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BULLETIN OF THE EUROPEAN COMMUNITIES

**European Coal and Steel Community
European Economic Community
European Atomic Energy Community**

**Commission of the European Communities
Secretariat of the Commission
Brussels**

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1ST PART

**DOCUMENTS, FACTS
AND STUDIES**

1. Programme of the Commission for 1973

Programme of the Commission for 1973

Address by Mr François-Xavier Ortoli,
President of the Commission
of the European Communities,
to the European Parliament
(13 February 1973)

1101. 'By tradition, it is my honour, when presenting the General Report reviewing the Community's activities in 1972, as provided in Article 143 of the Treaty of Rome, to outline the programme of action envisaged by the Commission for 1973. I am very happy to do so. For your encouragement, your suggestions, but also your criticisms, are quite indispensable to the Commission, whose primary function is to initiate new steps towards the building of the Community.

1972, crucial year

1102. 1972 was a crucial year, in the fullest sense of the word, in the Community's development. It was the last year of the Community of the Six and it saw the establishment of interim mechanisms and procedures by which the applicant States were associated with the activities of the Community, so that the integration of these States which is now taking place could go forward smoothly. In fact, the Community of the Nine was a political reality in 1972 before it became a legal reality at the beginning of 1973.

This political reality of the enlarged Community found expression at the Conference of Heads of State or Government held in Paris from 19 to 21 October last. The scope of the action which the conference envisaged, the variety of spheres which it opened up to Community jurisdiction, and the vigorous stimulus which it gave to the Community institutions, are a measure of its success. That success was to a large extent the result

of the serious manner in which the Conference was prepared and of the political will so strongly expressed; but it was also attributable to the advances made in various fields during the preceding months.

Here I shall simply recall briefly:

the progress achieved in economic and monetary matters;

the Directives adopted in April which launched a policy on agricultural structures; the effective commencement of the operations of the reformed Social Fund;

the new Directives on the removal of the technical obstacles to trade;

in the field of external relations, the signing of agreements with some of the non-applicant EFTA countries, the continuation of active relations with the Mediterranean countries, marked by the signing of new agreements, and the adjustment of existing agreements.

No doubt the brief outline which I have just given will strike you as incomplete. But the extent of these achievements is such that every member of the Assembly will be fully aware of them.

Gradual emergence of a European identity

1103. The intentions and the commitments set out in the Final Communiqué of the Summit Conference must now be turned into official acts—or rather into actions. Ever-present in the minds of those taking part in the Conference was a concern to establish a European identity. In this, they were expressing a heartfelt desire, shared by all our peoples, to differentiate ourselves from the rest of the world, not only to play our own role in the world and thus take Europe's destiny into our own hands, but also to formulate and implement

the plan for a civilisation which, to quote Léon Blum, would again be human.

If a European identity is to emerge, Europe's place in the world must first be defined. Then Europe must be given a form of organisation, a structure which, through the interplay of economic, monetary, social, industrial, regional and other policies, would put it on the road towards irreversible union. Finally, all our actions must be guided by human concern and a willingness to participate, precisely because today the main lines of a new civilisation need to be laid down.

But before discussing these three points, I must tell you how fully, in its first months of operations, the New Commission has taken the measure of the task before it and the limited time available, and thus realised that if the work is to be done properly and punctually we have to get organised. This is why we were determined to lose no time in allocating responsibilities among the members of the Commission, drawing up timetables and establishing working methods which would ensure consistency and speed.

In doing this we took particular care to retain and develop the collegiate nature of our work. We shall make a systematic effort to ensure that the need for speed, and the need to allocate duties in the preparatory work to those who can best fulfil them, will in no way detract from our collegiate responsibility, which is growing stronger despite differences of temperament or opinion. We all have the same conception of our task, and share a common team spirit.

Definition of Europe's place in the world

1104. As regards external relations, in the next few months the enlarged Community will have to assume responsibilities commensurate with its weight in the world.

The role played by the Six vis-à-vis the outside world was already a proof of the 'European presence'.

But enlargement, the will to build up the Europe of the Nine as expressed in the Declaration of the Paris Summit, the awareness throughout the world of what we represent, give a new economic and—let us face the fact—political dimension to the definition and conduct of the Community's international relations. This comes at a time when the facts of international political and economic relations to which we have been accustomed since the end of the Second World War are undergoing profound changes. The Community itself is, of its very nature, a dynamic force and this, together with the Community achievements which cement together the Europe of the Nine, should enable it to make an original contribution, through dialogue and negotiation, to the establishment of a new international economic order.

A constructive dialogue must be pursued with the industrialised countries.

The most important of these countries is the United States. We must understand that that great nation, which, like the rest of us, is confronted by major economic and political change, must also, like the rest of us, examine the state of its relations with other countries. And the United States, for its part, must understand our responsibilities and our problems.

The Commission knows that Community developments have not been detrimental to the interests of the United States, and is convinced that it is necessary to rise above bickering over intentions or figures and get down to settling problems in a spirit of good will and mutual trust. It will then be found that the difficulties, however natural, will not outweigh the mutual advantages to be derived from our relations as a whole.

The Community has started negotiations for the conclusion of a trade agreement with Japan. Although there is a common desire to ensure that trade develops satisfactorily on the two markets, there is also, in fact, a growing imbalance in this trade, and the risk of situations that could endanger employment or regional balance, which explains the importance attached by the Community to the establishment of safeguard measures.

The Community will also have to consider the situation of countries like certain Mediterranean countries covered by existing agreements whose content has been changed following enlargement. However, as you know, the Commission has submitted proposals to the Council for a comprehensive approach to the Mediterranean area on which the Council will shortly take a decision.

Moreover, the procedure and the timetable are before us: the Community will have to participate in GATT in negotiations whose importance will be equalled only by their complexity. For example, we will meet many of the problems which characterise our relations with the United States.

These negotiations, which will be a kind of test of truth, are due to begin in the autumn. On the basis of the proposals which the Commission will put before it, the Council will have to define the Community's position by 1 July.

The importance of the Community's place in the world is also demonstrated by the interest expressed by Eastern Europe, the Soviet Union and, as you have just mentioned, China.

We like to believe that, to those who have considered the matter, the Community is seen not only as a factor in the economic prosperity of its Members, but also as a factor making for the relaxation of political tension in Europe and in the world.

It is in this spirit that we shall participate in the preparations for the coming Conference on Security and Cooperation in Europe.

The question of our trade policy towards Eastern Europe was raised before you in January. I will not, therefore, repeat what Sir Christopher Soames told you on behalf of the Commission, nor do I need to stress again the importance which we attach to developments in this field.

In any event, we must certainly give positive thought to any factor which could improve our relations with the Soviet Union and Eastern Europe and develop relations with China, and which, through increased trade, could lead to greater understanding between nations and thus form the basis for fruitful and close cooperation.

Finally, there is a question to which we must attach particular importance, not only because there is a responsibility and an obligation to take action on a problem of such magnitude and constantly developing urgency, but also because of the idea which Europe must have of itself and its objectives. As the Summit Communiqué said, we must, respond even more than in the past to the expectations of all the developing countries'. This is not a political duty: it is central to what we are and what we believe.

From the outset the Community has shown its sense of solidarity with the developing countries with which it has historical ties. But this is not to say that it has forgotten the other less privileged countries.

The Paris Declaration laid down common guidelines: the promotion of agreements designed to stabilise markets and increase exports of primary products, the extension of generalised preferences of ensure a steady, substantial increase in imports of manufactured products, an increase in the volume of official

financial aid and improvement in the financial conditions of this aid, particularly to the least developed countries.

This will be the initial basis on which the Commission will take action to prepare for the implementation of so clearly expressed a political will as regards all the developing countries, whether in Latin America, Asia or Africa.

This overall view of the problem of the developing countries and of Community responsibilities towards them must be taken, as the Summit Conference stated, without detriment to the advantages of the countries towards which the Community has special responsibilities.

This year will be marked by the opening, on 1 August, of negotiations with the African and Malagasy States associated under the Yaoundé and Arusha Conventions, and also with a number of Commonwealth countries which, under Protocol No. 22 of the Treaty of Accession, have been offered various formulae for regulating their relations with the enlarged Community.

The Commission emphasises the great political importance of this offer, which, since 1 January 1973, has constituted a firm undertaking by the Community to negotiate with any of these countries which so desire. The Commission sincerely hopes that these countries will enter into contact with it in order to enable it to furnish them with all the explanations that may help them to state their intentions as soon as possible—at all events, before 1 August 1973.

In carrying out these various actions, we must constantly bear in mind that such a policy is an overall policy. We also know, and the Member States must know, that, by the same token, Europe's identity must manifest itself when the international monetary system is

reformed—a measure whose urgency is rendered all the more obvious by the new crisis which we are passing through. If order is to be restored to a system whose upheavals are jeopardising all the world's economic, commercial and financial relations, it will be necessary to find the wise, equitable and lasting solutions which the situation demands. Let us hope that the voice of a united and indivisible Europe will make itself heard in this most important matter.

Setting Europe on the road to irreversible union

1105. Turning to the problems of the Community's internal development, we find, at the heart of our endeavour, Economic and Monetary Union.

The wheels are turning: considerable progress has already been made by setting up machinery for cooperation and for concerted action on short-term economic policy, short- and medium-term financial support, and the harmonization of economic policies as part of the initial steps for medium-term planning. The ground has been prepared for the approximation of the Member States' thinking on all the forms of economic, financial, industrial and commercial action which must be put into effect as part of the process of building a solid monetary union.

But in the past, and more especially today, we have often come up against disrupting factors, such as the amplification of inflationary trends on an international scale and the virtually permanent crisis in the monetary system, which make the pursuit of our objectives more difficult, but also more necessary.

A few days ago, reflecting on what we were witnessing, although not knowing what the outcome of the crisis through which we have just passed would be, we found that it strengthened three convictions held in the Commission.

Firstly, in each of our Member States the arrangements for reacting to violent speculative movements which have unacceptable disruptive effects must be established in such a way, and have such a permanent character, that two aims may be achieved. The first is to nullify the effects of such movements on the internal economy. The second is to discourage them without delay when they do arise, by following procedures which are sufficiently uniform in our various countries to preserve the cohesion necessary to the union that we are in the process of creating.

Secondly, our arrangements must not only provide a means of reacting, but must also have a deterrent character. We must, as far as possible, create the basic conditions for preventing the recurrence of crises.

Finally, in this line of action we must find the opportunity of taking Community solidarity further.

The Commission, for its part, will assume the initiatives and responsibilities which fall to it in this area.

The pressing nature of the monetary problem must in no way cause us to relax our vigilance as regards the development of inflationary trends. In this connection, we have submitted to the Council the additional proposals relating to customs and commercial matters which were required of us. If necessary, we shall not leave it at that.

To get back to our work programme .. we now have to prepare the next stage of Economic and Monetary Union.

The Commission has already submitted its proposal for the Statute of the European Monetary Cooperation Fund. In accordance with the timetable laid down it will submit, within the prescribed time-limit, the results of its deliberations on the completion of the first stage and on the allocation of duties between

the Community institutions and the Member States, and in the course of the year its proposals on arrangements for short-term monetary support and thereafter on the conditions for the progressive pooling of reserves.

In the second stage, new action will be taken and current action will be continued.

Thus, more will certainly be required of the existing cooperation arrangements. Concertation of short-term policy should lead to the joint adoption of real decisions on economic policy by all the Member States of the Community. The instruments for monetary cooperation will have to be simplified and made more attractive to all the Member States. The Commission expects much of the European Monetary Cooperation Fund, which will be valuable not only because of the mechanisms for the multilateralization of settlements which it is to facilitate but also, and perhaps even more, because it will be an essential element in a dynamic monetary cooperation process. The harmonization of longer-term policies will have to be considered in great detail if the real unification of economic policies is to be prepared.

It is, nevertheless, clear that consultation measures alone, however well worked out, will not be enough to achieve the unity of the Common Market. We shall have to proceed with concrete measures demonstrating the genuine progress made towards unification.

From a thousand possible examples, I will mention the creation of a European capital market, for which we have waited far too long. Would it not be possible—and present circumstances ought to encourage us—to get our countries gradually to reconsider their thinking on controls and at least to treat in the same way all transactors in the Community, of whatever Member State they are nationals or residents?

I would also mention the progress needed in tax harmonization. We shall put forward proposals relating, in particular, to harmonization of the basis for assessment of VAT and harmonization of tax arrangements for income from movables, and we consider it urgently necessary that texts should be adopted concerning tax arrangements for mergers and that provisions should be introduced concerning parent and subsidiary companies.

Again, I would refer to the approximation of company law, the formation of the European company, the recognition of a European patent, and freedom of establishment for insurance and banking services, which can provide a Community legal framework facilitating the interpenetration of our economies and financial systems.

Likewise priority must be given to the elimination of obstacles to internal trade, in particular by the elimination of technical obstacles and quantitative restrictions and by throwing open public contracts to all comers.

I have now more or less reached the halfway stage of my paper, and I realize—as I did at the time of writing—how difficult it is to describe Europe. It is such a massive, wide-ranging task, covering such a mosaic of fields of action, where the relevant regulations are uninteresting but relate to matters that may be of the utmost importance. I have just referred to technical obstacles and quantitative restrictions. Quite candidly, these are both utterly depressing terms. Nevertheless, is it not the whole problem of the movement of goods and the achievement of a degree of industrial unity in Europe that lie behind these rather dull phrases?

In customs matters, the Commission welcomes the European Parliament's Resolution of 9 October 1972 on the abolition of controls in intra-Community trade. It will do all it can to comply with this Resolution in the context

of the General Programme for the approximation of customs legislation, in the hope of bringing matters to a rapid conclusion and thus making up for the delays of the past.

These practical measures, taken as a whole, will have to be accompanied by a more general scrutiny of the objectives and methods of economic policy. How, for instance, in our Community, are we to ensure that the purchasing power of economic agents increases with due regard for that internal and external equilibrium of major factors without which there can be no real and lasting growth? This is undoubtedly a problem of the greatest importance.

In support of this action, whose specific purpose is to establish Economic and Monetary Union, there are the policies known rather incongruously as the "accompanying" or "flanking" policies, which in fact form an integral, and to a large extent, decisive part of the Economic Union.

The Summit Communiqué spoke of a single industrial base for the Community as a whole. In this field we are invited to decide on a programme of action to be adopted by the institutions before 1 January 1974. Of course, we will observe this time-limit, but proposals have already been made to this end: the creation of a specialized office to facilitate contracts between undertakings; a policy of opening up the public contracts market, giving priority to railway, heavy electrical and telecommunications equipment and equipment embodying the results of advanced technology; and the establishment of development contracts at Community level in order to finance certain joint innovations of companies situated in different Member States.

It is with this in mind also that the Commission has proposed closer coordination of financial resources and appropriate coordination of public purchases in the field of aviation and

is examining the scope for similar action in data processing, nuclear energy and telecommunications.

I now turn to the Community's scientific policy, which was long restricted to the activities of the Euratom Research Centres, and to ECSC financing of specialized research.

On 5 February an agreement was at last reached guaranteeing four years' research activities for the Joint Research Centre at the level we proposed. I am confident that the life of the Centre, and in particular the existence of Community research, is assured for many years to come, not only in the nuclear sector but also, and to an increasing extent, in the non-nuclear sectors.

The Commission will now be able to continue its efforts to establish a European research, scientific and educational policy. These three portfolios have now been allocated to a single Member of the Commission, for all three pose political questions for the Member States which, to large extent, can only be solved by joint action.

As regards research policy, the Commission is convinced that it is necessary to look beyond nuclear research and consider the other sectors of the future. A European scientific policy, while remaining closely geared to practical ends, must be restricted to industrial applications which are immediately apparent. For Europe needs not only an industrial economy powered by research and its applications, but also organized scientific cooperation from which all concerned will be able to derive the maximum benefit.

As regards education, we obviously do not wish to centralize European education in Brussels. We should like, together with the Member States, to organize an exchange of thoughts and views on the solutions put forward for the problem of the education and training of

adolescents in our industrial society. We should also like to see the development of the need for and the habit of considering together the problems of Europe, for it is in our schools and universities that European-mindedness will really be instilled. On a more practical level, we should like to try to reduce the obstacles arising from differences between qualifications.

As for the common agricultural policy, we must welcome the fact that it became applicable throughout the territory of the enlarged Community despite the complexity of the final decisions required. The Ministers of Agriculture of the new Member States have now been initiated into the Community's all-night marathon sessions, and we were able to meet the deadline of 1 February.

The Commission will soon have to submit to the Council its proposals for the prices policy for the next marketing year, together with proposals for new action in structural policy, with special reference to hill farming; and your Assembly will be called upon to discuss these proposals.

More generally, we shall not lose sight in our work of the need to combine action on the markets with action on structures, and to link the development of a policy which is satisfactory to our farmers with general economic considerations.

In the field of transport policy, the programme submitted to the Council in November 1971 will be supplemented by new proposals concerning, in particular, transport by air and sea, and urban and suburban transport. Encouragement should also be given to cooperation between our Member States and between their undertakings in the development of new transport techniques.

Of course, the Commission will do its best to settle the questions of vehicle weights and sizes and intra-Community transport as quickly as possible.

It also believes that infrastructures must be more closely coordinated if Europe is to develop harmoniously, whether the aim is to unify the market to a greater extent, to facilitate the movement of ideas, people and activities, or to secure better regional equilibrium. This applies just as much to the Community as a whole as to our individual Member States. Finally, the Commission wishes to give energetic attention to the questions of road safety and the harmonization of traffic rules with a view to formulation of a European Highway Code.

In another field, the Summit set us an ambition of particular importance: I refer to the energy policy. I should like to say that we are thoroughly convinced that this is a sector in which European cooperation is going to prove both feasible and essential. I shall not go over the familiar ground of the problems confronting the world in this area. But we for our part believe that, in addition to a series of measures in the oil, natural gas, coal and electricity sectors and even the nuclear energy sector, it is clear that, when formulating our proposals—some are already finalized,—we shall have to establish a general framework in the light of the need for secure supplies obtained from reliable sources on the best economic terms. But we also believe that we must give due consideration to other parameters of equal importance.

There are the protection of the environment and the rational use of energy and here joint action may be taken. Again, there is the development of scientific and technical research including research into the most rational use of energy. We agree with Mr Simonet that it is not absurd for the Community to devote part of its brilliant scientific intelligence to investigating new sources of energy or the best use of the range of sources of energy at our disposal. Thus, in external policy, we must deal with the problem of establishing or developing the Community's relations with

both the exporting countries and our fellow importing countries. I feel we have reached the stage at which the energy policy is becoming a fully-fledged policy, and it must be a European policy.

Of course, among all the measures which can be contemplated, some must be given priority, particularly those which can improve the Community's energy supply situation and complementary measures to provide machinery enabling the institutions of the Community to exercise a degree of administrative control over the energy sector.

This is an ambitious programme, but as I have said, we believe that the importance of the energy sector warrants such ambition, which is integral to the development of the Community. This is one of the reasons why we hope that a Council of Ministers responsible for energy will meet as soon as possible, at least during the first half of the year. On this subject also, the Commission has made its proposals and will supplement them in good time for the Council of Ministers to have full details before them.

As regards competition policy the communiqué from the Paris Summit Meeting referred to the need for the formulation of measures to ensure that mergers affecting firms established in the Community, are in harmony with the economic and social aims of the Community, and the maintenance of fair competition within the Common Market. The Commission will act in this spirit both as regards individual decisions and in its general emphasis to ensure control over concentrations, agreements and state aids.

I now come to regional policy, which we consider essential to the establishment of a balanced social and humanitarian Europe.

Here too closer coordination of national policies and defining common criteria for the granting of aid constitute the first steps to be taken. This will be one of the main themes of

the Commission's report on regional problems which we are drawing up at the request of the Paris Summit Conference.

Such coordination, and joint action will be given a new stimulus when the Regional Development Fund, financed from the Community's own resources, is set up, not later than 31 December 1973. This is one of the files to which the Commissioner responsible turned his attention immediately, since it is clearly closely tied up with the general presentation of our regional policy.

Studies are also in progress on the use of 50 million UA financed from the budget of the Guidance Section of the EAGGF, for the creation of industrial employment in depressed agricultural areas; on the creation of a Regional Development Company for the purpose of guaranteeing industrialization loans at Community level, and on setting up a regional policy committee. No doubt, these will provide us with material for some very interesting debates.

The Commission is convinced that regional policy is a major factor in the development of Economic and Monetary Union. This policy, which can only be complementary to the efforts of the Member States must of course be applied to declining agricultural and industrial regions. But it must also enable the more prosperous regions of the Community to improve their quality of life.

In my opinion, this question of the quality of life must be taken into consideration more and more as the Community edifice rises. For we must build a Europe which will serve mankind, as we have often said in the past. We cannot repeat this too often.

