ECONOMIC AND SOCIAL CONSULTATIVE ASSEMBL

BULLETIN



The Bulletin reports every month (10 issues yearly) on the activities of the Economic and Social Committee, a Community consultative body. It is edited by the Secretariat-General of the Economic and Social Committee of the European Communities (2 rue Ravenstein, B-1000 Brussels) in the official Community languages.

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Catalogue number: ESC-90-015-EN

Luxembourg: Office for Official Publications of the European Communities, 1990

Catalogue number: EX-AA-90-005-EN-C

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Printed in Belgium

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276th Plenary Session 25 and 26 April 1990

The 276th Plenary Session of the Economic and Social Committee of the European Communities was held in Brussels on 25 and 26 April. Mr Alberto Masprone, Committee Chairman, took the chair.

The debate on Mediterranean policy was attended by Mr Matutes, Member of the Commission.

Statement by Mr Abel Matutes

Commissioner Abel Matutes expressed reservations on two points: (a) financial protocols with the Arab Maghreb Union and the Arab Cooperation Council, and (b) a vigorous Community policy on the indebtedness of the non-member Mediterranean countries.

Turning to the overall approach recommended by the Committee, Mr Matutes (Commissioner responsible for Mediterranean questions) stressed that the Arab Maghreb Union and the Arab Cooperation Council were still only embryonic. All the Community could do for the present was to offer technical back-up and the benefit of its experience of regional integration.

Mr Matutes agreed that the Mediterranean countries' debt had to be substantially reduced. However, the Commission was only able to make modest and cautious proposals, as this subject was outside the Community's responsibilities.

On other issues, Mr Matutes identified a broad convergence of views between the Committee Opinion and the Commission's November 1989 proposals for a renewed Mediterranean policy:

- (i) substantial strengthening of relations between the Mediterranean countries and the Community;
- (ii) extension of opportunities for dialogue;
- (iii) improvement of the measures resulting from existing agreements;



From left to right: Mr Alberto Masprone, ESC Chairman and Mr Abel Matutes, Member of the Commission.

- (iv) new sectoral measures (textiles, agriculture, etc.);
- (v) wider-ranging financial protocols;
- (vi) aid for economic reforms;
- (vii) technical and financial assistance.

Introducing the Committee Opinion, Mr Andrea Amato stated that the Committee 'wished to emphasize the geo-political framework for the new Community policy'. The Opinion stressed the principle of 'joint development within a strategic Euro-Mediterranean area'.

Mr Amato, the Committee's rapporteur-general, emphasized the 'need for a new overall approach' to take account of the position of the Community's own Mediterranean regions. The aim should be to move from competition to complementary relations.

The Committee wanted a long-term perspective, and this was why it was recommending the establishment of a Mediterranean forum.

As regards indebtednes, Mr Amato said that 'the Committee was aware of the Commission's limited powers in this sphere but was also addressing the Council'. He regretted the 'absence of the Community as a political entity' in international financial bodies such as the International Monetary Fund or the World Bank.

As the Intergovernmental Conference for the revision of the Rome Treaties drew near; the debate had taken an institutional turn. Stressing that the Committee had adopted the Opinion on Mediterranean policy on its own initiative, Mr Amato launched an appeal to Commissioner Matutes, reminding him of the Committee's reiterated request to be consulted beforehand so that it could play its institutional role.

Returning to the charge on this point, Mr Robert Pelletier (Employers — France) explained that the Committee could make its own specific practical contribution in connection with industrial cooperation with small businesses, protection of the environment and efforts to secure self-sufficiency in food supplies.

Going further still, the Chairman of the Workers' Group, Mr François Staedelin (France) urged that Treaty reform should culminate in recognition of the Committee as an institution in its own right and that the Council — as well as a European Parliament with increased prerogatives — should be required to evaluate its Opinions. The Committee was not an assembly of experts. Most Committee Members represented organizations and acted on their instructions. They were also politicians capable of reaching a

degree of consensus that was not to be found in the other institu-

ADOPTION OF OPINIONS

THE MEDITERRANEAN POLICY
 OF THE EUROPEAN COMMUNITY
 (Own-initiative Opinion — Additional Opinion)

Background to the Additional Opinion

At its July 1989 Plenary Session, the Committee adopted an Owninitiative Opinion on the Mediterranean policy of the European Community which highlighted the importance of relations with the non-EC Mediterranean countries. These relations were, and remain, important on geographical grounds and for economic, political, social, demographic and even religious reasons.

The Commission has since prepared an overall blueprint for Community relations with non-member Mediterranean countries, and submitted a communication to the Council on the matter which the Council discussed on 5 February 1990.

The Commission considers that the Community should support the democratic process under way in several Mediterranean countries, as well as economic reform, renewed growth, and job creation. However, the scale of reform required, the social problems involved, and the need for economic growth mean that serious thought must be given to how best the Community and its Member States can lend assistance to the Mediterranean.

Subject for discussion could include the stepping-up of external financing through a combination — adapted to each specific case — of commercial bank financing, negotiated reductions in debt servicing, official external financing, an increase in private investment from Europe and more effective mobilization of national savings.

The Commission sees the following as priority areas of investment: improving self-sufficiency in food in deficit countries, developing small businesses and financial institutions, the environment, development of human resources, and support for regional integration.

The Council's exploratory debate on 5 February led it to ask the Commission to draw up operational proposals. The additional Opinion is designed to provide further recommendations, and to comment on some of the Commission's proposals.

Gist of the Committee's Opinion 1

In July 1989 the Economic and Social Committee of the European Community proposed the creation of a Euro-Mediterranean strategic area (political, economic, market) embracing the three regions covered by the 'policy of neighbourly relations'. This area should be in a position to compete and debate with the other two main global strategic areas, i.e. America and Asia.

