.

2.4.14. Parliament adopted a resolution at the close of the first reading of draft supplementary and amending budget No 1/1984.<sup>1</sup>

## Council

2.4.15. The Council held eight meetings in October. The table below lists the number, place and date of each meeting, the names of the Council President and Commission representatives and the main items of business. A more detailed account of specific items can be found in the sections of the Bulletin referred to in the footnotes.

<sup>1</sup> Point 1.1.1 *et seq.*

Table 5 — Council meetings in October 1984

Number, place and date of meeting	Subject	President	Commission	Main items of business
952nd Luxembourg 1 October	Economic and financial affairs	Mr Dukes	Mr Thorn, Mr Ortoli, Mr Tugendhat	Budgetary discipline
953rd Luxembourg 2 and 3 October	Foreign affairs	Mr Barry	Mr Thorn, Mr Natali, Mr Tugendhat, Mr Pisani	Portuguese accession <sup>1</sup> Spanish accession <sup>1</sup> Draft supplementary and amending budget No 1/1984; draft general budget for 1985; budgetary discipline; increasing own resources <sup>2</sup> Council resolution on the US Omnibus Trade Bill <sup>3</sup>
954th Luxembourg 1 October	Agriculture	Mr Deasy	Mr Dalsager	Wine <sup>4</sup>

Table 5 (continued)

Number, place and date of meeting	Subject	President	Commission	Main items of business
955th Luxembourg 9 October	Internal market	Mr Bruton	Mr Tugendhat, Mr Narjes	Single document <sup>5</sup> Fourth company law Directive: revision of amounts expressed in ECU Community trade mark Self-employed commercial agents <sup>6</sup> Tourist assistance <sup>7</sup> Right of establishment in the field of pharmacy Product liability Consolidation of internal market
956th Luxembourg 15 October	Industry	Mr Bruton	Mr Davignon, Mr Andriessen	Telecommunications <sup>8</sup> Data processing <sup>6</sup> Steel Shipbuilding Exploration programme for non-energy mineral raw materials
957th Luxembourg 22 and 23 October	Foreign affairs	Mr Barry	Mr Thorn, Mr Haferkamp, Mr Natali, Mr Davignon, Mr Pisani	Accession negotiations with Spain and Portugal <sup>1</sup> Acceleration of Tokyo Round tariff reductions: Council conclusions <sup>9</sup> Implementation of the conclusions of the Fontainebleau European Council Jordan <sup>10</sup> Relations with Pakistan <sup>10</sup> ACP-EEC negotiations <sup>11</sup> Steel: external aspects <sup>9</sup> Steel: social aspects <sup>6</sup>
958th Luxembourg 22 and 23 October	Agriculture	Mr Deasy	Mr Dalsager	Olive oil Wine <sup>4</sup> Milk sector <sup>4</sup> Structural policy <sup>4</sup>
959th Strasbourg 24 October	Budget			Draft supplementary and amending budget No 1/1984 <sup>2</sup>

<sup>1</sup> Enlargement and bilateral relations with applicant countries.

<sup>2</sup> Point 1.1.1 *et seq.*

<sup>3</sup> Relations with industrialized countries.

<sup>4</sup> Agriculture.

<sup>5</sup> Customs union.

<sup>6</sup> Internal market and industrial affairs.

<sup>7</sup> Financial institutions and taxation.

<sup>8</sup> Points 1.3.1 and 1.3.2.

<sup>9</sup> Commercial policy.

<sup>10</sup> Relations with other countries and regions.

<sup>11</sup> Development.

## Commission

2.4.16. Mr François-Xavier Ortoli, who has been appointed chairman and managing director of the *Compagnie française des pétroles*, asked Mr Barry, President of the Conference of the Representatives of the Governments of the Member States, to accept his resignation as Member and Vice-President of the Commission with effect from 26 October. The Commission expressed its appreciation to Mr Ortoli for all he had achieved during his 12 years with the institution first of all as President and then as Vice-President responsible for economic and financial affairs. On 6 November the Council decided that it was not necessary to replace Mr Ortoli for the remainder of the Commission's term. On 12 November, after consulting the Commission, the Representatives of the Governments of the Member States decided to appoint Mr Edgard Pisani Vice-President of the outgoing Commission.<sup>1</sup>

### Activities

2.4.17. During October the Commission was mainly concerned with the following major issues: the supplementary budget for 1984, enlargement, and negotiations between the Community and the ACP States on the renewal of the Lomé Convention.

### *Decisions, communications and proposals*

2.4.18. The Commission transmitted to the Council its annual report on the economic situation in the Community for 1984-85, for adoption after consultations with Parliament and the Economic and Social Committee.

The *Esprit* work programme for 1985, which is part of the five-year information technology programme involving the Community, the Member States and the Community's major industries, was sent to the Council for a decision before the end of the year.

Further to its May proposals on air pollution by motor vehicles,<sup>2</sup> the Commission

presented a proposal to the Council on limit values for motor-vehicle pollutant emissions (carbon monoxide and nitrogen oxides).

A communication was adopted outlining the basic principles for ensuring that account is taken of environmental considerations in future Community development policy.

On 18 October, with a view to the disposal of stocks of dairy products, the Commission adopted two Regulations regarding special sales of intervention butter for export to various destinations and the disposal of butter at a reduced price ('Christmas butter' operation).<sup>3</sup>

The proposals setting TACs and quotas for the 1985 fishing year were transmitted to the Council.

On 13 November the Energy Ministers will be discussing the role of natural gas in the Community's overall energy outlay. With this in mind, the Commission adopted a communication which takes account of recent developments in this sector.

The Commission decided to propose to the Council that it should speed up the tariff reductions agreed under the Tokyo Round for products of particular interest to the developing countries; an across-the-board acceleration would only be possible when the United States was ready to join in with the other industrialized countries.

### *Discussions, policy debates and work in hand*

2.4.19. The Commission is preparing to launch an emergency plan to help the victims of the famine in Ethiopia and several Sahel countries. In the light of the wide-ranging discussions on its December 1982 proposal to adapt the system for the supply of nuclear materials for peaceful uses<sup>4</sup> the

<sup>1</sup> OJ L 299, 17.11.1984.

<sup>2</sup> Bull. EC 5-1984, point 1.2.1 *et seq.*

<sup>3</sup> OJ L 279, 23.10.1984.

<sup>4</sup> Bull. EC 12-1982, point 1.5.1 *et seq.*

Commission is preparing amendments which should ensure the adoption of its proposal for the revision of Chapter VI of Title Two of the Euratom Treaty.

## Court of Justice<sup>1</sup>

### *Analysis of judgments delivered between 1 July and 30 October 1984*

#### Free movement of goods

2.4.20. The Court ruled, for the first time, on the interpretation of 'public security' within the meaning of Article 36 of the EEC Treaty.<sup>2</sup> It held that a Member State which is almost totally dependent on imports for its supplies of petroleum products may rely on grounds of public security for the purpose of requiring importers to cover a certain proportion of their needs by purchases from a refinery situated in its territory. This ruling is, however, subject to a number of conditions: that the production of the refinery cannot be freely disposed of at competitive prices and that the quantities of petroleum products covered must not exceed the minimum supply requirements without which the public security of the State concerned would be affected or the level of production necessary to keep the refinery's production capacity available in the event of a crisis and to enable it to continue to refine at all times the crude oil for the supply of which the State has entered into long-term contracts.

2.4.21. The Court once again reaffirmed its *Cassis de Dijon* rulings by finding that a Member State is not permitted to limit the importation of confectionery products containing more than a certain proportion of animal gelatine, manufactured and marketed in other Member States.<sup>3</sup>

Reaffirming its prudent approach regarding substances which are harmful to health, the Court found that, in the absence of Community rules, Member States may legislate on the presence of residues of certain pesticides on foodstuffs in ways which may

vary according to climatic conditions, the composition of the usual diet of the population and the latter's state of health.<sup>4</sup> A Member State may, accordingly, prohibit the importation of apples from another Member State, under certain conditions, on the ground that a quantity of pesticide in excess of that stipulated by its national law is present on such apples.

#### Competition

2.4.22. In *Hydrotherm*<sup>5</sup> the Court, giving preliminary rulings on questions referred by the German Federal Court, clarified certain provisions of Regulation No 67/67 on block exemptions. The issues discussed in the case are, however, also important for the interpretation of Regulation No 1983/83,<sup>6</sup> which has now replaced Regulation No 67/67.

Article 1(1) of Regulation No 67/67, provides that Article 85(1) of the EEC Treaty does not apply to agreements to which only two undertakings are party. The Court ruled that, in the context of competition law, the notion 'undertaking' must be understood to mean an economic entity. Although such an entity could, legally, consist of several legal or natural persons, for the purposes of the agreement such an entity would constitute one party only. This is a logical extension of the Court's earlier case law. Secondly, the Court ruled that Regulation No 67/67 may also be applied where the commitments contracted extend not only to a defined part of the territory of the common market but also to countries outside the Community.

<sup>1</sup> 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 annual synopsis of the work of the Court or the information quarterly).

<sup>2</sup> Case 72/83 *Campus Oil Limited v Minister for Industry and Energy and Others*.

<sup>3</sup> Case 51/83 *Commission v Italy*.

<sup>4</sup> Case 94/83 *Criminal proceedings against Albert Heijn BV*.

<sup>5</sup> Case 170/83 *Hydrotherm Gerätebau GmbH v Compact*.

<sup>6</sup> OJ L 173, 30.6.1983.

Article 3(b)(1) of Regulation No 67/67 stipulates that the exemption under Article 1(1) is not to apply where the contracting parties exercise industrial property rights to make it difficult for intermediaries or consumers to obtain the goods to which the contract, relates from other parts of the common market. The Court ruled that the exemption does not apply if the actual terms of the contract or the way it is executed by the parties, show that the parties intend to use or are in fact using industrial property rights in such a way as to prevent or impede parallel imports.

The Court ruled, however, that the absence of a contractual clause which would make abuse of industrial property rights impossible is not in itself a sufficient reason to exclude the agreement from the application of Regulation No 67/67.

#### Free movement of persons and social provisions

2.4.23. In *Prodest Sarl v Caisse primaire d'assurance maladie de Paris*<sup>1</sup> the question arose whether an employee of Belgian nationality working for a temporary employment undertaking whose registered office was situated in France could retain affiliation to the French social security scheme during a period of employment spent in a non-member country. It had been held in a previous judgment<sup>2</sup> that the principle of non-discrimination based on nationality, in regard to the free movement of workers, applies to all legal relationships which can be located within the territory of the Community by reason either of the place where they are entered into or the place where they take effect. In line with that ruling, the Court held that temporary work outside the Community cannot exclude application of the principle of non-discrimination where the employment relationship maintains a sufficiently close connection with Community territory, this being so in the case in point (work undertaken outside the Community for a Community undertaking). Accordingly, for the purpose of applying the national rules of the Member State

in which the undertaking is established regarding retention of affiliation to the social security scheme of that Member State during the temporary secondment of workers to a non-member country, where such workers are nationals of another Member State they must be afforded the same treatment as that which they would enjoy if they were nationals of the Member State in question.

2.4.24. In *Castelli v Office national des pensions pour travailleurs salariés*<sup>3</sup> the question arose of the compatibility with Community law of the Belgian legislation whereby, to secure entitlement to the guaranteed income for old persons, a person not of Belgian nationality must be a national of a country with which Belgium has concluded a reciprocal agreement. Reference was made to settled case law,<sup>4</sup> whereby equality of treatment as between workers who are nationals of a Member State and workers who are nationals of another Member State, notably in regard to social advantages,<sup>5</sup> is also intended to prevent discrimination against dependent relatives in the ascending line of such workers. After restating its well-established definition of social advantage,<sup>6</sup> the Court held that that definition included the income guaranteed to old persons under the law of a Member State and that the grant of that social advantage to the dependent relatives in the ascending line of a migrant worker could not be conditional on the existence of a reciprocal agreement between the Member State in question and the Member State of which such relative is a national.

<sup>1</sup> Case 237/83.

<sup>2</sup> Case 36/74 *Walrave v Union Cycliste Internationale* [1974] ECR 1405.

<sup>3</sup> Case 261/83.

<sup>4</sup> Case 32/75 *Cristini and Others v Société nationale des chemins de fer français* [1975] ECR 1085; Case 63/76 *Inzirillo v Caisse d'allocations familiales de l'arrondissement de Lyon* [1976] ECR 2057.

<sup>5</sup> Article 7(2) of Regulation No 1612/68: OJ L 257, 19.10.1968.

<sup>6</sup> In particular, Case 207/78 *Ministère public v Even and Office national des pensions pour travailleurs salariés (ONPTS)*; Case 65/81 *Reina v Landeskreditbank Baden-Württemberg* [1982] ECR 33.

## Equal treatment for men and women

2.4.25. In *Hofmann v Barmer Ersatzkasse*<sup>1</sup> the Court held that national rules restricting to the mother entitlement to additional leave, following maternity leave, until the child reaches the age of six months, during which leave the person concerned continues to receive her net pay from the State, subject to a ceiling, is not incompatible with Directive 76/207/EEC of 9 February on equal treatment for men and women as regards *inter alia* working conditions.<sup>2</sup> The Directive in question was not intended to deal with matters of family organization or to change the sharing of responsibilities as between man and wife. Reference was made to the provisions of the Directive which permit Member States to maintain or introduce provisions intended to protect women in regard to both pregnancy and motherhood, which protection applies not only to the situation of a woman following her confinement, from a biological standpoint, but also the special relationships between a woman and her child (which are liable to be perturbed where the mother has concurrent responsibilities if she works at the same time).

Accordingly, leave of that kind may be lawfully reserved to mothers, to the exclusion of any other person, having regard to the fact that only the mother can be subject to undesirable pressures to resume her work prematurely. Lastly, the Court held that Directive 76/207/EEC does not impose on Member States the requirement that they shall, as an alternative, allow such leave to be granted to the father, even where the parents assent thereto.

## Commercial policy

2.4.26. In *STS v Commission*<sup>3</sup> the Court dismissed as inadmissible the action brought against the Commission by a firm which had unsuccessfully tendered for the award of a contract financed by the EDF. Interpreting the rules contained in the second Lomé Convention, the Court held that action taken by the Commission, in

regard to the procedure for the award of contracts qualifying for EDF aid, is intended solely to ascertain whether or not the conditions for Community financing are satisfied. It cannot, therefore, challenge the principle whereby the contracts in question remain national contracts which only the ACP States have the responsibility of preparing, negotiating and concluding. Tendering firms accordingly enter into legal relations only with the ACP State responsible for the contract and they are not party to the relationships that exist between the Commission and the ACP States in regard to the matter.

In this judgment the Court reaffirmed the fundamental philosophy underlying the cooperation established under the Lomé Convention between the Community and the ACP States, which is based on rigorous separation of their respective powers and responsibilities both as between the parties and in relation to third parties.

2.4.27. In a case referred to the Court for a preliminary ruling under Article 41 of the ECSC Treaty, the question arose whether the Federal Republic of Germany could continue to collect, in 1978, a differential duty on coal originating in a non-member country, previously released for free circulation in another Member State.<sup>4</sup> The Court left it in no doubt that the principle of freedom of movement laid down in Article 4 of the ECSC Treaty also extends to products originating in non-member countries which are released for free circulation in the Member States, exactly as applies in the case of the EEC Treaty; in the grounds of the judgment, it emphasized that the ECSC, in view of its structure, is close to being a customs union. It accordingly ruled that the Recommendations of the High Authority adopted between 1959 and 1963 on the basis of Article 74 of the ECSC Treaty still serve as a legal basis for authorizing Germany to collect the duty.