Concern for the human element and desire for participation

1106. To speak of a Europe which will serve mankind is first and foremost to seek to put

into effect a broad-based social policy and play an active part in protecting and improving the environment. But it also means setting out to make our peoples participate, directly and indirectly, in the work of building Europe.

The Heads of State and Government reminded us that vigorous action in the social field cannot be dissociated from the realization of Economic and Monetary Union. They also asked the institutions of the Community to draw up a programme of action in the social field by 1 January 1974, having consulted both sides of industry.

We shall therefore be stepping up our activities in the fields of employment and living and working conditions.

In the restructured Social Fund, the Commission has a very important means of intervening in employment matters. The purpose of the Social Fund is to make it possible to implement a policy for the solution of existing difficulties; but it has an even more important function, and that is to prevent such difficulties from occurring at all, by means of a suitable forward policy bringing Community solidarity into play whenever the common policies or the Community economic situation rise to quantitative or qualitative employment problems. For example, decisions have been taken to help agricultural workers leaving their farms and to help textile workers, whose employment difficulties were largely due to the restructuring of their industry. The Social Fund is therefore seen as an important instrument of industrial and regional policy as well as of social policy.

In order to implement a policy of full and better employment successfully, substantial progress must be made in the harmonization of vocational guidance, training and retraining if the men and women of Europe, and especially young people, are to be prepared for the occupations which are most useful both to them and to society as a whole.

In the field of living and working conditions, the Commission believes that it is particularly necessary to harmonize procedures for group redundancies—a proposal for a directive has been submitted to the Council—and measures must be laid down to provide appropriate procedures for mitigating the social effects on workers of company mergers and of the growing extent of concentration in industry.

Similarly, extending the action already taken by the Community, and with a view to improving the quality of life, the Commission proposes to help in working out measures and standards concerning the health and safety of workers, both at their place of work and in their living conditions in general.

This year will be a particularly important one from the social policy point of view because it will see the establishment of the draft action programme provided for in the Final Declaration of the Paris Summit Conference. Without going into detail, I can tell you that this programme will cover employment questions, in the broadest sense of the term, improvement of the quality of life both at places of work and elsewhere, and the democratization of economic and social life in the Community.

Questions of the quality of life obviously bring the Commission to consideration of the environment. Before 31 July, the Community institutions are to draw up a programme of action accompanied by a precise timetable.

This will involve the introduction of a programme for reducing air and water pollution, *inter alia*. It is necessary to find the most economical solutions best suited to this purpose, but it is also necessary to continue, under the general programme for the elimination of technical obstacles, with the standardization of product specifications, dealing with pollutants as a matter of priority.

We must also attend to the implementation of the agreement relating to advance notification

of all national measures concerning the environment, which the Council adopted in December 1972.

Finally—and, to me, this seems very important, being of wider significance than the technical aspects of the environment—we must set our minds on looking beyond the strictly technical problems and, in our other policies which are ostensibly unrelated to environmental matters, but in the last analysis determine the course of Community policy, we must display a constant concern to protect and improve our habitat. Environmental policy is less specific than any other policy. Although it has its special cases, its techniques and methods, it is derived principally from an overall conception of a problem which affects the whole economy and even the whole of our society, and it would therefore be too limiting and completely inaccurate to form a view of it exclusively through the regulations it introduces.

As I draw towards the end of this presentation of our work programme, having presented a whole series of policies and projects, I naturally measure the magnitude of the task before us. But after this necessary though, inevitably rather dry enumeration, I also measure how difficult it is, with so many programmes, dates, technical details, to make our peoples understand vital importance for each citizen of work which sometimes lacks lustre. Alas, very often the impression people have of our joint endeavours is not one of imagination, boldness or political will, even though they are the underlying inspiration. It is here that the need arises to associate the peoples of Europe in building the Community. There are three lines of action which we must follow together in trying to be more successful in this than in the past.

The first is to provide objective but comprehensible information. We feel we must provide this information, and the Commission

is determined to do so. We must make a greater effort to reach all the social classes, get across to our younger generation, further decentralize our information activities, and thus make a stronger impact on our Member States, especially the new Member States and their regions. Furthermore, we must ensure that third countries get to know more about this Europe, what it is, why it takes the stand-points it does, what its not inconsiderable contribution is. I know that you share this feeling; and, in preparing our information programme for 1973, we will take full account of the debates which have been held in the Assembly.

The second is to improve and broaden the scope of our dialogue with both sides of industry. Alongside and in addition to the "institutionalized" dialogue in the Economic and Social Committee, the Standing Committee on Employment, and various specialized groups and committees, we intend to seize every reasonable opportunity for exchanging information, making contact and holding discussions with the representatives of management and labour.

The third of these lines of action is to foster the institutional dialogues between Commission and Assembly and to strengthen the Assembly's role in the Community's activities.

In accordance with your legitimate wishes, agreement was reached at the Summit Conference on the need to strengthen the powers of control of the European Parliament in the light of the undertakings given by the Commission and the Council on 22 April 1970. The Heads of State and Government invited the Council and the Commission to put into effect without delay the practical measures designed to achieve this strengthening and to improve the relations between our institutions and the Assembly.

But the first question is that of what I might venture to call the day-to-day relations between

our institutions. Obviously, during the five busy weeks since we took office it has been physically impossible for us to finalize the various measures which could be envisaged. It has been all the more difficult because the Commission wishes to do this in the light of your opinions. We shall therefore wait for the results of the work which, I understand you yourselves have undertaken on the matter, so that we can take them fully into consideration. Let me say here and now that we are ready to work with you, and our attendance at your committee meetings and also the very wide-ranging exchanges of views which, I believe, have begun to get onto an established footing bear witness to the fact that this is not merely a way of offering you a question and answer dialogue, but rather an expression of the Commission's willingness to approach Parliament and enter into the fullest discussions of the various problems, both in the committees and—I shall return to this in a moment—in the plenary sittings. Moreover, to a large extent, this is no more than the continuation of a dialogue which is already established, for much was done by previous Commissions in response to requests from your Assembly or its Bureau.

However, I can already tell you how much we are determined to avail ourselves to the full extent of the powers given by the Treaties in a field where no lengthy studies are required, since it is largely a matter of mental attitudes and political will. I would like to talk about the importance which we shall attach to the opinions you will be delivering on our proposals. The Commission assumes that the main texts which it is to submit to you and notably, in the near future, the texts required of us following the Summit Conference, will be the subject of political debates in your Assembly from which clear and firm positions will emerge. I can tell you already that the Commission, which will have taken an active part in your discus-

sions, will be willing to reexamine its proposals in the light of your opinions and to amend them, where necessary, in accordance with Article 149 (2) of our Treaty. We wish to give that Article its full political weight, over and above mere technical responses to amendments of detail.

A second deadline is approaching rapidly. On the basis of the report which the Commission is to submit before 1 May 1973, the Community institutions and, where appropriate, the representatives of the Governments of the Member States are invited to decide on the measures relating to the distribution of duties and responsibilities between the Community institutions and the Member States which are necessary to the proper functioning of Economic and Monetary Union. I cannot yet give you any indication of our intentions in this matter, since the content of our technical proposals will obviously determine the scope of the institutional proposals; but you may rest assured that we are aware of that deadline and of its importance.

When I spoke to you on 10 January, I stated that the Commission intends to adhere strictly to the undertakings given by its predecessors in respect of your budgetary powers; you recalled these undertakings on 12 December last. I now solemnly confirm these undertakings before you. In the first half of this year the Commission intends to submit its proposals for increasing the budgetary powers accorded to you in the Treaty of Luxembourg.

In drawing up these texts the Commission is ready to consider the opinions which your Assembly or its responsible committee will communicate to it, without prejudice to the institutional procedures which will come into play after the submission of our proposals.

Thus, in the coming months we shall have several opportunities of going more deeply into the question of the Parliament's powers, having

regard, admittedly, to undertakings already given but also to the question of the allocation of duties between the Member States and the Community. For our part, we are determined to bear in mind the need to ensure that our institutions can function democratically by associating our peoples as far as possible with the life of the Community.

We are all the more encouraged in this course since we have now been given the major objective of transforming all relations between Member States into a European Union before the end of 1980. Your distinguished Assembly, like the Commission, will have to take part in drawing up the report which the institutions must make before the end of 1975. This will provide an opportunity for outlining, in the light of the experience of our institutions and in particular of experience gained during the first stages of Economic and Monetary Union, an overall conception of the aims and structures of the European Union, which also means a conception of a European democracy, a modern democracy reflecting the needs of the Community of the Nine and the requirements of the new society at the end of this century.

It is in this perspective that the Commission, during its term of office, intends to contribute to the development of your institution. The dialogue which will be established with the Assembly, and the debates which you will hold on this grand design, will be vital elements in determining the substance of our own initiatives.

An overall process in the light of an overall vision

1107. I have now fulfilled my duty in completing the necessary task of outlining the Commission's plans for the year ahead, naming the issues to which it intends to give particular attention, and giving a few early indications and

at least the general framework of what this year could hold for Europe.

Let me say that this type of exercise is unsatisfactory from two points of view.

It is essential to say what we are going to do. And because it is essential to say what we are going to do, one cannot avoid going into some detail. This clearly tends to place all the various points on an equal footing, despite any efforts one makes to lay particular stress on any of them. Moreover, it is quite clear that there are two or three major options of far-reaching significance on which, although we must maintain an overall view, we shall be working day after day.

When talking of external relations, I ended by saying that when one sets forth the policy, it has the outward appearance of a series of interlocking policies. But there can be no doubt that one of our tasks in the future will be to ensure that the various policies we propose are consistent with each other.

A second issue is that of Economic and Monetary Union, which is basically two problems.

Firstly, are we able to make a range of policies converge to the critical stage when it will be possible to say: yes, this is union?

Secondly, are we capable of achieving a joint economic and monetary policy together? I do not refer here to the specific problems, the "flanking" or "accompanying" policies, or to matters of detail or particular measures which may be introduced as part of Economic and Monetary Union, but to accelerating the process of preparing the ground for the setting-up of the monetary cooperation fund and to the problems of establishing a monetary union. This is one of the Commission's tasks—to seek an overall process which will be both comprehensive and sufficiently rapid to enable us to keep abreast

of rapidly changing circumstances and the very real needs of Europe.

The same is equally true of social matters as a whole, which are extremely difficult, because they relate, not only to the manner in which our peoples will be associated with our work, but also to the way in which they see the objectives of our endeavours. How are we going to set all this in motion?

We shall be doing everything in our power to ensure that our action is sufficiently broad-fronted to be an overall policy, rather than an accumulation of technical decisions which would lack the overall perspective of a policy as such.

In presenting a document like this, one realizes that it is very difficult at the beginning of our term of office to talk of problems on which much work is to be done and a collegiate conviction is yet to be defined. Inevitably, our standpoint at this stage is derived from what we have adopted from proposals already made or the first ideas we have formulated ourselves. But a whole process is under way: files are being made up, and aspects of both monetary and regional policy are under close examination as we bring our minds to bear on them in small select working parties. All this makes one realize how very difficult it is to present a work programme in the wake of the Summit Conference, which has added much new work and before the Commission has finalized its philosophy.

This is not to say that we find our task too difficult. On the contrary, we find it thoroughly exhilarating and are determined to carry it through, occasionally standing back from the close work to get a better view of the overall pattern of the tapestry we are stitching.

Clearly, we shall be discussing the overall pattern with you just as much as the details.

2. Introduction to the "Social Report" 1972*

Programme of the Commission for 1973

As I mentioned a few moments ago, I hope that there will be comprehensive debates when the time comes for discussing common policies. Indeed, it is the general line we take which will be most important, and this, I believe, is the level at which you have much to contribute, the area in which we consider the political dialogue assumes its true dimension. At all events, let me assure you once again that, in the Commission, you will find a partner.⁶

1201. In many respects the development of the social situation in 1972 has been merely the repetition or continuation of trends which were pinpointed in the previous Social Report. Thus, this year it would be possible to define this development by noting that it: "has been dominated by employment problems. Short-term economic and monetary factors have disturbed the rate of expansion and the level of employment. In nearly all the peripheral regions of the Community, structural unemployment has hardly diminished—a fact which raises the question of Community solidarity expressed in the Treaties".

It is true that the level of the full-time unemployed during the year has remained above that reached in 1971, and that structural inadaptations, mainly at regional level, have become further pronounced in certain Member States. At the same time, the unemployment among young people, even those in possession of skills, is a subject for increasing concern.

Nevertheless, the year 1972—precisely because it saw the repetition of certain events, and in particular monetary disturbances, and the persistence, and even the accentuation, of certain imbalances, particularly as regards employment and incomes—cannot be considered as a pure and simple repetition of 1971.

The fact that these phenomena are no longer considered as accidental or transitory, makes them now less tolerable.

Their persistence or repetition confers on them quite another dimension. Certainly, they oblige us to question the outline interpretations of socio-economic phenomena on which economic and social policies are based. Hence we have, for example, the debate on "stagflation", or

* Addendum to the Sixth General Report on the Activities of the Communities in accordance with Article 122 of the Treaty of Rome.

the more general questions on the final aims and limits of growth. But, more especially, they have at the same time the effect of modifying the behaviour of social and economic agents, not only as *producers* (affected by their working systems and environment), but also—which is something new at this level—as *consumers*.

Up to now social policy has been very largely the uncoordinated sum total of the various reactions of the social body to the results and consequences of other policies. This is now no longer the case. It is now accepted that social policy should be accepted in its own right. Admittedly, the correlations between social policy and other policies have long since been obvious, and in the attempts at planning or programming on the national or Community plane efforts have been made to give a place in the objectives to strictly social aims, but with varying degrees of success. The first Summit Meeting in The Hague, in December 1969, had already advocated close concertation of social policies in the light of an economic and monetary union in process of formation. The third Medium-term Economic Policy Programme, and the Preliminary Guidelines for a Community Social Policy Programme, adopted by the Commission on March 17, 1971, have also helped to bring about this awareness of the interdependence of the various factors.

But what is new, and what confers on the Paris Summit Meeting of October 1972 its most marked and decisive feature for the future of Europe, is the fact that “the Heads of State or Government emphasized that they attached as much importance to vigorous action in the social field as to achievement of economic and monetary union. The Heads of State or Government thought it essential to ensure the increasing involvement of labour and management in the economic and social decisions of the Community (Declaration, Chapter 6).

The solemn recognition of the importance of the development of a coherent social policy for the Community is accompanied by an indication of the means to be used—the participation of management and labour—which will help to integrate the social aspects into the general body of Community policies.

The Declaration of the Summit Conference is in no way a statement of limited scope which would concern only the social sector in the strict sense. It will be noted that it also concerns participation in economic decisions, and that the preamble to the Declaration, which faithfully reflects this radical transformation of public opinion referred to above, announces that: “Economic expansion is not an end in itself. Its first aim should be to enable disparities in living conditions to be reduced. It must take place with the participation of all the social partners. It should result in an improvement in the quality of life as well as in standards of living” (Declaration, Preamble (iii)).

We have to keep a sense of proportion and, without losing sight of the general objectives, endeavour to transpose them into terms of realistic and short term objectives. Whether it is a matter of employment, living and working conditions or, again, of the democratization of economic and social life, we must continue to improve knowledge of the facts, since information precedes effective action. We must test the reality of the solutions recommended by introducing operational instruments so that direct Community intervention should normally not be complementary to national intervention.

This does not exclude but, on the contrary, implies (for otherwise the Community could fall apart) the maintenance and safeguarding of overall coherence. As the Commission stressed in the Preliminary Guidelines for a social Policy Programme in the Community: “In order to bring economic measures more closely into line with social targets and ensure that they will be

as effective as possible, it is vital that economic policies should not only take full account of social objectives but also that they should be interlinked in a coordinated Community programme. This programme must cover all factors contributing to a harmonious, balanced development and must allow for all the wide structural differences which still exist. Clearly, the options must form the subject of wideranging democratic discussions. This is not merely an ethical or political consideration; the collective processes must be followed and this is inconceivable without effective participation by the people in their formulation and supervision”.

Employment problems

1202. The supply of information is gradually improving thanks to the various studies, inquiries and reports on the situation and trend of the employment market, the functioning of free movement, and vocational training problems. Yet we must note the obstacles encountered by the development of harmonized statistics at Community level. Migration affords a particularly good illustration here. Not only are the Member States reluctant to undertake a coordination of immigration policies—without which the application of the principle of the free movement of workers is considerably weakened—but there is lack of progress ensuring the acquisition of information on migratory flows.

This lack of knowledge is paradoxical in view of the importance which the planning or programming services rightly attach to the balance of the manpower market. The unsatisfactory level of information regarding employment inevitably has a detrimental affect on forecasting. Much more considerable efforts should be made to improve such forecasting, particularly in view of the possible repercussions on the economy and on human

beings of an ill-conceived and ill-directed training policy.

Already the intervention of the new Social Fund requires more systematic and more reliable information on the employment situation according to regions and branches of activity as well as up-to-date forecasts, whose coherence and mutual compatibility would be verified at Community level. Here, very special attention is being paid to the new possibilities opened by information technology, in particular the possibility of creating a coordinated network of computers using harmonized data. In this field, the objective is not only, or even chiefly, to improve and speed up the clearing of job offers and applications, but to arrive at the most immediate and detailed knowledge possible at Community level of developments and trends on the employment market. A recent memorandum from the French Government suggesting that the Social Fund should help in this field links up with the ideas which are exercising the mind of the Commission.

In fact, it may be feared that the “modernization” in desperate fashion of each national employment market using different and perhaps incompatible systems may well end by making the Community labour market practically opaque, and thus in fact ruling out any active employment policy. If things are taken to extremes, the juxtaposition of increasingly rigid and watertight labour markets would become a major obstacle to the achievement of economic and monetary union.

Only great efforts at the Community level will give any hope of achieving the objective of full and better employment which the Commission, with the support of the European Parliament and all those concerned in social life, places and has always placed in the first rank of priorities and which will retain this rank in the social action programme which the Community is to adopt by January 1, 1974.

This is why the permanent cooperation of the institutes, offices and bodies dealing with employment problems begun under the aegis of the Commission, will be actively followed up. In the coming years an endeavour will be made to render it more systematic and operational.

In addition, the Commission had adopted the "SEDOC" System (European system for the diffusion of job offers and applications in international clearing) which, by means of a conversion table, defines for some 900 significant occupations at the level of the Community employment market a nomenclature of practical equivalences. In addition to ensuring the better functioning of the free movement of labour and of the activities of the coordination office instructed to watch over the implementation of Regulation 1612/68, this system should facilitate the preparatory work for the establishment of a harmonized data bank for the whole employment market.

Similarly, the action programme for a common policy on vocational training submitted to the Council in November 1972 will assume its full meaning only in the perspective of a genuine common employment market.

The new Social Fund began to operate on May 1, 1972 and provided the opportunity for an interesting revision of social policy in this field. With financial resources which, although still modest when compared with the needs, are already considerable, the catalytic effect of the new Social Fund makes a genuinely active employment policy possible.

The readaptation policy carried on in the framework of the European Coal and Steel Community, and which is continuing, constitutes a promising experiment.

It is not only a matter of supplying Community aid towards solving of particular difficulties existing in various regions or certain sectors. The aid given for the training of

people under the new Social Fund and within the framework of the ECSC provisions is an excellent instrument to promote balanced economic development in the light of policies jointly laid down by the Community authorities. It depends on the imagination and will whether those concerned, both at private and public level, profit by the opportunity offered to dovetail programmes of training and vocational readaption into development projects submitted for assessment by the Community authorities. In this way, the Social Fund can be seen as an instrument available to all the policies tending to give the Community a human visage as desired by the Summit.

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The Community institutions have continued to examine important aspects of employment. Those include the employment of women and handicapped persons.

As regards work by women, studies, confrontation and enquiries carried on over the last two years have led to the conclusion that the problem is as much sociological as legal. Equal treatment will not be really possible until the fact of being a woman with special social responsibilities is no longer used as a pretext for inadequate training, interruption of professional careers, under-qualification and lesser chances of advancement. The development of appropriate legislation taking into account the place of women in society and the growth of collective facilities, are closely linked with the chances of the advancement of women at work. The economic interest of such achievement is often less clearly perceived than the social aspects in the strict sense.

As regards migrant workers, their ever-increasing number poses disquieting problems. Apart from the reception of workers in the strict sense, the schooling of the children, housing

and cultural and vocational preparation for life in a strange country create large-scale problems. The Commission is of the view that differences of treatment between migrants of various origins must be avoided and, where they exist, must be eliminated. These differences are unacceptable in human terms and calculated to encourage veritable social dumping. The Commission continues to believe that a coordination of migration policies is indispensable and this in the relatively near future and it feels that without this it would be impossible to imagine an active employment policy tending towards full and better employment of all the labour forces of the Member States. In addition, difference between migration policies is calculated to influence wage structures in a manner prejudicial to social progress.