In the Committee's view, the upheavals on the world political scene triggered by the democratic revolutions in Eastern Europe confirm the need for such a strategic area.

Only by securing a single economic and political future for the whole Euro-Mediterranean area can we shield Europe from the two dangers which are now apparent: nationalist tendencies and Islamic fundamentalism.

In its new Opinion on Community Mediterranean policy (Rapporteur: Mr Andrea Amato — Italy — Workers' Group), adopted on 26 April, the Committee calls for a Euro-Mediterranean policy targeted towards convergence and integration.

The six action areas proposed by the Commission under the new Mediterranean policy will only be effective and mutually consistent if they form part of a wider joint development strategy.

While supporting the measures proposed by the Commission, the Committee feels that three further measures are both necessary and possible:

- (i) the establishment of a Mediterranean cooperation council and a Mediterranean forum;
- (ii) the conclusion of pilot development agreements;
- (iii) cooperation with subregional groups (such as the Arab Maghreb Union and the Arab Cooperation Council), with whom the next financial protocols could be signed.

Before the Commission's six proposed action areas (each of which is considered in the draft Opinion) can be implemented, considera-

¹ CES 512/90.

tion will have to be given to the solution of the Mediterranean countries' foreign debt problems.

EC action to reduce debt should involve:

- (a) A cut in official credits, starting with those of the Member States, by means of coordinated Community action. The sum subtracted could be converted into social and ecological expenditure and spending on human capital, using counterpart funds in local currency. The repayment deadlines and interest rates of the remaining debt should be appropriately restructured.
- (b) A mechanism for bank credit involving all the creditor banks.

 This should cover:
 - (i) 'forgiveness' of the excess debt, defined as the part which, if written off, would leave a sum which could be exchanged at virtual parity on the secondary markets;
 - (ii) conversion of the rest of the debt into longer-term bonds carrying a rate of interest lower than the market rate;
 - (iii) provision of official guarantees on the payment of this reduced interest. These guarantees should be backed by the IMF or the EC, in order to encourage other countries and the commercial banks to grant loans to the MNCs (Mediterranean third countries);
 - (iv) the granting of new loans, which at this point would represent new financing. However, mechanisms should be devised to ensure that the new loans are not recycled to the financial markets of the creditor countries

Debt-for-equity swaps should not be permitted, as they are known to fuel inflation.

(c) Help with debt-reduction, by IMF financing of operations to reduce debt principal (repurchase or exchange) and by interest support (guarantees), according to the new IMF guidelines described above. The Community should play a positive role in securing a doubling of IMF resources (coordinating the positions of the Member States). The Community should also take decisive steps to encourage Member States to purchase a proportion of MNC debt by financing development projects in MNCs.

This Opinion, adopted by a large majority with 15 abstentions, was drawn up in the light of the paper produced by the Section for External

Relations, Trade and Development Policy, chaired by Mr Neto da Silva (Portugal — Employers). The rapporteur was Mr Amato (Italy — Workers).

2. THE GATT/URUGUAY ROUND NEGOTIATIONS (Information report)

Background

The Committee has delivered Opinions on: (a) relations between the European Community and the industrialized, developing and State-trading countries within GATT, and (b) the agricultural aspects of the Uruguay Round negotiations. The purpose of these Opinions was to inform the Community's negotiators in the Uruguay Round of the views of the Community's socio-economic interest groups.

The Montreal ministerial mid-term review in December 1988 marked a temporary halt in the negotiations pending a solution to certain major problems involving the European Community and the USA in particular.

At that time the Section drew up an information report to review the situation, analysing the different chapters in the negotiations and the agreements already reached in some areas. The negotiations resumed after the April 1989 meeting in Geneva, marking the start of the second phase of the Uruguay Round, to be completed in Brussels in December 1990.

Gist of the information report ¹

This information report has been prepared in response to the need for a new review of progress in the GATT negotiations at a time when they are reaching a crossroads where resolutions will have to be found to the most controversial issues.

The timetable set by the GATT Council in July 1989 anticipated that, by the end of that year, the contracting parties would have presented their positions on 15 subjects so as to embark on specific negotiations lasting until summer 1990. The agreements' legal provisions would then have to be finalized for final adoption in December 1990.

¹ CES 1415/89 fin.

The information report compiled by the Section for External Relations reviews progress in the 15 areas under discussion, which are grouped under three main headings:

- (i) dismantling of trade barriers and market access;
- (ii) framing of rules on international trade;
- (iii) new themes being negotiated within GATT.

Of all the above issues, agriculture is proving to be a particular stumbling-block in the Uruguay Round, creating controversy particularly between the United States and the European Community. Other subjects, especially the new themes (intellectual property, trade-related investment measures and services) have prompted discord between the developing and the industrialized countries. Lastly, there are a number of areas where the positions of the industrialized countries still differ sharply.

These conflicts will perhaps be solved only in the final phase of the negotiations. Meanwhile GATT has already embarked on new activities such as the regular monitoring of the major countries' trade policies and the establishment of informal relations with the IMF and the World Bank to take account of the monetary and financial aspects of international trade. This new momentum could result in GATT being transformed into an 'International Trade Organization', as was originally envisaged at the end of the Second World War.

This information report is to be followed by an Own-initiative Opinion by the Section for External Relations on the final phase of the Uruguay Round.

The Plenary Session decided unanimously to submit this information report to the Council and the Commission.

This information report was drawn up in the light of the paper produced by the Section for External Relations, Trade and Development Policy chaired by Mr Neto da Silva (Portugal — Employers). The rapporteur was Mr Romoli (Italy — Employers) and the co-rapporteur was Mr Droulin (France — Various Interests).

