

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

P R E S S R E L E A S E

7461/92 (Presse 133)

1596th Council meeting

- AGRICULTURE -

Luxembourg, 30 June 1992

President: Mr Arlindo CUNHA,

Minister for Agriculture of
the Portuguese Republic

7461/92 (Presse 133 - G)

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The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr André BOURGEOIS Minister for Agriculture

Denmark:

Mr Laurits TOERNAES Minister for Agriculture

Mr Nils BERNSTEIN State Secretary for Agriculture

Germany:

Mr Ignaz KIECHLE Federal Minister for Food,
 Agriculture and Forestry

Mr Walter KITTEL State Secretary, Federal Ministry of
 Food, Agriculture and Forestry

Greece:

Mr Sotirios HATZIGAKIS Minister for Agriculture

Spain:

Mr Pedro SOLBES MIRA Minister for Agriculture

France:

Mr Louis MERMAZ Minister for Agriculture

Ireland:

Mr Joe WALSH Minister for Agriculture

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Italy:

Mr Giovanni FONTANA Minister for Agriculture

Luxembourg:

Mr René STEICHEN Minister for Agriculture and
Viticulture

Netherlands:

Mr Piet BUKMAN Minister for Agriculture, Nature
Conservation and Fisheries

Portugal:

Mr Arlindo CUNHA Minister for Agriculture

Mr Alvaro AMARO State Secretary, Minister of
Agriculture

United Kingdom:

Mr John GUMMER Minister of Agriculture, Fisheries
and Food

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Commission:

Mr Ray MAC SHARRY Member

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- REFORM OF THE COMMON AGRICULTURAL POLICY
- AGRICULTURAL PRICES FOR THE 1992/1993 MARKETING YEAR

Following the political agreement reached on 21 May 1992 on reform of the common agricultural policy and on the fixing of agricultural prices and related measures for the 1992/1993 marketing year (see press release 6539/92 Presse 85), the Council adopted all the Regulations translating that political agreement into law.

With regard to reform of the common agricultural policy, the Regulations are as follows:

(a) arable crops

- establishing a support system for producers of certain arable crops,
- on the common organization of the market in cereals,
- amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals,
- amending Regulation (EEC) No 762/89 introducing a specific measure for certain grain legumes,
- on the percentage to be used to calculate the aid for dried fodder for the 1993/1994 marketing year;

(b) beef and veal

- amending Regulation (EEC) No 805/68 on the common organization

of the market in beef and veal and repealing Regulation (EEC) No 468/87 laying down general rules applying to the special premium for beef producers and Regulation (EEC) No 1357/80 introducing a system of premiums for maintaining suckler cows,

- on measures to promote and market quality beef and veal,
- fixing, for the period from 1 July 1993 to 30 June 1996, intervention prices for adult bovine animals;

(c) sheepmeat and goatmeat

- amending Regulation (EEC) No 3013/89 on the common organization of the market in sheepmeat and goatmeat,
- amending Regulation (EEC) No 3493/90 laying down general rules for the grant of premiums to sheepmeat and goatmeat producers;

(d) milk

- fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana padano and Parmigiano Reggiano cheeses for two annual periods from 1 July 1993 to 30 June 1995,
- on promoting consumption in the Community and expanding the markets for milk and milk products,
- amending Regulation (EEC) No 804/68 on the common organisation

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of the market in milk and milk products,

- establishing an additional levy in the milk and milk products sector;

(e) tobacco

- on the common organization of the market in raw tobacco,
- fixing the premiums for leaf tobacco by group of tobacco varieties and the processing quotas allocated by group of varieties and by Member State,
- concerning inter-branch organizations and agreements in the tobacco sector;

(f) accompanying measures

- on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside,
- instituting a Community aid scheme for forestry measures in agriculture,
- instituting a Community aid scheme for early retirement from farming.

(g) transitional national compensation for farmers in Germany

The Council adopted a Decision on temporary compensation for farmers in Germany.