The situation of *handicapped persons* is no less a subject of concern. Their number is also continuously increasing in the Community as a whole. The Commission is convinced that the objective to be attained is the reintegration of these people into normal active life to the greatest extent possible. The lessons learned indicate that the cost of such reintegration is infinitely less than the considerable economic loss resulting from a passive solution founded on recourse to social security. But a readaptation "without any break" between the beginning of the handicap and reintegration into social life, implying close cooperation between the medical bodies and the agencies for professional training and recycling, is the precondition for success. The intervention of the Social Fund for the occupational adaptation and readaptation of handicapped persons is an established achievement. However, it should be better dovetailed into an overall policy which still needs to be defined with the agreement of all the interested parties.

Living and working conditions

1203. In this field, in which, in accordance with Article 117 of the Treaty establishing the EEC, there is "need to promote improved working conditions and an improved standard of living for workers, so as to make possible their harmonization while the improvement is being maintained", it is particularly necessary that the existing situation at Community level be clarified as well as trends in the various Member States. Whether it is a matter of income and assets, of social security, including the social transfers which this covers, or rules and regulations governing work, the first need is to know what the real position is.

It is to this end that the Commission's departments, while continuing their efforts to improve statistics, are endeavouring to work out "social indicators." The result of an initial effort in this direction is to be found in the present Report.

It is the same concern for clarification which inspired the elaboration of the European Social Budget adopted in principle by the Council of Ministers on November 9, 1972. At the present stage, the main point is not to define objectives but to give a sufficiently clear view of realities. This is a prior condition for the "harmonization while the improvement is being maintained" which it will be possible to envisage later.

Another field in which the improvement of the quality of life is essential, is the internal environment (in places of work) and the external environment (in places where people live). The Commission, in addition to presenting a general memorandum, has already started to take concrete measures in this field.

Basing itself in particular on the lessons learned in the framework of the Treaty establishing the European Atomic Energy Community, and also on the research and confrontations that

have taken place, in close liaison with management and labour, in the coal and steel industries, the Commission has begun, within the limits of the means placed at its disposal, to move beyond the context of radio-activity on the one hand and the pollution resulting from industrial activity in iron and steel and mining on the other. The efforts made in 1972 were essentially directed to working out methods for tackling the problems posed by the major pollutants (lead, mercury, sulphur dioxide, carbon monoxide, etc...). The point is to define harmonized reference indicators concerning pollution and nuisances, with a view to evaluating the danger these represent by means of standardized measurements. This is the prerequisite for the determination of genuine basic norms fixed by common accord at Community level. The need to avoid dumping on quality, that is say to a levelling downwards imposed by the needs of competitiveness, calls for the definition of common rules of conduct in the most extensive areas possible, but in any case at the level of the Community. It is true that in some of its aspects this policy goes beyond the context of social policy, but it is too closely linked with the latter to be left out of a social report.

As regards the free movements of workers, 1972 witnessed the implementation of the revised regulations on the social security of migrant workers, which resulted in considerable improvements. It should be pointed out that very important work was carried out as part of the preparations for the enlargement of the Communities to enable these regulations to be rapidly extended to the new member countries. Furthermore, the seventh scheme of financial aid to ECSC housing is in full operation. A noteworthy development of these activities is planned, particularly in favour of migrant workers.

Democratization of economic and social life

1204. Apart from their interest *per se*, the measures relating to the democratization of economic and social life are, in the last analysis, as was recognized by the Paris Summit, one of the essential conditions for the effective achievement of economic and monetary union.

Apart from the proposal for a statute for the European joint-stock company (*société anonyme*), the Commission submitted in November 1972 a further proposal for a directive which provides for workers' representation in the governing bodies of such companies.

There is, in addition, the need to organize and develop the dialogue between the Community institutions and the two sides of industry. Apart from the Advisory Committees attached to the Commission, which bring together the representatives of all the parties concerned and play a very important role in the definition of objectives and the control of day-to-day administration, the importance of the Standing Committee on Employment should be stressed. After two years of operation, this Committee, which is a centre for concerted action between the Council, the Governments, the Commission and the employers' and workers' organization, has proved a valuable instrument for the definition of employment policy. Without changing the institutional balance laid down by the Treaties, it lends a valuable political dimension to the preparation of concrete measures. It helps in a flexible and informal manner, to develop a Community will.

The sectoral mixed or joint committees, which develop first in the steel and coal sector and then in agriculture, fishing and transport, have received a new boost from the Summit Conference. The Commission desires concerted action at sectoral level, covering both economic and social problems, in which all aspects of the future of the branch concerned could be debated

3. The monetary crisis of February 1973

Introduction to the Social Report

freely and frankly and would make rapid progress. It will do everything in its power to promote this aim.

The conclusion of European collective bargaining agreements would contribute, while fully respecting the autonomy of both sides of industry, to the achievement of equalization in an upward direction. It would make it possible for Community rules and regulations to be applied but only on a complementary basis, in order to avoid social dumping and ensure that the measures adopted by common accord are respected.

This Social Report concerns the year 1972, and thus essentially deals with the Six founder countries. However, a special chapter has been added which makes a first tentative comparison between the situation in the Community of Six and in the three acceding countries. These show fairly important differences in procedures. However, it is clear that the main trends of social policy are sufficiently convergent to ensure that the enlargement of the Communities will in no way impede the achievement of the objectives of the Paris Summit in the social sector.

1301. From the first day of February a new fall in the USA Dollar gave rise to a massive influx of this currency in some Community countries, mainly the German Federal Republic and, to a lesser extent, the Netherlands, Belgium and Denmark. Support buying by the Bundesbank during the first two days of February amounted to 1 063 million dollars. In order to meet these speculative movements, the German Government decided that as from 5 February, prior authorization of the Bundesbank was needed for:

- (a) Transfers of national stocks and shares by residents to non-residents (hitherto only bonds were subject to this measure);
- (b) Loans and other credits contracted by residents with non-residents and acceptances of unusual payment delays;
- (c) Supply of finance by non-residents of enterprises, to branches or agencies set up in the national territory (turnover and investment funds).

There are exceptions to these provisions. The German Government also decided to present forthwith a draft law for raising the cash deposit rate limit. The Bundestag passed a law on 22 February authorizing the Bundesbank to lift this rate from 50 to 100%.

In spite of these measures adopted on 2 February, the influx of Dollars into Germany continued and the Bundesbank again had to buy dollars; from 6 to 9 February the buying amounted to 4.8 thousand million dollars giving a total in nine days of 5.9 thousand million (18.6 thousand million DM).

During the crisis which led to the floating of the DM, the Bundesbank had bought in one week 2.2 thousand million dollars, equivalent to 7.9 thousand million DM.

Exchange markets of the Community's countries were closed on 12 and 13 February 1973.

On 12 February Mr Shultz, the USA Treasury Secretary, announced a 10% devaluation of the Dollar. The effect is that the official price of gold is raised from 38 to 42.22 Dollars, per fine ounce representing a revalorization of 11.11% of other currencies in relation to the Dollar. The Dollar devaluation, effective from the general reopening of exchange markets on 14 February, is to be ratified by Congress.

When announcing publicly the United States' decision to devalue the Dollar, Mr Schultz stated that:

(i) President Nixon would present a draft law at a later date authorizing the United States to make tariff and non-tariff concessions during the GATT trade negotiations scheduled for September 1973; the USA also reserved the right to raise its customs tariffs and to introduce safeguard clauses;

(ii) The United States was considering the removal 'by the end of 1974' of controls on American capital going abroad and particularly on interest equalization.

Italy, which had set up a double exchange market on 22 January 1973, decided on 13 February to let the commercial lira float in the same way as the financial lira. This measure seeks to prevent the lira from being drawn in movements of revaluation or devaluation accentuated by speculation. The Government stated that provisions of the double exchange rate would remain in force.

On 14 February, Japan decided to let the yen float.

The Commission met several times on 12 and 13 February 1973 to follow developments in the international monetary crisis. As pointed out by President Ortoli to the European Parliament on 13 February, the Commission's wish has been on the one hand to ensure that the Community has in future more efficient means to prevent and suppress speculative movements of capital and, on the other, to act so that the

present crisis encourages Member States to commit themselves further to the Economic and Monetary Union.

It was in this sense that the Commission's representatives intervened with the Council of the Communities which met under the chairmanship of Mr De Clercq, Belgian Finance Minister, on 14 February 1973. After the debate, the Council issued a public statement on the conclusions reached.

The European Parliament, meeting in Luxembourg from 12 to 15 February discussed problems which had arisen through international monetary events. It heard a statement by Mr Wilhelm Haferkamp, Vice-President of the Commission responsible for economic and monetary matters, and adopted two Resolutions.

Following the monetary events mentioned above, exchange markets of Member States of the Community at the end of February 1973 featured a system of fixed exchange rates in Germany, the Netherlands and Denmark requiring that agreed intervention limits be respected at Community and at international levels, the same system but only as regards the commercial or regulated market in France, Belgium and Luxembourg, and a system of floating rates in the United Kingdom, Ireland and Italy; the double market is maintained in Italy.

Documentary Appendix

1302. The various phases of the crisis resulted in a number of statements, communications and resolutions; texts are given below.

**Communication by Mr Ortoli,
President of the Commission
10 February**

1303. Concerning the present monetary difficulties, Mr Ortoli, President of the Commission;

“The present monetary difficulties are receiving the attention of the Commission of the European Communities. Furthermore, since a considerable time and in all circumstances, it has taken views which are still valid. I hope—and it is essential—that the Community of European action and solidarity comes out strengthened from the trials affecting some Member States.”

Statement by Mr Ortolì
to the European Parliament
13 February

1304. Presenting the General Report on the Activities of the Communities in 1972 and the Commission's Action Programme for 1973 to the European Parliament, President Ortolì recalled as regards the Economic and Monetary Union the monetary difficulties in these terms:

“...The steps we have taken have often come up against phenomena of disturbances such as increased inflationary trends at international level and the almost constant crisis in the monetary system; this is particularly the case today; these make our task more difficult but all the more necessary.

Reflecting a few days ago on what we were witnessing and without knowing the outcome of the crisis we have just gone through, we noticed that it strengthened a three-fold certainty on the part of the Commission.

In the first place, it is necessary that each of our States should have measures to fight violent speculative movements, the disturbing effects of which are inadmissible; they should be such and with a degree of permanency that attains two aims: the first is to cancel the effects of such movements on the interior economy, the second is that if they do occur to discourage them without delay through sufficiently stan-

dardized procedure in our various countries so that the cohesion necessary to our union which is being built is respected.

Secondly, it is necessary that our measures should not only react but prevent. We must go as far as possible so that the basic conditions are grouped to prevent a repetition of crises.

Finally, in this action we must find the opportunity to go further towards the Community's solidarity.

In these matters the Commission will take the initiative and the responsibility which are proper to it.”

Communication by the Council
14 February

1305. After its debates, the Council reached the following conclusions reported in the Press release:

“The Council has analyzed the various aspects of recent monetary events.

It considers that the decision by the United States to devalue the Dollar in relation to its parity in the International Monetary Fund and the decision by Japan to let its currency float will contribute towards a better balance in international payments. It notes with satisfaction the prompt reopening of exchange markets.

The Council confirms its determination to pursue, without delay, the establishment of the Economic and Monetary Union which requires the participation of all Member States to the Community monetary system.

The Council considers that measures should be speeded up for implementing the Economic and Monetary Union as provided for in the final statement of the Conference by Heads of States and Governments of 21 October 1972.

In this context, the Commission will submit, before 30 June 1973, a report concerning steps to bring about short-term monetary support and conditions for the gradual placing of reserves in common. The Council invites the Monetary Committee and the Committee of Governors of Central Banks to cooperate fully so that the date is met.

In the light of recent events, the Council considers that the Community must, without delay, lay down a common position on the reform of the international monetary system so as to give an additional impetus to the work undertaken within the Committee of Twenty of the International Monetary Fund.

Statement by Mr Haferkamp,
Vice President of the Commission,
to the European Parliament
15 February

1306. 'The monetary decisions taken in the past few days are known to you. If they are to be assessed from the point of view of the European Communities, the following may be noted as the Commission's interpretation:

In the first place, in devaluing the American dollar and in floating the exchange rate of the yen, steps have been taken that approach the problem of exchange rate capacity from the proper angle.

We have noted again and again in the developments over the last few years that the causes of disturbances and difficulties have essentially lain and continue to lie outside the Community. The fact, therefore, that these two currencies have drawn the logical conclusion in the solution that has been found, is in our opinion an approach to the problem from the right direction. We feel that we can adopt a positive attitude to this fact. We hope for our American friends that the devaluation of the dollar will

contribute towards an improvement in the balance of payments. We understand that positive effects can only be expected in the medium term. In the short term, things may get worse in the course of the next few months because of a change in the "terms of trade". But developments in the long term will in our opinion, be positive. As far as short-term developments are concerned, it is the view of all of us that we should not lose patience.

The devaluation of the dollar is only part of a comprehensive, long-term overall strategy vigorously imposed by the United States. I believe that we should see this as a challenge in a positive sense for us Europeans. We should face it prepared to cooperate constructively. This preparedness should include the plain speaking usual amongst friends, it should, on this basis enable us to drive a good bargain in individual cases of differing positions and interests.

The monetary decisions of the last few days had obvious foreign policy implications. Any one who read the speech by Mr Schultz, the American Minister of Finance, will share this interpretation. Both aspects of the problem, the economic and monetary and that of foreign policy have determined the attitudes of all concerned. We can say, from our view of the matter, that the Member States of the European Community have scored a victory in the solution adopted. I may add that the Commission would have welcomed it had the victory been accompanied by a yet more effective and speedy consensus within the Community. The Commission is of the opinion that there must be room in the future, and more than in the past, for the Community to be duly and clearly involved in the discussion.

We must not fail to recognise that the organs of the European Communities have done everything in their power recently to achieve the so urgently necessary measure of agreement. The meeting of the Council of Ministers must be seen from this point of view. The results, too,

must be assessed from this point of view. I believe that anyone who believed that spectacular concrete decisions that could reach the heart of the problem were to be expected from the newly-found solution within so short a period after this sitting was entertaining false hopes. It can be noted that the Council in its discussions and its reasoning attached particular value to accelerating the work of achieving Economic and Monetary Union. It has manifested its determination to promote the realisation of Economic and Monetary Union and has stated that this would depend on all Member States participating in a common currency system.'

Having recalled the Decisions taken by the Council on 14 February to hasten the setting up of the Economic and Monetary Union, Mr Haferkamp continues his statement as follows:

'We are glad that the risk of new currency unrest has been overtaken for the moment. We do not believe, however, that it has been completely eliminated. It is unfortunately still possible that through the speculative plans of the few, the currency economy and hence growth, activity and social security of millions can be endangered. We find this unacceptable. We must consequently work emphatically towards a fundamental long-term and systematic settlement of these difficulties and get to the roots of the problem.

This means that in the eyes of all we are now placing more emphasis on reforming the international currency system. I refer to what I said about the work of the Council. The appropriate preliminary work must be speeded up. We have no reason for changing the positions of the European Communities—which are known. I would recall the decisions of the Summit Conference. As seen from outside, further contributions towards dismantling trade restrictions of all kinds are required. We are ready to cooperate and to take the initiative.

We must also, however, refer to the fact that this cannot be a one-sided move on the part of the Communities. All participants must cooperate. We must continue the constructive dialogue with the United States. I said that we are sure to find difficulties regarding a series of attitudes and interests in the negotiations that lie before us. We should not let ourselves get bogged down on questions of detail. As far as monetary matters are concerned, we must carry on our dialogue on phenomena and problems which hitherto have not been so much in the public gaze. We must extend consideration to capital movements, to imported power, to "multinationals" and suchlike, to give just a few examples.

For the Community this means that we must strive for a return of all of the Community's currencies to notional rates or to fixed parities. We know that three Member States in the Community are not at present in this position. We all have cause to seek, and shall do so in all seriousness, how we can help them to return as quickly as possible to notional rates and to fixed parities.

I wish in this context to refer to what I said in January in my statement on the economic position regarding the importance of basic economic facts in the monetary situation.

Because of the consequent effects of monetary events in other areas of our common policy we must make it possible to control the effects of agricultural policy on monetary events more easily. The Commission is therefore in the course of putting together proposals on this point. We need more effective machinery to regulate capital movements. In a process by which controls are progressively shifted to the outer borders of the Community in the course of which capital movement internally is simultaneously liberalized, national machinery can only form a transitional stage. We have a series of decisions by the Council of Ministers

that could form a basis for these control measures. I am referring above all to the decision of 21 March last year. The application of this decision and its completion with the aims just mentioned by me seems to us to be an important task. We cannot, however, stop at what we call defence. More important is the positive and dynamic development of Economic and Monetary Union. Here in fact lies our political aim."

**Resolutions adopted by the
European Parliament**
15 February

1307. At the end of the debate on monetary problems,¹ the European Parliament adopted two Resolutions:

The first relates to "recent events in the international monetary field". The European Parliament "observes that events of the past few days in the international monetary field require immediate Community action to prevent new prejudices and asks the Council:

(a) To authorize the Commission to open negotiations with Member States Governments and with the Governments of the United States of America and of Japan on the basis of the outcome of the Conference of 17 and 18 December 1971 by Finance Ministers of the Club of Ten, so as to take jointly all necessary decisions to put an end as soon as possible to the present international monetary crisis whilst maintaining or reducing further the fluctuation margins of 2.25% presently established in the currencies of Member States;

(b) To adopt a Decision without delay within the Community protecting its Member Countries from undesirable influx of currencies and preventing that monetary measures be taken unilaterally by these Member Countries."

1308. The European Parliament adopted also the following resolution "on recent monetary events"; it

"(a) Recognizes that the excessive surplus in Japan's balance of payments with the United States and other countries has largely contributed to the recent loss of confidence in the structure of international parities and, especially, in the Dollar; it hopes that the Japanese authorities will now let the yen find a realistic exchange rate;

(b) Admits that the adjustment in the US Dollar parity was a necessary preliminary step to restore stability in economic and monetary international relations but draws attention to the inherent danger of continued exports of Dollar capital and to the fact that large amounts of "wandering" Dollars continue to circulate abroad;

(c) Insists that European Member States of the Group of Twenty take a joint action to speed up and guide negotiations aimed at the well ordered reform of the International Monetary Fund;

(d) Insists that the consultation procedure between Members of the EEC over Monetary matters be strengthened immediately and expects that the European Fund for Monetary Cooperation be set up by 1 April 1973 at the latest and that it receives the specific functions and authority provided for during the Summit Conference of October 1972;

(e) Stresses the importance of steady relations in monetary matters for the future expansion of intra-Community trade, in agricultural products in particular, and expects that as soon as conditions allow the Pound and the Lira will return to their fixed parities for current commercial transactions;

¹ Point 2405.

4. The Community's competition policy

Monetary Crisis

(f) Invites the Commission and the Council to agree on a formula facilitating the technical setting up of the common agricultural policy until fixed parities are reintroduced, for current transactions, or the adoption by all Member States of new indicative rates;

(g) Invites the Commission to take a new step towards the definite setting up of the European Economic and Monetary Union by formulating special proposals aimed at applying the concept of "fixed but adjustable" parities adopted by the Summit Conference so that, when necessary in future, changes of parities can be made in accordance with the rules generally accepted and in slow stages so as to reduce market disturbances to a minimum;

(h) Acknowledges that interests of developing countries are likely to be seriously affected by frequent international financial crises and stresses the need to take in consideration the requirements of these countries when laying down European and international policies;

(i) Requests its President to transmit this Resolution to the Council and to the Commission of the European Communities."

**Statement by Mr Albert Borschette,
Member of the Commission,
to the European Parliament
(12 February 1973)**

1401. "The Community's competition policy is embodied in the Treaty. Its rules are not exceeded, at times they must be supplemented but not replaced. One of the fields where it must be supplemented is mergers.

I would also say that competition policy is an autonomous policy: it can serve as a base for other policies but these cannot replace it...

I should like to add that the Commission has its own power of decision in this important sphere. The Commission is firmly of the opinion that it must use this power with a sense of proportion, certainly, but to good effect. As it is only responsible to the European Parliament, I believe that on this issue more than any other it must have the support of that institution and maintain a permanent dialogue with it... If I may state my position on certain specific problems, the first comment I should like to make is as follows: the draft resolution several times underlines the economic basis of the policy on competition, in particular concerning the competitive capacity of companies, and stresses that the Commission should deal with these economic effects when it assesses agreements. That is why we are constantly trying to rid the principle of the general ban on agreements of its rather too formal nature by issuing regulations on block exemptions. It also provides justification for the exemptions from notification of agreements which a priori have no more than a modest effect on competition. The aim is to facilitate the task of undertakings as far as possible, to relieve them whenever possible of any superfluous formalities and at the same time to clarify their obligations under Community law.