3. EUROPEAN TRAINING FOUNDATION

Proposal for a Council Regulation (EEC) establishing a European Training Foundation [COM(90) 15 final/3]

Gist of the Commission's document

The main objective of the ETF is to contribute to the adaptation of the training systems of Poland and Hungary. It will be open to the participation (public or private) of non-EC countries. The Foundation will focus on initial and advanced vocational training, and training in specific sectors.

Its role will be to assure effective cooperation in the implementation of assistance to the countries of Central and Eastern Europe in the field of vocational training by:

- (i) helping to identify their training and retraining needs and the strategy to be followed;
- (ii) acting as a clearing-house through which information on demands and offers of assistance can be filtered;
- (iii) promoting and facilitating multilateral assistance by arranging for specific multinational teams or multinational cofinancing of specific projects to be implemented under the Foundation's supervision on a decentralized basis.

The Foundation will be set up as an autonomous body during 1990 and will collaborate closely with Cedefop (European Centre for the Development of Vocational Training) in Berlin. The two bodies will cooperate actively and the Foundation will be able not only to draw on the experience and the contacts of Cedefop but also to benefit from shared premises. The Foundation will be constituted by the end of the current year and should be fully operational in 1991.

The budget of the Foundation will be financed by a contribution from the Community budget (an estimated ECU 6 million for 1990) and other donations.

Both these proposals form an integral part of the Commission's overall coordinating role in the provision of assistance to the countries of Central and Eastern Europe. The Commission will ensure that the activities of the Foundation and the operation of Tempus fit in fully with the Community's other activities in this area.

Gist of the Committee's Opinion 1

The Committee approves the creation of a European Training Foundation and calls for the rapid implementation of the relevant provisions (including funding mechanisms) so that the Foundation can commence operations.

The Committee's Opinion deals among other things with the following questions:

- (a) the importance of coordination at national level;
- (b) the encouragement of meetings between the peoples of Western and Eastern Europe;
- (c) the involvement of employers' organizations, workers' trade unions and other bodies concerned with vocational training;
- (d) the organization of the Foundation and cooperation with Cedefop;
- (e) the flow of information from the Foundation to vocational training firms and establishments;
- (f) the evaluation of the work of the Foundation and the role of the Economic and Social Committee.

This Opinion, adopted unanimously with two abstentions, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs chaired by Mr Carroll (Ireland — Workers). The rapporteur was Mr Nierhaus (Germany — Workers).

4. TEMPUS

Proposal for a Council Decision establishing a Trans-European mobility scheme for university studies — Tempus [COM(90) 16 final/2]

Gist of the Commission's proposal

The Tempus scheme, designed for a five-year period with an initial pilot phase of two years, is a companion programme to existing Community programmes like Erasmus, Comett, Lingua, SPES or Youth for Europe, adapted however to the specific needs of the countries of Central and Eastern Europe.

¹ CES 509/90.

The scheme aims to have a strong immediate impact but also to make a significant contribution to the medium and longer term development of the higher education and training systems within the countries concerned. Three broad categories of actions will be implemented:

- (i) joint European projects for training between universities and/ or enterprises from Eastern countries and from at least two Member States;
- (ii) mobility for teachers, students and administrators;
- (iii) complementary activities.

Of the different areas which have been identified, the most urgent priorities are management and business administration and modern European languages.

A Tempus coordinating office will be set up in Brussels. Together with the equivalent structures in Warsaw and Budapest it will also have to coordinate the scheme with other national or bilateral initiatives.

For the first year the Tempus budget will amount to ECU 20 million relating only to Poland and Hungary. For 1991 the budget is estimated at ECU 39 million, rising to ECU 47 million in 1992.

Gist of the Committee's Opinion 1

The Committee endorses schemes to stimulate Central and Eastern European economies by means of exchange programmes and know-how transfer in the field of vocational training.

The Tempus programme can draw on a wealth of experience in the implementation of Community programmes having identical or similar target groups (Erasmus, Comett, Lingua, SPES, Science, etc.).

The specific comments draw attention to four requirements:

- (i) there must be practical arrangements for appropriate involvement of the social partners in the Tempus programme;
- (ii) an adequate flow of information, possibly via national coordination bodies, is needed if Tempus is to be effective;

¹ CES 506/90.

- (iii) the experience accumulated and the results of Tempus must be documented and made available to the participating organizations;
- (iv) training policy, social protection and employment policy should be added to the list of activities in the Commission's document.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs chaired by Mr Carroll (Ireland — Workers). The rapporteur was Mr Nierhaus (Germany — Workers).

5. YOUNG WORKERS' EXCHANGE PROGRAMME

Proposal for a Council Decision amending Decision 84/636/EEC establishing a third joint programme to encourage the exchange of young workers within the Community [COM(90) 79 final]

Gist of the Commission's proposal

The Commission proposes to extend by one year the period of validity of the third young workers' exchange programme (until 31 December 1991), in order to synchronize thereafter the next programme with the new Youth for Europe exchange programme.

Gist of the Committee's Opinion 1

The Committee endorses the Commission's proposal to extend the third programme to 31 December 1991 in order to synchronize the next programme with the new Youth for Europe exchange programme.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs chaired by Mr Carroll (Ireland — Workers). The rapporteur was Mr Dassis (Greece — Workers).

¹ CES 507/90.

6. IMPORTATION OF CERTAIN FURS

Proposal for a Council Regulation (EEC) on the importation of certain furs [COM(89) 198 final]

Gist of the Commission's proposal

This is a proposal to ban as from 1 January 1996 the import into the Community of furs or fur products of eight listed species, which include the beaver, otter, coyote, wolf, lynx, bobcat, sable, and raccoon, from countries where the leg-hold trap is still used or where the trapping methods being used do not meet internationally agreed humane trapping standards.

Gist of the Committee's Opinion 1

The Committee approves the Commission's proposal, apart from recommending one major change, namely that the list in Annex I of species to which the measures apply should be extended by the addition of nine more species: coypu, muskrat, opossum, fisher, marten, red fox, grey fox, mink and squirrel.