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With regard to agricultural prices for the 1992/1993 marketing year, the Council adopted Regulations:

(a) cereals - rice

- fixing the prices applicable to cereals for the 1992/1993 marketing year,
- fixing for the 1992/1993 marketing year the amount of aid for durum wheat,
- fixing the specific aid applicable in Portugal for cereals during the 1992/1993 marketing year,
- fixing the monthly price increases for cereals, wheat and rye flour and wheat groats and meal for the 1992/1993 marketing year,
- fixing the production aid for certain cereals sown in the 1992/1993 marketing year,
- amending Regulation (EEC) No 1008/86 laying down detailed rules for production refunds applicable to potato starch,
- fixing the minimum price for potatoes to be paid by the starch manufacturer to the potato producer for the 1992/1993 cereals marketing year,
- fixing rice prices for the 1992/1993 marketing year,

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- fixing the monthly price increases for paddy rice and husked rice for the 1992/1993 marketing year;

(b) sugar

- fixing, for the 1992/1993 marketing year, certain sugar prices and the standard quality of beet,
- fixing, for the 1992/1993 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal;

(c) olive oil - oilseeds

- amending Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats,
- fixing the prices, aids and percentages of aid to be retained in the olive-oil sector for the 1992/1993 marketing year,
- fixing the guide price for flax seed for the 1992/1993 marketing year,
- amending Regulation (EEC) No 569/76 laying down special measures for flax seed,
- amending Regulation (EEC) No 3698/88 laying down special measures for hemp seed,

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- fixing the aid for hemp seed for the 1992/1993 marketing year;

(d) textiles

- adjusting, for the second time, the system of aid for cotton introduced by Protocol 4 annexed to the Act of Accession of Greece,
- amending Regulation (EEC) No 2169/81 laying down the general rules for the system of aid for cotton,
- amending Regulation (EEC) No 1152/90 instituting a system of aid in favour of small cotton producers,
- fixing the guide price for unginned cotton for the 1992/1993 marketing year,
- fixing the minimum price for unginned cotton for the 1992/1993 marketing year,
- amending Regulation (EEC) No 1308/70 on the common organization of the market in flax and hemp,
- fixing the amounts of aid for fibre flax and hemp and the amount withheld to finance measures to promote the use of flax fibre for the 1992/1993 marketing year,
- amending Regulation (EEC) No 845/72 laying down special measures to encourage silkworm rearing,

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- fixing the amount of aid in respect of silkworms for the 1992/1993 rearing year;

(e) protein products

- amending Regulation (EEC) No 1431/82 laying down special measures for peas, field beans and sweet lupins,
- fixing, for the 1992/1993 marketing year, the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins,
- fixing, for the 1992/1993 marketing year, the monthly increases in the activating threshold price and the guide price for peas and field beans,
- amending Regulation (EEC) No 762/89 introducing a specific measure for certain grain legumes;

(f) fruit and vegetable

- amending Regulations (EEC) No 1035/72 and No 1121/89 as regards the intervention thresholds mechanism for fresh fruit and vegetables,
- amending Regulation (EEC) No 989/84 introducing a system of guarantee thresholds for certain processed fruit and vegetable products;

(g) wine

- amending Regulation (EEC) No 822/87 on the common organization of the market in wine,
- fixing the guide prices for wine for the 1992/1993 wine year,
- amending Regulation (EEC) No 2046/89 laying down general rules for distillation operations involving wine and the by-products of wine-making,
- amending Regulation (EEC) No 358/79 as regards sparkling wines produced in the Community as defined in point 15 of Annex I to Regulation (EEC) No 4252/88 on the preparation and marketing of liqueur wines produced in the Community;

(h) tobacco

- laying down special measures for certain varieties of raw tobacco from the 1992 harvest,
- fixing, for the 1992 harvest, the norm and intervention prices and the premiums granted to purchasers of leaf tobacco, the derived intervention prices for baled tobacco, the reference qualities, and the production areas;

(i) beef and veal

- derogating, for the period during which application for 1992/1993 may be lodged, from Regulation (EEC) No 1357/80 introducing a system of premiums for maintaining

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suckler cows;

(j) sheepmeat and goatmeat

- fixing the basic price, and the seasonal adjustments to the basic price, for sheepmeat for the 1993 marketing year;

(k) pigmeat

- fixing the basic price and the standard quality for pig carcases for the period 1 July 1992 to 30 June 1993.