<sup>1</sup> Case 184/83.

<sup>2</sup> OJ L 39, 14.2.1976.

<sup>3</sup> Case 126/83.

<sup>4</sup> Case 36/83 *Mabanaft GmbH v HZA Emmerich*.



## Agriculture and fisheries

2.4.28. In a judgment delivered on 25 September<sup>1</sup> the Court recalled the legal principles which apply to the numerous deposits for which provision is made under Community law. It held *inter alia* that the national authorities are not entitled to recover a deposit which has been wrongly released where such action is not expressly provided for under Community law.

2.4.29. In Case 63/83,<sup>2</sup> at the time of the contested acts, the United Kingdom was not permitted under Community law, in reliance on measures to conserve fishery resources, to restrict the access of vessels of the other Member States to its coastal zone. The retroactivity of the Council Regulation of 25 January 1983<sup>3</sup> could not validate *ex post facto* the contested measure by virtue of the principle of the non-retroactivity of measures of a penal nature.

## Transport

2.4.30. In reply to a number of questions submitted by the House of Lords on the interpretation of Article 14a(3a) of Council Regulation (EEC) No 543/69 of 25 March 1969 on the harmonization of certain social legislation relating to road transport,<sup>4</sup> the Court gave an interpretation of the meaning of one of the national transport operations (use of specialized vehicles ... for door-to-door selling)<sup>5</sup> for which Member States may, subject to authorization by the Commission, grant exemptions from the requirements of that Regulation and Council Regulation (EEC) No 1463/70 of 20 July 1970 on the introduction of recording equipment in road transport.<sup>6</sup> The decision of the Court gives useful guidance to enforcement authorities and courts of the Member States, which were showing some divergence of practice in interpreting the provision in question.

## Composition of the Chambers and appointment of Presidents of the Chambers

2.4.31. On 3 October the Court made the following appointments for a period of one year from 7 October 1984:<sup>7</sup>

Judge G. Bosco as President of the First Chamber;

Judge O. Due as President of the Second Chamber;

Judge C. Kakouris as President of the Third Chamber;

Judge G. Bosco as President of the Fourth Chamber;

Judge O. Due as President of the Fifth Chamber.

The composition of the Chambers was fixed as follows:

### *First Chamber*

G. Bosco, President of Chamber;

A. O'Keefe and R. Joliet, Judges.

Judge T. Koopmans continues to be attached to the First Chamber for cases in which he sat and which were heard before 7 October 1984.

### *Second Chamber*

O. Due, President of Chamber;

P. Pescatore and K. Bahlmann, Judges.

### *Third Chamber*

C. Kakouris, President of Chamber;

U. Everling and Y. Galmot, Judges.

### *Fourth Chamber*

G. Bosco, President of Chamber;

P. Pescatore, A. O'Keefe, T. Koopmans and K. Bahlmann, Judges.

### *Fifth Chamber*

O. Due, President of Chamber;

<sup>1</sup> Case 177/83 *Könecke v BALM*.

<sup>2</sup> Case 63/83 *Regina v Kent Kirk*.

<sup>3</sup> OJ L 24, 27.1.1983.

<sup>4</sup> OJ L 77, 29.3.1969.

<sup>5</sup> Case 133/83 *Regina v Scott and Sons Bakers Ltd and Brian Rimmer*.

<sup>6</sup> OJ L 164, 27.7.1970.

<sup>7</sup> OJ C 288, 27.10.1984.

C. Kakouris, U. Everling, Y. Galmot and R. Joliet, Judges.

If either the Fourth or the Fifth Chamber is incomplete because one of its members is prevented from attending, the President of the Court sits with the remaining members and, in that case, acts as President of the Chamber in question.

### Appointment of First Advocate-General

2.4.32. On 3 October the Court appointed Mr P. VerLoren van Themaat First Advocate-General for a period of one year from 7 October 1984.<sup>1</sup>

<sup>1</sup> OJ L 288, 27.10.1984.

### 2.4.33. New cases

Case	Subject	Basis
<b>Free movement of goods</b>		
247/84 — <i>Ministère public v L. Motte</i>	Is the prohibition on the use of indigotin and cochineal A red colorant in the preparation of non-smoked fish eggs a measure equivalent in effect to a quantitative restriction on the free movement of goods?	Article 177 EEC
<b>Taxation</b>		
243/84 — <i>J. Walker &amp; Sons Ltd v Ministeriet for Skatter og Afgifter</i> <sup>1</sup>	Interpretation of the first paragraph of Article 95 EEC with respect to Danish legislation concerning excise duties on alcoholic beverages	Article 177 EEC
249/84 — <i>Ministère public v V. Profant</i>	Is not the Belgian Act of 3 July 1969 establishing the VAT Code, as interpreted by the Belgian authorities, contrary to Community law on the free movement of goods and services, inasmuch as Sections 23 and 24 of the Act have actually created, under the name of VAT, a customs duty?	Article 177 EEC
<b>Competition</b>		
209-213/84 — <i>Ministère public v L. Asjes and Others</i>	Are certain articles of the French Civil Aviation Code concerning the issue of transport documents compatible with Community law?	Article 177 EEC
245/84 — <i>Athlet Sport- und Freizeitbekleidung GmbH and Others v Commission</i> <sup>1</sup>	Annulment of the Commission Decision of 4 July 1984 (relating to a proceeding under Article 85 EEC) declaring the provisions of Article 85(1) to be inapplicable to the agreement of 21 October 1982 between synthetic-fibre producers	Article 173 EEC
248/84 — <i>Germany v Commission</i> <sup>3</sup>	Annulment of the Commission Decision of 23 July 1984 (relating to the economic development programme for the <i>Land</i> of North Rhine-Westphalia) on the grounds that it prohibits certain investment aids for the improvement of the economic structure of the <i>Land</i>	Article 173 EEC

Case	Subject	Basis
<b>Agriculture</b>		
236/84 — Malt GmbH v HZA Düsseldorf	Is the fixing of a monetary compensatory amount for beef and veal under Regulation (EEC) No 481/82 unlawful in so far as monetary compensatory amounts are also levied on imports of fresh, chilled or frozen beef and veal under a tariff quota (Regulation (EEC) No 3715/81)?	Article 177 EEC
238/84 — Criminal proceedings against H. Röser	Interpretation of the first sentence of Article 36(1) of Regulation (EEC) No 337/79 (on the common organization of the market in wine) as to the place where the increase in natural alcoholic content may take place	Article 177 EEC
251/84 — Centrale Marketinggesellschaft der Deutschen Agrarwirtschaft GmbH v Commission	Payment of leasing costs incurred by the applicant in carrying out a market research contract in the milk sector	Article 181 EEC
<b>Commercial policy</b>		
239/84 — Gerlach & Co. BV Internationale Expeditie v Minister van Economische Zaken	Application of Regulation (EEC) No 2779/78 (on the procedure for applying the European unit of account to legal acts adopted in the customs sphere concerning ECSC products) and the compatibility with Community law of the system for fixing the conversion rates of Member States' currencies in relation to the ECU	Article 177 EEC
240/84 — NTN Toyo Bearing Co. Ltd and Others v Council <sup>1</sup>	Annulment of Articles 1 and 2 of Regulation (EEC) No 2089/84 imposing a definitive anti-dumping duty on imports of certain ball bearings originating in Japan and Singapore	Article 173 EEC
242/84 — Tezi BV v Minister van Economische Zaken <sup>1</sup>	Interpretation of Articles 113 and 115 EEC as to the Commission's competence in relation to international trade in textiles	Article 177 EEC
255/84 — Nachi Fujikoshi Corporation v Council	Annulment of Regulation (EEC) No 2089/84 imposing a definitive anti-dumping duty on imports of certain ball bearings originating in Japan and Singapore	Article 173 EEC
<b>Administrative questions</b>		
232/84 — Commission v 1. J.-L. Tordeur, 2. SA Randstad, 3. SA Agence Européenne de Contacts	May a national court, on grounds of non-observance of certain provisions of the Belgian Act of 28 June 1976 applicable to a contract concluded between the Commission and a temporary employment agency, require the Commission and the agency jointly and severally to pay wage arrears and compensation for breach of contract with the temporary employee in question? Does this matter fall within the scope of the Commission's contractual liability (first paragraph of Article 215 EEC) or of its non-contractual liability (second paragraph of Article 215 EEC)?	Article 177 EEC

Case	Subject	Basis
<b>Infringements</b> 244/84 — Commission v Italy	Application for a declaration that, by prohibiting the sale of tobacco substitute imported from another Member State, Italy has failed to fulfil its obligations under Article 30 EEC	Article 169 EEC

**Disputes between the Community and its staff**

v Commission: 241/84<sup>1</sup> and 241/84 R

v Council: 246/84

<sup>1</sup> OJ C 295, 6.11.1984.  
<sup>2</sup> OJ C 298, 9.11.1984.  
<sup>3</sup> OJ C 303, 14.11.1984.

**2.4.34. Judgments**

Date and case	Held
<b>ECSC — Steel</b> 11.10.1984, 103/83 — Union Sidérurgique du Nord et de l'Est de la France ('Usinor') v Commission <sup>1</sup>	Application dismissed (decision notifying the applicant of steel production quotas; notification should have been addressed to another undertaking)
11.10.1984, 151/83 — Aciéries et Laminoirs de Paris 'ALPA' v Commission	Application dismissed (decision concerning an application for steel production quotas to be adjusted)
<b>Customs union</b> 25.10.1984, 185/83 — Rijksuniversiteit Groningen v Inspecteur der Invoerrechten en Accijnzen <sup>2</sup>	Consideration of the question raised has disclosed no factor of such a kind as to affect the validity of Commission Decision 81/843/EEC of 8 October 1981
<b>Competition</b> 9.10.1984, 91 and 127/83 — Heineken Brouwerijen BV v Inspecteur der Vennootschapsbelasting, Amsterdam, and Inspecteur der Vennootschapsbelasting, Utrecht <sup>1</sup>	Article 93(3) EEC: (i) does not require aid schemes notified to the Commission to be disclosed immediately to all interested parties; (ii) requires the Commission to be notified not only of initial aid schemes but also of any subsequent alterations to those schemes; (iii) prohibits the planned aid notified from being put into effect in its entirety and in its final version

Date and case	Held
<b>Social Security — migrant workers</b>	
11.10.1984, 128/83 — Caisse primaire d'assurance maladie de Rouen v Guyot <sup>1</sup>	Article 71 of Council Regulation (EEC) No 1408/71 does not apply to an unemployed person who, during his last employment, was residing in the Member State in which he was employed
<b>Agriculture</b>	
18.10.1984, 109/83 — Eurico srl v Commission <sup>3</sup>	The effect of the provisions of Community law regarding food aid in force at the time of the Commission Decision of 10 September 1976 is that only the national intervention agency of the Member State concerned which was responsible for carrying out and supervising food aid operations decided on by the Commission can be held liable to the undertaking to which it has, by contract, delegated the actual implementation of the operations for any damage suffered by the latter in the course of carrying out that food aid operation.
<b>Basic rights</b>	
17.10.1984, 83/84 — N. Makarezos v Commission	Application dismissed as inadmissible (application for a declaration, firstly, that the Commission, by failing to act against the sentence of imprisonment imposed by Greek courts on an officer who had taken part in the coup d'état of 21 January 1967, had failed to meet its obligations under the Treaty; and secondly, that the Commission's letter of 30 January 1984 stating that it had no jurisdiction in the matter should be declared void)
17.10.1984, 84/84 — N. Makarezos v Council	Application dismissed as inadmissible (application for a declaration, firstly, that the Council, by failing to act against the sentence of imprisonment imposed by Greek courts on an officer who had taken part in the coup d'état of 21 January 1967, had failed to meet its obligations under the Treaty; and secondly, that the Council's letter of 22 December 1983 stating that it had no jurisdiction in the matter should be declared void)
<b>Budget</b>	
26.9.1984, 216/83 — Parti Ecologiste 'Les Verts' v Council and Commission	Application dismissed as inadmissible (application for a declaration of nullity of the draft general budget of the European Communities for 1984 and the draft second amending and supplementary budget for 1983 established by the Council on 22 July 1983, the corresponding preliminary draft budgets presented by the Commission and all other related decisions)

Date and case	Held
<b>Miscellaneous</b>	
17.10.1984, 135/84 — F. Brossard v Commission <sup>4</sup>	Application dismissed as inadmissible (claim that a Commission letter informing the applicant of a legal opinion concerning a question raised in connection with a complaint should be declared void)
<b>Infringements</b>	
3.10.1984, 254/83 — Commission v Italy <sup>5</sup>	By neither adopting nor notifying within the prescribed periods the measures provided for by Commission Regulation (EEC) No 2785/80, Italy has failed to fulfil its obligations under the EEC Treaty
3.10.1984, 279/83 — Commission v Italy <sup>5</sup>	By failing to adopt within the period prescribed the measures needed to comply with Council Directive 79/1071/EEC amending Directive 76/308/EEC on mutual assistance for the recovery of claims resulting from operations forming part of the system of financing the EAGGF, and of agricultural levies and customs duties, Italy has failed to fulfil its obligations under the EEC Treaty
17.10.1984, 70/84 — Commission v Italy	Order for removal from the Court Register (Article 95 EEC — discriminatory taxation/system of excise duties on spirits)

**Disputes between the Community and its staff**

v Commission

9.10.1984, 80 to 83/81 (Robert Adam and Others)<sup>1</sup> — No decision necessary (failure to state the area of competence and to classify the applicants in one of the priority groups in the list of suitable officials)

9.10.1984, 182, 184 and 185/82<sup>1</sup> — Judgment for the applicants

24.10.1984, 241/84 R — Application dismissed

**Orders for removal from the Court register**

26.9.1984, 102/84<sup>6</sup> — Dillinger Hüttenwerke AG v Commission

9.10.1984, 183/82 — E. De Blust v Commission

9.10.84, 132/84 — J. Hyndman v Harry S. Spring and Associates

<sup>1</sup> OJ C 295, 6.11.1984.  
<sup>2</sup> OJ C 306, 17.11.1984.  
<sup>3</sup> OJ C 298, 9.11.1984.  
<sup>4</sup> OJ C 302, 13.11.1984.  
<sup>5</sup> OJ C 285, 24.10.1984.  
<sup>6</sup> OJ C 288, 27.10.1984.

## Court of Auditors

2.4.35. The Court of Auditors elected Mr Marcel Mart (Luxembourg) President with effect from 18 October to succeed Mr Pierre Lelong.

2.4.36. On 11 October the Court adopted a special report under Article 206a of the EEC Treaty on application of the Directive of 27 June 1977 concerning scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the EAGGF.<sup>1</sup> The report explains the new method of scrutiny based on *ex post facto* checks on the accounts of a limited number of EAGGF beneficiaries, applied by Member States under Commission supervision since 1 July 1979. It also examines how far, despite the various reasons for lateness which it analyses, overall control of the EAGGF has been tightened up as a result.

## Economic and Social Committee

### 220th plenary session (inaugural session)

2.4.37. The 220th plenary session of the Economic and Social Committee was held in Brussels on 24 and 25 October. It was chaired first by Mr François Ceyrac, then by Mr Gerd Muhr; Mr Frans Andriessen attended for the Commission and took part in the debate on the *Thirteenth Report on Competition Policy*.