This Opinion, adopted by 70 votes for, 14 against and 35 abstentions, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs chaired by Mr Jaschick (Germany — Various Interests). The rapporteur was Mrs Flather (United Kingdom — Various Interests).

7. MUNICIPAL WASTE-WATER TREATMENT

Proposal for a Council Directive concerning municipal waste-water treatment [COM(89) 518 final]

Gist of the Commission's proposal

The proposal provides for Community action under the following headings:

- (i) requirements for discharges from treatment plants;
- (ii) control of particular industrial discharges;

¹ CES 513/90.

- (iii) phasing out of disposal of sludges at sea;
- (iv) administrative provisions: Regulatory Committee, national programmes, access to information, staff training.

Gist of the Committee's Opinion 1

The Committee accepts the Commission's proposal with two significant observations:

- (a) the financial burden for the proposed action will be extremely heavy, particularly in the poorer regions. The Committee therefore recommends:
 - (i) aid through Community funding in certain circumstances;
 - (ii) the establishment of priorities for the timing of the planned measures so that deadlines can be staggered;
- (b) sewage treatment would be easier if less sewage is produced. Therefore economic and technical measures should be taken to reduce consumption of water.

The Opinion also makes a large number of technical observations on the various articles.

The Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs chaired by Mr Jaschick (Germany — Various Interests). The rapporteur was Mr Boisseree (Germany — Various Interests).

¹ CES 514/90.

8. DANGEROUS SUBSTANCES

Proposal for a Council Directive amending for the 11th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations [COM(89) 665 final]

Gist of the Commission's proposal

The Commission, acting on the basis of Article 100a of the EEC Treaty, is proposing to introduce Community measures for restricting the marketing and use of the products Ugilec 141, Ugilec 121 and DBBT by amending Directive 76/769/EEC.

The three substances are all PCB substitutes and are considered to be a potentially high risk for man and the environment. They are used as dielectric fluids in transformers and capacitors and hydraulic fluids in coalmining. According to the Commission, less environmentally dangerous alternatives already exist.

Gist of the Committee's Opinion 1

The Committee approves the Commission's proposal to replace not only PCBs but also compounds exhibiting similar properties to PCBs.

It endorses the ban on the marketing and use of Ugilec 121 and DBBT and preparations containing these substances; it also approves of the relative restrictions on Ugilec 141 and preparations containing it, the ultimate aim being a total ban within specific time-limits.

The Committee does however suggest reducing the transitional period for Ugilec 141 to one year from the date of adoption of the Directive. It also suggests, with regard to the exemptions for plant and machinery already in use, that the period of depreciation rather than the 'life-time' be used as the criterion for taking them out of service.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment,

¹ CES 499/90.

Public Health and Consumer Affairs chaired by Mr Jaschick (Germany — Various Interests). The rapporteur working alone was Mr Beltrami (Italy — Employers).

9. MACHINERY

Proposal for a Council Directive amending Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery [COM(89) 624 final — SYN 233]

Gist of the Commission's proposal

The proposal has been prepared in application of the Council Resolution of 7 May 1985 on a new approach to technical harmonization. It amends the Council Directive of 14 June 1989 on the approximation of Member States' legislation on machinery, for the purposes of including machines whose mobility or load-lifting capability creates hazards.

The hazardous mobile-machinery sector covered by the proposal includes not only individual mobile machines but also more complex equipment which may be self-propelled, towed, pushed, or carried by other mobile machinery or tractors.

The sector is thus very vast and is of significant economic importance to the Community, representing a production value of ECU 20 000 million.

Before drafting the proposal, the Commission conducted a detailed survey of national regulations governing the sector. Its findings confirmed that there are considerable differences between Member States.

It is clearly difficult to assess the economic impact of these barriers and to calculate their cost. An economic analysis can indicate the additional costs incurred by exporting firms as a result of 'non-harmonization', but it cannot readily assess the cost of lack of expansion or missed opportunities.

There are no centralized Community statistics on the number of accidents caused by the use of machinery covered by this Directive, but the few national figures available indicate that the number is high, especially in agriculture.

The proposal provides for the repeal of certain 'old approach' Directives for the following reasons:

- the safety level in this proposal is at least equal to that in the Directives it is to replace;
- the new approach allows the Community to keep abreast of technological developments more easily and promptly than was possible under the old system of technical progress committees;
- (iii) the Commission should facilitate application of this legislation by eliminating any source of confusion.

Gist of the Committee's Opinion 1

The Committee approves the Commission's proposal, subject to a number of comments:

- (i) it recommends that centralized Community statistics be compiled on accidents involving mobile machinery;
- (ii) it feels that employers' and employees' representatives should be involved in the work of a standing technical committee;
- (iii) the use of transitional periods must not lead to a reduction in the level of protection;
- (iv) the Directive's scope should be defined precisely;
- (v) the Directive must stipulate that the *manufacturer* has sole responsibility for the issue of a conformity declaration and the certification procedure for obtaining an EC mark;
- (vi) the Directive should explicitly refer to the requirement to integrate safety into machine design;
- (vii) safety devices should always be fitted to machinery if there is any real or potential hazard.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services chaired by Mr Kazazis (Greece — Employers). The rapporteur was Mr Flum (Germany — Workers).

¹ CES 510/90.

10. SIMPLE PRESSURE VESSELS

Proposal for a Council Directive amending Directive 87/404/EEC on the harmonization of the laws of the Member States relating to simple pressure vessels [COM(89) 636 final — SYN 232]

Gist of the Commission's document

The proposal for a Council Directive amends Directive 87/404/EEC on the harmonization of the laws of the Member States relating to simple pressure vessels.

The European Committee for Standardization (CEN) is encountering difficulties establishing these standards, which it is thought will be finalized by the end of 1990 or mid-1991.