FOOD QUALITY

The Council agreed to instruct the SCA to examine certain parts of this dossier in greater detail so that it could adopt the Regulations in question at its next meeting.

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OTHER DECISIONS ON AGRICULTURE

The Council

- adopted the Regulation amending Regulation (EEC) No 1442/88 on the granting, for the 1988/1989 to 1995/1996 wine years, of permanent abandonment premiums in respect of wine-growing areas. This modifies the ways in which the permanent abandonment of wine-growing areas is entered in the accounts for the 1988/1989 and 1989/1990 wine years.
- adopted the Directive amending Directive 90/425/EEC concerning veterinary and zootechnical checks applicable to trade in certain live animals and products with a view to the completion of the internal market (Political position established by the Council on 15/16 June 1992. See press release 7274/92 Presse 116).

VARIOUS DECISIONS

Customs union

The Council adopted Regulations

- opening and providing for the administration (from 1 July to 31 December 1992) of Community tariff quotas for quality wines produced in the specified regions of Jerez (455 964 hl - tariff quotas ECU 0,8 to 0,9 per hl), Malaga (5 713 hl - ECU 1,2 to 1,4 per hl) and Jumilla, Priorato, Rioja and Valdepeñas (11 393 hl - ECU 1,2 to 1,8 per hl);

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- opening and providing for the administration (from 1 July to 31 December 1992) of Community tariff quotas for hake fillets (5 000 tonnes - quota 10%) and for processing work in respect of certain textile products under Community outward processing arrangements (quota volume ECU 1 870 000 added value);
- opening and providing for the administration of Community tariff quotas for certain industrial products (4th series 1992);
- increasing the volume of the Community tariff quota for newsprint from Canada for 1992;
- amending Regulation (EEC) No 3905/91 opening and providing for the administration of Community tariff quotas for certain industrial products (1st series 1992).

Intellectual property

The Council and the Commission adopted a joint statement on aspects relating to intellectual property in scientific co-operation agreements concluded between the Community and third countries.

The purpose of this statement is to establish a consistent approach to the problems of intellectual property, to be used in negotiations with third countries.

Commercial and distributive enterprises

The Council adopted the conclusions below.

COUNCIL CONCLUSIONS
ON COMMUNITY ACTION TO ASSIST COMMERCIAL
AND DISTRIBUTIVE ENTERPRISES, INCLUDING SMALL AND MEDIUM-SIZED
ENTERPRISES

The Council of the European Communities,

Having regard to the Treaty establishing the European Communities,

Having regard to Council Resolution 89/C 297/02 of 14 November 1989
on internal trade in the context of the internal market⁽¹⁾,

Having regard to the Commission communication entitled: "Towards a single market in distribution: internal trade in the Community, the commercial sector and the completion of the internal market"⁽²⁾,

Having regard to the Opinion of the Economic and Social Committee on
the Commission communication entitled: "Towards a single market in distribution"⁽³⁾,

Having regard to Council Decision 89/490/EEC of 28 July 1989 on the improvement of the business environment and the promotion of the development of enterprises, and in particular small and medium-sized enterprises, in the Community⁽⁴⁾, as amended by Council Decision 91/319/EEC of 18 June 1991⁽⁵⁾,

Taking into account the discussions during the Interministerial Conference held in Alvor (Portugal) on 11 May 1992,

1. notes that the Commission has responded to the brief given to it by submitting in its communication entitled: "Towards a single market in distribution" a work programme broadly corresponding to the expectations voiced by the Council in Resolution 89/C 297/02, and states its intention of examining it further within the Council,

(1) OJ No C 297/2, 25.11.1989

(2) COM(91) 41 final, 16.4.1991

(3) OJ No C 14/39, 20.1.1992

(4) OJ No L 239, 16.8.1989

(5) OJ No L 175/32, 4.7.1991

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2. emphasizes the importance of trade in the context of the process of convergence of the European economy and in the completion of the internal market and in the industrial field,

notes the role of trade in maintaining the economic and social cohesion of less-developed regions and of urban or rural areas undergoing change,

recognizes the diversity of the distribution structures in the different Member States, bearing in mind the local nature of trade, and underlines in this context the importance of balance between the various components while complying with the principle of subsidiarity,