The Committee adopted two own-initiative opinions on current social security problems and migrant workers.

2.4.38. On 15 October the Committee heard the views of 22 European organizations on the subject of air transport.

### Election of officers

2.4.39. On 24 October the Committee elected its Bureau for the next two years. Mr Gerd Muhr, Vice-President of the DGB

(German Trade Union Federation) and a member of the Committee since 1970, was elected Chairman. Mr Muhr is also Vice-Chairman of the Governing Body of the International Labour Organization and Chairman of the Executive Board of the German Federal Employment Institute. The two Vice-Chairmen of the Committee are Mr P. Noordwal (employers — Netherlands) and Mr Umberto Enrico Capodilista (various interests — Italy).<sup>2</sup>

## Opinions

### Competition policy

2.4.40. With no votes against and five abstentions the Committee adopted an opinion on the *Thirteenth Report on Competition Policy*.<sup>3</sup>

The opinion expressed broad approval of the Commission's activities in the field of competition and repeated some of the Committee's specific demands: the drawing-up of guidelines for businesses; greater transparency in the Commission's approach to the examination of aid schemes; and the simplification and speeding up of procedures. It emphasized the contribution of competition policy to solving the crisis by improving the Community's economic competitiveness and easing the way for industrial restructuring, requested the Commission to promote any initiative that might win over new markets, and repeated the Committee's support for adoption of the European company statute and the setting-up of a European economic interest grouping.

In his statement Mr Andriessen made it clear that the Commission had taken full account of the Committee's opinions, though its actions were of course determined by its own responsibilities. He quoted as examples the communication on distribution agreements, the block exemption rules for R&D agreements and the

<sup>1</sup> OJ L 172, 12.7.1977.

<sup>2</sup> OJ C 304, 15.11.1984.

<sup>3</sup> Bull. EC 4-1984, point 2.1.34.

preparation of a paper on distribution rules for motor vehicles. The Commission shared the Committee's wish for greater procedural transparency, an area in which it had made considerable progress. It was also working on expedited procedures for scrutinizing aid schemes.

### *Migrant workers*

2.4.41. The Committee adopted an own-initiative opinion stressing the inadequacy of political response to the worsening problems of migrant workers and calling for adoption of an urgent Community policy in this sector. The Committee demanded full application of the right of freedom of movement for the Community citizens (in particular to give unemployed persons time to look for jobs in other Member States), genuine coordination of policies on immigrants from non-member countries with strict measures to combat illegal employment and illicit trafficking in undeclared labour, better integration of immigrants through special reception centres, the setting-up of a European housing fund to combat ghetto conditions and measures for second-generation immigrants.

The Committee also expressed support for granting immigrants political and civil rights after a period of five years; the first step could be to give Community citizens resident in a Member State other than their own the right to vote.

### *Social security*

2.4.42. The Committee approved an own-initiative opinion on the current and future situation of social security systems,<sup>1</sup> in which it called for long-term harmonization, particularly as regards funding. This would mean bringing the level of protection afforded to workers and other social groups by more recent systems in some Member States rapidly into line with more advanced systems elsewhere in the Community. The opinion also called for the abolition of the remaining discrimination against women and foreign workers. The large majority

of the employers' group voted against the opinion.

### *Consumer protection in the indication of prices*

2.4.43. The Committee adopted an opinion on the proposals for consumer protection in respect of the indication of prices for food<sup>2</sup> and non-food products.<sup>3</sup> The Committee was in favour of generalizing indication of the sales price and the unit price for all everyday products (except products standardized at Community level). However, it asked the Commission to produce an exhaustive list of exemptions and to re-examine the range of products standardized at Community level.

### *Stimulating European cooperation and scientific interchange*

2.4.44. The Committee unanimously adopted its opinion on the Commission communication to the Council on stimulating European cooperation and scientific interchange and approved the proposal to allocate 40 million ECU for the first phase of the programme (1985-86).<sup>4</sup> The Committee deplored the Council's intention to axe nearly all the funds for this programme (and for the programme for the storage of radioactive waste) from the 1985 draft budget. It agreed to send a message to Parliament and the Council in the hope that the Council might generally reconsider its budgetary position on research programmes.

### *Generalized preferences for 1985*

2.4.45. The Committee unanimously approved its opinion on generalized tariff preferences for 1985.<sup>5</sup> It called on the Commission to make the scheme into a real instrument of development policy geared

<sup>1</sup> See also Bull. EC 11-1981, point 2.1.56; Bull. EC 11-1982, point 2.1.50.

<sup>2</sup> OJ C 53, 24.2.1984; Bull. EC 1-1984, point 2.1.66.

<sup>3</sup> OJ C 8, 13.1.1984; Bull. EC 12-1983, point 2.1.131.

<sup>4</sup> OJ C 142, 29.5.1984; Bull. EC 4-1984, point 2.1.132.

<sup>5</sup> Bull. EC 7/8-1984, points 2.2.38 to 2.2.41.



to the economic growth of the developing countries, with greater emphasis on selectivity and clear-cut implementing arrangements, especially on rules of origin.

The Committee felt that the new key proposed by the Commission for the allocation of quotas between the Member States should be examined when the time came to review the scheme for the next five-year period.

### Opinions without discussion

2.4.46. The Commission adopted opinions without discussion on:

(i) the proposal for a Council Directive on the application of the principle of equal treatment as 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 motherhood;<sup>1</sup>

(ii) the proposal for a Council Decision adopting a third five-year programme on the management and storage of radioactive waste (1985-89) (research programme in the field of nuclear fission energy).<sup>2</sup>

## ECSC Consultative Committee

### 245th meeting

2.4.47. The ECSC Consultative Committee held its 245th meeting in Luxembourg on 23 October with Mr Audiat in the chair. For the Commission, Mr Davignon spoke on the development of coal policy and on the situation of the Community steel industry and its world prospects, and Mr Andriessen spoke on aid policy for the steel industry.

### Development of coal policy

2.4.48. Mr Davignon described the changing picture in the energy sector, pointing out that energy demand had been declining since 1979 and that economic growth and energy consumption were no longer quite

so interdependent. Oil imports had fallen, and the share of nuclear energy had increased. Natural gas supply was at present in surplus. It was against this background that coal policy had to be formulated.

Coal consumption was on the whole neither up nor down; in 1983 it was at the same level as in 1973. It could be boosted by supplying electric power stations, but that would raise ecological problems. The future of coal depended on progress in gasification and liquefaction. Investment in these processes might be stimulated by reduced-rate loans.

It was, of course, essential to protect the environment, and this must be reflected in any policy to promote coal.

During the discussion several speakers held that the present surpluses would only be short-lived and that the situation could change between now and the year 2000. Coal might well have to make good the energy deficit. Another factor which could not be ignored was security of supply. Moreover, coal was at present cheaper than oil or gas. Some industries might find it worth their while to switch and could perhaps be encouraged to do so by interest-rate subsidies. Members pointed out that jobs could be created by the rational use of energy and by exploiting the Community's internal resources. The Committee called for a global energy strategy with the developing countries.

### Situation of the Community steel industry

2.4.49. Mr Davignon believed that, as a result of the extension of the monitoring system and the effectiveness of the measures taken in the field, the situation was now relatively stable. The restructuring of the Community industry was already well advanced, and from 1 January 1986 the market would be free again. There was no intention to change course.

<sup>1</sup> OJ C 113, 27.4.1984; Bull. EC 3-1984, point 2.1.76.

<sup>2</sup> OJ C 166, 26.6.1984. Bull. EC 4-1984, point 2.1.129.

On the external trade front, Mr Davignon reminded the meeting that the Community was a net exporter and that this was sometimes overlooked. The need to preserve the traditional trade flows, which the Commission had impressed upon the American authorities, must also guide the Commission in its relations with other countries.

The enlargement of the Community would bring its own complications. By reason of its low capacity there was no problem with Portugal. Spain, however, would have to restructure its iron and steel industry and would be allowed a period of adjustment after accession. The details of the restructuring were still being negotiated.

The ensuing discussion touched upon the problems of ferromanganese and scrap. The Committee asked the Commission to set up monitoring arrangements for scrap and to intervene whenever the critical threshold was exceeded; but members were divided on whether current scrap prices were balanced or not. Mr Davignon assured the meeting that, though no measures had been adopted as yet, the Commission would be keeping a closer watch on the situation and would step in if market developments warranted.

Concerning ferromanganese, he said that the Committee would be receiving a Commission report within the next few weeks. In this particular case it was not solely a question of fixing the volume of imports but also of boosting the efficiency of Community producers.

### Aid to the steel industry

2.4.50. Mr Andriessen took stock of the reorganization now going on in the steel industry. For some Member States, only instalments of aid had so far been authorized as further studies were required to prove company viability. New applications had been filed, but no aid had been requested and none could be granted beyond 31 December 1985.

## European Investment Bank

### *Operations in October*

2.4.51. In October the European Investment Bank announced loans for investments within the Community totalling 626.7 million ECU.<sup>1</sup> The breakdown was as follows: 316.7 million ECU in Italy, 237.1 million ECU in the United Kingdom and 72.9 million ECU in France. Of the total amount, 45.2 million ECU was provided from the resources of the new Community borrowing and lending instrument (NCI).<sup>2</sup> Outside the Community, the Bank lent 89 million ECU for investments in three Mediterranean countries and 540 000 ECU to ACP States.

### Community

#### *Italy*

2.4.52. LIT 435 000 million was lent in Italy, including LIT 42 500 million from NCI resources. LIT 295 000 million was for industrial investments, LIT 88 100 million for energy, LIT 44 000 million for railway infrastructures and LIT 8 000 million for forestry.

The Bank's loans to industry were mainly to help finance small and medium-scale ventures. LIT 245 000 million was granted in the form of six global loans (credit lines), more than half for investment in the Mezzogiorno: LIT 60 000 million through Mediocredito Centrale, LIT 50 000 million through Banca Nazionale del Lavoro, LIT 30 000 million through Istituto Mobiliare Italiano, LIT 30 000 million through Banco di Napoli, LIT 20 000 million through Interbanca, and LIT 15 000 million through Efibanca; LIT 40 000 million was lent through IMI to leasing companies operating in the Mezzogiorno. In addition,

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<sup>1</sup> The conversion rates at 28 September used by the EIB in statistics for the fourth quarter were 1 ECU = BFR 45.31, DKR 8.20, DM 2.23, DR 92.16, FF 6.86, HFL 2.52, IRL 0.72, LIT 1 388, LFR 45.31, UKL 0.59, USD 0.74.

<sup>2</sup> OJ L 298, 20.10.1978; Bull. EC 10-1978, point 2.1.10.

LIT 20 000 million was granted to Weber SpA (Fiat group) for modernization and the introduction of high technology in two factories manufacturing mechanical parts for motor vehicles in Bologna and Bari. In Bari, the investment will also bring direct benefit in terms of regional development as it is to be spent on major industrial activity in the Mezzogiorno.

LIT 15 000 million went to the Olivetti group for the expansion and improvement of plant in Piedmont manufacturing high-technology electronic equipment for data processing, industrial automation and telecommunications. Lastly, LIT 15 000 million was granted for the modernization and expansion of a Birra Peroni brewery in Naples.

In the energy sector, a number of financing operations were agreed as part of the efforts to reduce the Community's dependence on oil imports: a global loan of LIT 30 000 million to IMI to help finance small and medium-scale industrial and infrastructure projects in central and northern Italy; LIT 30 000 million to Italgas from NCI resources to help convert the City of Rome's distribution grid to natural gas and extend it to suburban areas and three neighbouring municipalities (the project is part of the move to develop the use of Algerian natural gas); LIT 12 500 million to Venefondario—Istituto di Credito Fondiario delle Venezie, also from NCI resources, to assist with small and medium-scale projects to rationalize energy consumption in industry, infrastructures and the construction sector, in Friuli-Venezia Giulia, Trentino-Alto Adige, the province of Mantua and the Venice region; LIT 10 000 million to Italgas through Banco di Napoli to help finance the building of 13 new gas distribution grids as part of a wider programme to develop the use of natural gas instead of oil in the Mezzogiorno; and lastly, LIT 5 600 million to Mobil Oil to help rationalize energy consumption and improve the environmental impact of the group's main refinery in the Naples industrial estate.

In the infrastructure sector, LIT 44 000 million was lent to help improve the electri-

fied railway line serving part of the Naples conurbation. The project should induce some of the population to use public transport instead of private vehicles. Lastly, LIT 8 000 million was granted to the autonomous region of Valle d'Aosta for the improvement of the natural vegetation (conifers and deciduous trees), the afforestation of marginal land and the construction of forest roads.

### *United Kingdom*

2.4.53. UKL 140 million was lent in the United Kingdom, including the Bank's first floating-rate loans amounting to UKL 120 million. In general, the Bank borrows and lends funds at fixed interest rates, but this year its Board of Governors (the Finance Ministers of the Ten) authorized it to widen its financing base by borrowing up to 500 million ECU at floating rates and onlending on matching terms. Granted in US dollars, the floating-rate loans went to the nuclear energy industry in order to diversify the United Kingdom's—and by extension the Community's—energy resources without increased use of oil. A loan of USD 75 million over 10 years was granted to the South of Scotland Electricity Board for the construction of the Torness Point nuclear power station, which will have two advanced gas-cooled reactors with a combined output of about 1 400 MW. It is due to start coming on stream in May 1988. USD 75 million was lent to British Nuclear Fuels for nuclear fuel storage and handling facilities and an ion-exchange effluent-treatment plant in Sellafield, Cumbria. The plant will reduce the level of radioactivity due to the discharge of caesium into the sea by two thirds. The project will lower the annual consumption of fossil fuels in conventional thermal power stations by some 6 million toe.

UKL 10 million is to go towards facilities for the construction of the successful new short-haul aircraft, the SD-360, developed by Short Bros in Belfast to meet the demand for an economic, high-comfort aircraft for journeys up to 400 km. Short Bros is the

largest employer in Northern Ireland, and the investment will have a positive impact on employment in the province.

UKL 5 million was granted to Merseyside County Council for improvements to transport and other basic infrastructures through road upgrading and the construction of new facilities at Liverpool Airport. UKL 4 million was lent to Devon County Council to help promote tourism and attract new industries into the area, notably through road improvement schemes to alleviate congestion during the tourist season, the development of industrial estates and the provision of new equipment for Exeter Airport. Lastly, UKL 1 million lent to Kingston-upon-Hull City Council is to go towards the modernization of the telephone network in the Hull area, notably through the introduction of digital technology.

### *France*

2.4.54. FF 570.3 million, including 100 million from NCI resources, was lent in France:

(i) FF 400 million to the SNCF for the electrification of the Lyon-Grenoble and the Lyon-Chambéry-Modane-Italy railway lines; the project includes the construction of overhead lines and power-supply installations over nearly 280 km of track, expansion of the loading gauges of 65 bridges and related works, and the purchase of 8 railcars and 10 locomotives; it will improve the network's productivity, the capacity of the lines and train speeds, and the electric locomotives will reduce atmospheric pollution and help cut annual fuel consumption by about 34 000 toe;

(ii) FF 70.3 million to the Caisse d'Aide à l'Équipement des Collectivités Locales (CAECL) in the form of a global loan to help provide small and medium-scale public facilities in regions with development or conversion problems;

(iii) FF 100 million from NCI resources to the Caisse Centrale de Crédit Coopératif (CCCC) to assist investments by small and medium-sized cooperatives in industry and

directly related services, particularly in areas not eligible for regional development assistance; the global loan is part of Community action to assist small and medium-sized enterprises, with a view mainly to creating jobs and developing Community competitiveness.