The proposed amendment fixes a transitional period up to 1 July 1992. The aim is to allow for an additional deadline for the CEN to complete the standardization work assigned to it and to enable manufacturers to market vessels in conformity with the regulations in force in their countries before the date of application of the Directive.

Gist of the Committee's Opinion 1

The Committee welcomes the proposed Directive. However, it regrets the delay by CEN in adopting standards for simple pressure vessels, as this has necessitated a further transitional period in the implementation of Directive 87/404/EEC.

The Committee stresses the importance of complying with Community deadlines in view of the special health and safety risks to operators and users of pressure vessels.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services chaired by Mr Kazazis (Greece — Employers). The rapporteur was Mr Flum (Germany — Workers).

¹ CES 500/90.

11. ELECTRICALLY OPERATED LIFTS

Proposal for a Council Directive amending Directive 84/529/EEC on the aproximation of the laws of the Member States relating to electrically operated lifts [COM(89) 638 final — SYN 234]

Gist of the Commission's document

The proposal is to enlarge the scope of Council Directive 84/529/ EEC to include hydraulic and electro-hydraulic lifts.

In effect, Directive 84/529/EEC relies on European Standard EN 81 (part 1) relating exclusively to electrically operated lifts. In 1987 CEN published the second part of standard EN 81 relating to hydraulic and electro-hydraulic lifts. Logically the Directive should be extended to include these lifts.

Gist of the Committee's Opinion 1

The Committee approves the draft Directive, but feels that the Commission should perhaps have provided a clearer definition of 'appliances actuated by fluids'. It is still not clear that the proposal now includes hydraulic-powered lifts.

The Committee also considers that total harmonization is warranted both in the interests of workers' and users' safety and for economic and technical reasons.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services chaired by Mr Kazazis (Greece — Employers). The rapporteur was Mr Pearson (Ireland — Employers).

¹ CES 501/90.

12. ELECTRICAL EQUIPMENT IN POTENTIALLY EXPLOSIVE ATMOSPHERES

Proposal for a Council Directive amending Council Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection [COM(90) 13 final — SYN 243]

Gist of the Commission's document

The free movement of electrical equipment for use in potentially explosive atmospheres (ATEX) is regulated by different directives, according to whether the equipment is intended to be used on the surface or in mines subject to firedamp. Nevertheless, the main characteristics of these directives are the same.

There is an outline Directive 76/117/EEC and a specific Directive 79/196/EEC for surface equipment, while mining equipment is covered by Directive 82/130/EEC.

This new proposal relates solely to Directive 79/196/EEC on electrical equipment for use on the surface. It is intended, in particular, to extend the Directive's scope to equipment incorporating two new means of protection — 'encapsulation-m' and 'intrinsically-safe electrical systems-i' — for which European standards have been drawn up since 1980 (EN 50028 and EN 50039).

At the moment, Directive 79/196/EEC is strictly limited to equipment incorporating other means of protection, the standards for which are set out in the annex thereto.

The proposal also seeks to incorporate hand-held electrostatic paint spray guns, the standards for which were only recently issued (EN 50050, EN 50053, parts 1, 2 and 3). The latter regulate the specific safety aspects of this equipment. It is not a question here of expanding the Directive's scope since this equipment uses one or more of the types of protection referred to in Article 1.

Gist of the Committee's Opinion 1

The Committee approves the proposal. It notes that a comprehensive revision of the provisions applicable to electrical equipment for use in potentially explosive atmospheres is already under way.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services chaired by Mr Kazazis (Greece — Employers). The rapporteur working alone was Mr Flum (Germany — Workers).

13. EURATOM HEALTH PROTECTION — SHIPMENT OF RADIOACTIVE WASTE

Draft Council Directive amending Directive 80/836/ Euratom laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation as regards prior authorization of shipment of radioactive waste [COM(89) 559 final]

Gist of the Commission's proposal

The basic standards currently in force for protection of the health of workers and of the general public against the dangers of ionizing radiation are defined in a Directive of 15 July 1980, ² as amended by a Directive of 3 September 1984. ³

Under Article 2 of the 1980 Directive, the basic standards thus laid down apply to any activity which involves a hazard arising from ionizing radiation, including the transport of radioactive substances.

However, the operational features and effectiveness of the radiation protection system set up by these Directives depend on the possibility of ensuring effective control of the sources of ionizing radiation, which is an important element of efficient radiation protection.

Article 3 of the 1980 Directive therefore makes the activities covered by the Directive subject to a declaration system and, in certain cases defined by each Member State, to prior authorization. In any event, its Article 5 lists certain activities to which a prior

¹ CES 502/90.

Directive 80/836/Euratom, OJ L 246, 17.9.1980, p. 1.
 Directive 84/467/Euratom, OJ L 265, 5.10.1984, p. 4.

authorization system must apply — a list which does not include the shipment of radioactive waste.

The Transnuklear/Mol case has revealed the urgent need to change this situation by setting up a body to monitor and control shipments of radioactive waste.

In support of the conclusions of the European Parliament's Committee of Inquiry, the Commission takes the view that the Transnuklear/Mol case revealed that 'some Member States were unable to keep track of radioactive waste throughout its lifetime and were therefore unable to control its movement satisfactorily'.

The present proposal for a Directive thus seeks to add the shipment of radioactive waste to the activities for which a system of prior authorization must be applied by virtue of Article 5 of the 1980 Directive, and lays down a common system of notification and consignment which covers all shipments of radioactive waste within the Community, including shipments within a Member State and the import and export of radioactive waste.

The system of authorization and notification proposed here is based on the system established by a Council Directive of 6 December 1984, ¹ as amended by a Directive of 12 June 1986, ² on the supervision and control within the Community of the transfrontier shipment of hazardous waste; it also includes some elements derived from the Basel Convention of 22 March 1989 on the control of transboundary movements of hazardous wastes and their disposal.