3. stresses an open and competitive environment for the development of commercial enterprises, and notes in this context the work done by the Advisory Committee on Commerce and Distribution, set up by Commission Decision (6), and in particular its contribution as regards self-regulation, through the development of codes of conduct,

invites the Commission to continue discussions on codes of conduct in consultation with the Member States and the business circles concerned,

4. notes the role which may be played by the boosting of technology absorption capacity and training in improving the competitiveness of commercial enterprises,

notes the need to improve the financial structure of small and medium-sized commercial enterprises to ensure their competitiveness in the internal market,

emphasizes the existence of Community instruments capable of meeting this need and of improving the open and competitive business environment, in particular the structural funds and Community training programmes, as well as the Community programme to assist enterprises, in particular small and medium-sized enterprises,

invites the Commission in its further consideration of the financing of enterprises to take into account also the problems of financing small and medium-sized commercial enterprises,

stresses the importance of a favourable institutional framework for commercial and distributive small and medium-sized undertakings.

(6) OJ No L 165, 23.6.1981

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5. notes in the context of the absorption of technology the interest aroused in the circles concerned by pilot projects launched under the "COMM2000" project to strengthen links between commercial enterprises and between small and medium-sized commercial enterprises and their economic partners (7),

requests the Commission to submit to it as soon as possible a preliminary assessment of measures initiated under the "COMM2000" project, including the way in which the programme has facilitated the dissemination of the technologies concerned in the commercial sector,

calls upon the Commission to pursue its consideration of Community action to assist trade and small and medium-sized enterprises and to submit a regular report to the Council accompanied, if required, by any proposals it deems necessary to ensure the continuity of such action.

Type-approval of two- or three-wheeled motor vehicles

Further to the common position adopted at its meeting on 25 February 1992 and the completion of the co-operation procedure with the European Parliament, the Council adopted the Directive relating to Community type-approval of two- or three-wheeled motor vehicles. The purpose of this Directive is to achieve complete harmonization, with regard to construction regulations, of 2- or 3-wheeled motor vehicles. The approach proposed is similar to that used for automobiles, lorries and agricultural tractors, an approach based on a procedure of type-approval by type of vehicle and approval of the various components.

The Directive will constitute a framework establishing the procedures on the basis of which type-approval will be given to two- or three-wheeled vehicles, and approval given to their components. The technical regulations proper will be the subject of individual Regulations which the Commission hopes to submit to the Council in the course of 1992.

(7) OJ No S 151/64, 10.8.1991

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ECSC

The Council gave its assent to the Commission Decision regarding as compatible the aid intended for Denmark and the Netherlands to reduce the tax burden on steel undertakings resulting from the introduction of a tax on carbon-dioxide emissions.

Appointments

The Council

- appointed members and alternate members of the Advisory Committee on Pharmaceutical Training;
 - replaced two members of the Advisory Committee on Education and Training in the field of Architecture.
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BRUXELLES, LE 26 JUIN 1992.

NOTE BIO(92) 167 AUX BUREAUX NATIONALS
CC AUX MEMBRES DU SERVICE DU PORTE-PAROLE

CONSEIL CONSOMMATEURS (BRUNO JULIEN)

- LE CONSEIL DEVRAIT ADOPTER LA DIRECTIVE RELATIVE A LA SECURITE DES PRODUITS QUI A DEJA FAIT L'OBJET D'UNE POSITION COMMUNIQUEE POUR 1991 ET QUI A ETE EXAMINEE EN SECONDE LECTURE PAR LE PARLEMENT EUROPEEN LORS DE LA SESSION DE JUIN (RAPPORT JACKSON). LE TEXTE DE CETTE DIRECTIVE BASEE SUR L'ARTICLE 100 A DU TRAITE PREVOIT QUE LES ETATS MEMBRES S'ASSURENT QUE LES PRODUITS DESTINES AUX CONSOMMATEURS OU POUVANT ETRE UTILISES PAR UNIX SFRONT SIRS, C'EST-A-DIRE QUI TIRENT PAS DE RISQUES INCOMPATIBLES AVEC L'UTILISATION DU PRODUIT

