



# a newssheet for journalists

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Mailed from: Brussels X

Journalists

**INTERNAL MARKET: Coming shortly, static-free consumer electronics**

The Twelve agree to eliminate interference from poorly designed appliances.

Users of radio and television sets, and other electrical and electronic appliances sold in the 12-nation European Community, will be able to operate them free of static and other interferences, once there is a Community regulation on electromagnetic compatibility.

Happily, there was substantial progress towards just such regulation when the EC Council of Ministers met on October 14. The Council agreed on a Community directive which should also facilitate the free movement of a wide range of equipment in the single European market, whose completion is set for the end of 1992.

According to the system approved by the Twelve, manufacturers will have to ensure that (1) their products do not interfere with those made by others and (2) they are properly shielded against interference. Equipment which meets the conditions laid down in the directive could be sold throughout the 12-nation Community.

The directive, now awaiting examination by the European Parliament, provides for the adoption of harmonized standards with provisions for controls. Until such time as these standards have been finalized, the Twelve agree to accept equipment which meets the national standards of their Community partners, in the context of Community procedures.

**INTERNAL MARKET: Towards more "European" public works contracts**

The Twelve seek to open up major contracts to competition.

Public procurement traditionally has been each country's own business. But it is becoming more "European" in the run-up to 1992. The liberalization of supply contracts was adopted last March; it is now the turn of public works contracts. The EC Council of Ministers agreed on October 14 to a substantial extension of Community rules in the matter.

For contracts under ECU 5mn.\* - as against ECU 1 million at present - the directive adopted by the Twelve provides for prior information through an announcement in the Community's Official Journal. This should give firms time to prepare their bids for submission to public bodies in another Member State.

The new system will also apply to work to be carried out for a private company when over 50% of the costs are being met from public funds. Those inviting tenders will have to use European technical standards and publish the results.

\* 1 ECU = UK£0.65 or IR£0.77.

**INTERNAL MARKET: From jam to fertilizers - by way of motorcycles**

Good news for consumers and the Single Market.

Provide consumers with better information and facilitate marketing without frontiers: such is the two-fold objective of a number of Community regulations adopted by the EC Council of Ministers on October 14. They cover jams and fruit juices as well as fertilizers.

The Council also agreed on a formula aimed at reducing motorcycle noise and took decisions in the field of public works contracts and interference from poorly designed electronic equipment (see p. 2). The European Commission, not surprisingly, feels that at this pace the Twelve can keep to the time-table for the Single Market.

The Council decided to adopt a directive requiring makers of jams, jellies, marmalade and creamed chestnuts to indicate the level of sulphur dioxide, if it is over 30 mg/kg. The directive also strengthens the Commission's powers as regards the application of existing rules to these products. The directive also authorizes the use of the word "jam" to describe certain products made from plants rather than fruit.

The Council undertook to adopt, before the end of 1992, European designations for foodstuffs with a low sugar content which belong to the same family, so as to take into account the success of dietary products. Another directive adopted by the Twelve\* provides for the acceptance, throughout the Community, of fruit juices prepared without the addition of sugar.

The Council agreed on the harmonization of information on fertilizers to be provided consumers\*. Manufacturers will have to indicate the percentage of calcium, magnesium, sodium and sulphur to be able to sell their products throughout the 12-nation Community.

Finally, the Twelve adopted a regulation\* which should cut down the roar of motorcycles. Last year they adopted Community standards under which the maximum permitted noise level was set at 80 decibels, along with technical specifications for standard exhaust mechanisms. But there were no provisions for exhausts sold as spare parts. The Council has now provided a European procedure for carrying out checks.

\* The text now awaits examination by the European Parliament.

**"CLEAN" CARS: In all 12 EC countries or in none**

The European Commission's "No" to Dutch plans.

The "clean" car must meet European anti-pollution standards if it is to make its appearance on the Community's roads, in the Commission's view. On October 12 it asked the Dutch government to shelve its plans for using tax incentives to encourage the purchase of clean cars.

The Commission clearly wants to prevent the Community market for cars from becoming fragmented in the run-up to 1992. Moreover, the EC Council of Ministers, which has already adopted anti-pollution standards for larger cars (those with engines of more than 1.4 litres), is meeting again on November 24 to set Community standards for smaller models.

The Dutch government plans to give buyers of larger cars which meet European standards tax credits worth Fl 850\*. The same tax credits would be available to buyers of smaller cars (those with engines of less than 1.4 litres), which meet the standards agreed to by most EC countries but which have yet to be adopted.