In essence, the proposed system is based on the following main measures:

- (i) every intended shipment of radioactive waste must be notified to the competent authorities of the Member State of destination of the radioactive waste. If the radioactive wastes are to be exported to a third country, their shipment must be notified to the competent authorities of the Member State of dispatch. In this case the notification must clearly indicate the agreement of the third country of destination;
- (ii) shipment may not be effected before the competent authorities have acknowlegded receipt of the notification authorizing the shipment;

Directive 84/631/EEC, OJ L 326, 13.12.1984, p. 31.
 Directive 86/279/EEC, OJ L 181 of 4.7.1986, p. 13.

- (iii) the competent authorities shall authorize a shipment only when sufficient evidence has been submitted on the capacity of the consignee to properly manage the radioactive waste. In the case of a shipment to a destination in a third country, the prior written consent of the third country of destination is required;
- (iv) a general notification procedure may be used for shipments of radioactive waste having the same characteristics and shipped under the same conditions. The general notification procedure may in particular be applied to shipments of radioactive waste arising from medical practices;
- (v) a uniform consignment note must be used for all steps laid down by the system.

Gist of the Committee's Opinion 1

The Committee expressly approves the principle underlying the draft Directive presented by the Commission and, in particular, Annex 1A to the draft Directive, which details the procedures in respect of prior notification of the competent authorities, authorization and the consignment note.

The Committee puts forward a number of observations and proposals with a view to supplementing and amending the draft Directive.

The Committee:

- (i) draws attention to the fact that the draft Directive under consideration does not apply to transport operations regulated by Directive 80/836/Euratom. The draft Directive on the shipment of radioactive waste is designed to plug a gap in the provisions covering this field;
- (ii) recommends that other Directives and agreements dealing with liability, prevention, measurement, identification and mixing be listed in the Appendix;
- (iii) points out that, rather than proposing a supplement to Directive 80/836/Euratom, the Commission should have submitted a proposal covering all aspects of the transfer of radioactive waste;

¹ CES 511/90.

- (iv) recommends that account be taken of the transfer of military waste and toxic chemicals, which are not covered by the draft Directive under review;
- (v) draws attention to the implications of restricting the scope of the draft Directive solely to radioactive waste intended to be placed in final storage.

In the absence of such guarantees there is, in the Committee's view, a serious omission in the draft Directive which runs counter to the declared aim of providing improved protection for the general public, workers and the environment against the dangers of ionizing radiation. The Commission should therefore forthwith consider extending the field of application of the draft Directive to take in all radioactive materials, irrespective of their intended purpose or their final use, or submitting an equivalent draft Regulation.

The Committee puts forward a number of specific observations relating to the Annex to the draft Directive.

This Opinion, adopted unanimously with seven abstentions, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research chaired by Mr Romoli (Italy — Employers). The rapporteur was Mr Flum (Germany — Workers).

14. DEVELOPMENT OF A EUROTRA SYSTEM

Proposal for a Council Decision adopting a specific programme concerning the preparation of the development of an operational Eurotra system [COM(89) 603 final — SYN 220]

Gist of the Commission's proposal

The Eurotra programme, which was initially adopted by the Council in 1982, ¹ falls under action line 8 of the framework programme for Community activities in the fields of research and technological development (1987-91) ² and specifically under 8.4, 'Dissemination and utilization of S/T research results'.

¹ OJ L 317, 13.11.1982, p. 19.

² OJ L 302, 24.10.1987, p. 1.

Eurotra's essential objective is the development of a machine translation system of advanced design covering all official Community languages.

The Council Decision of 1982, as amended in November 1986 1 to take account of the accession of Spain and Portugal and make the necessary adjustments to the timetable, the overall budget and the implementing provisions, fixed the total duration of the Eurotra programme at seven years, divided into three phases. The ECU 20.5 million considered necessary for its implementation breaks down as follows:

Phase 1: Preparatory phase — two years — ECU 2 million

Basic and applied linguistic research - three years -Phase 2: ECU 13 million

Stabilization of linguistic models and evaluation of Phase 3: results — two years — ECU 5.5 million

By Decision of 25 July 1988, 2 the Council authorized the Commission to initiate the third phase of the programme with effect from 1 July 1988, thereby releasing the ECU 5.5 million earmarked for its execution under the 1982 Decision.

On 20 June 1989, the Council adopted a new Decision on a specific programme for the completion of Eurotra by 30 June 1990, ³ which amended the work programme for the third phase and provided for the allocation of a further ECU 7 million.

On completion of this third phase and in line with the initial programme objectives, the Community should possess an operational system prototype capable of covering a limited field and range of texts and paving the way for the development of a fully operational multilingual machine translation system for the nine official Community languages; that prototype is the subject of the present proposal.

The proposed programme, which thus represents the first step towards the industrial-scale development of Eurotra, has three specific objectives, namely:

- the creation of the conditions for the transition to an opera-(i) tional system;
- advancement of work on lexicography and terminology; (ii)

¹ OJ L 341, 4.12.1986, p. 39. ² OJ L 222, 12.8.1988, p. 1. ³ OJ L 200, 13.7.1989, p. 15.

(iii) the implementation of training and cooperative projects.

The specific priority action lines proposed by the Commission are as follows:

- 1. System development and testing environment;
- 2. Language specific R&D work;
 - 2.1. Review and extension of existing applications;
 - 2.2. Relayed transfer;
- 3. Linguistic research of general interest;
- 4. Research into advanced system architecture;
- 5. Reusability of lexical and terminological resources;
- 6. Standards for textual, lexical and terminological data;
- 7. Education and training.

A total of ECU 10 million has been allocated for the implementation of the programme, which is to run for two years from 1 July 1990; this amount will be topped up by the national contributions worth ECU 7 million.