CETTE LEGISLATION DE CARACTERE HORIZONTAL S'APPLIQUE A TOUS LES PRODUITS QUI NE SONT PAS DEJA COUVERTS PAR DES REGLES SPECIFIQUES DE SECURITE. LES PRODUCTEURS DOIVENT S'ASSURER QUE LES CONSOMMATEURS SONT BIEN INFORMES DES RISQUES INHERENTS AUX PRODUITS. LES ETATS MEMBRES DOIVENT VEILLER A CE QUE LES AUTORITES COMPETENTES DICTENT POUR S'ASSURER DES RESPECTS PAR LES PRODUCTEURS ET DES DISTRIBUTEURS DES DISPOSITIONS DE CETTE DIRECTIVE. CETTE DIRECTIVE PREVOIT LA MISE EN PLACE D'UN SYSTEME DE RETRAIT DES PRODUITS DANGEREUX PAR LES ETATS MEMBRES, D'ALERTE AUX AUTRES ETATS ET DE RETRAIT GENERALISE APRES CONSULTATION DU COMITE SUR LA SECURITE DES PRODUITS.

LE CONSEIL PROCEDERA A UN ECHANGE DE VUES SUR LA PROPOSITION DE DIRECTIVE VISANT A ABOLIR LES CLAUSES ABUSIVES DANS LES CONTRATS. IL EST PEU PROBABLE QUE LE CONSEIL SOIT EN MESURE DE DEGAGER UNE POSITION COMMUNE SUR CE TEXTE CAR PLUSIEURS DISSENSIONS PERSISTENT, NOTAMMENT SUR :

- LE CHAMP D'APPLICATION DE LA DIRECTIVE QUE PLUSIEURS

FROM : C.E.C. - G.P.P.
TO : C.E. WASHINGTON - WASHINGTON
REF : 2178074285 - 26-06-1992 13:08

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ETATS MEMBRES SOUHAITERAIENT RESTREINDRE AU SEUL CONTRAT

STANDARD, C'EST-A-DIRE QUI N'ONT PAS FAIT L'OBJET DE
NEGOCIATION ENTRE LE PROFESSIONNEL ET LE CONSOMMATEUR.

- LES GARANTIES AUX CONSOMMATEURS ET LES POSSIBILITES DE
VOIE DE RECOURS,
- LA LISTE DES CLAUSES ABUSIVES STANDARDS QUI FIGURENT EN
ANNEXE DU PROJET DE LA COMMISSION ET QUE PLUSIEURS ETATS
MEMBRES SOUHAITEAIENT RETIRER

LES MINISTRES PROCEDERONT A UN DEBAT D'ORIENTATION SUR LA
PROPOSITION DE DIRECTIVE CONCERNANT L'AUTORISATION DE LA
PUBLICITE COMPARATIVE DANS LES ETATS MEMBRES. PLUSIEURS
DELEGATIONS SOUHAITENT QUE LA COMMISSION PRESENTE D'ABORD UNE
PROPOSITION SUR LA PUBLICITE DELOYALE AVANT QUE L'ON PUISE
ENVISAGER L'AUTORISATION DE LA PUBLICITE COMPARATIVE AU NIVEAU
COMMUNAUTAIRE

EN L'ABSENCE D'AVIS DU PARLEMENT EUROPEEN SUR LA PROPOSITION DE
DIRECTIVE SUR LA RESPONSABILITE DES PRESTATAIRES DE SERVICES, LE

CONSEIL PROCEDERA A UN DEBAT D'ORIENTATION SUR LES PRINCIPALES
QUESTIONS LIEES A CE PROJET, A SAVOIR L'OBJECTIF DE LA DIRECTIVE,
SON CHAMP D'APPLICATION ET LE REGIME DE RESPONSABILITE

LA PRESIDENCE INVITERA LE CONSEIL A ADOPTER UN PROJET DE
RESOLUTION SUR LES FUTURES PRIORITES DE LA POLITIQUE DE
PROTECTION ET D'INFORMATION DES CONSOMMATEURS. CE TEXTE PREVOIT
QUE LA COMMISSION PRESENTE UN BILAN D'EVALUATION SUR LE PLAN
D'ACTION EN COURS ET UNE PROPOSITION POUR UN NOUVEAU PLAN
QUADRIENNAL.