The regulations already applicable or in the process of being drafted on cooperation between undertakings are no more than an encouragement for European companies to sharpen their competitive edge, which in many cases is too blunt. I also think that the decisions taken recently show that the Commission has gone beyond the stage of academic theory.

1402. I should now like to go on to an important problem: restrictions on competition against which both national laws and Community legislation are directed. Firstly, it must be noted that agreements, concentrations and abuse of a dominant position on the coal and steel markets must be judged solely in the light of Articles 65 and 66 of the ECSC Treaty and therefore Community legislation alone is directly applicable to them. That is the first point I think it important to make.

The same does not apply to Articles 85 and 86 of the EEC Treaty. Where necessary, there can be simultaneous application of Community rules on competition and national legislation in respect of these Articles. Cases of powers overlapping and being shared between Community and national authorities must, however, be considered as normal. They result from the coexistence of two legal orders. In its judgment of 13 February 1969, the Court of Justice confirmed this by stating, and I quote: 'National authorities can take action against an agreement under their national law, even when the examination of the position of this agreement under the Community rules is pending before the Commission.' However, reverting to the principle expressed earlier of the precedence of Community law, the Court goes on as follows: 'provided, however, that this implementation of national law cannot prejudice the full and uniform application of Community law and the effect of its instruments of enforcement.'

This jurisprudence is very clear and expresses in practical terms the general obligation that

Member States have entered into, especially under Article 5 of the EEC Treaty. To fulfil this obligation, Member States must first of all refrain from ordering, encouraging or authorizing practices by undertakings that are prohibited either by Article 85 (1) or by Article 86; secondly, Member States must refrain from prohibiting agreements which, pursuant to an individual decision or a regulation of the Commission, are covered by the exemption provided for in Article 85 (3).

As for the problem of the double penalty, the Court of Justice has ruled as follows: 'The possibility of a plurality of sanctions would not rule out the admissibility of two parallel actions pursuing separate aims. The admissibility of this double procedure results from the special system for the division of powers between the Community and Member States in anti-trust matters. If, however, the possibility of a double procedure were to lead to a plurality of sanctions, the general requirements of equity imply that account should be taken of any earlier decision in determining a possible sanction.'

The Court stressed, however, that this answer to a specific question could not under any circumstances jeopardize the general rule that Community law takes precedence. This means in practical terms that national authorities must refrain from imposing a financial penalty if the Commission has already imposed a fine on the same grounds. Conversely, the Commission is obliged to set off against the fine it intends to impose any financial penalty imposed earlier by a national authority. In any case, the Court has ruled that it is up to Member States to ensure the full and uniform application of the Community's rules on competition and to give effect to measures making these enforceable.

It seems fair to say, then, that the law currently in force provides real possibilities of avoiding conflict between Community rules and national

legislations where competition is concerned. However, the Commission is considering whether it is necessary to issue a regulation or directive to govern the case of simultaneous application of Community and national law on the subject. In any case, it is intended to make proposals, as the resolution requests, on promoting detailed mutual information between the appropriate national and Community authorities on competition.

1403. To turn now to the more specific question of policy on agreements, the Commission lays stress not so much on the number of decisions to be taken as on the economic and legal significance that it intends to give to these cases. They obviously require complex analyses and long actions. It would perhaps be possible to curtail the proceedings, but I would not like to see that done if it meant that the preliminary investigation would be hurried. The opinions that are required at various stages take a long time to obtain but provide a very sound foundation for our decisions. What legislation other than our own appeals direct to all the parties concerned, whomever they may be, to obtain their opinion on a proposal to authorize agreements? I think that this is truly an example of direct democracy that is unique in the world. Of course, when there are definite infringements for which precedents are clearly established, such as a prohibition on exporting, the Commission should deal with them by accelerated proceedings and impose heavy fines.

As for the various forms of cartel that are encountered in practice, the Commission has taken sufficient decisions for the business community to be well acquainted both with prohibited restrictions on competition and exemptions that can be authorized. A very great deal is due to the judgments of the Court of Justice and I should like to underline here their importance and their value. Even

so, there is still progress to be made in fields such as agreements on patent licenses and know-how, so important today as a means of disseminating information in the modern world.

In 1972, the Commission continued the work of legal clarification it started in 1971, mainly by taking standard decisions on specific cases, in order to define the compatibility with the rules on competition of the provisions most frequently found in such agreements. Because these cases are necessarily very difficult to assess, the Commission can only make gradual progress on these lines; not until it has available a sufficient number of cases and specific decisions will it be able to propose a regulation on exemption by categories, providing more general rules on the status of these agreements which constitute the bulk of the outstanding cases.

This care will ensure that, in accordance with the wish expressed by your Committee, only those restrictive commitments that are indispensable to ensure appropriate use of inventions and know-how will be authorized. In some sectors, where technical development requires production plant of a certain size and it is difficult to predict with accuracy the development of demand, there are serious problems in the preparation of investment projects and the increase of production capacity. In connection with the policy on competition, it is important to ascertain how these difficulties can be solved, for example, by a company agreement that is compatible with Treaty rules on competition.

I would say that this problem is too difficult to be settled by general considerations or general rules. Each case must be judged separately and this is what we did in the recent affair to which Mr Berkhouwer's report alludes; eventually, we decided that this agreement between undertakings went much too far.

What is more, the undertakings complied with the Commission's opinion and cancelled the agreement concerned, and the notification was withdrawn.

1404. On the subject of aid, I should like to highlight the progress made in the actual application of general principles and the positions taken up and decisions made by the Commission on aid given by States which has not hitherto come within the scope of Community rules. This is the most difficult area because sometimes we have even been obliged to intervene directly in the domestic policy of a Member State.

There are three points on which I should like to comment:

First, with regard to national aid, the Commission agrees that even in central regions the 20 per cent ceiling should be gradually reduced. In any case, the fact that this ceiling has been accepted does not mean that the 20 per cent rate is automatically applicable in all regions of the Community.

Secondly, with regard to the transparency of the aid, both the results of the technical work done during 1972 and the provisions adopted by the Member States—and I wish to stress this—demonstrate that the question is still being solved. There is only one question still outstanding, the problem of certain forms of aid such as guarantees for company loans. In every case, it is true to say that even if the question has not yet been solved there is no doubt that it will be.

Thirdly, and this I believe to be an important point, the Commission is paying close attention to the effects on competition of temporary holdings taken by State-controlled bodies in the capital of certain undertakings facing either adaptation problems or growth problems. Such interventions, which may of course be in the economic interest, cannot a priori be

equated with aids. That is why the Commission has decided to make a retrospective check on the activities of these bodies. If it emerges that the holdings are equivalent to aid, this check will make it possible to lay down for the future the limits and conditions of such activities.

1405. I shall turn very briefly to *public undertakings* and I should like to point out that Article 222 of the EEC Treaty makes no distinction between property ownership according to whether it is public, private or a combination of both. In implementing the provisions on competition, the Commission has not therefore established any discrimination based on the type of ownership of the undertakings. However, problems arise because of the behaviour of certain undertakings that are public or have a special or exclusive right, either because this behaviour is dictated by the public authorities that control them or because these same public authorities tolerate it. The Commission is aware of the need for a general examination of relations between the State and undertakings that are public or have exclusive or special rights. The number and variety of these interventions and tactics in dealings with undertakings in the various Member States and the difficulty in obtaining data that is both accurate and comparable are major obstacles but the Commission has begun such an examination and will not fail to inform Parliament of the efforts and progress it makes in this sphere.

1406. I now come to what I believe to be a more important aspect, *control over concentrations*, a subject I have already discussed with you on several occasions, including the plenary session on 7 June 1971. I can now tell you that, as requested by Parliament in its resolution of 7 June 1971, the Commission believes that it will shortly be able to hold the first consultations with a view to submitting a draft regulation to the Council which will be very largely

based on your suggestions and proposals. The Commission is all the more encouraged in taking this action by the fact that in its final communicate the Conference of Heads of State or of Government in Paris referred to the desirability of making—and I quote ‘the widest possible use of Article 235 of the EEC Treaty’—and the need to provide for—and again I quote—‘the formulation of measures to ensure that mergers affecting firms established in the Community are in harmony with the economic and social aims of the Community and the maintenance of fair competition’. In its resolution on action to fight inflation, the Council of Finance Ministers meeting on 31 October took note of ‘the Commission’s intention to submit proposals for the introduction of more systematic control over concentrations of a certain size, independently of the application of Article 86, by means of test cases.’

The establishment of suitable rules will of course have to be based on a comprehensive knowledge of the concentration process in the enlarged Community. The Commission has already started studies, albeit limited ones, in certain sectors and the programme makes provision for others which cover service industries and will extend to the markets of the new Member States. At present, the studies involve analysing the development of concentration between 1962 and 1969, but they will gradually be updated. I can assure you that the results obtained are comparable at European level. A fuller analysis will be given to you in the Commission’s next report on competition.

1407. Now a word on *multinational* companies.

Considered solely from the viewpoint of policy on competition, it must be stressed that in the actual application of the rules on competition—I am speaking solely of policy on competi-

tion—the Commission has not so far encountered any difficulties due to the multinational nature of the companies when it has taken action against infringements committed within the Common Market. The Commission’s powers in respect of undertakings having their headquarters outside the Community, but having dealings within it have also been confirmed by the Court of Justice. However, I would say that the phenomenon of the multinational company must be viewed in a wider context than the Community, even the enlarged Community. It should really be viewed in a world context. This is why the Commission is participating in the work of certain international organizations, such as the OECD in Paris, which are trying to establish a code of good conduct for these companies and possibly to find a more efficient method of control.

1408. That is the state of the Community’s competition policy. As I have already said, the Commission intends to apply its right of decision with a sense of proportion, but to good effect. Its policy on competition is not directed against undertakings, quite the reverse; it consists of helping and supporting those which observe the rules of competition, which is the case with an impressive majority, but it also consists of taking prompt and severe action against those which do not play the game. The consumer, or in other words, every citizen of the Community must know that his right to the best product at the lowest price is a right which is upheld by the Community and which the Community will enforce.”



2ND PART

**COMMUNITY
ACTIVITIES
IN FEBRUARY 1973**

1. Functioning of the Common Market

Free Circulation of Goods

Tariff Economy

Tariff quotas

2101. On 5 February 1973¹ the Council adopted, on the Commission's proposal, two regulations on the opening, allocation and administration of Community tariff quotas for 1973 for 200 tonnes of certain dried *figs* at a rate of duty of 3% and for 1700 tonnes of certain dried *raisins* exempt from duty, both originating from Spain.

The Council also adopted on 5 February, on the Commission's proposal, three regulations on the opening, allocation and administration of Community tariff quotas for Sherry, Malaga, Jumila, Priorato, Rioja and Valdepenas *wines* of CCT sub-heading 22.05. The Regulations provide for a preferential system for these wines from Spain in the form of a lower duty in the Common Customs Tariff limited to certain quantities. The European Parliament opined in favour of all five proposals.

Customs systems on circulation of goods

2102. The Commission, by virtue of Article 45 (2) of the Act of Accession, adopted a regulation¹ whereby goods obtained in the Community under a customs procedure allowing suspension or drawback of customs duties or other import charges benefit in intra-Community trade between old and new Member States and between new Member States from the progressive abolition of custom duties and similar import charges.

Since the tariff reduction applicable to goods which can be obtained under such procedures will not exceed 20% of the basic duties until 1st January 1974 and in the light of the expe-

rience acquired during the transitional period of the original Community it has not been considered necessary to introduce a special charge aimed at equating the conditions of competition between processors working with third country products—imported under the system of suspension or drawback of customs duties and other import charges—and other producers working with products in free circulation.

It was, however, considered advisable to exclude from the system of Community benefits goods from third countries which, prior to entry in the Member State of destination, had only been submitted in another Member State (under a system of suspension or refund of customs duties or other taxes on import) to a treatment insufficient to be regarded as manufacture. This measure seeks to prevent third country goods being subjected to limited treatment with the sole aim of benefiting from the Community system.

This regulation came into force on 1st February 1973. In order to ensure uniform application of this provision the Committee on Customs Legislation came to an agreement on the operations to be regarded as insufficient manufacture.

Origin and methods of Administrative Cooperation

2103. As to origin, the first meetings of the mixed Committees EEC/Switzerland, EEC/Sweden, EEC/Austria and EEC/Portugal¹ each adopted six Decisions Nos. 3 to 8/73 for application of Protocols 3 appended to the Agreements. These Decisions concern, in particular, the adoption of certain provisions in

¹ OJ L 59 of 5.3.1973.

² OJ L 39 of 12.2.1973.

³ Point 2301 to 2304.

the Protocol and Article 25, the setting up of administrative cooperation methods, the institution of a special procedure for despatch by post, the setting up of certain provisions on circulation certificates for goods and other provisions on goods in transit on 1 April 1973. The Mixed Committees also set up the Customs Committees whose task it is to ensure application of Protocol 3; they met for the first time on 12 and 13 February 1973.

Removal of technical obstacles to trade

2104. The Council on the Commission's proposal, formally adopted on 19 and 26 February, two Directives related to the general programme for removal of technical obstacles to trade and on which it had given its agreement in December 1972.¹ The first² concerns *electric equipment to be used within certain limits of tension (low tension)*; it concerns all domestic and industrial electric apparatus and equipment in current use and stipulates that all equipment built according to aligned standards must be accepted for use in all Community countries. The second, concerns approximation of Member States legislations on *quantitative analysis of ternary mixtures made of textile fibres*.

The Commission sent to the Council on 28 February a directive proposal on *electric meters* seeking to remove disparities in national legislation of Member States and to improve trade within the Community. The alignment principle adopted for this directive, as for all measuring instruments, is that of "optional" alignment, i.e., Member States cannot refuse nor restrict the marketing of electric meters complying with the Directive specifications but they are free to accept in their territory meters conforming to their former national specifications.

This Directive contains the basic definitions and principles to be applied by makers to produce

"European" meters. It gives technical specifications, minimum metrological standards and stipulates margins of errors acceptable for these meters. These provisions were prepared in close cooperation with the European Committee for electrical standardization and to take into consideration studies by the International Electro-Technical Commission. Whilst this directive is mainly aimed at metrological aspects and alignment of related provisions, the question of meter safety was not disregarded and the directive lays down provisions to ensure not only the correct working of the meter as to its recording qualities but also its safety in use.

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2105. During its session of 12 to 15 February³ the *European Parliament* adopted two resolutions on the Commission's proposal for approximation of Member States legislation on interior layout of motor vehicles (driver's protection from controls in case of impact) and on cocoa and chocolate products. The *Economic and Social Committee* met in plenary session on 21 and 22 February 1973,⁴ gave interesting opinions on outward processing traffic, approximation of Member States legislations on radio-electric interference and fluorescent light tubes.

Competition Policy

General rules applicable to companies

Commission's statement on the "Continental Can" judgment

2106. Following the judgment of 21 February by the European Community's Court of Justice⁵

¹ Bull. EC 12-1972, Part Two, point 9.

² OJ L 77 of 26.3.1973.

³ Points 2424 and 2425.

⁴ Points 2458, 2462 and 2463.

⁵ Point 2443.

in the "Continental Can" case, the Commission issued the following public statement:

"The Commission wishes to stress the importance of the judgment by the Court of Justice of the European Communities on 21 February 1973 in the "Continental Can" case. The controversial question whether Article 86 applies to cases of concentration carried out within the Common Market by companies holding a dominant position is now clarified. Although the Court reversed the Commission's decision because it had not specified sufficiently clearly the market in question, the Court of Justice confirmed the merits of the Commission's interpretation of Article 86.

Opposing Continental Can's view before the Court that this Article does not enable to condemn as an abuse of dominant position the acquisition by a company holding a dominant position the majority of another Company in the same sector, even if, as a result, competition is reduced, the Court decided that in the meaning of Article 86, an abuse may occur through "the fact that a company in a dominant position strengthens it to such extent that the degree of domination thus reached hinders considerably competition, that is to say, there would only remain companies dependent from the dominant company for their policy".

The Court points out that the prohibition to agreements of Article 85 would be pointless if Article 86 legally allowed these policies resulting in the integration of companies between themselves. Such contradictions in the rules of competition could jeopardize the correct functioning of the Common Market. On this occasion, the Commission and the European Parliament again reiterated that more stringent terms should be laid down for concentrations of major importance.

It expects this year to place before the Council a draft regulation for a more systematic control of concentrations.

Concentrations, restrictive agreements, dominant positions: specific cases

"Continental Can Cy" Case

2107. On 9 December 1971 the Commission decided that "Continental Can Cy"—an American group and the World's largest manufacturer of metal containers—had abused of the major share it holds in the Common Market by taking over a Dutch Company, one of its potential competitors. It requested the American group to stop the infringement.¹ The Court of Justice judgment of 21 February 1973 reverses the Commission's decision because the market in question is not sufficiently defined, but, simultaneously, it specifies the notion of abuse of dominant position.²

State aid

Regional aid

2108. In its communication of 23 June 1971 on general systems of regional aid, the Commission advised the Council that from 1 January 1972 it would apply, in execution of the mandate conferred upon it by Article 92 et seq. of the EEC Treaty, certain coordinating principles in the general systems of *regional aid*. In a resolution dated 20 October 1971,³ representatives of Member States' Governments, meeting within the Council, undertook, in accordance with the wishes of the Commission, to conform to these principles.

The communication and the resolution both stress the fact that "the application of coordination and planning of systems of regional aid being gradual, a control is required, not only to ensure gradual application but also

¹ Bull. EC 2-1972, Part Two, point 27.

² Points 2106 and 2443.

³ OJ C III of 4.11.1971.

to observe the effects of coordination and, in case of need, to improve or complete application rules". This control would be carried out by the Commission through the "a posteriori" communication received on significant cases of application in central regions of the Community, of general regional aid systems, according to a procedure guaranteeing the secret of the cases, to be perfected with the help of Member States' experts.

These technical works, carried out during the first half of 1972, resulted in agreement being reached on the following points during a multilateral meeting arranged by the Commission attended by Directors General for aid of the various Member States:

- (i) The speed of communications fixed on the principle that there should not be a large time lag between the date of decision or deliberation concerning the grant of aid and the date of communication;
- (ii) The specification of significant cases inspired by the dual preoccupation to consider only cases of application of really important regional aid without affecting efficiency of control;
- (iii) The contents of communications;
- (iv) The safeguard of the secret of the case.

Concerning the legal form for carrying out the control terms, some Member States believe that the application of such terms would be made easier by the adoption of a regulation as provided for under Article 94 of the EEC Treaty for the application of Article 92 and 93.

To meet this point of view, the Commission has sent to the Council a draft regulation laying down, in accordance with Article 94, the terms of its control on the application in the Community's central regions of coordination principles for general systems of regional aid.

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2109. On 12 February 1973, the *European Parliament* adopted a resolution on the Commission's first report on competition policy. It regrets, however, "that there are major differences between Member States' governments views on the role of competition policy and it considers that this policy should carry a character which is increasingly at Community level".

Fiscal Policy and Financial Institutions

Taxation

Excise Duties

2110. The proposed directive on excise duties and similar taxes,¹ sent by the Commission to the Council on 7 March 1972, were the object of an opinion by the Economic and Social Committee during its session of 21 and 22 February 1973.²

Freedom of Establishment, Freedom to supply Services, Company Law

2111. On 13 February, the *European Parliament* adopted unanimously two resolutions³ on directive proposals by the Council prepared by the Commission, on the "right to remain" in another Member State territory after having practiced a non wage earning activity. The first is aimed at granting independent workers the right to remain in the country after having ceased their activity. The second directive proposal lays down the coordination measures decreed by the Council in 1964 for beneficiaries

¹ Supplement 3/72 - Bull. EC.

² Point 2454.

³ Point 2420.

2. Economic and monetary union

Freedom of Establishment

of the first directive. The Parliament approved the Commission's proposals subject to an amendment in the wording.

2112. The Economic and Social Committee issued an opinion on 22 February 1973¹ on the fourth directive proposal by the Council, prepared by the Commission, on the basis of Article 54 para 3 (g) for the coordination of national measures on *yearly accounts of capital companies*.² The Committee looks favourably on the progressist trend which inspired the Commission's proposal and considers the hastened harmonization of company law as desirable.

Economic, Monetary and Financial Policy

European Fund for Monetary Cooperation

2201. The Commission sent to the Council a decision project for establishing a European Fund for Monetary Cooperation. Its statutes are included.