The Decision also provides for limited or complete participation in the programme by international organizations, non-member countries participating in European cooperation in the field of scientific and technical research (COST) and European countries with which the Community has concluded framework agreements on scientific and technical cooperation.

Gist of the Committee's Opinion 1

The Committee notes that the programme's assessment report confirms the difficulties encountered in its execution (technological problems and lack of qualified engineers in computational linguistics).

It stresses the important role of translators of regional languages and dialects which also constitute and integral part of the Community's linguistic and cultural heritage.

The Committee supports the Commission's proposal to devote 10% of the programme's budget to training. Nevertheless, it also invites the Commission to look into the possibility of using the Comett and Eurotecnet programmes for the purpose of training and recruiting top-level engineers and technicians.

¹ CES 508/90.

Some European firms have already developed monolingual translation programmes and the Committee hopes that the Commission will draw lessons from them when implementing its own Eurotra programme.

This Opinion, adopted unanimously with one abstention, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research chaired by Mr Romoli (Italy — Employers). The rapporteur was Mr Proumens (Belgium — Employers).

15. EXPENDITURE IN THE VETERINARY FIELD

Proposal for a Council Decision on expenditure in the veterinary field [COM(89) 666 final]

Gist of the Commission's proposal

The measures chosen by the Community for harmonizing essential requirements in the fields of public and animal health, and the implementation of a new control strategy, both call for a reinforcement of the Community's role and in particular its financial contributions.

The aim of this proposal is to bring together Community financial measures in the veterinary field in a single text except for those relating to Community plans for the eradication of diseases.

Gist of the Committee's Opinion 1

The Committee welcomes this proposal as it provides the financial means for carrying out the veterinary legislative programme and reduces the risk of a failure of the Community animal-health plan; it also makes allowance for desirable expenditure in areas for which hitherto no budgetary provision has been made. The ESC hopes that the financial appropriation will be adequate to avoid the temptation of spreading the money too thinly.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries chaired by Mr Laur (France — Various Interests). The rapporteur was Mr Storie-Pugh (United Kingdom — Various Interests).

¹ CES 503/90.

16. ORGANISMS HARMFUL TO PLANTS

Proposal for a Council Directive amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products [COM(89) 647 final]

Gist of the Commission's proposal

The present proposal is intended to establish the legislative framework for one particular step, listed as 'establishment of certain rules of liability in respect of plant health' in the Annex to the White Paper (p. 10).

The proposal contains two essential elements:

- (a) It provides for a system of Community financial assistance to contribute towards public expenditure incurred by a Member State in taking specific measures to control or eradicate organisms harmful to plants or plant products, introduced from another Member State through intra-Community trade in plants or plant products under the Community plant-health regime.
- (b) It also establishes a system under which the consignor Member State shall refund any Community financial contribution and in certain cases, part also of the expenditure of control or eradication incurred by the infected Member State, in cases where it is established that the inspections or examinations required under the Community plant-health regime were carried out inadequately in that Member State.

Gist of the Committee's Opinion 1

The Committee approves the proposal, which will help ensure that the new system does not lead to a deterioration in plant health within the Community through the introduction or propagation of new harmful agents.

The ESC is surprised that the Commission has overlooked the need to compensate farmers affected by the measure. The proposal concentrates solely on the effect on Member States. The Section urges the Commission to conduct an early review of this aspect of the problem, without prejudice to its position vis-à-vis Member States.

¹ CES 504/90.

The ESC also feels it important that the Commission should consider granting financial assistance (as it does in parallel areas of animal health in the fight against certain epizootic diseases) to campaigns to stamp out certain epiphytotic diseases which are on the increase in the Community and frequently cause serious damage.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries chaired by Mr Laur (France — Various Interests). The rapporteur was Mr Rolão Gonçalves (Portugal — Employers).

17. MELTED ANIMAL FAT

Proposal for a Council Regulation (EEC) laying down health rules for the production and placing on the market of melted animal fat, greaves and by-products of rendering for human consumption (supplementary Opinion)

[COM(89) 490 final]

Gist of the Commission's proposal

The Regulation lays down health rules for various animal fats.

This is one of the proposals contained in the Annex to the White Paper on completing the internal market. It is necessary in order to reconcile free movement of products of animal origin with the need to protect public health.

The Commission plans to use the regulatory committee system for the implementing decisions. This is without prejudice to the Commission's general preference for the consultative management formula.

Gist of the Committee's Opinion ¹

In the light of the draft Regulation on health rules for products of animal origin the Committee amplifies its Opinion of 20 December 1989 (OJ C 62 of 12 March 1990) by proposing the addition of a Chapter III on requirements for centres for the collection of raw materials and further transport to processing establishments.

¹ CES 505/90.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries chaired by Mr Laur (France — Various Interests). The rapporteur was Mr Gardner (United Kingdom — Employers).

External representation and influence of the Economic and Social Committee

Activities of the Chairman and Secretary-General

- 4 April: Meeting with Mr Oreja, Chairman of the Committee on Institutional Affairs, at the European Parliament offices in Strasbourg.
- 9 April: Discussion with Mr Kiticki Kouamba, Chairman of the Federation of African Workers in France, concerning a symposium on the problems facing immigrant workers.
- 10 April: Reception at the Committee's headquarters for Mr Smith, Irish President-in-Office of the Council.
- 10 April: Discussion with Mr Louis Le Pensec, Minister for Overseas Departments and Territories, in Paris.
- 11 and 12 April: 35th Confederal Conference of the UGT (General Labour Union) in Madrid.
- 17 April: US-EC trade meeting at the ESC headquarters.
- 18 April: Meeting at the ESC headquarters with Mr Charles Picqué, Chairman of the Brussels Regional Executive Council.
- 18 April: Interview with Mr D. Martin, rapporteur to the Interinstitutional Committee of the European Parliament, at the Parliament offices in Brussels.
- 20 April: Seminar organized by the European Forum International Centre on supplementary pension schemes.