Finally, those buying cars which meet the stricter American standards would receive tax credits worth twice as much - Fl 1.700.

Dutch plans have met with protests from the British and Italian governments and complaints from the association of Community car manufacturers.

\* UK£240 or IR£280.

**CARS: Manufacturers do not have unlimited rights**

One must be able to find spare parts, according to Community judges.

A car maker can decide the use to which it will put the models and pieces of bodywork it has created; but the company must respect certain limits, if it is not to infringe Community regulations.

The EC Court of Justice considers it illegal for a manufacturer to refuse, without good reason, to deliver spare parts to a self-employed motor mechanic, or to charge excessive prices for them, or simply to stop making them, although large numbers of the cars for which they are made are still on the road.

This was the ruling which the Court handed down on October 11, in a case involving the French car maker, Renault, and an association of Italian manufacturers of spare parts. The European Commission promptly announced that it would examine the complaints originating in this sector, in order to throw light on the practices regarded by the Court as improper.

**UNEMPLOYMENT: No real change in August**

It stood at 10.4% for the EC as a whole.

The unemployment rate for the European Community as a whole stood at 10.4% in August, unchanged from June and July. The rise of 0.1% in the number of registered unemployed in August left unchanged the "real" unemployment rate as estimated by Eurostat, the EC's statistical office, on the basis of identical criteria for all 12 Member States and discounting seasonal factors.

The fall in unemployment has been very slight since March 1988 for the Community as a whole. Even so, it is below the levels reached in previous years: 10.7% in April 1987, for example, and 10.9% the previous April.

The unemployment rate declined in most EC countries in August but it rose in France and Italy. The differences between Member States remain substantial, however. Spain recorded with 19.7% the highest rate, Luxembourg with 2.8% the lowest.

The unemployment rate for women remained at 13.8%, as against 8.2% for men. Britain is the only Community country, however, in which a higher proportion of men than women are out of work.

**EQUALITY OF SEXES: It doesn't require separate toilets for women**

The European Commission clarifies the position to employers.

Employers in the 12-nation European Community have been told by the European Commission they cannot reject job applications from women on the grounds that their company does not have separate toilets for them. The Commission found it necessary to put the record straight after British and Irish newspapers had claimed it was planning to impose unisex toilets on companies throughout the EC.

The Commission received complaints last year of companies in the various Community countries discriminating against women on the grounds there were no separate toilets for them. It took up the matter officially in June and again in December of last year with five Member States - Britain, France, Germany, Ireland and Luxembourg - to ensure an end to such discrimination. The Treaty of Rome, the EC's "Constitution", expressly bans job discrimination based on sex.

The Commission was told this year by the five Member States that they had taken the necessary measures and the file could therefore be closed.

**COMMUNITY LAW: The European Commission's report for 1987**

More violations, fewer prosecutions before the EC Court of Justice.

European Community citizens are better informed as to their rights under Community law, and their governments are trying increasingly to bring national legislation into line with Community law, without waiting to be taken to court. These are the two main conclusions which the European Commission has drawn from its analysis of how Community regulations were applied last year.

In a report published on October 10, the Commission notes that the number of complaints it received, both from individuals and companies who thought they had been wronged by the actions of their governments or the civil service, has risen from 791 in 1986 to 850 last year.

If it considers a complaint to be justified, the Commission sends the Member States in question a letter of formal notice. It sent 572 such letters last year, as against 516 in 1986. If the Member State does not take the necessary steps, it receives a reasoned opinion from the Commission, which sent out 197 of them last year, as against 164 in 1986.

Faced with the continued refusal of the Member State to meet its Community obligations, the European Commission has no choice but to take the matter to the EC Court of Justice in Luxembourg. It did so 61 times last year, as compared to 71 in 1986 and 113 in 1985.

The Commission points out that in a growing number of cases the Member States seek to regularize the infringement at an early stage of the process. During the last five years the number of infringement proceedings begun and reasoned opinions delivered has more than doubled. But the number of cases in which an action before the Court has commenced has risen by only 50%, to the Commission's satisfaction.

As for the areas in which the Commission has intervened, the report notes that vigilance pays off. The number of infringement procedures remains higher in the sectors of the internal market, environment and social affairs than in the others, with the exception of agriculture. For the Commission, the completion of the Single Market in 1992 implies not only the adoption of new Community regulations but also a strict application of existing Community law.

In 1987 the German and Greek markets were opened up to beers from the other Member States. The year also witnessed the repeal by France of a rule which restricted the sale of aspartame, a table sweetener, to pharmacies. The Commission also took action against Denmark's high tax rates on motor cars. While due to the absence of a national motor industry, they nevertheless discriminate against manufacturers in the other Member States.