According to the Commission's proposal,¹ the Fund's initial functions are:

- (i) Arranging concertations between central banks to narrow fluctuation margins between currencies;
- (ii) Setting up multilateral positions from interventions in Community currencies and relevant regulations;
- (iii) Use of a European monetary unit of account with the above aim in mind;
- (iv) Control over short term monetary support between central banks;
- (v) Finance on a very short term basis of agreements to narrow the margins and short-term monetary support will be grouped within the Fund by a renewed mechanism; to this end, short-term support will be arranged, at technical level, without changing its essential characteristics nor consultation procedures.

The Economic and Social Committee issued its opinion in plenary session on 22 February 1973² concerning the European Fund for Monetary Cooperation, and considers that it should not be set up only with a view to grouping existing mechanisms for very short-term financing and short-term monetary support but should be the preliminary step to a future system of a European central bank. To achieve this, the skills of a central bank should be

¹ Point 2453.

² Supplement 7/71 - Annex Bull. EC 12-1971.

¹ Bull. EC 1-1973, point 1206.

² Point 2452

available and the decision to set up the Fund should, already at this early stage, provide for the necessary adaptations.

After receiving the opinion of the European Parliament on the Commission's proposal, the Council is expected to set up, during its session of 22 and 23 March 1973, the European Fund for Monetary Cooperation, by a formal act.

Monetary Committee

2202. The Monetary Committee held its 171st session on 6 and 7 February and its 172nd session on 14 February, in Brussels, under the Chairmanship of Mr Clappier. During its 171st session, the Committee made a general survey on the monetary situation in the Community, particular, in Germany and Italy. This was followed by exchanges of opinion on questions dealt with during the meeting by members of the Committee of Twenty, from 23 to 25 January 1973. During the following session, the Committee examined the consequences of Decisions taken by American and Italian authorities on exchange matters.

"Stocks and share markets" Working Group

2203. The working group on the "Stocks and shares markets" held its 19th session on 14 and 15 February 1973 in Brussels under the chairmanship of Mr D'Haese. It examined financial markets of Member States during the last quarter of 1972, also the final preparations of the report on its activities.

Committee for Medium Term Economic Policy

2204. The Committee for Medium Term Economic Policy met on 31 January and 1 February 1973. It examined the latest

medium-term guidelines in the context of the preparation of the Commission's memorandum on the economic situation. The Committee had its first discussion on the 1973-1978 estimates and analyzed assumptions in world trade developments.

Mr W. Haferkamp, Vice President of the Commission, responsible for economic and financial matters, stressed the importance of the work done by the Committee since it was set up. He recalled the close links between economic and monetary problems and medium-term problems and pointed out the main questions the Committee could work on in future, i.e. policy for fighting inflation; delimitation of the "contents" of the second stage in the Economic and Monetary Union; increased coordination in national sectoral policies such as regional, social, energy and research and their integration in a medium-term outlook; analysis of developments in international trade and their effects on conditions in the Community's economic growth.

Mr Haferkamp advised the Committee of the special importance the Commission attaches to the Committee's work and the close cooperation in which it proposes to pursue these relations.

Development in wage costs in 1972

2205. According to the first figures from the Commission's departments—methods and results are in the 1973 first quarterly report on the economic situation in the Community—the rise in cost of wages per gross added unit of value at constant price continued in 1972 in industries of the Community's countries. Danish and Irish comparable statistics are not available yet. Compared with 1971, a slowing down in the rate of increase was recorded almost everywhere; this was due to increased industrial productivity in the first place.

In Italy and Belgium increases, in national currency, of wage costs per gross added unit of value were the highest in 1972 with a rate of about 7.5% (as against 12.7% and 8.3% respectively in 1971). It was approximately 6.5% in France, a rate very close to that of 1971 (6.7%), 6% in the United Kingdom (6.8% in 1971), 4.5% in Germany (8.5% in 1971) and 3.5% in the Netherlands (6.5% in 1971). Once again, these rates are sharply higher than the rise in the USA (about 1.5%, against 2% in 1971).

Considering the changes which occurred in exchange rates, comparison with the United States is even more unfavourable for the Community countries. In EUR units of account, the increase in cost of wages reached about 7.5% in Belgium (11.4% in 1971), close to 6% in France (7.4% in 1971), over 5% in Italy (instead of 7.5% in 1971), almost 4% in Germany (14% in 1971), and slightly above 2% in the Netherlands (10.2% in 1971). A small reduction of not quite 0.5% was recorded in the United Kingdom. In the USA, bearing in mind the devaluation of the dollar in December 1971, the reduction amounts to about 6.5%.¹

Economic enquiries through heads of companies

2206. The Commission has published its four months' report No. 3/75 on results of economic enquiries through heads of companies in the Community. This report analyses, for July to October, answers supplied by industrialists to monthly questionnaires.

In the Community as a whole, the improvement in the economic climate recorded towards the end of last year through various traditional statistical indexes was confirmed in the enquiries. Opinions by heads of companies on the overall size of order books remained favourable; between end July and end October the

percentage of industrialists who considered order books as above normal moved from 11 to 14. Production outlook stabilized at a high level; at the end of October, 21% of industrialists anticipated increased activity in forthcoming months against 23% at the end of July. In view of these elements, activity should remain brisk in months ahead.

In the *German Federal Republic*, judging from industrialists' opinions, orders increased slightly. At the end of October, 70% of these considered the size of their order books as normal or above normal against 68% at the end of July. In forthcoming months, heads of business expect, however, a slightly less sustained rhythm in activities; at the end of October, 11% anticipated increased rates of production against 18% at the end of July.

In *France*, answers from heads of companies continued to reflect sustained development at home and abroad. At the end of October, 24% of industrialists considered that their order books were filled above normal level against 22% at the end of July; corresponding percentages of orders from abroad were 21 and 24% respectively. Production outlook was regarded with optimism since at the end of October 35% of industrialists expected an increase in months ahead against 32% at the end of July.

In *Italy*, according to industrialists, demand increased in recent months. At the end of October 13% of heads of companies considered their order books as being above normal against only 5% at the end of July. Opinions on foreign demand are also decidedly more optimistic. Outlook on production was more favourable; at the end of October 22% of industrialists thought future activities would be brisker in months ahead against 18% at the end of July.

¹ Source: "Graphs and summary notes on the Community's economy" - 2/73.

In the *Netherlands*, heads of companies were slightly more optimistic on developments of orders. The percentage of industrialists who considered their overall order books as above normal increased from 5 at the end of July to 9 at the end of October. Outlook on production remains optimistic; at the end of October 28% of heads of companies expected an increase in their activities in months ahead against 27% at the end of July.

In *Belgium*, enquiries show a slightly improved rate of expansion. According to opinions of industrialists on the state of their order books, including exports, the demand is more lively. At the end of October 12% considered their overall order books as above normal against 8% at the end of July. Export orders increased from 10% at the end of July to 17% at the end of October. Forecasts by industrialists on future development of production remain optimistic; at the end of October 86% expected an unchanged or higher production against 88% at the end of July.

In *Luxembourg*, answers by heads of companies were slightly more favourable in recent months. Order books including exports were better filled and production outlook was good. The trend towards increases in prices has diminished slightly.

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2207. At the session from 12 to 15 February 1973,¹ the *European Parliament* adopted a "Resolution on the Community's economic situation" in which it considers "the fight against inflation as the decisive task of all the Community's institutions and that of Member States Governments and Parliaments." The Resolution also states that "recent events in the monetary sector demand, more than ever, the setting up of a joint economic and monetary policy." Two further Resolutions, adopted during the same session, bear on recent monetary matters.²

Social Policy

Drawing up an "action programme in social matters"

Implementation of the summit statement

2208. The Commission's departments sent to the Council a working document to serve as a framework for a first exchange of views by the Social Security Ministers of the Nine on the "social programme" decided during the Paris Summit Conference of last October.³

The first guidelines of this programme concerned with full and improved employment, living and working conditions and participation by social partners were studied by the Council during its session on 26 February. A more detailed programme will be prepared by the Commission and examined by the Council on 21 May next, then submitted at the Conference of social partners scheduled for 28 June in Luxembourg.

Guidance and Vocational training

2209. A first seminar of "teaching heads for adults training", organized by the Commission and the International Centre for Advanced and Technical Training, was held in Turin from 12 to 16 February. Fifty participants met; they represented public services, employers and workers organizations, research and vocational training agencies, companies in the Common Market also the Commission and the International Advanced Training Centre. An attempt was made during this seminar to draw up a new outline for instructors of adults by

¹ Point 2405.

² Point 1301 to 1308.

³ Bull. EC 10-1972 and 11-1972, Part One, Chapter I.

using modern teaching methods and techniques. The outcome of these studies could be the starting point for actions—due, mainly, to the means of the Social Fund—in preparing instructors faced with the development and evolution in adult training.

Free movement and social security of migrant workers

2210. The *Technical Committee on free movement* met on 2 February. After studying a draft report on “The free movement of labour and the EEC employment market—1972”, it had an exchange of views on likely developments in 1973, on Member States’ requirements of non-national labour and on approximate availabilities in the Community to meet these needs.

The Committee noted that during the first nine months of 1972, 150 000 Community workers of whom 124 000 Italians, moved within the Community to take up wage paid jobs whilst, over the same period, 323 000 entries were recorded of workers from third countries. These figures do not include Algerian labour into France nor workers from African countries with which France has signed agreements on free circulation. These particulars show that if entry of non-national labour decreased by 24% compared with the same period of 1971, the decrease was of only 4% in the case of Community labour.

For 1973 the estimated requirements in foreign labour of the former five Member States having recourse to such labour is of the order of 630 000 workers, broken down as follows: Belgium, 8 000 to 10 000; Germany, 500 000, France, 100 000, (excluding Algerian workers) Luxembourg 4 000 to 4 500, the Netherlands, 20 000.

These overall figures take into account the new requirements of labour markets as well as those

due to the necessity of providing for vacancies through the departure of workers. In view of the potential availability in the Italian labour market, these requirements will be filled partly by Italian workers. This labour should possess the necessary skills and be willing to accept the jobs available in the working and living conditions (housing especially) of the host country. Because of this, it has not been possible to work out a quantitative estimate.

2211. The *Administrative Commission for social security of migrant workers* held its 128th session on 22 and 23 February to examine questions concerning the application, as from 1 April 1973, in the new Member States, of Council Regulation of 14 June 1971¹ and 21 March 1972. It pursued the examination of decisions it had taken since 1959 for the interpretation and application of regulations 3 and 4 to determine to what extent they still presented an interest in the application and interpretation of the 1971 and 1972 regulations.³ Other questions concerning interpretation of the latter were also examined.

2212. The *Audit Board of the Administrative Committee* reviewed on 15 and 16 February measures to be taken to hasten the clearance of benefits to migrant workers in the context of the enlarged Community. A report on adaptation of electronic handling of information for the application of 1971 and 1972 regulations was considered. The accounts committee also examined a report on the unification of pensions for migrant workers.

Social security and social action

2213. On 26 January and 9 February the Commission grouped together independent

¹ OJ L 149 of 5.7.1971.

² OJ L 74 of 27.3.1972.

³ Bull. EC 1-1973, point 2209.

experts whose task is to bring up to date the estimates of social security income and expenditure for the period 1970-1975. The group adopted the combined report which includes, in particular, a development on social and fiscal pressure and its impact on the economy.

Living and working conditions. Industrial relations

2214. The mixed commission for the harmonization of *working conditions in the coal mining industry* met in Luxembourg on 23 February. Representatives of the National Coal Board and the National Union of Mine-workers attended this meeting officially for the first time. A synthesis report on working conditions of migrant workers was examined. It transpires from this document, prepared from national reports, that there are no basic discriminations but other problems to be examined at a later date. After studying the present position on readaptation in the Community's coal mines, a representative of the National Coal Board explained the legal and contractual provisions on readaptation and conversion in Great Britain. The Commission was advised on social progress made in Member States in 1972. The next meeting will be more particularly concerned with social security problems and a working group will be formed to examine the working of the mixed Commission following enlargement.

Industrial Safety, hygiene, medicine and health protection

2215. The research commission on "*technical fight against pollution in the steel industry*" met in Luxembourg on 23 February and noted the draft of the third programme on this subject. The programme covers a five-year period from 1973; it must provide for research needs in the

industry as regards air pollution, processing industrial waters, noise abatement and elimination of waste.

2216. The group working on the "*use of explosives in blast-furnaces*" held its third meeting in Luxembourg on 9 February. It completed the list of explosives which can be used and stated the advantages and drawbacks of possible priming methods (electric priming device or detonating fuse). The method for cooling mining tubes was examined. Trials will be carried out by a Belgian company.

2217. The committee of experts on coordination of work and research on "*Fires and coal-face fires*" held its first meeting on 13 February in Luxembourg. The committee examined the research started at the Dortmund test mine which undertook to study fires in galleries and of conveyor belts. The part concerned with coal-face fires was entrusted to "Cerchar" whose task is to explore possible sources of fires and means to fight them. British experiments in this connection were mentioned during the meeting.

2218. The research commission on "*hygiene in mines*" met in Luxembourg on 19 and 20 February and earmarked 28 projects amongst those submitted by the eight institutes of the Community. These projects, consistent with the third programme main plans, concern all questions of fight against release of noxious dusts and gases by coal and iron-ore mines. These projects will be submitted for the Commission's approval during the first half of 1973.

2219. The Select Committee and the *Permanent Agency for safety and health in coal mines* met in plenary session on 5 and 6 February in Luxembourg. Representatives from the United Kingdom who had been observers since the Permanent Agency was set up in 1957, took their seats as full members for the first time;

representatives from Ireland and Denmark had not been appointed yet. During this session, the Permanent Agency adopted the following items: a study of a new method for assessing fatigue of extraction and traction cables—a report on results of research in coal-fields on potential trouble through the use of not easily inflammable fluids—a memorandum laying down a uniform system of information when coal dust and fire-damp explosions occur—a report on the present state of use of electrical anti-fire-damp equipment of over 1100 volts, with conclusions and recommendations,—a mandate for the “electricity” working group for standardization of regulations on the construction and use of electric equipment in coal mines.

The Permanent Agency took note of progress made in the safety campaigns it had recommended in the various coal fields of the Community. It also studied two disasters through instantaneous combustion in the Dauphiné (France) and at Monceau-Fontaine (Belgium), two cases of instantaneous combustion (without loss of life) at Ibbenbüren (Germany) and a disaster through “rock fall” in Hanover. It was decided that a group of experts would visit the localities concerned. Finally, it was decided that the responsibilities of the Permanent Agency would be extended to cover all mining activities; a first step in this direction is an extension to all under-ground workings.

Agricultural Policy

Decisions taken as a result of monetary decisions

2220. Since 1 February 1973, date when the new Member States accession came into effect in the agricultural sector, “monetary” compensatory amounts applicable by old Member

States in their in agricultural products trade had to be modified since these new states were no longer third countries.

The level of agricultural prices in the new Member States is generally lower than those in the original Member States; the difference is made up by “accession” compensatory amounts.¹

As “accession” compensatory amounts are expressed in units of account which, under Article 2 of the October 1962 regulation,² are converted into national currencies on the basis of official parities and are not, therefore, affected by currency appreciation of old Member States, it was necessary to provide that goods from a new Member State arriving at the border of an old one should not bear the consequences of monetary appreciation of the importing country for “accession” compensatory amount.

On 6 February 1973,³ Therefore, Commission Regulation of 17 May 1971 setting out the terms for applying Council Regulation of 12 May 1971⁴ was supplemented by a provision fixing “monetary” compensatory amounts applicable to trade with the new Member States considering the level of agricultural prices in these States:

“Monetary” compensatory amounts applying to trade in agricultural products having been defined, their levels were fixed by Commission Regulation of 6 February 1973⁵ with effect from 1 February 1973 for Germany and the Benelux countries and 7 February for France. Developments in the French Franc spot rate made it necessary to reintroduce compensatory amounts

¹ Bull. EC. 9-1972, Part Two, point 49 and 1-1973, point 2216.

² OJ 106 of 30.10.1962.

³ OJ L 52 of 25.2.1973.

⁴ Bull. EC 7-1971, Part Two, point 39.

⁵ OJ L 52 of 25.2.1973.

suspended last December¹ in France. For rape and colza seed, differential amounts were re-established on 5 February 1973.² Since then, the spread in the exchange rate of some Member States' currencies being wider than 1% compared with the percentage previously fixed, on 26 February 1973,³ the Commission fixed new differential amounts for rape and colza seed.

Considering the monetary situation in the enlarged Community (marked by downward floating currencies) the Council amended on 22 February 1973⁴ the Regulation of 12 May 1971⁵ on various measures of economic policy in the agricultural sector as a result of the temporary widening in fluctuation margins of certain Member States. This amendment proved necessary since the Regulation of May 1971 was only concerned until then with cases where the currency of a Member State should fluctuate in the direction of an appreciation i.e., upwards.

The Regulation now stipulates that, if for commercial transactions, a Member State accepts for its currency an exchange rate outside the fluctuation limits allowed under international regulations in force on 12 May 1971, the Member State whose currency appreciates above the limit applies a levy on imports and a grant on exports whilst a Member State whose currency depreciates below the limit, applies a levy on exports and a grant on imports, as compensatory amounts for products stipulated in the regulation for trade with Member States and third countries.

For new Member States which, on accession, already applied in the conversion of their currency into units of account a rate other than the parity of their currency (United Kingdom and Ireland), provisions of the amended Regulation of May 1971 will be applied in a similar way when, for the currency concerned, the average of the spot exchange

rate recorded in the market over a period to be specified is at least 1% above or below the accepted exchange rate.

On 19 February 1973,⁶ the Council adapted, from two different points of view, its Regulation of July 1972⁷: by providing special measures for rape-seed (differential amounts) which take into account the Regulation of January 1973⁸ on conversion rates to be applied in the agricultural sector for currencies of the new Member States and to bring forward to 1 July 1972 instead of 26 July the date when the Regulation of 20 July 1972⁹ comes into force; economic considerations resulting in the system of differential amounts are valid for rape-seed of the 1972 crop; its marketing campaign started on 1 July.

Joint organization of markets

Cereals and rice

2221. On 14 February 1973¹⁰ the Commission completed its Regulation of 24 July 1968¹¹ concerning production refund on maize processed into oatmeal and maize and soft wheat transformed into starch and "quellmehl" in new Member States; it takes into account the "accession" compensatory amount valid for these states.

Commission Regulation of January 1973¹² fixing compensatory amounts for certain categories

¹ Bull. EC 12-1972, Part Two, point 49.

² OJ L 35 of 7.2.1973.

³ OJ L 54 of 27.2.1973.

⁴ OJ L 50 of 23.2.1973.

⁵ Bull. EC 7-1971, Part Two, point 39.

⁶ OJ L 51 of 24.2.1973.

⁷ Bull. EC 9-1972, Part Two, point 48.

⁸ OJ L 27 of 1.2.1973.

⁹ OJ L 167 of 25.7.1972.

¹⁰ OJ L 48 of 21.2.1973.

¹¹ OJ L 179 of 25.7.1968.

¹² OJ L 39 of 12.2.1973.

of cereals, rice and products processed from these was completed on 22 February 1973¹ for products the fixation for which had been delayed. On the other hand, levies in relation to which "accession" compensatory amounts for products in the cereals and rice sector are established, having changed several times in February 1973, these amounts were amended. To ensure a regular supply of Community rice, the Commission decided on 21 February 1973² to extend from 30 to 60 days the validity of import certificates for rice thus amending its Regulation of October 1971.³

Eggs and Poultrymeat

2222. The possibility of fixing restitutions in advance was extended to shell eggs and to poultrymeat by two Council Regulations of December 1972.⁴ There was need to extend also prefixing conditions to these products and on 26 February 1973,⁵ the Commission adopted a regulation accordingly. In view of present export possibilities and exporters requirements, the Commission listed on 26 February 1973⁶ the products of the egg and poultrymeat sector benefitting from the system of prefixing export restitutions.

Sugar

2223. On 5 February 1973⁷ the Commission fixed for the 1972/73 campaign the maximum amount for participation to storage costs which sugar manufacturers can request from beet and cane growers in case part of the sugar production is carried forward till the next campaign. Per month of storage, this amounts to 0.13 u.a. per ton of beet with a sugar content of 16% and 0.10 u.a. per quantity of cane needed to make 100 kilos of white sugar; this was fixed by taking into account the amount (0.163 u.a. per 100 kilos of white sugar per month) of refund by Member States for storage costs of

white and raw sugar made from beet lifted cane cut in the Community, established in June 1972⁷ for the 1972/73 campaign.

To facilitate the application of its Regulation of January 1973⁸ authorizing the United Kingdom to grant temporary aid for sugar consumed in its territory, the Commission amended this Regulation on 21 February 1973⁹; further details were given and provisions adopted to avoid distortion in competition and risks of misrouting.

Oils and fats

2224. Commission Regulation of May 1971¹⁰ establishing levies on unrefined olive oil also lays down that levies on imports shall be fixed as often as is necessary for stability in the Community market but at least once a week to ensure their application.