### **Outside the Community**

#### *Mediterranean countries*

2.4.55. In Yugoslavia the Bank lent 60 million ECU for works on the trans-Yugoslav highway that will improve communications and thus provide significant economic benefits for both Yugoslavia and the Community. The highway is the main transport route crossing Yugoslavia and is an important link between Greece and the other Community countries, and between Europe, Turkey and the Middle East. The new loan is to finance the Yugoslav section of an 8-km tunnel through the Karawanken mountains in Slovenia on the frontier with Austria and to help improve two congested stretches of road in Croatia and Serbia between Zagreb and Belgrade and between Belgrade and Niš. The loan has been granted with the special authorization of the Bank's Board of Governors as a follow-up to the 1980 Financial Protocol between Yugoslavia and the Community, the 200 million ECU of financial aid in the form of EIB loans provided for by the Protocol having been fully allocated by January.

2.4.56. In Morocco the Bank is supporting a major agricultural development programme with a global loan of 200 million ECU to the Caisse Nationale de Crédit Agricole (CNCA). The operation will help increase agricultural self-sufficiency. Further aid for the programme is being provided by the World Bank, the Community, the Kreditanstalt für Wiederaufbau, the African Development Bank and the Arab Fund for Economic and Social Development.

2.4.57. In Jordan the Bank lent 9 million ECU to the Water Authority of Jordan for

the installation of water-supply and sewerage systems in two densely populated towns: 8 million ECU is for Madaba to the south-east of Amman, which serves as a commuter catchment area for Amman and a nearby industrial zone financed by the Bank and is also an agricultural services centre with a number of industries; 1 million ECU is to go to the desert town of Ma'an in the south of the country.

#### *ACP States*

2.4.58. The Bank granted 540 000 ECU for feasibility studies from risk capital resources provided for under the second Lomé Convention, management of which is entrusted to the Bank.

500 000 ECU lent to the Development Bank of Central African States (BDEAC) will be onlent for feasibility studies in Cameroon, the Central African Republic, Chad, Congo, Equatorial Guinea and Gabon. The loan would suggest there may be prospects for further cooperation between the Bank and BDEAC, which might result in the provision of global loans.

A further 40 000 ECU went towards a palm-oil mill project in Sao Tome and Principe for the processing of fruit from plantations financed by the European Development Fund in Ribeira Peixe, in south-east Sao Tome.





PART THREE  
DOCUMENTATION

# 1. ECU

## Revision of composition of ECU<sup>1</sup>

3.1.1. On 15 September the Council decided to revise the composition of the ECU.<sup>2</sup>

The European Council resolution of 5 December 1978 on the establishment of the European Monetary System provides for periodic re-examination of the composition of the ECU and, if necessary, its revision.<sup>3</sup>

It was after such a re-examination that the Council came to the unanimous decision, acting on a Commission proposal after consulting the Monetary Committee and the Board of Governors of the European Monetary Cooperation Fund, to undertake a revision. This was carried out with due regard for underlying economic criteria and the need to ensure that the markets kept operating smoothly.

The opportunity was taken to include the drachma in the ECU, as provided by the Greek Act of Accession.

As a consequence, from 17 September the ECU is defined as the sum of the following amounts of Member States' currencies:

DM	0.719	BFR	3.71
FF	1.31	DKR	0.219
UKL	0.0878	DR	1.15
LIT	140	IRL	0.00871
HFL	0.256	LFK	0.14

The revision does not affect the ECU central rates of the currencies participating in the exchange-rate mechanism or bilateral parities within the EMS.

For technical reasons the notional central rate for sterling was altered slightly to UKL 0.585992 for 1 ECU. The rate for the drachma was set at DR 87.4813 for 1 ECU.

Also, the Greek authorities took the appropriate technical measures to ensure that the money and exchange markets operate harmoniously after inclusion of the drachma in the ECU.

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<sup>1</sup> For a brief historical account of the introduction of the ECU, see Bull. EC 12-1980, point 3.1.2.

<sup>2</sup> OJ L 247, 16.9.1984.

<sup>3</sup> Bull. EC 12-1978, point 1.1.11.



## Values in national currencies of one ECU

## Representative rates ('green' rates)

30 October 1984<sup>1</sup>

Belgian franc and Luxembourg franc (convertible)	45.0248
Belgian franc and Luxembourg franc (financial)	45.3787
German mark	2.23045
Dutch guilder	2.51423
Pound sterling	0.602894
Danish krone	8.05443
French franc	6.83689
Italian lira	1 383.32
Irish pound	0.721922
Greek drachma	91.1585
United States dollar	0.729502
Swiss franc	1.83433
Spanish peseta	125.146
Swedish krona	6.34521
Norwegian krone	6.46229
Canadian dollar	0.961483
Portuguese escudo	119.638
Austrian schilling	15.6660
Finnish mark	4.64620
Japanese yen	179.239
Australian dollar	0.862601
New Zealand dollar	1.49857

<sup>1</sup> OJ C 291, 31.10.1984.

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.

Conversion rates into national currencies for the ECU used in connection with the common agricultural policy

October 1984

National currency	Value in national currency of one ECU
Belgian franc and Luxembourg franc	44.9008 <sup>1</sup> 46.4118 <sup>2</sup>
Danish krone	8.23400 <sup>1</sup> 8.41499 <sup>2</sup>
German mark	2.57524 <sup>3</sup> 2.52875 <sup>4</sup> 2.54273 <sup>5</sup> 2.51457 <sup>2</sup>
Greek drachma	77.2479 <sup>1</sup> 90.5281 <sup>2</sup>
French franc	6.93793 <sup>5</sup> 6.77297 <sup>6</sup> 6.49211 <sup>3</sup> 7.10590 <sup>7</sup> 6.86866 <sup>2</sup>
Irish pound	0.725690 <sup>1</sup> 0.750110 <sup>2</sup>
Italian lira	1 341.00 <sup>1</sup> 1 432.00 <sup>2</sup>
Dutch guilder	2.75563 <sup>3</sup> 2.72149 <sup>4</sup> 2.73327 <sup>5</sup> 2.70981 <sup>2</sup>
Pound sterling	0.618655

<sup>1</sup> For pigmeat and seeds.<sup>2</sup> For other products.<sup>3</sup> For seeds.<sup>4</sup> For cereals and durum wheat.<sup>5</sup> For milk and milk products.<sup>6</sup> For pigmeat.<sup>7</sup> For wine.

## 2. Additional references in the Official Journal

3.2.1. 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 5-1984**

#### *Point 2.1.54*

Commission Decision of 16 May 1984 on the extension until 30 June 1983 of the regional aid supplement provided for in Article 2 (b) of the Belgian Economic Expansion Act of 30 December 1970

OJ L 268, 9.10.1984

### **Bull. EC 7/8-1984**

#### *Point 2.1.71*

Commission Decision of 27 June 1984 concerning aid which Luxembourg proposes to grant in respect of investment carried out by a flat-glass manufacturer at Bascharage

OJ L 283, 27.10.1984

#### *Point 2.1.72*

Commission Decision of 27 June 1984 on a proposal by the Netherlands Government to grant aid for an investment by a flat glass manufacturer at Tiel

OJ L 276, 19.10.1984

#### *Point 2.1.76*

Commission Decision of 23 July 1984 concerning assistance by the United Kingdom Government to a manufacturer of polyester yarn

OJ L 283, 27.10.1984

#### *Point 2.1.78*

Commission Decision of 27 June 1984 on the aid granted by the Belgian Government to a producer of polypropylene fibre and yarn

OJ L 283, 27.10.1984

#### *Point 2.1.79*

Commission Decision of 18 July 1984 on an aid proposal by the Irish Government in favour of a producer of polyester yarn situated in Letterkenny

OJ L 276, 19.10.1984

### **Bull. EC 9-1984**

#### *Point 2.1.67*

Amendment to the proposal for a Council Directive on the approximation of the laws of the Member States on the lead and benzene content of petrol

OJ C 291, 31.10.1984

#### *Point 2.1.112*

Amendment to the proposal for a Council Regulation concerning financial support by the Community in favour of industries producing solid fuels

OJ C 264, 3.10.1984

# 3. Infringement procedures

## Initiation of proceedings for failure to implement directives

3.3.1. In October 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 two cases:

### Internal market and industrial affairs

Council Directive of 22 November 1982<sup>1</sup> amending for the second time (benzene) the Directive of 27 July 1976 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<sup>2</sup> (Denmark, France, Ireland, Italy, Luxembourg, Netherlands, United Kingdom).

### Agriculture

Council Directive of 12 May 1981<sup>3</sup> establishing measures necessary for the implementation of the Council Directive of 18 July 1977 on the protection of animals during international transport<sup>4</sup> (Greece).

### Reasoned opinions

3.3.2. The Commission delivered 22 reasoned opinions in the following cases:

### External relations

Greek cooperation agreements with Algeria, USSR and China: failure to comply with obligations under the Council Decision of 22 July 1974 establishing a consultation procedure for cooperation agreements between Member States and third countries<sup>5</sup> (Greece).

### Economic and financial affairs

Refusal to authorize transfer of proceeds of liquidation of, and interest on, investments in securities (Greece).

### Internal market and industrial affairs

Rules on the manufacture and marketing of milk substitutes (Luxembourg);

Packaging of sparkling grape juice (Germany);

Import ban on motorcycles originating in the Community (Italy).

### Competition

Incorrect application of the Commission Directive of 25 June 1980 on the transparency of financial relations between Member States and public undertakings<sup>6</sup> (France, Italy).

### Agriculture

Incorrect application of the Council Directive of 26 June 1964 on health problems affecting intra-Community trade in fresh meat<sup>7</sup> (Belgium, France, Italy, Luxembourg);

Import licences for milk products (Ireland);

Failure to notify aid for the export of pasta products to the United Kingdom (Greece).

### Environment, consumer protection and nuclear safety

Failure to inform the Commission of national measures to give effect to the Council Directive of 2 April 1979 on the conservation of wild birds<sup>8</sup> (Luxembourg);

Failure to incorporate correctly the Council Directive of 2 April 1979 on the conservation of wild birds<sup>8</sup> (Italy, Netherlands, United Kingdom);

Failure to incorporate correctly the Council Directive of 20 March 1978 on toxic and dangerous waste<sup>9</sup> (Belgium);

<sup>1</sup> OJ L 339, 1.12.1982.

<sup>2</sup> OJ L 262, 27.9.1976.

<sup>3</sup> OJ L 150, 6.6.1981.

<sup>4</sup> OJ L 200, 8.8.1977.

<sup>5</sup> OJ L 208, 30.7.1974.

<sup>6</sup> OJ L 195, 29.7.1980.

<sup>7</sup> OJ L 121, 27.9.1964.

<sup>8</sup> OJ L 103, 25.4.1979.

<sup>9</sup> OJ L 84, 31.3.1978.

Failure to incorporate correctly the Council Directive of 15 July 1980 relating to the quality of water intended for human consumption<sup>1</sup> (Luxembourg).

Failure to incorporate correctly the Council Directive of 18 September 1979<sup>2</sup> amending for the sixth time the Council Directive of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances<sup>3</sup> (Ireland, United Kingdom).

### Financial institutions and taxation

Discriminatory taxation favouring national tyres (Ireland).

### Proceedings terminated

3.3.3. The Commission decided not to continue the following infringement proceedings:

*Cases in which letters of formal notice had been sent for failure to incorporate directives into national law (the Commission not having been informed of national implementing measures)*

### Customs union

Council Directive of 24 February 1981 on the harmonization of procedures for the export of Community goods<sup>4</sup> (France);

Commission Directive of 13 November 1981<sup>5</sup> on the calculation of the amount of import duties to be deducted under Article 10 of the Council Directive of 18 December 1975 on outward processing<sup>6</sup> (Belgium, Luxembourg);

Commission Directive of 23 April 1982<sup>7</sup> laying down certain provisions for implementing the Council Directive of 24 February 1981 on the harmonization of procedures for the export of Community goods<sup>4</sup> (France);

Commission Directive of 29 April 1982<sup>7</sup> amending the Commission Directive of 7 June 1979 fixing standard rates of yield for certain inward processing operations<sup>8</sup> (Belgium, Luxembourg);

Council Directive of 3 May 1983<sup>9</sup> amending the Commission Directive of 26 May 1975 on detailed

rules concerning equivalent compensation and prior exportation under inward processing arrangements<sup>10</sup> (Luxembourg).

### Internal market and industrial affairs

Council Directive of 17 May 1979 on the approximation of the laws of the Member States relating to the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors<sup>11</sup> (Italy);

Council Directive of 17 May 1979 on the approximation of the laws of the Member States relating to the coupling device and the reverse of wheeled agricultural or forestry tractors<sup>11</sup> (Italy);

Council Directive of 25 June 1979 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (static testing)<sup>12</sup> (Italy);

Council Directive of 16 December 1980 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles<sup>13</sup> (France);

Council Directive of 16 December 1980 on the approximation of the laws of the Member States relating to the engine power of motor vehicles<sup>13</sup> (France);

Council Directive of 20 July 1981<sup>14</sup> amending the Council Directive of 18 December 1975 on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts<sup>6</sup> (United Kingdom);

Council Directive of 20 July 1981<sup>14</sup> amending the Council Directive of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles<sup>15</sup> (United Kingdom);

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<sup>1</sup> OJ L 229, 30.8.1980.

<sup>2</sup> OJ L 259, 15.10.1979.

<sup>3</sup> OJ 196, 16.8.1967.

<sup>4</sup> OJ L 83, 30.3.1981.

<sup>5</sup> OJ L 347, 3.12.1981.

<sup>6</sup> OJ 24, 30.1.1976.

<sup>7</sup> OJ L 156, 7.6.1982.

<sup>8</sup> OJ L 170, 9.7.1977.

<sup>9</sup> OJ L 127, 17.5.1983.

<sup>10</sup> OJ L 156, 18.6.1975.

<sup>11</sup> OJ L 145, 13.6.1979.

<sup>12</sup> OJ L 179, 17.7.1979.

<sup>13</sup> OJ L 375, 31.12.1980.

<sup>14</sup> OJ L 209, 29.7.1981.

<sup>15</sup> OJ L 220, 29.8.1977.