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Inevitably, some Member States have a better record than others when it comes to applying Community law, although those that scored high marks last year did not necessarily do as well in 1986. Denmark remained the most respectful of Community regulations on the whole\*; it was taken to Court by the Commission only once and received the fewest opinions (only 8 in all). But Luxembourg infringed Community law the least; it received only 26 formal notices as against the 36 received by Denmark. Greece, France and Italy were to be found at the other end of the scale. Greece received no fewer than 77 letters of formal notice, followed by Italy (73) and France (66). France also had the highest number of reasoned opinions (29); it was just ahead of Greece and Belgium (28 each) and Italy (27).

The Commission took Italy to Court the most frequently in 1987 (21 times). Next came Greece (11 times) and France (8 times).

\* If Spain and Portugal are excluded. They joined the EC too recently for valid comparisons to be made.

#### COMPETITION: Licensing agreements are not forever

The European Commission turns down a complaint from a compressor manufacturer.

A company which has concluded a licensing agreement with another, for a fixed period of time, can forbid the latter from using its know-how on expiry of the agreement, and this without infringing the European Community's competition rules. This is the conclusion to be drawn from a recent decision of the European Commission, rejecting a complaint from a compressor manufacturer.

This company had concluded a licensing agreement for a fixed period. When the agreement expired, the licensor decided not to renew it and asked the licensee both to return the know-how it had been given and to refrain from using it. The latter, however, turned to the European Commission, claiming the licensor's attitude to be contrary to the Community's competition rules.

The Commission held that the refusal to renew the agreement amounted to neither a restrictive practice nor an abuse of a dominant position under the terms of the Treaty of Rome, the Community's "Constitution". It added that the case presented no special feature such as to prompt it to hold in favour of the licensee. Indeed, to accept the arguments invoked by it amounted to regarding all technology transfers as of unlimited duration. This was certainly not in keeping with the wishes of inventors and owners of new technology.

**MEDIA: "Women of Europe" celebrates its 10th anniversary**

Happy birthday!

In March 1976 the European Commission set up a department to provide information to women's publications and organizations. It did so at the request of 120 women leaders, who were taking part in a seminar being held in Brussels. The department, now known as the Women's Information Service, began to publish "Women of Europe" in 1977.

Published every two months, in the nine Community languages, the magazine regularly brings out supplements. It has fully carried out its objective: "to establish an on-going dialogue with the women's organizations and publications, in order to keep them both informed and documented on the various aspects of European integration and to help in the exchange of experiences and information between organizations and countries."

The 10th anniversary of "Women of Europe" was the occasion for Janine Mossuz-Lavau, director of research at two French institutions, the CNRS and National Foundation for Political Sciences in Paris, to study the 52 issues of the magazine and its 25 supplements which have appeared to date.

The study reflects the tribulations of women. In a majority in all the Member States, but still dependent at the beginning of the decade from 1977 to 1987, women have yet to secure equality with men. However, they are gradually winning new rights, behaving differently and taking charge of their future themselves, in an attempt to obtain equality with men and greater freedom than was enjoyed by previous generations.

The study contains three main sections. The first deals with women in private life, with the focus on abortion. The second deals with women at work, while the third takes up various aspects of their lives as militants in the cause of the feminist movement. The research is detailed and precise. The contents of the study fit the title very well: "'Women of Europe', mirroring the course of women's rights in Europe (1977-1987)".



**SMEs: 12,000 calendars for the Commission**

A Spanish SME wins the order.

Each year the European Commission invites tenders for the supply of 12,000 copies of a wall calendar. Some 35 firms were invited to tender for the 1989 calendar. The tender was awarded to the firm whose price was the most attractive and which offered all the necessary technical guarantees.

The winning firm, ANRO, is Spanish and a typical, family-owned small business, run by four brothers who share the business and technical responsibilities among themselves. Told of the Commission's tender by the Spanish Printers' Federation, the firm tried its luck ... and won.

This proves at least two things. The first is that a well-organized Spanish association has understood that a winning hand today includes a European card and has organized itself with this in mind, to the benefit of its members.

The second is that a small and medium-sized enterprise (SME) should not be afraid to manufacture and sell beyond its national frontiers.

At a time when Spaniards are beginning to feel somewhat gloomy about the Europe of 1992, the firm ANRO has provided striking proof that the Single European Market is not a Eurocrat's dream but a working proposition.