The basic regulation for the oils and fats sector gives also the possibility of collecting a levy on imports when exporting olive oil to third countries and when world prices are higher than those of the Community. In this case, it may not be considered necessary to fix as often the import levies. This is why the Commission decided on 13 February 1973¹¹ that export levies can be fixed at a different frequency quoted above, and during the whole period of application of export levies.

¹ OJ L 54 of 27.2.1973.

² OJ L 51 of 24.2.1973.

³ Bull. EC 12-1971, Part Two, point 48.

⁴ Bull. EC 12-1972, Part Two, point 62.

⁵ OJ L 56 of 1.3.1973.

⁶ OJ L 44 of 16.2.1973.

⁷ Bull. EC 8-1972, Part Two, point 61.

⁸ OJ L 53 of 26.2.1973.

⁹ OJ L 54 of 27.2.1973.

¹⁰ OJ L 109 of 15.5.1971.

¹¹ OJ L 48 of 21.2.1973.

The basic regulation provides for collection of an import compensatory amount when certain oils and fats are imported from third countries in such quantities and under such conditions that they are or might become a serious threat to Community producers.

In September 1971,¹ the Council had extended to olive oil the application of its Regulation of June 1967² on import compensatory amounts for certain vegetable oils. On 20 February 1973,³ the Commission adopted with the same aim in mind its Regulation of July 1967⁴ on application clauses concerning the compensatory amount applicable on imports of certain vegetable oils. Also on 20 February,³ the Commission fixed an import compensatory amount for certain olive oils originating from or imported from Spain; the amount was amended on 23 February 1973.⁵

Fruit and vegetables

2225. On 26 February 1973,⁶ the Council decreed two regulations temporarily suspending customs duty on various fruit and vegetables from African States and Madagascar associated to the EEC through the Yaoundé Convention and from the three East African countries (Kenya, Uganda and Tanzania) associated to the EEC through the Arusha Agreement. This gives the respite decided on 2 February 1973 by EEC representatives and those of the AASM in their dispute over customs duty. This question will be discussed again in May at ministerial level.

Meanwhile the Council decided to extend the periods during which customs duties are not applied (this exemption existed already for winter months when European production is low). The aim of this conciliatory gesture is to avoid hindering African exports. Products concerned are peas (duty to apply from 1 May 1973 instead of 1 March 1973), beans,

pimentoes, peppers, egg-plants, marrows, other fresh vegetables and melons.

During its session of 19 and 20 February 1973,⁵ the Council amended its Regulation of January 1973,⁷ which lays down the general rules for the "accession" compensatory amounts system in the fruit and vegetable sector as regards apples. It seemed necessary for apples of quality category II and eventually of quality category III offered without variety names to differentiate the compensatory amount depending on whether they are imported or exported by new Member States. These apples benefit from the highest compensatory amount on import and the lowest on export.

Under the Act contained in the Treaty of Accession of new Member States, these can be authorized to suspend, wholly or partly, customs duties applicable to products imported from other Member States and subjected to a joint organization of markets. Applying this on 31 January 1973,⁸ the Commission authorized the partial suspension (5% instead of 15%) of customs duties applicable to United Kingdom imports from other Member States of certain products processed from pears (pears in their juice and pulp) without sugar added, for the period 1 February to 31 December 1973. With the same aim, the Commission authorized on 14 February 1973,⁹ the complete suspension during the period 15 February to 15 May 1973 of customs duties on imports by Ireland from other Member States of onions of sub-heading 07.01H of the Common Customs Tariff. These

¹ Bull. EC 11-1971, Part Two, point 29.

² OJ L 125 of 26.6.1967.

³ OJ L 49 of 22.2.1973.

⁴ OJ L 151 of 13.7.1967.

⁵ OJ L 51 of 24.2.1973.

⁶ OJ L 56 of 1.3.1973.

⁷ OJ L 27 of 1.2.1973.

⁸ OJ L 39 of 12.2.1973.

⁹ OJ L 45 of 17.2.1973.

measures should encourage intra-Community trade.

Heavy offerings by third countries of tomato concentrates at depressed prices which compelled the Commission at the beginning of the 1971 campaign to note that the Community market was threatened with serious perturbations have ceased.

The Commission was therefore able, on 9 February 1973,¹ to rescind the safeguard measures on imports of tomato concentrates from Greece and other third countries, decreed in July 1971.²

In the fruit and vegetable sector, reference prices are established yearly for some products to avoid perturbations due to offers from third countries at abnormal prices. As a result of such a guide-line during one of the last sessions by the Council, for the first time since a joint organization of markets was set up in the fruit and vegetables sector, imports of cucumbers from third countries are to be submitted to the system of reference prices. Imports of cucumbers by the Community come from Bulgaria and Roumania where they are mainly grown in green-houses and from the Canary Islands and Greece where traditionally they are grown in the open or under temporary shelter.

Through lack of experience in this matter, the Commission decided on 20 February 1973³ to establish reference prices for the 1973 campaign for cucumbers in two stages; the first, covers the period February to June 1973 inclusive and fixes an adaptation coefficient taking into account products grown otherwise than in green-houses. Also for the first time, transport costs of goods from place of production to Community consumption centres are included in the reference price.

On 15 February 1973,⁴ reference prices for apples and pears were fixed by the Commission for the end of the 1972/1973 campaign.

Seeds

2226. In August 1972⁵ the Council had decreed the regulation on aid for seeds for the 1972/73 marketing campaign for the Community as originally constituted. Under Article 96 of the Act of Accession a differentiation in aid is possible in the seed sector for new Member States. In order to take into account, on the one hand, the income obtained previously by seed growers of all Member States and, on the other hand, the need to avoid any distortion in the production structures, the Council fixed on 26 February 1973,⁶ the amount of aid for Ireland and for the United Kingdom for the 1972/73 campaign at the same level as that fixed for the Community and for Denmark at about 10% lower.

Also on 26 February,⁶ the Council decided to include linseed (textile linseed) and false oats in the list of products benefitting from aid in the seed sector so as to encourage, particularly in France, the Netherlands and Belgium production of certified textile linseed and help production of false oat in Germany.

European Agricultural Guidance and Guarantee Fund

2227. On 19 February 1973⁷ the Council adopted a regulation extending Community finance to differential amounts for rape-seed and colzaseed. This regulation is similar to the one adopted by the Council on 19 December 1972⁷ which, as regards financing the common agricultural policy, places in the same

¹ OJ L 43 of 15.2.1973.

² Bull. EC 9/10-1971, Part Two, point 62.

³ OJ L 51 of 24.2.1973.

⁴ OJ L 49 of 22.2.1973.

⁵ Bull. EC 9-1972, Part Two, point 61.

⁶ OJ L 57 of 2.3.1973.

⁷ OJ L 291 of 28.12.1972.

category as restitutions, with effect from 1 July 1972, the monetary compensatory amounts granted in trading with third countries to interventions for regulating agricultural markets and, with effect from 1 January 1973, monetary compensatory amounts received or granted in trading between Member States.

A regulation was adopted by the Commission on 14 February 1973¹ fixing the application clauses of the Regulation of 3 August 1972² for the financing by the Community of expenses resulting from the implementation of the 1971 food aid convention.

On 26 February 1973, the Commission amended the Regulation of 12 April 1972³ on the method and interest rate to apply in the calculation of intervention finance costs in the beef sector and that of milk and milk products.

It sent to the Council a regulation proposal on 16 February 1973 concerning interests on amounts paid under the EAGGF and food aid subjected to recovery.

Policy on agricultural structures

2228. To improve agricultural income and to ensure continuation of agricultural activities in mountain areas and other difficult areas where such activities are necessary to maintain a minimum of population and for the upkeep of land, the Commission presented to the Council on 27 February 1973, in the context of joint actions for agricultural structures, a directive proposal on farming on mountains and other difficult areas. This proposal tends to authorize Member States to set up a special system of aid for farms through grants of compensatory indemnities for permanent natural drawbacks, investment aids for farms capable of development, aids for certain collective investments, aids to approved agencies concerned with help to farms (contribution to their working expenses), settlement allowance to young farmers.

Conditions of competition in agriculture

2229. Under provisions of Article 93 para 3 of the Treaty, the Commission took a position concerning the draft law of the *Val d'Aosta* autonomous region, laying down measures in the agricultural sector for the preservation of mountain farmland and the protection of nature. The Commission is not opposed to the principle of granting aid but reserves the right to review its position should be authorities of the region not adapt the provisions in question to those to be decreed by the Community in accordance with Article 14 para 2 (b), second indent of Council Directive of 17 April 1972 on modernization of farms.

2230. During its session from 12 to 15 February 1973,⁴ the *European Parliament* adopted several resolutions concerning, in particular, the temporary suspension of customs duties on various fruit and vegetables from African countries and Madagascar and associated overseas territories and a financial regulation concerning the EAAGF. As to the *Economic and Social Committee*, during its session of 21 and 22 February,⁵ it gave three opinions on projects and directive proposals on statistical investigations of bovine live-stock, floriculture and cattle food additives.

Scientific, Research and Education Policy

Joint Research Centre

Condition of a pluriannual research and teaching programme

2231. A four-year Community research programme at a total cost of about 180 million

¹ OJ L 50 of 23.2.1973.

² OJ L 180 of 8.8.1972.

³ OJ L 87 of 13.4.1972.

⁴ Points 2423 and 2417.

⁵ Points 2457, 2460 and 2461.

u.a. and involving about 1 700 persons was finally adopted on 6 February 1973 by the Council at a meeting in Brussels. After discussions lasting 14 hours, Ministers for Research from Member States reached agreement on the main points proposed by the Commission and gave to the Joint Research Centre in particular the pluriannual programme it has awaited since 1968.

This programme forms part of the research and technological development policy of the Community as expressed by the Commission in its document "Objectives and Means for a Joint Policy on Scientific Research and Technological Development".¹ It takes into account developments in the Community's nuclear industry and the needs deriving from it,

particularly in relation to its enlargement; it also provides for non-nuclear activities based on Article 235 of the EEC Treaty.

The research programme thus adopted for 1973-1976 consists of three parts:

A. *Direct actions* (i.e. carried out in establishments of the Joint Research Centre) nuclear and non-nuclear. This aspect of the programme takes up, in substance, the Commission's proposals at a total cost of 157.2 million u.a. over four years; it will employ 1 440 persons. It will be reviewed at the start of the second year of implementation of the programme. The table A gives the various objectives:

¹ Supplement 6/72, Bull. EC.

Table A

Direct actions to be carried out in the Joint Research Centre	Funds allocated (million u.a.)		Personnel
	1973	4 years	
a) Nuclear actions			
Processing and storing waste	1.57	6.90	75
Plutonium and transplutoniums ¹	4.95	13.00	210
Science of material	1.94	8.65	89
Reactors' safety	4.83	8.50	232
Applied data processing	1.38	21.10	51
Office for the analysis of information	1.16	6.05	51
Control office of nuclear measures	4.45	5.10	170
Technical support to users of nuclear generating stations	1.40	20.35	60
Training	0.33	6.10	15
Control and use of fessile matters ²	1.23	1.45	57
Research under contracts	0.42	5.40	17
Management and coordination	1.80	1.85	79
b) Non-nuclear actions			
Standards and reference substances	1.24	8.10	62
Environment protection	2.97	13.00	142
Teledetection of world resources	0.24	1.05	10
c) Petten high flux reactors³	5.26	23.00	95
d) Use of Ispra I reactor	0.50	2.20	25

¹ Part of this programme is complementary to the participation of all countries except Italy.

² Complementary programme with participation of all countries except France.

³ Complementary programme with participation of Germany, Belgium and the Netherlands.

B. *The second part of the programme* includes direct nuclear and non-nuclear actions for which the Council has fixed an overall budget of 20.5 million u.a.; 209 persons will be employed. These actions will be chosen before 30 April 1973 on the basis of the Commission's

proposals. This part of the programme will be reviewed annually.

The table B shows actions proposed by the Commission which will be the object of a decision in the framework of the overall amount of 20 million u.a.:

Table B

Direct actions to be carried out in the Joint Research Centre	Funds allocated (million u.a.) 1973	Personnel
Environment	1.04	50
Standards and reference substances	0.18	9
Fusion	1.32	57
New technologies	0.83	36
Recycling raw materials	0.74	32
Materials	1.16	42 + 8
System analysis	0.46	20
ESSOR loop and safety studies	1.24	28
Sources of pulsated neutrons	0.66	23
Data processing, Commission support	0.12	5
Hydrogen production	1.83	89

C. *Indirect actions*, to be carried out mainly through research contracts proposed by the Commission and which will be the object of a Council's decision before 30 April 1973.

enlarged Community, on "fusion" and "biology" programmes decided in June 1971. This adaptation will cost 11.247 million u.a. and involve 38 persons.

There is already agreement on the adaptation, for the three remaining years, in relation to the

The table C shows the various actions:

Table C

Indirect actions to be carried out only through research contracts	Expenditure ceiling (million u.a.)	Personnel
a) <i>Fusion</i>	9.696	38
<i>Biology</i>	1.551	0
b) <i>Nuclear actions</i>		
Plutonium recycling	3.729	1
Advanced reactors	8.772	59
Trial reactors	0.279	2
Treaching and training	6.975	71
c) <i>Non-nuclear actions</i>		
Standards and reference substances	1.904	6
Environment protection	8.688	6
Materials	—	—

Research

2232. The "Scientific Research and Technical Policy" group (PREST), meeting on 26 February 1973, discussed the report on public financing of research and development in Community countries over the 1968-1972 period. It was agreed that the document presented by the Secretariat would be studied by the delegations so that conclusions reached by Governments could be debated at a next meeting.

Regarding steps to be taken following the Paris "Summit", the Commission's delegate called for the group's help in preparing an action programme for 1974 as provided for in the statement of 21 October 1972 by Heads of States and Governments. The group agreed and will ask its sub-groups to prepare, in the shortest possible time, action proposals in their various sectors of activities.

Considering the state of progress in their studies, sub-groups of the Committee for Scientific and Technical Information and Documentation (CIDST), Medical research and Monitoring of greatly handicapped persons should now be in a position to present proposals in May. Two other sub-groups are to be "reactivated", i.e. Data processing and Oceanography.

*

2233. During its session of 12 to 15 February 1973¹, the *European Parliament* adopted a "resolution on the development of joint research" in which it expresses its satisfaction that the Council, for the first time since 1967, was able to agree a pluriannual programme of research on sound but narrower bases; "it considers, in particular, that recourse should largely be made to Article 235 of the EEC Treaty" in view of other joint research actions in the non-nuclear sector, if at least a first step is to be made in fulfilling major objectives allotted to research policy in the final com-

muniqueé on the Conference by Heads of States or Governments of 21 October 1972.

Energy Policy

Coal

2234. As is the case each year and in accordance with provisions of Article 46 of the ECSC Treaty, the Commission prepared a report on the "General Situation in the Coal Market—1973 Estimates". This report, submitted to the Advisory Committee will be published in the Official Journal of the Communities.

Nuclear Energy

Euratom Supply Agency

2235. Following the accession to the Community of the new Member States, the Commission has approved and sent to the Council a Decision proposal *amending the statutes* of the Euratom Supply Agency.² According to the terms of this proposal, the Agency's capital would be increased from 2.4 million to 3.2 million u.a. and distributed between Member States as follows: Germany, France, Italy, the United Kingdom, 21% each; Belgium and the Netherlands, 6% each; Denmark 3% and Ireland 1%. The Supply Agency's Advisory Committee would consist of 33 members instead of 24 and the seats would be allocated between Member States nationals as follows: Germany, France, Italy and the United Kingdom 6 members each, Belgium and the Netherlands, 3 members each, Denmark 2 members and Ireland one member.

¹ Point 2422.

² OJ of 6.12.1958.

The participation in the capital by the original Member States and their number of seats in the Advisory Committee remain unchanged.

2236. The United States Atomic Energy Commission (USAEC) announced on 14 February 1973 an increase in price per kilo/unit of separation work to be supplied in the framework of current toll enrichment contracts (requirements type), from US \$ 32 to US \$ 38.50. The price publication was based on existing "criteria" and the increase therefore comes into effect in 180 days; i.e. on 14 August 1973. Simultaneously, the USAEC announced its intention to fix, immediately the new "criteria" comes into effect, the price per unit of separation work of new projected contracts for long term fixed commitment as well as those already signed for firm quantities at US \$ 36. The price comes into effect on the same date. From 1 January 1974, the new prices will be increased automatically by 1% every six months.

2237. Upon request of the Supply Agency the USAEC has confirmed in a letter as per copy attached that *material of US origin may circulate freely* in the enlarged Community, except in the case of transfer from a bilateral Agreement of one adhering member state to the Euratom-US Agreement and vice versa.

*

2238. The *Economic and Social Committee*, having met in plenary session on 21 and 22 February 1973,¹ gave an opinion on the Commission's proposal concerning application of the statute of joint enterprise in activities in the hydrocarbon industry. Whilst agreeing with the objectives sought, the Committee made certain reservations as to the legal efficiency of the system proposed.

Transport Policy

Access to the market

2239. In accordance with Council Decision of 21 March 1962² which lays down for transport a prior study and consultation procedure for certain provisions laid down by law, regulation or administrative action by Member States, the French Government sent to the Commission the text of a draft decree amending Decree 49-1473 of 14 November 1949 on *coordination and harmonization of transport by rail and road*. The amendments considered in this draft seek the freedom for certain occasional services, private services for transport of staff and customers and a better cooperation between urban and inter-urban public services.

In its *Opinion of 20 February 1973*, the Commission notes that the aims of the French Government conform with general guidelines of the common transport policy specified—in the absence, at present, of specific regulations on road transport of passengers on a national scale—both as regards the concept in this matter at Community institutions level and in the concrete provisions decreed in international transport of passengers by road. The Commission considers, however, that the proposed amendments do not alter the differences in definitions of various types of road services for passengers on national traffic compared with international traffic decreed at Community level. The opportunity is taken, therefore, to draw the French Government's attention to the opportunity offered to modify these national definitions. With these considerations in mind, the Commission issued a favourable opinion on the French draft decree.

¹ Point 2456.

² OJ 23 of 3.4.1962.

2240. As a result of Council Decision of 28 December 1972,¹ the first meeting was held in Brussels on 22 and 23 February 1973, for negotiations between the Community and Switzerland to reach agreement on application of a regulation concerning *temporary immobilization of vessels* carrying goods and applicable to water-ways subjected to systems of the revised Convention for navigation on the Rhine and the Convention on the Moselle canals. The main principles on immobilization met with a large measure of agreement; the study of specific aspects was given to a working group which will report on its findings at the next plenary negotiating meeting scheduled for early July.

Alignment in conditions of competition

2241. The Commission sent an *opinion to the Government of the Netherlands* on 22 February 1973 on a draft of a royal decree amending the "Rijttijdenbesluit 1971". This draft makes use of certain possibilities of waivers provided for in two Council Regulations² which the Council adopted on 28 February 1972 with a view to amending its Regulation of 25 March 1969 on *alignment of various provisions concerned with social matters* in road transport. The Commission gave a favourable opinion on this Royal Decree draft.

2242. The Commission sent to the Council on 21 February 1973 a report on the application of Council Regulation of 26 June 1969³ on Member States action concerning *duties inherent to the notion of public services* in transport by rail, road and inland waterways. The presentation of this report, laid down in Article 6 para.6 of the Regulation, shows in the first part the situation in the various Member States according to data supplied by these; in the second part, the Commission makes certain observations.

Transport rates and conditions

2243. On the basis of the Decision on prior consultation of the Council of 21 March 1962, the French Government submitted for the Commission's opinion a draft of a ministerial decree on application of the *French national railways (SNCF) tariff system* for transport of goods and a draft decision on the organization for publishing tariffs and prices by the SNCF, road and inland waterway transport. These texts are application provisions of the new specifications by the SNCF aimed at aligning the system of advertizing the three means of transport, taking into account disparities in their tariff system.

In an Opinion of 28 February 1973, the Commission states that the measures considered go towards an alignment of conditions of competition at tariff level. However, in their effects, they do not correspond entirely to principles defined in the Council Agreement of 22 June 1965 as regards, on the one hand, their relative field of application of compulsory fixing of tariffs and reference tariffs for various means of transport, nor, on the other hand, the extent of publication. Noting the Statements made by the French Government's representatives—according to whom the system resulting from the two projects submitted for consultation has only a transitional character, in the context of a later alignment of tariff systems for all land transport—the Commission recalls some observations it already made in its Opinion of 29 January 1971⁴ on the new SNCF specifications and in its Recommendation of 26 May 1971⁵ on the amendment of the Decree of 14 November 1949 on coordination and

¹ Bull. EC 12-1972, Part Two, point 77.

² OJ L 67 of 20.3.1972.

³ OJ L 156 of 28.6.1969.