Council Directive of 20 July 1981<sup>1</sup> amending the Council Directive of 22 July 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (strength of seats and of their anchorages)<sup>2</sup> (France, United Kingdom);

Commission Directive of 29 July 1981<sup>3</sup> adapting to technical progress the Council Directive of 27 September 1977 on the approximation of the laws of the Member States relating to the field of vision of motor vehicle drivers<sup>4</sup> (France, United Kingdom);

Commission Directive of 17 March 1982<sup>5</sup> adapting to technical progress the Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to the rear registration plate lamps for motor vehicles and their trailers<sup>6</sup> (France, United Kingdom);

Commission Directive of 2 April 1982<sup>7</sup> adapting to technical progress the Council Directive of 18 December 1975 on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts<sup>8</sup> (United Kingdom);

Commission Directive of 2 April 1982<sup>7</sup> adapting to technical progress the Council Directive of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles<sup>9</sup> (United Kingdom);

Commission Directive of 7 June 1982<sup>10</sup> adapting to technical progress the Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment<sup>11</sup> (Denmark, Germany);

Commission Directive of 7 June 1982<sup>10</sup> adapting to technical progress the Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters<sup>11</sup> (Denmark, Germany);

Commission Directive of 1 July 1982<sup>12</sup> adapting to technical progress the Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to electrical energy meters<sup>11</sup> (Belgium, Denmark, Ireland, United Kingdom);

Commission Directive of 1 July 1982<sup>12</sup> adapting to technical progress the Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to alcoholometers and alcohol hydrometers<sup>13</sup> (Ireland);

Commission Directive of 1 July 1982<sup>12</sup> adapting to technical progress the Council Directive of 5 April 1977 on the approximation of the laws of the Member States relating to measuring systems for liquids other than water<sup>14</sup> (Belgium, Denmark);

Commission Directive of 15 December 1982<sup>15</sup> adapting to technical progress the Council Directive of 25 June 1979 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (static testing)<sup>16</sup> (Netherlands);

Commission Directive of 28 March 1983<sup>17</sup> adapting to technical progress the Council Directive of 25 July 1978 on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors<sup>18</sup> (Netherlands);

Council Directive of 16 June 1983<sup>19</sup> amending the Council Directive of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles<sup>20</sup> (Italy);

Commission Directive of 18 August 1983<sup>21</sup> adopting the measures provided for in Article 3(3) of the Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment<sup>11</sup> and of the Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters<sup>11</sup> (Denmark, Germany);

Council Directive of 15 July 1980 on the approximation of the laws of the Member States relating to

<sup>1</sup> OJ L 209, 29.7.1981.

<sup>2</sup> OJ L 221, 12.8.1974.

<sup>3</sup> OJ L 231, 15.8.1981.

<sup>4</sup> OJ L 267, 19.10.1977.

<sup>5</sup> OJ L 109, 22.4.1982.

<sup>6</sup> OJ L 262, 27.9.1976.

<sup>7</sup> OJ L 139, 19.5.1982.

<sup>8</sup> OJ 24, 30.1.1976.

<sup>9</sup> OJ L 220, 29.8.1977.

<sup>10</sup> OJ L 222, 30.7.1982.

<sup>11</sup> OJ L 336, 4.12.1976.

<sup>12</sup> OJ L 252, 27.8.1982.

<sup>13</sup> OJ L 262, 27.9.1976.

<sup>14</sup> OJ L 105, 28.4.1977.

<sup>15</sup> OJ L 386, 31.12.1982.

<sup>16</sup> OJ L 179, 17.7.1979.

<sup>17</sup> OJ L 109, 26.4.1983.

<sup>18</sup> OJ L 255, 18.9.1978.

<sup>19</sup> OJ L 197, 20.7.1983.

<sup>20</sup> OJ L 76, 6.4.1970.

<sup>21</sup> OJ L 247, 7.9.1983.

the exploitation and marketing of natural mineral waters<sup>1</sup> (Denmark, France);

Commission Directive of 29 April 1981 laying down the Community method of analysis for the official control of vinyl chloride released by materials and articles into foodstuffs<sup>2</sup> (Denmark, Ireland, Netherlands);

First Commission Directive of 28 July 1981 laying down Community methods of analysis for verifying that certain additives used in foodstuffs satisfy criteria of purity<sup>3</sup> (Belgium, Denmark, Italy, Luxembourg, Netherlands);

Council Directive of 28 September 1981 on the approximation of the laws of the Member States relating to veterinary medicinal products<sup>4</sup> (Belgium);

Council Directive of 21 January 1980 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in midwifery and including measures to facilitate the effective exercise of the right of establishment and freedom to provide services<sup>5</sup> (United Kingdom);

Council Directive of 21 January 1980 concerning the coordination of provisions laid down by law, regulation or administrative action relating to the taking up and pursuit of the activities of midwives<sup>5</sup> (United Kingdom);

Council Directive of 22 December 1980<sup>6</sup> amending, consequent on the accession of Greece, the Council Directive of 21 January 1980 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in midwifery and including measures to facilitate the effective exercise of the right of establishment and freedom to provide services<sup>5</sup> (United Kingdom, Netherlands).

### Agriculture

Council Directive of 9 December 1974<sup>7</sup> amending the Council Directive of 9 April 1968 on the marketing of material for the vegetative propagation of the vine<sup>8</sup> (Italy);

Council Directive of 9 December 1974 on the marketing of material for the vegetative propagation of the vine produced in third countries<sup>7</sup> (Belgium);

Council Directive of 26 June 1975<sup>9</sup> amending the Council Directives of 14 June 1966<sup>10</sup> and 30 June 1969<sup>11</sup> on the marketing of beet seed, fodder plant seed, cereals seed, seed potatoes and seed of oil and fibre plants (Italy);

Second Council Directive of 26 June 1975<sup>9</sup> amending the Council Directive of 14 June 1966 on the marketing of forest reproductive material<sup>10</sup> (Ireland);

Council Directive of 23 November 1976 on the marketing of straight feedingstuffs<sup>12</sup> (Greece, Ireland);

First Commission Directive of 28 September 1977<sup>13</sup> amending the Annexes to the Council Directive of 9 April 1968 on the marketing of material for the vegetative propagation of the vine<sup>8</sup> (Luxembourg);

Council Directive of 2 April 1979<sup>14</sup> amending the Council Directive of 23 November 1976 on the marketing of straight feedingstuffs<sup>12</sup> (Ireland);

Council Directive of 2 April 1979 on the marketing of compound feedingstuffs<sup>14</sup> (Greece, Ireland);

Council Directive of 24 July 1979<sup>15</sup> amending the Council Directives of 14 June 1966<sup>10</sup> and 29 September 1970<sup>16</sup> on the marketing of fodder plant seed, cereal seed, vegetable seed, and the common catalogue of varieties of agricultural plant species (Denmark, Italy);

Commission Directive of 24 July 1979<sup>17</sup> establishing Community methods of sampling for the official control of pesticide residues in and on fruit and vegetables<sup>17</sup> (Netherlands);

First Commission Directive of 10 August 1979<sup>18</sup> amending the Annex to the Council Directive of 23 November 1976 on the marketing of straight feedingstuffs<sup>12</sup> (Ireland);

Council Directive of 12 November 1979<sup>19</sup> amending the Council Directives of 14 June 1966<sup>10</sup> and 29 September 1970<sup>16</sup> on the marketing of seed potatoes, the common catalogue of varieties of agricultural plant species and the marketing of vegetable seed (Denmark, Italy);

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<sup>1</sup> OJ L 229, 30.8.1980.

<sup>2</sup> OJ L 167, 24.6.1981.

<sup>3</sup> OJ L 257, 10.9.1981.

<sup>4</sup> OJ L 317, 6.11.1981.

<sup>5</sup> OJ L 33, 11.2.1980.

<sup>6</sup> OJ L 375, 31.12.1980.

<sup>7</sup> OJ L 352, 28.12.1974.

<sup>8</sup> OJ L 93, 17.4.1968.

<sup>9</sup> OJ L 196, 26.7.1975.

<sup>10</sup> OJ L 125, 11.7.1966.

<sup>11</sup> OJ L 169, 10.7.1969.

<sup>12</sup> OJ L 32, 3.2.1977.

<sup>13</sup> OJ L 257, 8.10.1977.

<sup>14</sup> OJ L 86, 6.4.1979.

<sup>15</sup> OJ L 205, 13.8.1979.

<sup>16</sup> OJ L 225, 12.10.1970.

<sup>17</sup> OJ L 207, 15.8.1979.

<sup>18</sup> OJ L 239, 22.9.1979.

<sup>19</sup> OJ L 293, 20.11.1979.

Council Directive of 22 January 1980<sup>1E</sup> amending the Council Directive of 12 December 1972 on health problems affecting intra-Community trade in fresh meat<sup>2</sup> (France, Ireland, Italy);

Council Directive of 22 January 1980<sup>1</sup> amending the Council Directive of 21 December 1976 on health problems affecting intra-Community trade in meat products<sup>3</sup> (Germany, Ireland);

Council Directive of 22 January 1980 introducing Community measures for the control of classical swine fever<sup>1</sup> (Luxembourg);

Commission Directive of 25 February 1980<sup>4</sup> amending Annex II to the Council Directive of 30 June 1969 on the marketing of seed of oil and fibre plants<sup>5</sup> (Italy, Netherlands);

First Commission Directive of 2 May 1980<sup>6</sup> amending the Annex to the Council Directive of 2 April 1979 on the marketing of compound feeding-stuffs<sup>7</sup> (Ireland);

Second Commission Directive of 2 May 1980<sup>6</sup> amending the Annex to the Council Directive of 23 November 1976 on the marketing of straight feedingstuffs<sup>8</sup> (Ireland);

Commission Directive of 2 May 1980 authorizing, in certain cases, the marketing of compound feedingstuffs in unsealed packages or containers<sup>6</sup> (Greece, Ireland, Luxembourg);

Council Directive of 24 June 1980 on the control of potato ring rot<sup>9</sup> (Italy);

Second Commission Directive of 27 June 1980<sup>10</sup> amending the Annex to the Council Directive of 2 April 1979 on the marketing of compound feeding-stuffs<sup>7</sup> (Ireland);

Commission Directive of 17 July 1980<sup>11</sup> amending Annex II to the Council Directive of 14 June 1966 on the marketing of fodder plant seed<sup>12</sup> (Italy, Luxembourg);

Council Directive of 12 May 1981<sup>13</sup> laying down certain measures required for the implementation of the Council Directive of 18 July 1977 on the protection of animals during international transport<sup>14</sup> (Belgium);

Commission Directive of 30 July 1981<sup>15</sup> amending the Commission Directives of 15 June 1971,<sup>16</sup> 18 November 1971,<sup>17</sup> 27 April 1972,<sup>18</sup> 5 December 1972,<sup>19</sup> 25 March 1974,<sup>20</sup> 20 December 1974,<sup>21</sup> 1 March 1976<sup>22</sup> and 15 June 1978<sup>23</sup> establishing Community methods of analysis for the official control of feedingstuffs (France, Luxembourg);

Ninth Commission Directive of 31 July 1981 establishing Community methods of analysis for the official control of feedingstuffs<sup>24</sup> (France, Luxembourg);

Commission Directive of 13 April 1982<sup>25</sup> amending the Annexes to the Council Directives of 14 June 1966<sup>12</sup> and 30 June 1969<sup>26</sup> on the marketing of fodder plant seed and the marketing of seed of oil and fibre plants and the Commission Directives of 18 April 1978<sup>27</sup> (Belgium, France, Italy, Netherlands);

Commission Directive of 6 May 1982<sup>28</sup> amending the Council Directive of 9 April 1968 on the marketing of material for the vegetative propagation of the vine<sup>29</sup> (Belgium, Luxembourg);

Fortieth Commission Directive of 23 June 1982<sup>30</sup> amending the Annexes to the Council Directive of 23 November 1970 concerning additives in feeding-stuffs<sup>31</sup> (Denmark, Luxembourg);

Commission Directive of 2 December 1982<sup>32</sup> amending Annex II to the Council Directive of 30 June 1969 on the marketing of seed of oil and fibre plants<sup>26</sup> (Belgium, Italy).

#### Environment, consumer protection and nuclear safety

Council Directive of 8 December 1975 concerning the quality of bathing water<sup>33</sup> (Belgium);

- 1 OJ L 47, 21.2.1980.
- 2 OJ L 302, 31.12.1972.
- 3 OJ L 26, 31.1.1977.
- 4 OJ L 68, 14.3.1980.
- 5 OJ L 169, 10.7.1967.
- 6 OJ L 126, 21.5.1980.
- 7 OJ L 86, 6.4.1979.
- 8 OJ L 32, 3.2.1979.
- 9 OJ L 180, 14.7.1980.
- 10 OJ L 188, 22.7.1980.
- 11 OJ L 207, 9.8.1980.
- 12 OJ L 125, 11.7.1966.
- 13 OJ L 150, 6.6.1981.
- 14 OJ L 200, 8.8.1977.
- 15 OJ L 246, 29.8.1981.
- 16 OJ L 155, 12.7.1971.
- 17 OJ L 279, 20.12.1971.
- 18 OJ L 123, 29.5.1972.
- 19 OJ L 83, 30.3.1973.
- 20 OJ L 108, 22.4.1974.
- 21 OJ L 32, 5.2.1975.
- 22 OJ L 102, 15.4.1976.
- 23 OJ L 206, 29.7.1978.
- 24 OJ L 257, 10.9.1981.
- 25 OJ L 131, 13.5.1982.
- 26 OJ L 169, 10.7.1979.
- 27 OJ L 113, 25.4.1978.
- 28 OJ L 148, 27.5.1982.
- 29 OJ L 93, 18.4.1968.
- 30 OJ L 213, 21.7.1982.
- 31 OJ L 270, 14.12.1970.
- 32 OJ L 357, 18.12.1982.
- 33 OJ L 31, 5.2.1976.

Council Directive of 29 June 1978 on the approximation of the laws of the Member States concerning the lead content of petrol<sup>1</sup> (Greece);

Council Directive of 19 June 1979 on consumer protection in the indication of the prices of food-stuffs<sup>2</sup> (Ireland, Italy);

Council Directive of 9 October 1979 concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States<sup>3</sup> (France, Italy);

Council Directive of 15 July 1980 relating to the quality of water intended for human consumption<sup>4</sup> (Belgium, Greece, France);

First Commission Directive 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 products<sup>5</sup> (Belgium, France);

Commission Directive of 23 October 1981<sup>6</sup> adapting to technical progress for the third time the Council Directive of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances<sup>7</sup> (Denmark);

Commission Directive of 11 February 1982<sup>8</sup> adapting to technical progress Annex II of the Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products<sup>9</sup> (Belgium, Denmark, France, Luxembourg);

Commission Directive of 25 March 1982<sup>10</sup> adapting to technical progress for the fourth time the Council Directive of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances<sup>7</sup> (Denmark);

Council Directive of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom<sup>11</sup> (Greece, France, Luxembourg).

### Financial institutions and taxation

First Council Directive of 5 March 1979 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of direct life assurance<sup>12</sup> (Ireland);

Council Directive of 5 March 1979 coordinating the conditions for the admission of securities to official stock exchange listing<sup>13</sup> (United Kingdom);

Council Directive of 15 February 1982 on information to be published on a regular basis by companies the shares of which have been admitted to official stock exchange listing<sup>14</sup> (Netherlands, United Kingdom).

### *Cases in respect of which a reasoned opinion had been sent*

#### Internal market and industrial affairs

Failure to implement the Council Directive of 27 June 1977 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of nurses responsible for general care, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services<sup>15</sup> (the Commission not having been informed of national implementing measures) (Netherlands);

Failure to implement the Council Directive of 27 June 1977 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of nurses responsible for general care<sup>15</sup> (the Commission not having been informed of national implementing measures) (Netherlands).

#### Agriculture

Failure to implement the second Council Directive of 26 June 1975<sup>16</sup> amending the Council Directive of 14 June 1966 on the marketing of forest reproductive material<sup>17</sup> (the Commission not having been informed of national implementing measures) (Italy);

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<sup>1</sup> OJ L 197, 22.7.1978.

<sup>2</sup> OJ L 158, 26.6.1979.

<sup>3</sup> OJ L 271, 29.10.1979.

<sup>4</sup> OJ L 229, 30.8.1980.

<sup>5</sup> OJ L 383, 31.12.1980.

<sup>6</sup> OJ L 351, 7.12.1981.

<sup>7</sup> OJ 196, 16.8.1967.

<sup>8</sup> OJ L 63, 6.3.1982.

<sup>9</sup> OJ L 262, 27.9.1976.