Visits

During the period under review, the following visited the Economic and Social Committee:

2 April 1990	Norwich City College of Further and Higher Education, United Kingdom
3 April 1990	Reading College of Technology, United Kingdom
3 April 1990	Hoger Rijksinstituut voor Economisch, Paramedisch en Sociaal Hoger Onderwijs van Kortrijk (Higher State Institute for Economic, Paramedical and Social Studies) Kortrijk, Belgium
4 April 1990	Landeszentrale für Politische Bildung in Schleswig- Holstein, Kiel (Oberstudiendirektoren der Beruflichen Schulen des Landes) (Schleswig- Holstein Land Office for Political Education, Kiel — Principals of the Land Vocational training schools), Germany
5 April 1990	Braintree College, United Kingdom
5 April 1990	Association des Journalistes de la Construction (AJC — Association of Construction Industry Journalists), France
5 April 1990	National Association of Danish Savings Banks' Officials (Danske Sparekassefunktionærers landsforening)
10 April 1990	Melun Rotary Club (Lycée Jacques-Amyot), Melun, France
18 April 1990	Youth Welfare Office, Bochum, Germany
19 April 1990	Tézenas du Montcel private educational association, St Etienne, France

19 April 1990	'European Space' Committee of the Nord/Pas-de- Calais Regional Economic and Social Committee, France
19 April 1990	TEAM — The European-Atlantic Movement, United Kingdom
20 April 1990	'To educate the people' consortium travel courses, Detroit, USA
23 April 1990	Centre de Promotion Pédagogique et Profession- nelle (Educational and Vocational Training Centre) Paris, France
23 April 1990	Zingarelli School, Italy
26 April 1990	Cleves/Lower-Rhine Agricultural Committee, Germany

Provisional future work programme

May 1990 Plenary Session

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Economic and Financial Section

Statistical classification of economic activities in the EC (NACE) [COM(90) 1 final — SYN 241]

Indirect taxes on raising of capital [COM(90) 94 final]

Environment Section

Substances that deplete the ozone layer [COM(90) 3 final]

Industry Section

Medicinal products for human use

- Wholesale distribution
[COM(89) 607 final - SYN 229]

Air pollution by motor-vehicle emissions [COM(89) 662 final — SYN 240]

Regional Development Section

14th ERDF report

Outlying island regions (Regis)

Stride

Cross-border areas (Interreg)

Transport Section

Road vehicle dimensions [COM(89) 573 final]

Operation of air-cargo services [COM(90) 63 final]

Energy Section

Cooperation agreements EC/Austria/Finland/Norway/Sweden/Switzerland (SPES)

Cooperation agreements EC/Finland/Switzerland/Sweden/Norway (BCR)

Agriculture Section

Organic farming

[COM(89) 552 final]

Protective measures against organisms harmful to plant life ICOM(89) 646 final

Marketing of young plants other than vegetable seeds [COM(89) 649 final]

Marketing of ornamental plant reproductive material [COM(89) 650 final]

Marketing of fruit-plant reproductive material [COM(89) 651 final]

Animals and products of animal origin not covered by specific Community rules [COM(89) 658 final]

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External Relations Section

EC/EFTA relations

July 1990 Plenary Session

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Economic and Financial Section

Excise duties

[COM(89) 551/525/526/527 final]

Social Section

Social developments in 1989

Communication on the elderly [COM(90) 80 final]

Environment Section

Environmental protection in the Mediterranean (Medspa) [COM(89) 598 final]

Discharge of dangerous substances into the aquatic environment [COM(90) 9 final]

Classification, packaging and labelling of dangerous substances — 7th amendment 64/548

[COM(89) 575 final — SYN 227]

Medicinal products for human use

- Legal status for supply of medicinal products [COM(89) 607 final — SYN 230]
- Labelling of medicinal products and package leaflets
 [COM(89) 607 final SYN 231]

Minced and comminuted meat [COM(89) 671 final]

Industry Section

Article 85(3) exemptions in the insurance sector [COM(89) 641 final]

Social economy [SEC(89) 2187]

Motor-vehicle glazing, dimensions, tyres [COM(89) 653 final — SYN 236, 237, 238]

Community customs code [COM(90) 71 final]

Homeopathic medicines for human and veterinary use [COM(90) 72 final]

Transport Section

Member States' relations with railways: public service [COM(89) 564 final]

Air transport — Relations with third countries [COM(90) 17 final]

Road haulage [COM(90) 64 final]

Air transport — passenger compensation [COM(90) 99 final]

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Economic situation mid-1990

Regional Development Section

Tourism and regional development

Transport Section

The Channel Tunnel and its implications for transport policy

External Relations Section

Final phase of the GATT/Uruguay Round negotiations

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Economic cooperation between the Community and the Maghreb countries

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September 1990 Plenary Session

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Protection of natural habitats

[COM(88) 381 final]

Agriculture Section

Live bivalve molluscs [COM(89) 648 final]

Placing on the market of fresh meat

[COM(89) 673 final]

Placing on the market of fresh poultrymeat

[COM(89) 668 final]

Placing on the market of fishery products

[COM(89) 645 final]

Placing on the market of milk and milk products

[COM(89) 667 final]

Placing on the market of products of animal origin ICOM(89) 670 final

Placing on the market of aquaculture animals and products [COM(89) 655 final]

Meat products

[COM(89) 669 final]

Placing on the market of heat-treated drinking milk

[COM(89) 672 final]

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13th Council Directive on company law concerning takeover and other general bids (Additional Opinion)

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Available from Delta Publications, rue Scailquin 55, 1030 Brussels

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(Brussels, 1979) (BFR 425)

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