⁴ OJ L 32 of 9.2.1971.

⁵ OJ L 134 of 28.6.1971.

alignment of rail and road transport. Under reserve of the observations made, the Commission gave a favourable opinion on the two projects in question.

2244. The departments of the Commission and national experts completed during a meeting on 2 February 1973, the examination of problems concerning *publication of rates and conditions for international transport by river of the ECSC products between Community ports*.

Concerning these problems, the Commission will submit to the Council a report which will reflect the positions of national delegations and will include also remarks it feels it should make.

2245. The *ECSC/Austria Transport Commission* responsible for implementing the agreement of 26 July 1957—concerning the establishment of direct international rail tariffs for transport of steel and coal transitting over Austrian territory—held an extraordinary meeting on 22 February 1973. Delegations of the original ECSC Member States had requested this meeting because they consider that certain measures of the tariff reform of 1 January 1973 by the Austrian federal railways are not in accordance with this agreement. This concerns mainly *the application without reduction of the Austrian Special tariffs* for transport of scrap iron and coal transitting through this country.

Following these discussions, the Austrian delegation, coming round to the way of thinking of the Community delegations, admitted that if there are special tariffs generally applied for interior traffic in Austria, the share of the Austrian railways for the ECSC transit journey must be calculated by taking into account the reductions allowed in these tariffs. The corresponding corrections to tariffs for scrap iron and coal will come into effect on 1 April 1973.

2246. During its session on transport of 18 and 19 December 1972, the Council had appointed a working group to examine problems related to recourse on *special contracts and terms of publication*; the work of this group should be completed by 30 June 1973. On the initiative of the Commission, the Group started work on 16 February 1973, it will also study other problems to be solved in order to attain a correct and standardized functioning of the tariff system laid down in Council Regulation¹ of 30 July 1968 concerning a bracket of tariffs applying to road transport of goods between Member States.

*

2247. During a meeting in Brussels on 26 February 1973 the special committee appointed with the Commission under Article 1 of Council Regulation of 30 July 1968 prepared its *first half yearly report on market development*. The period considered is the first half of 1972.

*

2248. At its session of 12 to 16 February 1973,² the *European Parliament* returned to its Transport Commission the resolution proposal on problems of air transport in Europe so that it includes the study of amendments suggested during the discussion. The *Economic and Social Committee* adopted, during its session of 22 February 1973,³ an opinion on a Council regulation proposal amending the Regulation of 20 July 1970, concerning the introduction of a control device in the field of road transport.

¹ OJ L 194 of 6.4.1968.

² Point 2426.

³ Point 2459.

3. The Community's foreign relations

Mediterranean Countries

EFTA States

First Meetings of Mixed Committees

2301. Three of the mixed committees set up under agreements signed between the Community and EFTA States held their first meeting in February in Brussels. Dates for future meetings will be fixed in the course of contacts between delegations of these States and those of the Community.

Mixed Committee EEC-Sweden

2302. This Committee met for the first time on 2 February 1973 in Brussels under the chairmanship of H.E. Erik von Sydow, Ambassador and Head of the Swedish Mission with the European Communities. In view of the satisfactory working of the agreement which came into force on 1 January 1973, the Mixed Committee adopted decisions on the interior regulation of the Mixed Committee setting up a Customs Committee and fixing methods of administrative cooperation in the customs sector. It also adopted execution decisions on rules of origin. The need to pursue studies on definitions of certain products, for which indicative ceilings were laid down, was acknowledged.

Mixed Committee EEC/Austria

2303. Meeting in Brussels on 6 February 1973 under the chairmanship of H.E. Franz H. Leitner Ambassador and Head of the Austrian Mission with the European Communities, the Committee adopted decisions on the interior regulation of the Mixed Committee setting up a Customs Committee and fixing methods of administrative cooperation in the customs sectors. It also adopted execution provisions on rules of origin. The Austrian delegation

reported on difficulties encountered in exports to the Community of various Austrian agricultural products.

Mixed Committee EEC/Portugal

2304. The Mixed Committee set up under the EEC/Portugal agreement held its first meeting on 9 February 1973 in Brussels under the chairmanship of H.E. Fernando de Magalhaez Cruz, Ambassador and Head of the Portuguese Mission with the European Communities. Like other mixed committees, it took a series of decisions concerning the interior regulation of the Mixed Committee, the Customs Committee, the execution provisions on rules of origin. The Portuguese delegation drew the Mixed Committee's attention on special aspects of the agreement. The Mixed Committee considered the possibility of meeting again this year to examine the working of the agreement in light of experience gained.

Opening of negotiations between Norway and the Community

2305. Negotiations between Norway and the European Community to reach agreement on free trade in the industrial sector started in Brussels on 16 February. During the opening session, the Community and Norwegian delegations explained their positions. It was then decided to form working groups which started deliberating immediately. Both delegations expressed the wish that the negotiations should lead to results as soon as possible.

Mediterranean Countries

Modification of various Agreements following enlargement of the Community

2306. Due to the enlargement of the Committee, the Council of the European Com-

munities, meeting in Brussels on 5 February, agreed to open negotiations with a view to modifying the Agreement with the Lebanon; it also settled questions in abeyance in negotiations to establish an additional protocol to the Agreement with Greece. There was a detailed exchange of views on outstanding questions concerning an additional protocol with Turkey; the Council asked the examination of these questions. It approved the principle of additional protocols to association Agreements with Morocco and Tunisia and adopted regulations on the conclusion of additional protocols to Agreements with Spain and Israel,¹ the texts were officially adopted on 26 February.²

Tunisia

2307. On 28 February 1973 a protocol was signed in Brussels by Mr Renaat Van Elsanle, President of the Council of the European Communities for the session, Mr François-Xavier Ortoli, President of the Commission, and Mr Mohamed Masmoudi, Minister for Foreign Affairs of Tunisia. This protocol lays down certain provisions of the EEC/Tunisia Agreement in view of the accession of new Member States to the Community.

Before the signature, Mr Mohamed Masmoudi was received by the President, Mr François-Xavier Ortoli and the Vice President, Sir Christopher Soames. During the talks, Mr Masmoudi expressed the hope that negotiations would start as soon as possible to reach a broader agreement. Mr Ortoli pointed out that, in his view, the Memorandum sent a few months ago by the Tunisian Government concerning the future agreement was an important contribution for guiding the negotiations and he hoped these would start within the time limit set by the Community.

Israel

2308. The Mixed Commission EEC/Israel held its third meeting in Jerusalem from 15 to 19 February 1973 under the Chairmanship of H.E. Moshe Alon, Ambassador and Head of Israel's Mission with the European Communities. During this meeting, the Mixed Commission examined trade developments in detail and noted satisfactory progress on both sides but Israel's trade deficit with the Community none-the less remains considerable. It also examined the application of the Agreement, Customs Cooperation and the outlook for the protocol signed on 30 January 1973 which lays down provisions of the Agreement in view of the accession of the new members to the Community.

In this connection, both delegations confirmed the common aim of negotiating in 1973 a new Agreement on a broader basis in the context of a global approach in the relations between the European Community and Mediterranean countries; it will be prepared to take into consideration these countries' concern. On the occasion of this meeting, the Mixed Commission was received by Mr Abba Eban, Minister for Foreign Affairs, and by Mr Ham Bar-Lev, Minister for Trade and Industry.

Yugoslavia

2309. The Commission sent to the Council a recommendation on the opening of negotiations with Yugoslavia for a new non-preferential trade agreement, since the present one expires on 30 April. The Commission proposed that the system applying to imports of Yugoslav

¹ Bull. EC 1-1973, points 2304 and 2305.

² OJ L 66 of 13.3.1973.

“baby beef” should be extended and improved, that the new agreement should cover industrial and commercial cooperation between the EEC and Yugoslavia and provide for the development of such cooperation.

**Associated African States,
Madagascar and Commonwealth
Countries to which the Community
has offered Association**

Yaoundé Convention

EEC/AASM Association Committee

2310. The EEC/AASM Association Committee held its 38th meeting on 2 February 1973 under the chairmanship of Mr Munyanshongore Ruanda's Ambassador and Chairman of the AASM Coordination Committee. The spokesman for the Community was Mr Van der Meulen, Chairman of the Permanent Representatives Committee. The Commission was represented by the Director-General for Development and Cooperation. The Chairman in the name of the Committee, extended a welcome to the representatives of Denmark, Ireland and the United Kingdom.

On generalized preferences in 1973, the AASM regretted that the information and consultation procedure provided for under the Yaoundé Convention was not applied in time but expressed their satisfaction on the principle, i.e. the renewal of generalized preferences. The Community expressed its regret but pointed out that the delay in communicating the proposed regulations was due entirely to technical reasons.

The AASM took note of the agreements signed between the Community and Austria, Finland, Iceland, Liechtenstein, Portugal,

Sweden and Switzerland. They expressed concern regarding concessions contemplated by the Community in the agricultural sector of the agreement with Portugal.

The question of the system applicable by the Community for certain fruit and vegetables gave rise to an exchange of opinions during which the AASM Ambassadors stated that they would appreciate whatever the Commission could do to facilitate trade in these products whilst awaiting a basic decision to be taken at the latest during the next Association Committee meeting.

The AASM congratulated the Community for the dynamism it had shown in the conclusion of the International Cocoa Agreement; they expressed the hope that this agreement will not be an isolated one but an example covering other basic products. On the other hand, the AASM were concerned by the prospects on opening of trade negotiations between the Community and Brazil especially, as regards cocoa butter, soluble coffee, and eventually castor oil. They fear this may affect the preferential system of the Association. The Community undertook to keep the AASM advised on developments in the negotiations so that they have the opportunity to apply for consultations.

The Community advised the AASM of the contents of agreements reached with Egypt, the Lebanon and Cyprus. The Committee explained the point reached in the ratification of the agreement for accession of Mauritius to the Yaoundé Convention: the procedure is completed in France, Luxembourg and the Netherlands; it is still in the course of completion in Belgium, Germany and Italy.

A debate was opened on the admissible degree of aflatoxin in ground nut cakes. The Senegal Representative pointed out that the cancerigenous character of aflatoxin had never been

proved and asked that the regulation contemplated should not be a non-tariff obstacle to trade. The Community said that his concern would be taken into consideration.

The meeting of the mixed group of experts responsible for examining problems of trade promotion of products originating from the AASM will be held during the week of the 7 to 11 May 1973.

System applicable to imports of certain fruit and vegetables from the AASM and OCT

2311. During its session of 26 February, the Council adopted a regulation temporarily suspending CCT duties applicable to certain fruit and vegetables from overseas.¹ This concerns an independent suspension whilst the calendar of free duty imports—requested by the AASM—is reviewed and agreed.²

European Development Fund

New financing Decisions

2312. As a result of a favourable opinion by the European Development Fund Committee, on 19 February the Commission took nine financing decisions, six of which on non-refundable aids under the Second and Third EDF for 3.3 million units of account and three as loans on special terms for 9.7 million u.a. (for two schemes, however, there is a partial subsidy of 3.5 million u.a. under the Third EDF). These finance decisions are:

Reunion—Improvements to the coastal road: 3 546 793 u.a. of which 1 424 000 as non-refundable aid under the Third EDF and 2 122 793 as loans on special terms (326 798 of these from the Second EDF balances and 1 795 995 from the Third EDF balances). This financed operation aims at building the

four lanes of the coastal road (R.N.1) which, over a length of 11.8 kms., links St. Denis to the harbour of Pointe des Galets. The operation of this loan over a period of 25 years with a five year exemption, at an interest rate of 3% per annum will be entrusted to the European Investment Bank.

Togo—Repairs and expansion to the Alokoegebe palm oil plant: 203 millions Frs. CFA equal to about 731 000 u.a. Repairs to the Alokoegebe oil plant and expansion of processing capacity from 9 000 to 18 000 tonnes per annum are needed since the plant has reached saturation point and additional production from selected palm groves in the vicinity of the plant must be processed.

Dahomey—Extension of the Cotonou Medical/Social National Institute (INMSO): 97 million Frs. CFA equivalent to about 349 000 u.a. The object of this operation is the enlargement and extension of the medical/social National Institute at Cotonou, capital of Dahomey. This Institute uses at present the premises of the National School for State nurses, financed under the First EDF for a total of 155 000 u.a. The extension consists in the erection of a four story building (1542 sq. m) and enlargement of the canteen.

Dahomey—Extension of Cotonou's fishing port's superstructures: 150 million Frs. CFA equivalent to about 540 000 u.a. This involves the completion of the first stage of a superstructure financed by the autonomous harbour of Cotonou through a loan by the "Banque Dahoméenne de développement" (BDD). The object is to equip the port with a low temperature preserving plant for a rational operation based on the prospects for development of industrial fishing.

¹ OJ L 56 of 1.3.1973.

² Point 2225.

Ivory Coast—Industrial plantation of heveas (first stage): 6 928 000 u.a. equivalent to about 1 924 million Frs. CFA as a loan on special terms. The loan, managed by the EIB, covers a period of 30 years, with 10 years deferred, at an interest rate of 0.5% per annum during the first 14 years and 3% per annum from the 15th to the 30th year. This financial operation contributes to the realization of the first stage in a heveas plantation of 13 500 hectares located 60 kms. from San Pedro, in the south-west of the country and which will yield 27 000 tonnes of rubber when in full production.

Ivory Coast—Services of an expert sent to take up the position of technical manager of the Societe des caoutchoucs de la Cote d'Ivoire (SCCI, Ivory Coast rubber company): 69.4 million Frs. CFA equivalent to about 250 000 u.a. This financing operation is added to the "industrial plantation of heveas" mentioned above and deals with the services with the Board of SCCI of a technical manager, a specialist in heveas cultivation over a period of five years. He will assist the company in its task of working the scheme covering 13 500 hectares.

Ivory Coast—Studies on a regional hospital centre (CHR) at Korhogo: 66.7 million Frs. CFA equal to about 240 000 u.a. This scheme concerns the financing of overall studies required for the realization of the future Korhogo hospital centre by increasing the capacity to 420/430 beds with prospects for extension. The setting up of this centre at Korhogo is considered as having priority rights by the Government which has set a target of 1 bed per 1 000 inhabitants.

Martinique—Improvements to National Road No. 2: 15 million Fr. Frs. equal to about 2 701 million u.a. of which 2 701 000 u.a. as non-refundable aid and 630 154 u.a. as loan on special terms. The latter covers a period of 25 years, five of which are exempt, at the

rate of 3% per annum. The defective state of certain sections of national road 2, linking Fort de France with St. Pierre, makes this work necessary, it consists mainly in enlarging the carriage-way, reducing the number of curves and gradients.

Central African Republic—Public works training centre: 345 million Frs. CFA equal to about 1 241 000 u.a. This operation consists in the construction of a training centre for public works staff and of the actual training. This technical staff, of intermediate and subaltern levels, receiving technical and practical training, will be called upon to maintain the 20 000 km national road network.

As a result of these last decisions, total commitments amount to about 713 446 000 u.a. (384 finance decisions) under the Second EDF and about 469 605 000 u.a. (180 decisions) under the Third EDF.

Training, seminars and conferences

2313. At the end of February 1973 in the programme of educational grants covering several years, 2 371 scholarships and training periods were granted by the Community to AASM nationals (2 305) and OCT nationals (66) for the 1972/73 academic year.

East Africa

System applicable to the import of certain fruit and vegetables originating from Tanzania, Uganda and Kenya

2314. During its session of 26 February, the Council adopted a regulation¹ temporarily suspending CCT duties on certain fruit and

¹ OJ L 56 of 1.3.1973.

vegetables from the three East African countries signatories of the Arusha Agreement.¹ The measures taken are similar to those adopted for the AASM and OCT.

Commonwealth Countries

2315. Representatives of the Community, present as observers at the Ministerial Conference of the Economic Commission for Africa of the United Nations (Accra - 19/23 February), had informative contacts with the authorities in *Ghana* and delegations from several African countries. Talks were mainly concerned with future relations between African countries and the enlarged Community.

2316. The Commission received on 28 February 1973 a delegation from *Fiji*, led by the Hon. Ratu Sir Kamisese Mara, KBE, Prime Minister and Minister for Foreign and Home Affairs. The delegation met Mr Thomson, Member of the Commission. A working meeting was arranged, chaired by the Director-General for Development and Cooperation; its object was an exchange of information on future relations between the Community and *Fiji*.

Other third countries

United States

Sir Christopher Soames in Washington

2317. Sir Christopher Soames, Vice President of the Commission in charge of foreign relations, was in Washington from 14 to 17 February 1973. He had talks with President Nixon and members of his Administration responsible for relations between the United States and the Community,

particularly on economy and trade. The talks covered various questions to be included in future multilateral negotiations and in the United States Government projects on trade legislation.

Mr Peterson visits the Commission

2318. Mr Peter Peterson, former USA Trade Secretary, responsible for economic missions as President Nixon's special envoy, visited the Commission on 26 February 1973. He was accompanied by senior officials of the American Administration and his visit to Europe was to enable him to obtain information on various questions concerning relations between the Community and the United States and, in particular, problems related to energy supply, certain aspects of the Community's industrial policy and prospects of future multilateral trade negotiations.

Latin America

Andes Group

2319. In the framework of the cooperation developing between the Community and the Andes Group (consisting of *Chili*, *Peru*, *Ecuador*, *Bolivia*, *Colombia* and *Venezuela*), the Commission organized meetings in Brussels from 21 to 23 February 1973 between a delegation of the "Junta" of the Andes Group and European industrialists in the mechanical and electrical sectors. The delegation, led by Mr Lluch, Member of the "Junta", consisted of industrial experts and a representative from the *Corporacion Andina de Fomento* (Financial Institution of the Andes Pact). European industrialists were represented mainly by the various national

¹ Point 2225.

associations grouped within ORGALIME (Liaison Organism for European Mechanical and Electrical Industries) and engineering offices.

The object of the meeting was to explore the prospects of eventual participation by European industries in the execution of the first development program adopted recently by the Andes Group countries for their mechanical and metal processing industries. The fulfillment of this programme requires technical cooperation, the supply of equipment and foreign financial intervention. The meeting enabled the Andes Group to give details of these projects to European industrialists. Mr Altiero Spinelli, Member of the Commission responsible for industrial matters, participated in the second day of the meetings. Mr Lluch was received by Sir Christopher Soames, Vice President of the Commission, responsible for foreign relations.

Uruguay

2320. Negotiations for a *trade agreement* between the EEC and Uruguay,¹ opened in Brussels on 25 April 1972, were concluded on 21 February 1973 with the initialling of a text agreed by the two heads of delegations in an exchange of letters. The Commission recommended to the Council that agreement's signature and conclusion procedures be started. The fundamental objective is the improvement, in an institutional context, of trade and economic relations between the two parties. It will come into effect after the parties have notified each other of the completion of the relevant procedure and will be valid for three years. The agreement contains provisions of general character on the development of economic and commercial relations between the contracting parties and specific provisions on trade, particularly in the beef sector. A Mixed Commission will be appointed; it will see to the smooth working of the agreement.

Brazil

2321. During its session of 5 February 1973, the Council had an exchange of views on guidelines for the conduct of negotiations for a commercial agreement between the EEC and Brazil in accordance with the decision of principle of December 1972.² It requested Permanent Representatives to prepare, in the light of this debate, a project of directive on this matter.

Commercial Policy

Preparation and application of the common commercial policy

Fight against dumping, bounty and subsidy practices

2322. On 20 July 1972, the Commission published in the Official Journal of the European Communities a notice on the opening of an anti-dumping/anti-subsidy procedure concerning acrylic fibre threads from the Republic of China (Taiwan).³ During the procedure the Commission received from Taiwan exporters sufficient guarantees to enable it to consider not applying defence measures. This procedure was therefore closed.⁴

Control on imports of raw aluminium

2323. The Commission decided on 13 February 1973⁵ to extend till 30 June 1973 its

¹ Bull. EC 9/10-1971, Part Two, point 133; 4-1972, point 76; 6-1972, point 77 and 8-1972, point 122.

² Bull. EC 12-1972, Part Two, point 105.

³ OJ C 72 of 20.7.1972.

⁴ OJ C 17 of 4.4.1973.

⁵ OJ L 48 of 21.2.1973.

Regulation of July 1972¹ establishing a Community control on imports of raw aluminium; originally it was to apply till 31 December 1972.

Special commercial policy measures

Scrap iron

2324. On 26 February 1973, Government representatives of the ECSC Member States waived the general system prohibiting exports of scrap iron to third countries and decided to grant export authorizations for a total of 178 000 tonnes. This decision covers the first half of 1973; it gives, if necessary, retro-active quotas of 65 000 tonnes to Germany, 80 000 tonnes to France and 33 000 tonnes to the Benelux. The situation is to be reviewed before March. The Commission had suggested a more restrictive system in view of the sharp price increase and serious shortage which suddenly developed in the market in previous weeks.