<sup>10</sup> OJ L 106, 21.4.1982.

<sup>11</sup> OJ L 91, 9.4.1983.

<sup>12</sup> OJ L 63, 13.3.1979.

<sup>13</sup> OJ L 66, 16.3.1979.

<sup>14</sup> OJ L 48, 20.2.1982.

<sup>15</sup> OJ L 176, 15.7.1977.

<sup>16</sup> OJ L 196, 26.7.1975.

<sup>17</sup> OJ 125, 11.7.1966.



Failure to implement the first Commission Directive of 28 September 1977<sup>1</sup> amending the Annexes to the Council Directive of 9 April 1968 on the marketing of material for the vegetative propagation of the vine<sup>2</sup> (the Commission not having been informed of national implementing measures) (Belgium);

Failure to implement the first Commission Directive of 18 April 1978<sup>3</sup> amending the Annexes to the Council Directive of 14 June 1966 on the marketing of fodder plant seed<sup>4</sup> (the Commission not having been informed of national implementing measures) (Italy);

Failure to implement the first Commission Directive of 18 April 1978<sup>3</sup> amending the Annexes to the Council Directive of 14 June 1966 on the marketing of cereal seed<sup>4</sup> (the Commission not having been informed of national implementing measures) (Italy);

Failure to implement the first Commission Directive of 18 April 1978<sup>3</sup> amending the Annexes to the Council Directive of 30 June 1969 on the marketing of seed of oil and fibre plants<sup>5</sup> (the Commission not having been informed of national implementing measures) (Italy).

#### **Environment, consumer protection and nuclear safety**

Failure to implement the Council Directive of 30 October 1979 on the quality required of shellfish

waters<sup>6</sup> (the Commission not having been informed of national implementing measures) (Belgium);

Failure to implement the Council Directive of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances<sup>7</sup> (the Commission not having been informed of national implementing measures) (France);

Incorrect incorporation into national law of the Council Directive of 20 December 1979 on the limitation of noise emissions from subsonic aircraft<sup>8</sup> (Ireland).

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<sup>1</sup> OJ L 257, 8.10.1977.

<sup>2</sup> OJ L 213, 21.7.1982.

<sup>3</sup> OJ L 148, 27.5.1982.

<sup>4</sup> OJ 125, 11.7.1966.

<sup>5</sup> OJ L 169, 10.7.1969.

<sup>6</sup> OJ L 281, 10.11.1979.

<sup>7</sup> OJ L 20, 26.1.1980.

<sup>8</sup> OJ L 18, 24.1.1980.

## 4. Undertaking given by IBM

3.4.1. Following lengthy negotiations the Commission recently decided to suspend the proceedings for infringement of the Community competition rules which it had initiated against IBM (International Business Machines), as the company had given an undertaking to change its practices in the Community.<sup>1</sup> Here follows the full text of IBM's undertaking:

IBM undertakes in good faith as follows:

1. If IBM first announces a new System/370 product outside the EEC for which it is or will be seeking orders for delivery within the EEC, then IBM will either announce such product within the EEC on the same date as such announcement outside the EEC, or treat that date as if it were the date of announcement within the EEC for the purpose of this Undertaking.

2. On the announcement of a new System/370 product within the EEC, IBM will, upon request, supply in the EEC to any competing undertaking interface information concerning that product in the manner and within the time limits set out hereunder. It is IBM's intention in this Undertaking to supply the interface information necessary to attach and not to supply product design information.

3. If any new System/370 product is not at the time of announcement intended to use a new interface (hardware interface or program external), then IBM will publish this fact at the time of announcement in the EEC and will, upon request, identify the existing interface to be used by that product by reference to the relevant interface information.

4. For all interfaces between or to System/370 hardware products (except unique machine interfaces) and for all interfaces between System/370 CPUs and System/370 software products IBM will supply interface information within 120 days of the announcement of such a product in the EEC or at the date of general availability, whichever is the earlier.

For all interfaces between or to System/370 software products IBM will supply interface information as soon after announcement as the interface has become reasonably stable but in any event no later than the date of general availability.

IBM will continue to publish information concerning unique machine interfaces (as herein defined) in accordance with its present practices.

5. IBM has prepared Appendix A to identify the relevant IBM System/370 interfaces and to describe the relevant interface information which it believes necessary to enable competing undertakings to attach hardware and software products of their design to IBM System/370 products and IBM will implement this Undertaking by supplying that interface information to competing undertakings as set out in Appendix A.

Should Appendix A be revealed as or become deficient in some respect (through omission, change of circumstances or otherwise) IBM will amend or supplement it as required to maintain the effect of the Undertaking for the whole of its duration.

6. If IBM makes a change to an existing interface (hardware interface or program external of an existing release) in such a way that it would make System/370 products attaching to such existing interface inoperable, IBM will disclose the change to any competing undertaking at announcement which shall be sufficiently in advance of general availability to permit such undertakings to make the necessary adjustments in products so attached. Also, if IBM makes a change to the additional information supplied in lieu of program externals for the purpose of attachment, and the change causes an attached product to become inoperable, then IBM will, on request, either supply the changed information or provide sufficient assistance to make the attached product operate.

7. IBM will produce in timely fashion specific interface information to fulfil its obligations hereunder. IBM has no obligation to respond to requests for interface information before the expiry of the relevant time period and upon expiry of that time period has 14 days to fulfil requests in hand. In the usual case IBM will thereafter respond to requests for interface information within 15 days of receipt of request. However, IBM cannot undertake to respond in 15 days to requests which are insufficiently specific or in exceptional circumstances, but in such an event IBM will respond as soon as reasonably possible. IBM

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<sup>1</sup> Bull. EC 7/8-1984, point 1.1.1 *et seq.*

will forthwith designate a representative situated within the EEC<sup>1</sup> who will be responsible for receiving requests and providing information pursuant to this Undertaking.

8. Where IBM has supplied interface information pursuant to this Undertaking it will ensure that all competing undertakings who have been supplied with such information will receive details of any corrections or changes without undue delay.

9. Without prejudice to IBM's freedom to design its CPUs, upon the announcement of a new System/370 CPU which is to be supplied within the EEC, IBM will offer within the EEC and, upon application of a customer, will supply that CPU at IBM's option either without any main memory capacity or with only such capacity of main memory as is strictly required in order that reasonable tests of the CPU can be effected.

10. IBM reserves the right to offer any System/370 CPU with main memory in such other capacity or increments thereto as IBM may determine.

11. For the purpose of the disclosure of interface information pursuant to this Undertaking, IBM will treat the effective date of this Undertaking as if it were the date of announcement of any System/370 product which has been announced but which is not yet generally available.

12. IBM reserves the right to make the supply of interface information subject to certain conditions necessary to ensure the protection of IBM's legitimate interests. Whenever IBM exercises such a right, it may do so in accordance with a written agreement specifying those conditions, as provided for in Appendix B.

13. In providing interface information pursuant to this Undertaking, IBM reserves the right to provide such information either by use of established documentation and related materials (such as source code) or by some other adequate means, including the preparation of new documents containing only interface information.

14. IBM recognizes the widespread interest in interconnecting systems and networks of different manufacturers. IBM favours such interconnections and has published and will publish extensive information about it including formats and protocols which facilitate attachment by competitors of their systems or networks to IBM SNA networks. IBM understands that to the extent that SNA is different from OSI, competitors depend on IBM information to be able to interconnect their products with IBM SNA products. IBM has an interest in issuing information on SNA formats and protocols as soon as possible and it confirms that it will take all reasonable steps to expedite the availability of the relevant documentation.

Accordingly:

(a) On announcement of a System/370 product that implements enhancements to SNA on System/370, IBM will identify the functions in such products that implement such enhancements. At announcement, IBM will, upon request from interested persons, identify use of existing formats and protocols. Where that product uses enhanced SNA formats and protocols, then subject to paragraph 7, IBM will as soon after announcement as the relevant SNA formats and protocols are reasonably stable and the architecture has been formulated and described or at general availability whichever is the earlier, publish the SNA formats and protocols that implement such enhancements, together with appropriate product documentation, in order to enable attachment of other systems (which may be comprised of multiple products) and networks to IBM SNA networks.

(b) IBM will update the IBM SNA formats and protocols manual by the following:

(i) IBM will publish by the end of 1984 such an SNA format and protocol manual that will describe LU 6.2.

(ii) IBM will make available within 60 days of the effective date of this Undertaking a services description manual for LU 6.2 and an SNA format and protocol manual for SNADS.

Apart from the foregoing, IBM believes that all essential information regarding SNA has been made available.

<sup>1</sup> Mr S.A. Medici, Manager of Product Information, Department 1060, Attention: EEC Undertaking Inquiry, IBM Europe SA, Tour Pascal, Cedex 40, 92075 Paris La Défense — Tel (33.1) 767 60 00.

(c) IBM will identify, in future announcements of the first ACF/NCP or successor products that implement enhancements to SNA not already identified pursuant to paragraph (a), the functions that implement the enhancements. IBM will release software externals for ACF/NCP and successor products on the terms and within the periods set forth for System/370 software products in Appendix A.

(d) IBM has actively participated in international standards efforts in support of open system interconnection (OSI) and will continue its active support of OSI as the standard for interconnecting systems, products and networks of different manufacturers.

15. To permit the determination of malfunction in connection with the products of competing undertakings attached at the interfaces disclosed pursuant to this Undertaking, IBM will, at its option, not later than at the time of general availability, either permit the use of any relevant IBM system diagnostic programs where such exist, or provide information sufficient for a competing undertaking to insert another diagnostic program.

16. IBM reserves the right to make a reasonable and non-discriminatory charge to cover the cost of reproduction and dissemination of interface information supplied pursuant to this Undertaking. IBM also reserves the right to charge a reasonable and non-discriminatory royalty for the supply of proprietary information protected by any right enforceable at law.

17. IBM acknowledges that it may be necessary for the Commission to determine the extent to which this Undertaking is implemented. For this purpose, IBM will supply such information as the Commission may from time to time request.

18. This Undertaking will remain in force until one year after IBM has given notice to the Commission of its intent no longer to comply therewith or any part thereof or until the Commission takes a Decision against IBM with respect to the subject matter of this Undertaking. Such notice will not be given by IBM before 1 January 1989.

19. This Undertaking (and all correspondence, memoranda or discussions with respect thereto) is made without prejudice and may not be used in any way by IBM or the Commission in this or any other proceeding and does not constitute in any way an admission by IBM or the Commission.

It is fundamental to this Undertaking that it shall not be enforceable by any other natural or legal person or any national authority or agency. IBM understands and asks the Commission to confirm that the Commission will rely exclusively upon Articles 85 and 86 of the Treaty and not upon this Undertaking in this or any other proceeding.

## 20. Definitions

(a) **ANNOUNCEMENT**: the commencement of marketing activity concerning a new product or an existing product with a new or modified interface including the acceptance of orders or the communication to customers of information concerning the new product but excluding:

(i) information communicated to a small number of selected customers reasonably necessary for the purpose of essential testing of such product;

(ii) occasional product disclosures or bids made for purposes of national security or to facilitate planning of future complex installations;

before such product is otherwise offered for sale or lease.

(b) **ATTACHMENT**: the ways and means, used or designated by IBM as a reasonable alternative, by which products work together and communicate with each other either physically or logically or both, and in particular:

(i) between or to hardware products, the logical, physical and electrical or other means to allow the products to work together and communicate with each other;

(ii) between two software products, the logical means for them to work together (normally program product externals) or to communicate with each other (formats and protocols);

(iii) between a CPU and a software product, the logical means designated by the instruction set for the software to execute.

(c) **CENTRAL PROCESSING UNIT (CPU):** that part of a computer system primarily responsible for interpreting, storing and executing instructions and controlling the functioning of the various products that make up the system.

(d) **COMPETING UNDERTAKING:** any undertaking established in any Member State of the EEC which:

(i) directly engages in research, development, manufacture or marketing in the EEC of a product which attaches to a System/370 product, and;

(ii) develops or manufactures products of the type for which it requests information hereunder; and

(iii) is willing to accept, by written agreement or otherwise, conditions necessary to ensure IBM's legitimate interests (including reciprocal obligations where applicable) and obligations to pay legitimate fees and royalties as contemplated in this Undertaking concerning the supply of interface information.

(e) **GENERAL AVAILABILITY:** the date on which IBM first delivers a new System/370 product to any customer pursuant to an order made after the announcement of such product but excluding the delivery of the product to a small number of selected customers reasonably necessary for the purpose of the essential testing of such product.

(f) **INTERFACE:** the logical and, where appropriate, physical interconnection and interaction between or to System/370 products which enables the products to function together in all the ways such products are intended to function.

(g) **INTERFACE INFORMATION:** a description of that portion of the interface of a System/370 product sufficient to enable a competent professional skilled in the art to attach a product of his design to an IBM System/370 product.

(h) **MAIN MEMORY:** the directly addressable storage part of a computer system from which instructions can be read and from which operands can be read or written by instructions in the instruction set.

(i) **OPERATING SYSTEM:** basic software which controls the execution of computer programs and which may provide services for the proper functioning of the system, such as resource allocation, scheduling, input/output and file management and error handling.

(j) **SYSTEM/370 PRODUCTS** are:

(i) CPUs capable of executing the instructions (or any substantial part thereof) of the instruction set specified in the System/370 principles of operation current at 1 January 1977 as extended by any successor document;<sup>1</sup>

(ii) Hardware products (including input/output devices, terminals and control units) attached to any such CPUs and operating under the primary control of an operating system running on the System/370 CPU;

(iii) Channels or main memory where they are not integrated as part of the CPU but offered by IBM as a separate product;

(iv) Operating systems and software products which execute on (that is to say, function properly with) any System/370 CPU.

System/370 products are not:

(i) Spare parts or replacement parts used for repair and maintenance;

(ii) Parts supplied for model upgrades or features.

(k) **UNIQUE MACHINE INTERFACE:** any interface between two specific machines, or any interface which is designed for the attachment of a single machine function.

<sup>1</sup> Currently available CPUs such as 43XX, 303X and 308X would be included in this definition. Currently available CPUs such as System/36, System/38, Series/1, 8100, IBM personal computer, would be excluded from this definition.

The term does not include any CPU or operating system interfaces.

INTERNATIONAL BUSINESS MACHINES CORPORATION

Date: 1 August 1984(signed):

NICHOLAS deB. KATZENBACH  
Senior Vice-President and  
General Counsel

*Appendix A*

1 August 1984

**Release of technical information on IBM System/370 products  
to competing undertakings within the EEC**

**I — CPU to software interface**

The IBM System/370 CPU to software interface is that which exists between a System/370 CPU and an assembly language program. Information will be provided to permit the attachment of assembly language programs which will run on a CPU implementing the IBM System/370 principles of operation; or the attachment of a CPU designed in accordance with the IBM System/370 principles of operation to an IBM System/370 assembly language program.

The following existing documents contain the information required by this section. They are examples of the type of information which will be provided for extensions or changes to the IBM System/370 principles of operation:

- (i) IBM System/370 principles of operation manual;
- (ii) Channel OEMI manual;
- (iii) Machine assists published as companion documents to principles of operation;
- (iv) Processor functional characteristics manual published as companion document to principles of operation;
- (v) Channel characteristics manual.

Information required by this section normally will be contained in a principles of operations manual and related architectural documents for each System/370 CPU. These documents will be available within 120 days from the date of announcement within the EEC (or not more than 15 days after general availability within the EEC, whichever is earlier) of that CPU.