LA RESOLUTION ENVISAGE DE DECLARER L'ANNEE 1997 'ANNEE EUROPEENNE
DU CONSOMMATEUR'.

LE CONSEIL DEVRAIT ADOPTER LE PROJET PERMETTANT LA MISE EN PLACE
D'UN PROGRAMME EHASS, SYSTEME D'INFORMATION SUR LES ACCIDENTS
DOMESTIQUES

AMITIES,
BRUNO JULIEN

SENT BY SPP AT FRI JUN 26 13:12:42 METS 1992

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+++ END OF TEXT +++

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Bruxelles, le 29 juin 1992.

**NOTE BIO(02) 167 (suite 1 et fin) AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE**

Conseil consommateurs (Bruno JULIEN)

Le Conseil a adopté définitivement la directive sur la sécurité générale des produits qui devra être transposée par les Etats membres dans leur droit national avant juin 1994.

Le Commissaire Van Miert estime qu'il s'agit là d'un pas très significatif de la politique des consommateurs à l'échelon européen qui permettra la libre circulation des biens et des produits dans la mesure où tous ceux d'entre eux qui sont destinés aux consommateurs répondront à des exigences de sécurité. Ce sera aux Etats membres en vertu du principe de la subsidiarité de veiller à ce que ces dispositions soient bien appliquées. En outre, lorsqu'un produit dangereux sera retiré du marché, ceci sera fait en étroite relation avec les Etats membres en utilisant à cet effet la comitologie communautaire.

Une note et un memo détaillé sur ce thème seront publiés demain.

Le Conseil a adopté un accord politique sur une position commune concernant le projet de directive sur les clauses abusives dans les contrats négociés entre fournisseurs et consommateurs, le Parlement n'ayant encore pas rendu son avis sur la proposition de la Commission. Il s'agit là également d'un progrès notable car dès que cette directive sera transposée par les Etats membres (31/12/1994), les consommateurs pourront en toute confiance conclure des contrats sous forme standardisée dans n'importe quel Etat membre, sans avoir à se soucier de la présence d'éventuelles clauses abusives. En effet, ce texte permettra d'invalider des clauses contractuelles défavorables au consommateur que celui-ci doit encore souvent accepter dans ses transactions, notamment quand il s'agit de clauses standardisées.

Le Commissaire Van Miert a cependant regretté que le champ d'action de la directive ait été limité aux seuls contrats standardisés et non plus à l'ensemble des contrats y compris ceux qui ont été négociés, ainsi que le proposait le projet initial de la Commission.

Le Conseil a procédé à un premier tour de table politique sur le projet de directive sur la publicité comparative et a recommandé au COREPER d'approfondir la discussion sur la nécessité d'une telle directive après avoir reçu l'avis du Parlement européen.

Le Conseil a également procédé à un tour de table sur le projet de directive sur la responsabilité des prestataires de services. Le dossier a été renvoyé au COREPER.

La Commission présentera très prochainement son rapport sur l'évaluation du système EHASS sur la base des données fournies par les Etats membres. Le Commissaire Van Miert a annoncé qu'il soumettrait également dans un très proche avenir une proposition au Conseil pour permettre la poursuite de cette expérience dans les Etats membres.

Le Conseil a adopté une résolution sur les priorités futures pour le développement de la politique de protection des consommateurs. Cette résolution invite la Commission à faire un rapport d'évaluation du plan d'action de protection triennal 1990/1992 en cours et de présenter de nouvelles propositions pour le développement futur de la politique des consommateurs en fixant une liste de priorités. La Commission, sans être liée par le contenu de cette résolution, pourra s'en inspirer.

Enfin, le Commissaire a présenté brièvement au Conseil les projets de directives récemment adoptés par la Commission sur la vente à distance et sur la multipropriété (timeshare), la future Présidence britannique ayant indiqué qu'elle ferait de ce dernier projet l'une de ses priorités.

Amitiés,

Bruno DETHOMAS

13/7/91