**II — Software interfaces**

IBM System/370 software interfaces are contained in program externals.

Program externals are that set of copyrighted documentation made generally available to customers to enable them to use a program effectively. Externals documentation describes the function visible to the customer in sufficient detail to permit effective use of the function without describing design or implementation details of a specific realization. It will permit the design and preparation of programs which will work in conjunction with the IBM software.

Externals documentation for IBM System/370 software products is generally supplied in 'G' and 'S' series manuals. Software externals documentation for an IBM System/370 product will be released as soon after announcement as the interface has become reasonably stable but in any event no later than the date of general availability of the product within the EEC.

Where such documentation may be inadequate or not well-defined or may not adequately describe a means of working with such IBM product, IBM will upon request provide such additional information as is reasonably necessary to enable customers and other vendors to attach their existing or future software products to IBM externals provided for that purpose.

### III — Multiple machine interfaces

A System/370 multiple machine interface is designed to permit the attachment of a broad range of IBM and non-IBM machines to IBM System/370 systems, irrespective of machine function. An important interface of this type is the System/370 CPU channel to control unit interface. Information will be provided to allow the attachment of an product to a IBM System/370 multiple machine interface.

The following existing documents contain the information required by this section. They are examples of the type of information which will be provided for new multiple machine interfaces or for extensions or changes to existing interfaces:

- (i) IBM System/370 channel to control unit OEMI;
- (ii) Channel characteristics manual;
- (iii) IBM System/370 direct control and external interrupt OEMI.

Information required, by this section normally will be contained in an OEMI manual for each multiple machine interface. The OEMI for the System/370 CPU channel to control unit interface will be available within 120 days from the date of announcement within the EEC (or not more than 15 days after general availability within the EEC, whichever is earlier) of any product providing or using that interface. The OEMI manuals for other multiple machine interfaces will be available within 120 days from the date of announcement within the EEC (or not more than one month after general availability within the EEC, whichever is earlier) of any product providing or using such interfaces. In addition, maintenance documentation and other product description manuals will be available at general availability within the EEC.

### IV — Unique machine interface

A System/370 unique machine interface is any hardware interface other than a multiple interface, i.e. one which exists between two specific IBM machines, or one which is designed for the attachment of a single machine function, such as attaching disk files to a controller. Any interface directly from a CPU to a control unit, device, or any other hardware unit is not a unique interface but will be treated as either a multiple machine interface or an integrated adaptor to device interface.

IBM generally does not create or publish interface information manuals as such for unique machine interfaces. Technical information covering these interfaces may be found in the maintenance documentation of both products and in certain supplementary documents.

The following existing documents are examples of what is provided under this section:

- (i) Functional characteristics manual for control unit and device;
- (ii) Users guide for control unit and device;
- (iii) Maintenance library manuals for control unit and device;
- (iv) Product attachment information supplementary documents, when provided.

These documents will be available not more than one month after general availability within the EEC of the products using that interface.

### V — Integrated adaptor to device interface

A System/370 integrated adaptor to device interface is the machine interface between a specific System/370 I/O device and its control function which is physically within the covers of a System/370 CPU.

Information will be provided to allow the attachment of a product to the IBM System/370 integrated adaptor to device interface.

An OEMI manual will be published for each System/370 integrated adaptor to device interface. It will be available within 120 days of the date of announcement within the EEC (or not more than 15 days after general availability within the EEC, whichever is earlier) of any product providing or using that interface. In addition, maintenance and device description manuals are available at general availability.

### *Appendix B*

1 August 1984

#### Outline for information disclosure agreement

IBM may require that competitive undertakings agree to the following conditions:

1. Requester must represent and upon request provide satisfactory evidence that (i) it is established and doing business in the EEC; (ii) it is a company which develops and manufactures products of a relevant type for which it asks interface information.
2. Limitations on disclosure to third parties:
  - (i) Agreement not to disclose to third parties prior to general availability anywhere other than confidential disclosure to employees or subcontractors.
  - (ii) Subcontractors may be required to sign same agreement.
3. Any competing undertaking seeking interface information from IBM must be prepared to disclose corresponding information to IBM on the same terms. Therefore:
  - (i) *if* a competing undertaking has requested IBM to supply interface information in order to develop, manufacture or sell a System/370 product which implements that interface, and
  - (ii) *if* such product is designed or modified to implement a non-IBM interface,
  - (iii) *then* IBM may request the competing undertaking to disclose any such non-IBM interface to the same extent and on the same terms (*mutatis mutandis*) as IBM makes disclosure to the competing undertaking.
4. Licences and royalties:
  - (i) Externals licence, including appropriate licence fee.
  - (ii) IBM's normal licence agreement and established licence fee for copyrighted programs.
  - (iii) Other proprietary information protected by any right enforceable at law — a reasonable royalty based on usage.
5. No waiver of patent rights.
6. Source code, if provided, will be subject to 'restricted materials' provisions of IBM's standard program licence agreement. Ability to inspect competitor's source code to ensure no copying if competitor subsequently markets software product with similar functions.
7. Commitment to pay reasonable costs for reproduction and dissemination of information.
8. Penalties for breach of such agreement or of any IBM patent, copyright for IBM products as provided by applicable law.

3.4.2. On 1 August, in response to the undertaking given by IBM, Mr Frans Andriessen, Member of the Commission with responsibility for competition policy, sent the following letter to Mr Nicholas deB. Katzenbach, Senior Vice-President and General Counsel of IBM:



'Following your undertaking dated 1 August 1984 concerning IBM's future behaviour in the matter of interface disclosure and memory bundling, I can inform you that the Commission has decided to suspend the proceeding initiated on 6 December 1980.

Furthermore, you may be assured that the Commission will not seek to reactivate the suspended proceeding so long as IBM's implementation succeeds in giving substantial satisfaction. You will appreciate nevertheless that the suspension of a particular proceeding cannot preclude the Commission, as a public authority, from terminating this suspension or from initiating a new proceeding in respect of IBM's conduct. Should the Commission reactivate the suspended proceeding it will rely exclusively on Articles 85 and 86 of the Treaty, and not upon your undertaking, in this or any other proceeding.

You will readily acknowledge that the effect and implementation of IBM's undertaking must be kept under constant review by my services. Apart from other action, I have instructed my services to call a meeting annually to take stock of the implementation of your undertaking and its effects. If need be, adjustments will then be discussed. The essential purpose of your undertaking is to provide necessary interface information and we shall welcome close cooperation with you to carry this out. The way in which this is done will be important and the spirit of the undertaking should prevail over the letter of particular examples or particular phrasing.

During the discussions my services indicated that we would have to make a formal reservation about paragraph 6 of Appendix B. The inclusion of that paragraph should not be taken as acceptance by the Commission of IBM's policy on source code, which is currently under scrutiny by my services, as you know.

Your undertaking is in a market context where many users and other manufacturers are planning to implement standards based on open systems interconnection. In exercising its responsibility for the EEC internal market and with the agreement of the Member States, the Commission actively supports this development. For this reason, paragraph 14 cannot be read as a recognition of SNA as playing a role in Community standards policy.'

## GRANTS FOR RESEARCH INTO EUROPEAN INTEGRATION 1985-86

In order to encourage university research in the field of European integration, the Commission of the European Communities will award in July 1985

### 20 RESEARCH GRANTS OF A MAXIMUM OF 4 500 ECU<sup>1</sup>

*3 grants will be reserved for historical research  
on the origins of European integration*

#### CONDITIONS:

1. The awards will be given to young university teachers at the start of their career who, individually or as a team, are doing research work on European integration.
2. Applications should be submitted in duplicate and contain:  
a 5-10 page typed description of the research project;  
an estimate of costs;  
a completed application form;<sup>2</sup>  
a curriculum vitae;  
a certificate from the institution, confirming the position currently held by the applicant.  
These papers are not returned to applicants.
3. Applicants should not be over 40 years of age.
4. Awards are not renewable.
5. The maximum award is 4 500 ECU, paid as follows:  
1st half — at the commencement of the research;  
2nd half — on receipt of the typed text referred to in paragraph 8.
6. Award holders who do not complete their research must reimburse the amount they have received.
7. Employees of the institutions of the European Communities as well as their spouses and children are not eligible to apply.
8. The work must be drawn up in one of the official languages of the European Communities (Danish, Dutch, English, French, German, Greek, Italian).  
The final text must be type-written and submitted in duplicate before 1 October 1986.
9. The Commission of the European Communities may assist with the costs of publishing the work.
10. The awards will be made by 15 July 1985 at the latest.
11. Applications must be submitted by 31 March 1985 to:  
Commission of the European Communities,  
University Information  
200 rue de la Loi,  
1049 Brussels (Belgium) — Tel. 235.11.11

<sup>1</sup> 4 500 ECU = circa BFR/LFR 200 000, DM 10 100, HFL 11 300, UKL 2 600, DKR 36 500, FF 30 500, LIT 6 200 000, IRL 3 200, DR 400 000.

<sup>2</sup> Application forms can be obtained from the above address or from the Offices of press and information of the European Communities listed below:

ATHENS: 2, Vassilissis Sofias, T.K. 1602, Athens 134.

BONN: Zitelmannstraße, 22, D-5300 Bonn.

BRUSSELS: 73, rue Archimède, B-1040 Bruxelles.

COPENHAGEN: Højbrohus, Østergade 61, Postbox 144,  
DK-1004 København-K.

DUBLIN: 39 Molesworth Street, Dublin 2.

THE HAGUE: Lange Voorhout, 29, Den Haag.

LONDON: 8, Storey's Gate, London SW1P 3AT.

LUXEMBOURG: Bâtiment Jean Monnet, rue Alcide de  
Gasperi, Luxembourg-Kirchberg.

PARIS: rue des Belles Feuilles, 61, F-75782 Paris Cedex 16

ROME: Via Poli, 29, I-00187 Roma.

ANKARA: Kuleli Sokak, Gazi Osman Paşa, Ankara.

CANBERRA: Capitol centre, Franklin Street, PO Box 609, Manuka  
ACT, Canberra a.c.t.

BANGKOK: 34, Phya Thai Road, Thung Phya Thai District,  
Bangkok.

CARACAS: Valle Arriba, Calle Colibri, Carretera de Barruta,  
Caracas.

GENEVA: rue de Vermont, 37-39, CH-1211 Genève 20.

LISBON: 35, rua do Sacramento à Lapa, 1200 Lisboa.

MADRID: Calle de Serrano, 41, 5A Planta, Madrid 1.

OTTAWA: Inn of the Provinces — Office Tower (Suite 1110), 350  
Sparks Street, Ottawa Ont. K1R 7S8.

TOKYO: Kowa 25, 8-7 Sanban-Cho, Chiyoda-Ku, Tokyo 102.

WASHINGTON: 2100 M Street NW (Suite No 707) Washington  
DC 20037.

# Publications of the European Communities

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# Publications of the European Communities

10 — 1984

## Introductory note

This catalogue includes the newly published monographs and series issued during the period to which it relates by the institutions of the European Communities, and also their current periodicals. Publications of which English versions have been issued are listed only in that language; otherwise another version, but only one, is included, in the following order of choice:

French	Spanish
German	Portuguese
Italian	Greek
Dutch	others
Danish	

Where other language versions also exist, cross-references are provided by means of a code (those codes should not be used for ordering purposes):

IT: 1 - 12

which means that the Italian version is described in the Italian catalogue of January under No 12. This number is specific to each catalogue; it is a sequence number printed in consecutive order, opposite each entry in the classified list.

## Arrangement

The catalogue is divided into three parts, as follows:

**Part I — The classified list** provides a subject classification of the titles included under 20 headings each divided into subheadings (see below).

Under each subheading, monographs and series are listed first in alphabetical order; there then follows a similar list of periodical titles.

Full entries for monographs and series appear only once; otherwise cross-references are given to the full entries identifying them by the sequence numbers already described. Periodical titles appear in the classified list only as cross-reference entries, full entries being found in Part II.

**Part II — Periodicals** present full details of each current Community periodical, listed alphabetically.

**Part III — The indexes of titles and series** are listed alphabetically and cross-refer using the abovementioned

sequence numbers to the entries in Part I of the monthly catalogue. These indexes cumulate throughout the year.

## How to obtain publications

Publications may be priced for sale, gratis, or of limited distribution. Those of the last two classes may be obtained from the issuing institutions, or, where they are published by the Information Offices of the Commission, from those offices, whose addresses are given in the lists on pp. 4 and 5. Publications of limited distribution are, however, generally only for the attention of governments of Member States, Community departments and other authorities concerned.

Orders for priced publications should be directed to the Sales Offices listed on the last page.

All orders should quote the full title, as well as the ISBN or ISSN where such a number precedes the prices in the catalogue.

## Abbreviations and conventional signs

The text languages of publications are indicated by the following abbreviations:

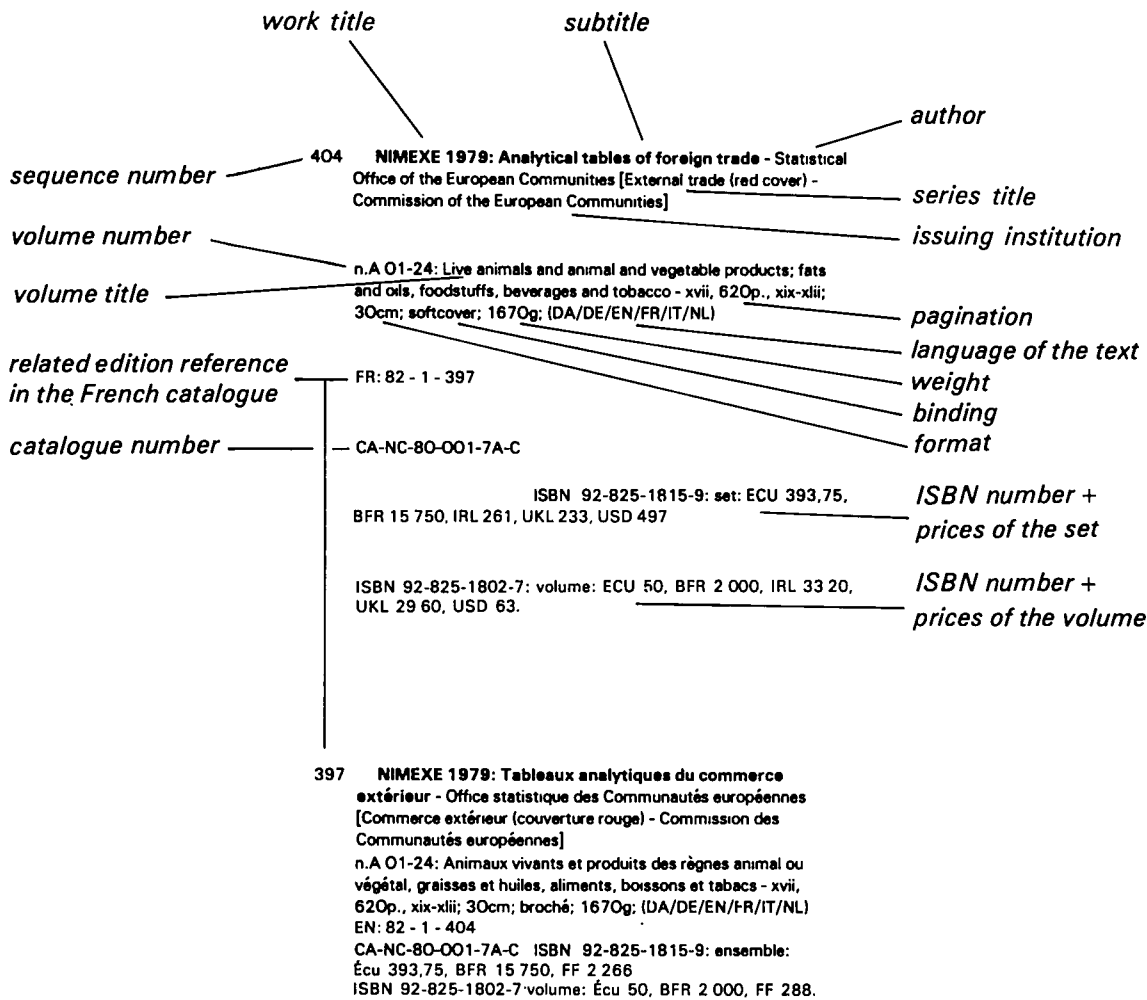
DA	Danish	GA	Irish
DE	German	IT	Italian
GR	Greek	NL	Dutch
EN	English	ES	Spanish
FR	French	PT	Portuguese

A string of such symbols separated by diagonal strokes denotes a publication in which different language versions of the same text appear under one cover.

The abbreviation 'multi' indicates a publication with a mixed multilingual text.

Prices, which exclude any value-added tax which may be chargeable, are fixed in various currencies, using the following abbreviations:

BFR	Belgian franc	HFL	Dutch guilder
DKR	Danish crown	IRL	Irish pound
DM	German mark	LIT	Italian lira
DR	Greek drachma	PTA	Spanish peseta
ESC	Portuguese escudo	UKL	Pound sterling
FF	French franc	USD	US dollar



## Institutions

EUROPA-PARLAMENTET - EUROPÄISCHES PARLAMENT -  
ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ - EUROPEAN PARLIAMENT -  
PARLEMENT EUROPÉEN - PARLAMENTO EUROPEO - EURO-  
PEES PARLEMENT

Secrétariat général du Parlement européen  
Direction générale du greffe et des services généraux  
L-2920 Luxembourg  
Tél.: 4 30 01

DET ØKONOMISKE OG SOCIALE UDVALG - WIRTSCHAFTS-  
UND SOZIALAUSSCHUSS - ΟΙΚΟΝΟΜΙΚΗ ΚΑΙ ΚΟΙΝΩΝΙΚΗ  
ΕΠΙΤΡΟΠΗ - ECONOMIC AND SOCIAL COMMITTEE - COMITÉ  
ÉCONOMIQUE ET SOCIAL - COMITATO ECONOMICO E SO-  
CIALE - ECONOMISCH EN SOCIAAL COMITÉ

Division « Presse, information et publications »  
Rue Ravenstein 2, B - 1000 Bruxelles  
Tél.: 512 39 20

RÅDET FOR DE EUROPÆISKE FÆLLESSKABER - RAT DER  
EUROPÄISCHEN GEMEINSCHAFTEN - ΣΥΜΒΟΥΛΙΟ ΤΩΝ  
ΕΥΡΩΠΑΪΚΩΝ ΚΟΙΝΟΤΗΤΩΝ - COUNCIL OF THE EUROPEAN  
COMMUNITIES - CONSEIL DES COMMUNAUTÉS EURO-  
PÉENNES - CONSIGLIO DELLE COMUNITÀ EUROPEE - RAAD  
VAN DE EUROPESE GEMEENSCHAPPEN

Secrétariat général du Conseil  
Direction « Information et documentation »  
Rue de la Loi 170, B - 1048 Bruxelles  
Tél.: 234 61 11

DEN EUROPÆISKE INVESTERINGSBANK - EUROPÄISCHE IN-  
VESTITIONSBANK - ΕΥΡΩΠΑΪΚΗ ΤΡΑΠΕΖΑ ΕΠΕΝΔΥΣΕΩΝ -  
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D'INVESTISSEMENT - BANCA EUROPEA PER GLI INVESTI-  
MENTI - EUROPESE INVESTERINGSBANK

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Tél.: 4379-3142

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KOMMISSION DER EUROPÄISCHEN GEMEINSCHAFTEN -  
ΕΠΙΤΡΟΠΗ ΤΩΝ ΕΥΡΩΠΑΪΚΩΝ ΚΟΙΝΟΤΗΤΩΝ - COMMISSION  
OF THE EUROPEAN COMMUNITIES - COMMISSION DES  
COMMUNAUTÉS EUROPÉENNES - COMMISSIONE DELLE  
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MEENSCHAPPEN

Division IX-C-1  
Rue de la Loi 200, B - 1049 Bruxelles  
Tél.: 235 11 11

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COUR DES COMPTES DES COMMUNAUTÉS EUROPÉENNES -  
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KAMER VAN DE EUROPESE GEMEENSCHAPPEN

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L-2010 Luxembourg  
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JUSTICE OF THE EUROPEAN COMMUNITIES - COUR DE JUS-  
TICE DES COMMUNAUTÉS EUROPÉENNES - CORTE DI GIU-  
STIZIA DELLE COMUNITÀ EUROPEE - HOF VAN JUSTITIE VAN  
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Service intérieur  
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Tél.: 4 76 21

## Information offices

### BELGIQUE – BELGIË

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Archimedesstraat 73  
1040 Bruxelles – 1040 Brussel  
Tél.: 735 00 40/735 80 40

### DANMARK

Højbrohus  
Østergade 61  
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1004 København K  
Tif.: 14 41 40

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Zitelmannstraße 22  
5300 Bonn  
Tel. 23 80 41

Kurfürstendamm 102  
1000 Berlin 31  
Tel. 8 92 40 28

### FRANCE

61, rue des Belles-Feuilles  
75782 Paris Cedex 16  
Tél. 501 58 85

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2, Vassilissis Sofias  
T.K. 1602  
Athina 134  
Tél: 724 39 82/724 39 83/724 39 84

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Dublin 2  
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00187 Roma  
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Tel. 87 51 17/80 59 209/80 52 643

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2920 Luxembourg  
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9/15 Bedford Street  
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Tel. 407 08

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Cardiff CF1 9SG  
Tel. 37 1631

7 Alva Street  
Edinburgh EH2 4PH  
Tel. 225 2058

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Tel. 25 05 55

Quinta Bienvenida  
Valle Arriba  
Calle Colibri  
Distrito Sucre  
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Venezuela  
Tel. 91 47 07

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Capital Centre  
Franklin Street  
PO Box 609  
Manuka ACT 2603  
Canberra a.c.t  
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8-7 Sanbancho  
Chiyoda-Ku  
Tokyo 102  
Tel. 239 04 41

### CANADA

Inn of the Provinces  
Office Tower  
Suite 1110  
Sparks' Street 350  
Ottawa, Ont. K1R 7S8  
Tel. 238 64 64

### SCHWEIZ - SUISSE - SVIZZERA

Case postale 195  
37-39, rue de Vermont  
1211 Genève 20  
Tél. 34 97 50

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Calle de Serrano 41  
(A Planta - Madrid 1  
Tel. 474 11 87

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35, rua Sacramento à Lapa  
1200 Lisboa  
Tel.: 66 75 96

### THAILAND

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Thai Military Bank Bldg  
34, Phya Thai Road  
Tel. 282 1452

### TÜRKIYE

15, Kuleli Sokak  
Gazi Osman Paça  
Ankara  
Tel. 27 61 45/27 61 46

### UNITED STATES

2100 M Street, NW  
Suite 707  
Washington, DC 20037  
Tel. 862 95 00

1 Dag Hammarskjöld Plaza  
245 East 47th Street  
New York, NY 10017  
Tel. 371 38 04

# Classified list

## 1 General, political and institutional matters

### MONOGRAPHS AND SERIES

- 1 **Directory of the Commission of the European Communities: September 1984 - Commission of the European Communities: Directorate-General Personnel and Administration - 110pp.: 25cm: softcover: 230g: (EN)**  
DA:84 - 10 - 2. DE:84 - 10 - 2. FR:84 - 9 - 1. GR:84 - 10 - 2.  
IT:84 - 10 - 4  
CB-40-84-747-EN-C ISBN 92-825-5045-1: ECU 2,84,  
BFR 130, IRL 2.10, UKL 1.70, USD 2.50.
- Die Europäischen Gemeinschaften in der Völkerrechtsordnung** 7
- 2 **European Investment Bank: Annual report - European Investment Bank**  
1983 - 124pp.: 30cm: softcover: 460g: (EN)  
DA:84 - 10 - 1. DE:84 - 10 - 1. FR:84 - 10 - 1. GR:84 - 10 - 1.  
IT:84 - 10 - 1. NL:84 - 10 - 2  
ISBN 92-861-0064-7: free of charge.
- European University Institute: Academic year 1985-86: 1984** 38
- 3 **Index: Bulletin of the European Communities - Commission of the European Communities**  
1979 - iv, 88pp.: 25cm: softcover: 185g: (EN)  
DA:84 - 10 - 3. DE:84 - 10 - 3. FR:84 - 1 - 3. NL:84 - 10 - 3  
CB-38-83-281-EN-C ISBN 92-825-3991-1: ECU 2,85,  
BFR 115, IRL 2, UKL 1.70, USD 3.
- 4 **Index: Bulletin of the European Communities - Commission of the European Communities**  
1980 - iv, 74pp.: 25cm: softcover: 160g: (EN)  
DA:84 - 10 - 4. DE:84 - 10 - 4. FR:84 - 1 - 4. IT:84 - 10 - 3.  
NL:84 - 10 - 4  
CB-38-83-297-EN-C ISBN 92-825-3998-9: ECU 2.85,  
BFR 115, IRL 2.00, UKL 1.70, USD 3.

### PERIODICALS

- 30 jours d'Europe.  
Avrupa.  
Background Report.  
Berichte und Informationen.  
Bulletin of the European Communities.  
COM Documents.  
COM Documents.  
COM Documents: Monthly catalogue.  
Committee Reports of the European Parliament.  
Communauté européenne: Lettre d'information du Bureau de Genève.  
Communauté Européenne Informations.  
Comunidad europea.  
Comunidades Europeias: Informação.  
Comunità europea.  
Debates of the European Parliament.  
Dokumente und Publikationen.  
Échos de l'Europe.

- Economic and Social Committee: Bulletin.  
EF-avisen.  
EG Magazin.  
EIB-Information.  
Eorascáil.  
Eur info.  
Europa.  
Europa-Informationen für die Jugendpresse.  
Europa van morgen.  
Europe 83.  
European File.  
European news.  
European Parliament.  
Fiches pédagogiques "30 jours d'Europe".  
Information on the Court of Justice of the European Communities.  
Informations de l'Eurostat.  
Informazioni.  
Informazioni documenti.  
Informazioni rassegna periodica.  
Official Journal of the European Communities, series C: Information and Notices.  
Official Journal of the European Communities, series L: Legislation.  
Press Release.  
Ευρωπαϊκή Κοινότητα.

## 2 Customs union

## 3 Agriculture, forestry and fisheries

### MONOGRAPHS AND SERIES

- Agricultural research and the Italian Mezzogiorno** 23
- Farm animal welfare programme** 30
- Paratuberculosis, diagnostic methods, their practical application and experience with vaccination** 33
- 5 **Special stock market segments for small company shares: Capital raising mechanism and exit route for investors in new technology-based firms - Schmidt, H.: Directorate-General Information Market and Innovation - xlviii, 551pp.: 30cm: softcover: 1495g: (EN) [Innovation - Directorate-General Information Market and Innovation: Commission of the European Communities] EUR 9235**  
CD-NT-84-003-EN-C ISBN 92-825-4840-6: ECU 39,46,  
BFR 1800, IRL 28.80, UKL 23.50, USD 33.



## PERIODICALS

- Agricultural Markets: Prices.  
 Agricultural prices.  
 Agricultural statistics: Crop and animal production.  
 Animal production.  
 Crop production.  
 EC-agricultural price indices (Output and Input).

## 4 Law

## MONOGRAPHS AND SERIES

- 6 **Catalogue of Community Legal Acts and other texts relating to the Elimination of Technical Barriers to Trade for Industrial Products and the Nomenclature for Iron and Steel products (EURONORM):** December 1983 - Commission of the European Communities: Directorate-General Internal Market and Industrial Affairs - 174pp.: 30cm: softcover: 460g: (EN)  
 DE:84 - 10 - 8. FR:84 - 10 - 5  
 CB-40-84-545-EN-C ISBN 92-825-4279-3: ECU 5,48,  
 BFR 250, IRL 4.10, UKL 3.30, USD 4.50.
- 7 **Die Europäischen Gemeinschaften in der Völkerrechtsordnung** - Manin, Philippe: Groux, Jean: Kommission der Europäischen Gemeinschaften - 167S.: 25cm: broschiert: 310g: (DE) [Europäische Perspektiven - Kommission der Europäischen Gemeinschaften]  
 CB-40-84-206-DE-C ISBN 92-825-4288-2: ECU 5,25,  
 BFR 240.
- 8 **The law of collective agreements in the countries of the European Community** - Perone, G.C. (Pr): Vallebona, A. (Dr): Commission of the European Communities - 47pp.: 30cm: softcover: 140g: (EN) [Document - Commission of the European Communities]  
 DE:84 - 10 - 7. FR:84 - 10 - 3  
 CB-41-84-143-EN-C ISBN 92-825-5012-5: ECU 5,50,  
 BFR 250, IRL 4.10, UKL 3.30, USD 4.50.
- 9 **Τριάντα χρόνια κοινοτικού δικαίου** - xxiv, 550σ.: 25cm: ἄδελτο: 1175g: (GR) [Εὐρωπαϊκὲς προοπτικὲς - Ἐπιτροπὴ τῶν Εὐρωπαϊκῶν Κοινοτήτων]  
 DA:83 - 51. DE:83 - 44. EN:83 - 51. FR:82 - 52. IT:83 - 51. NL:83 - 45  
 CB-32-81-681-GR-C ISBN 92-825-2651-8: ECU 7,36,  
 BFR 300.

## PERIODICALS

- Information on the Court of Justice of the European Communities.  
 List of laws and regulations adopted in the Member States of the Communities in application of acts adopted by the Communities.  
 Official Journal of the European Communities, series L: Legislation.  
 Reports of Cases before the Court of Justice.

## 5 Social affairs

## MONOGRAPHS AND SERIES

- 10 **Alternance training: Training contracts for young people in the European Community** - European Centre for the Development of Vocational Training - 129pp.: 20cm: softcover: 180g: (EN)  
 HX-38-83-467-EN-C ISBN 92-825-4209-2: ECU 4, BFR 185,  
 IRL 3.00, UKL 2.30, USD 3.50.
- 11 **Day-care facilities and services for children under the age of three in the European Community** - Pichault, Camille: Commission of the European Communities - 153pp.: 30cm: softcover: 410g: (EN) [Document - Commission of the European Communities]  
 DE:84 - 10 - 13. FR:84 - 10 - 8  
 CB-41-84-094-EN-C ISBN 92-825-5006-0: ECU 12,09,  
 BFR 550, IRL 8.90, UKL 7.20, USD 10.
- 12 **L'expérience de douze pays européens en matière de contrôle du coût des soins de santé (1977-1983)** - 148p.: 30cm: broché: 385g: (FR) [Document - Commission des Communautés européennes]  
 CB-41-84-272-FR-C ISBN 92-825-5094-X: ECU 12,50,  
 BFR 550.
- International symposium on the behaviour of long-lived radionuclides in the marine environment** 32
- The law of collective agreements in the countries of the European Community** 8
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