In agreement with the Commission, the Governments renewed on the same day, also for the first half of 1973, previous decisions authorizing, on the one hand, exports under certain conditions of used rolling-mill cylinders and, on the other hand, temporary exports of scrap iron in the context of processing traffic and exports following temporary imports for the same reason.

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2325. The *European Parliament* adopted on 13 February 1973,² a resolution requesting the setting up of "procedures tending to associate this Parliament to commercial agreements concluded between the Community and third countries". It "reminds Member States, on this occasion, that agreements on common commercial policies must be concluded by the Community and invites the Commission to strictly adhere to this legal situation so as to avoid infringements to these common policies".

Sectorial Problems

Cocoa

2326. The Commission adopted on 26 February a Communication to be sent to the Council concerning the 1972 International Cocoa Agreement, it recommends, in the name of the Community, approval of this Agreement signed on 15 January 1973.³

In effect, the Commission considers that in view of the provisions of Article 4 of the Agreement concerning the participation by inter-governmental organizations and procedures provided to this effect, the Community is in a position to approve this Agreement. Since it is unlikely that all Member States will ratify, accept or approve the Agreement prior to 30 April 1973, the date specified in Article 64, and will ask for extensions, as provided for in this Article, the Commission suggests, in its communication, that the Council should also express its opinion, if necessary, in a declaration of intent of approval and the declaration of temporary application by the Community.

International organizations

General Agreement on Tariffs and Trade

Study of the Treaty of Accession

2327. The GATT working group responsible for examining the Treaty of Accession to the European Communities met again in February 1973. Studies under Article 24/5 (a) to compare the protective effect in extending the Common

¹ OJ L 171 of 29.7.1972 and Bull. EC 9-1972, Part Two, point 120.

² Point 2416.

³ Bull. EC 1-1973, point 2308.

Agricultural Policy to the three new Member States with that of previous agricultural policies of these countries confirmed earlier disparities.¹

Several third countries, including the United States, Canada and Japan, suggested an examination based on the EEC's recommendation (comparison in rates of increase in agricultural imports by adherents and the Six during a previous period) and an evaluation based on the United States proposition (calculation of the incidence by grouping together the various measures applicable at the border, including agricultural levies, in the form of tariff percentages). The Community again confirmed its readiness to accept that third countries should prepare and present to the group, under their own responsibilities, analyses founded on the approach they recommended; it repeated, however, its criticisms about the method proposed by the United States in view of the different characters of the elements taken into consideration and the special nature and function of variable levies.

The Community presented to the group results of its approach expressed in figures; these show that over a long period of observation (1961-1971), development in agricultural imports and growth rate in the Community of Six was more favourable than in the new Member States, particularly the United Kingdom. If the Common Agricultural Policy was more restrictive than the agricultural systems of these three countries, a negative incidence in trade would have been noted in spite of the influence of other economic factors. Others intervening in the debate stated that the data was not conclusive for this study; commercial expansion, due to other economic factors, would have played independently from protective effects at the border.

The working group has practically completed its study of the Treaty of Accession based on answers from the Community to questions about the Treaty.

Finally, the group had an exchange of views on renegotiation of Article 24/6, necessary due to the enlargement of the EEC and alignment by the three adherent countries with the CCT. In its communication of 2 January 1973, reopening these negotiations, the Community advised contracting parties about its position concerning the "level of compensation" in accordance with provisions of Article 24/6 on amendments to be made to the lists of concessions by the three adherents. To this end, it proposed to consider "that the consolidated concessions of lists Nos. 40 of the EEC and 40A of the ECSC are the concessions offered for application to the customs territory of the Enlarged Community, under reservation of appropriate adjustments to the amounts of tariff quotas in these concession lists." In the EEC's opinion, the concessions it offers are higher than compensation which may result from these provisions.

Several third countries, amongst which are the United States, Canada and Japan, did not share this view; they considered that the evaluation of the EEC's proposals would be made during bilateral negotiations which the Community will open with interested parties. The group agrees that the effective phase of these renegotiations, when discussing on a bilateral basis, would start in March with, as objective, completion by end July. Parties which so wish can forward to the Community the list of legal claims they consider to have for negotiating concessions with the three adherent countries. The question of the method of examination under Article 14/5 (a) as well as other likely to come up in the context of renegotiations of Article 24/6 can be discussed at the next meeting of the group and the date will be fixed by the Chairman after consultation with Members.

¹ Bull. EC 12-1972, Part Two, point 117.

Preparation of multilateral commercial negotiations

2328. The Committee for the preparation of multilateral commercial negotiations, set up by the GATT's Contracting Parties at their 28th session in November 1972, held its first meeting on 31 January and 1 February 1973. Mr Long, Director-General of GATT, elected Committee Chairman, suggested a series of points which could be the titles of chapters in the report which the Committee has to present to Contracting Parties at the ministerial session scheduled for September for the start of multilateral negotiations. The Committee is scheduled to meet again from 16 to 18 May to adopt titles of chapters for its report and, from 2 July onwards, to complete the report at the latest on 25 July.

Economic Commission of the United Nations for Asia and the Far East

2329. The Commission of the European Communities was represented by an observer at the 16th session of the Trade Committee of the Economic Commission of the United Nations for Asia and the Far East held in Bangkok. The Committee had a broad exchange of views on the economic situation of countries in the area and on the main problems arising from development in trade between these countries. Several delegations from developing countries in the area stated their concern about the entry of the United Kingdom, Ireland and Denmark in the EEC; in particular, they expressed fears lest traditional commercial links between their countries and the United Kingdom should be weakened by her entry in the Community. The Committee received, with satisfaction, assurances given by representatives of the United Kingdom and the EEC as regards the taking into account by the

Community of problems raised in this context. The Committee also reviewed various problems raised by the application of generalized preferential tariffs.

Diplomatic Relations of the Communities

2330. On 5 February 1973, the President in office of the Council and the President of the Commission received H.E. Carlos A. Faustino, Philippines Ambassador and H.E. Mrs Caositwe C.K.T. Chiepe, M.B.E., Botswana Ambassador who presented their letters of credential as Heads of their countries' missions with the European Economic Communities. The new Ambassador for the Philippines succeeds H.E. Vicente I. Singian recalled for other functions; H.E. Mrs C.K.T. Chiepe is the first Ambassador from Botswana with the EEC.

H.E. Gustave Ondziel-Onna of the Popular Republic of Congo who had taken up his functions as his country's representative with the EEC on 18 August 1972 was received on 5 February 1973 by the President in office of the Council and on 9 February 1973 by the President of the Commission.

The total number of accredited missions was 89 at the end of February 1973, as follows: 89 with the EEC, 59 with the ECSC, 58 with the EAEC—1 with the EEC and ECSC only, 30 with the EEC only and 58 simultaneously with the Kingdom of Belgium.

4. Activity of the institutions of the Community

European Parliament

European Parliament

February Session

2401. The European Parliament held its first session in the new building on the Kirchberg from 12 to 15 February 1973.¹ For the first time Parliament made use of the two new parliamentary procedures, "question period" and "current affairs period".

The principal questions dealt with at the session were the competition policy, presentation of the Sixth Comprehensive Report of the Commission of the Communities' activities in 1972 and the action program for 1973, participation of Parliament in the conclusion of trade agreements with third countries, development of the social situation in the Community in 1972, budgetary questions, a resolution concerning Vietnam, Laos, and Cambodia, a communiqué by the Commission concerning the latest events in the monetary sector, the economic position of the Community, and the situation relative to the monetary policy.

In addition, Parliament dealt with the following questions: common procedure in the area of air transport, replacement of the Member States' financial contributions by independent funds, interior equipment of motor vehicles, the right to remain in another Member State after concluding independent activity, coordination of special regulations on the entry and sojourn of foreigners, adjustment of the agenda of the European Parliament, common market organization for ethyl alcohol originating from agriculture, development of common research, a directive for cocoa and chocolate products, deferment of customs duties for certain types of fruit and vegetables coming from the AASM and the East African Community.

President's Address (February 12)

2402. In a short address, President *Behrendt* (S, Germany) thanked the Government of

Luxembourg and all who participated in the erection of the new building.

Commenting on the question of the headquarters of the European Parliament, *Behrendt* emphasized that Parliament will continue to have close relations with the city of Strassburg without the slightest reservation. All that matters for the future, as already in past years, he said, is the management, in the most economical and practical way possible, of the steadily increasing amount of work, which forces Parliament to meet ever more frequently.

Sixth Comprehensive Report by the Commission on the Communities' Activities in 1972 and Action Programme of the Commission for 1973 (13 and 14 February)

2403. The President of the Commission, *Ortoli*, presented to Parliament the Sixth Comprehensive Report of the Commission on the Communities' Activities in 1972 as well as the Action Programme of the Commission for 1973.²

The debate on the exposé of the President of the Commission was overshadowed by the latest events relative to monetary policies.

¹ The present report was prepared on the basis of the German edition of "Informationen" published by the General Secretariat of the European Parliament.

Party affiliation and country of origin of the delegates taking part in the debate are given in parentheses after their names. The parties of the European Parliament are abbreviated as follows: C-D (Christian Democratic Party), S (Socialist Party), L (Liberals and those associated with them), C (Conservative Party), DE (Party of the European Democratic Union).

The complete text of the resolutions passed by the European Parliament during its February session is published in ABL C 14 of 27.3.1973.

² The full text of President *Ortoli*'s exposé is published in the first part of the present bulletin, points 1101-1107.

The chairman of the Christian Democratic Party, *Lücker* (Germany) drew attention to the incongruity between the aims of the Community—affirmed in solemn declarations—and the practical life of the Community, which showed a lack of common solidarity. *Lücker* called on Parliament to shift the settlement of political questions from the national to the European level, only in this way could European democracy of which *Ortoli* had spoken be realized. *Lücker* in particular condemned the Paris meeting of the Finance Ministers from three or four Member States without inclusion of the others or the Commission.

The spokesman for the Socialist Party, *Corona* (Italy), expressed himself to the effect that the monetary crisis had once again clearly shown the gravity of the financial and monetary situation and the great tardiness with which Europe takes up these questions in the framework of its integration. For the rest, *Corona* called on the Commission to maintain the spirit that had distinguished President *Ortoli*'s maiden speech to Parliament.

On behalf of the Liberal Party, the Scottish delegate *Johnston* commented exclusively on the regional aspects of Community policy. The planned regional fund, he said, is too modest in extent.

The spokesman of the Conservative Party, *Kirk* (Great Britain), also expressed opposition to the "secret deliberations" in Paris. He called on *Ortoli* to use pressure on the members of the Council to induce them to dispense with such procedures. The partners of the Community must act together, no satisfactory solution is possible outside of the Community framework, asserted *Kirk*. Referring to the coming negotiations with GATT and the USA, the impending renewal of the Yaoundé Agreement, and the planned development of a Community concept for the Mediterranean area,

Kirk called on the Member States to collaborate more strongly.

Speaking on behalf of his party, Delegate *Bousch* (DE, France) said that it was now a matter of filling in the framework constructed at the Paris Summit Conference. The communist delegate *Leonardi* (non-partisan, Italy) spoke in support of an independent and strong Europe. In this sense, he and his party friends would endorse the positive aspects of the Commission's action programme.

In his reply to the various speakers with reference to the monetary crisis, the President of the Commission, *Ortoli*, emphasized that it is unthinkable both for the Commission and for Parliament that decisions on which the Community acts could be made by anyone else than the Community itself. Recent events had clearly shown, he said, that the Community character in procedure and means must be strengthened.

Continuing the debate, Sir Tufton *Beamish* (C, Great Britain) once more commented on the role of Parliament in the Community's foreign relations. Sir Anthony *Esmonde* (C-D, Ireland) referred to the importance of the common Regional Policy for his homeland. Delegate *Normanton* (C, Great Britain) pleaded for an overall concept of the common Regional Policy. Delegate *Giraud* (S, France) expressed disapproval at the fact that the European Institutions had been shrouded in silence during the recent monetary crisis. Commenting on the necessity of strengthening parliamentary control and extending its authority as underlined in the concluding statement of the Summit Conference, Sir Derek *Walker-Smith* (C, Great Britain) said that it is easier to affirm such admirable aims than to determine measures necessary for their realization.

Petersen (L, Denmark) made the question of the living standard the pivot of his statements.

Bro (C, Denmark) raised the question of creation of a passport union in order to make a united Europe tangible to the citizen. Lord *Gladwyn* (L, Great Britain) warned against great theoretical discussions on the future European Union. Discussing institutional problems, *Federspiel* (L, Denmark) warned against a development that could lead to a conflict between the European Parliament and the parliaments of the Member States. *Guldberg* (L, Denmark) emphasized that not only are the institutional problems of decisive importance but the concrete tasks which the Community must fulfil more so. *Thiry* (non-partisan, FDF-RW, Belgium) took a stand for a regional development policy of the Community that is oriented toward growth. *Christensen* (S, Denmark) raised the question of orientation of the Common Social Policy. In conclusion, the Vice-President of the Commission, *Scarascia-Mugnozza*, took up the question of the living standard spoken to in the debate and emphasized that the Commission will pay special attention to the human aspect of the future Europe. Youth must be included in the integration process to a greater extent, he said.

On the procedure for examination of the Sixth Comprehensive Report of the Commission, Parliament accepted a motion requesting summary process discussions tabled by Delegate *Lücker* (Germany) on behalf of the Christian Democratic Party, *Kriedemann* (Germany) on behalf of the Socialist Party, *Berkhouwer* (Netherlands) on behalf of the Liberal Party and those associated with it, *Kirk* (Great Britain) on behalf of the Conservative Party, and *Bousch* (France) on behalf of the European Democratic Union. According to it, the general floor manager is designated in the constitutive meeting of the new session; the debate on the comprehensive report is fixed for the May session.

Development of the Social Situation in the Community in 1972

(14 February)

2404. Vice-President *Hillery*, member of the Commission responsible for the Social Policy, presented an introductory exposé on the development of the social situation in the Community in 1972.¹

The chairman of the Committee for Social and Health Affairs, *Müller* (C-D, Germany), welcomed the principal points mentioned by *Hillery*, such as the employment policy and the assistance for older workers. He designated the improvement of living and working conditions as well as the democratization of the economic life as main topics of future work of the committee. As especially important, *Müller* stressed the close connection between the Social and Company Policy and development of the Economic and Monetary Union.

Communiqué of the Commission Concerning the Latest Events in the Monetary Sector — Economic Position of the Community and the International Monetary Situation

(15 February)

2405. In his exposé on recent events in the Monetary sector, the Vice-President of the Commission, *Haferkamp*, stated that the Council had thought it important that the work on erection and implementation of the Economic and Monetary Union be speeded up and had endorsed the Commission's declaration, who intend to submit important reports in this connection prematurely. The recent monetary difficulties were attributable to developments outside of the Community, he said. The

¹ The complete text is published in points 1201-1204.

devaluation of the dollar and upward revaluation of the Japanese yen are judged positive by the Commission. The devaluation of the dollar is part of the overall strategy of the USA; it should be seen as a challenge to Europe in the positive sense.

Haferkamp insisted that reform of the international monetary system should be given more serious attention, although the Community had no reason to change its position. All currencies within the Community should return to parity. Furthermore, an effective instrumentarium for regulating the movement of capital is needed. The actual political aim is the positive and dynamic development of the Economic and Monetary Union, said the speaker.

On the recommendation of the chairman of the Economic Policy Committee, *Lange* (S, Germany), Parliament decided to hear *Löhr's* report on the economic position of the Community immediately following the Commission's communiqué and to combine the debate on the two points.

The reporter for the Economic Policy Committee, *Löhr* (C-D, Germany), stated that the main task of all the institutions of the Community today is the common struggle against inflation. The Community should apply the instrumentarium for controlling cyclical trends in the framework of a medium-term economic policy. Speaking in the subsequent debate on behalf of the Christian Democratic Party and for the last time to the European Parliament after being a member for fourteen years, *Löhr* deplored the fact that neither European identity nor European solidarity had been recognizable in the recent monetary crisis.

For the Socialist Party *Lange* (Germany) stressed the necessity of transforming the various economic means of the Member

States into uniform means of the Community in order to achieve uniform effects with such uniform instruments. He said his party agrees with the Commission that inflation should be given priority, but it could not be combatted exclusively via the budgetary policy. His party is also concerned about the trade measures announced by the USA.

For his party, Sir Brandon *Rhys Williams* (C, Great Britain) welcomed the statements of Haferkamp and drew attention to the movable capital on the Eurodollar market, which is probably the most serious threat to European stability. The speaker criticized the Commission's recommendations concerning the fund for monetary cooperation; in this form, he said, it lacked the necessary authority and the necessary means for financing and action. Even the European Payments Union had had a stronger structure. On behalf of the EDU Party *Bousch* (France) called for greater cohesion of the Community so that it might emerge from the monetary crisis recurring in cycles. *Leonardi* (non-partisan, Communist, Italy) stated that he and his advocates of monetary stability could not endorse Delegate *Löhr's* report since he favored giving the priority to monetary stability, which meant returning to old deflationary measures.

Burgbacher (C-D, Germany) pointed to the connection between the world monetary system and world trade and drew attention to the billions which the industrial nations are spending for the purchase of mineral oil; this problem would become more and more critical because of the increase in power imports by the USA. Delegate *Arndt* (S, Germany) found no reason for pessimism in Europe in the events of recent days. He considered the decisions taken by all parties concerned as correct. In the solution of the crisis, 'European identity' had been almost tangible and the Commission had exercised a strong influence, although not visible outwardly. The devaluation of the

dollar could cause the large US enterprises to return to their own land with their investment projects, which would fill a large hole in the balance of payments deficit of the USA, the cause of all past monetary crises. Christian Democrat *Bos* (Netherlands) requested that the 'three blocs' into which the Community of the Nine had split over monetary policies should unite again as soon as possible, whereas *Artzinger* (C-D, Germany) remarked that there had been more of a monetary union three years ago than at present. He expressed hopes that somewhat more European solidarity would be evident during the next monetary crises, 'which is certain to come.'

In conclusion, Vice President of the Commission *Haferkamp* affirmed that now there was a definite awareness of interdependence even though the results were not hundred percent satisfactory. All participants had come to realize that the monetary problems require a common solution, which was not always so. Now the Nine understood that more common energy must be expended on Community dealings.

Subsequent to the debate, Parliament passed two resolutions on the current monetary problems in a summary process. The one, tabled by the Christian Democrats, Socialists, and Liberals, requests the Council to authorize the Commission 'to take up negotiations with the Governments of the Member States as well as the Governments of the USA and Japan on the basis of the results of the 17, 18 December 1971 Club-of-Ten meeting of Finance Ministers, with the aim of jointly making all necessary decisions for ending the current international monetary crisis as quickly as possible, preserving or further reducing the presently valid 2.25% margin of fluctuation between the currencies of the Member States.' The second resolution, tabled by the Conservatives, in spite of further floating of the pound, emphasizes the 'importance of fixed rates of exchange for

future growth of the Community's home trade, especially in agricultural products, and expects that the pound and the lira will return to fixed parities for trade negotiations as soon as circumstances permit,' and requests strengthening of the consultative procedures between Member States and Community.

In its resolution concerning the economic situation in the Community, Parliament took the view that the instrumentarium relative to cyclical policy must be applied on the Community level in the framework of a medium-term economic policy. Furthermore, it was of the opinion that the Common Competition, Trade, and Agricultural Policy be oriented to the restoration of stability to a greater extent than hitherto; the Commission was requested to adjust its recommendations to the Council to this aim.

Question Period (February 13)

2406. In the question period, the Commission must reply orally to questions of the delegates previously submitted in writing;¹ only in exceptional cases are written replies permitted. The parliamentary chairman can permit the 'question period' to change into a 'current affairs period' if the topic broached in the former and the reply not only makes supplemental questions necessary but also a debate—to be sure, with a time limit on the speeches.—The suggestion to introduce a 'question period' and a 'current affairs period' in the European Parliament had been made by President *Behrendt* at the end of 1971. On 7 December 1972, that is before the expansion, the Legal Policy Committee had prepared the

¹ Interrogation of the Council depends on its consent. On 5 March 1973 the Council passed the resolution to answer the questions of parliamentarians during the current affairs period.

appropriate bill for changing the agenda, which Parliament passed on 18 January 1973 in Strassburg.

For the first question period of Parliament, so many inquiries had been placed (they must be submitted in writing to the parliamentary president one week before the session) that only a part could be answered.

Economic Activity in the Community with Special Reference to the Border Areas—Importance and Urgency of Measures of the Community in the Realm of Regional Development Policy

2407. In his reply to these two inquiries by the Conservative Party concerning the Commission's objectives for balanced economic activity in the Community with special reference to the border areas, for establishment of the Regional Fund, incentives to invest in the border areas, and coordination of the national regional policies, Commission Member Thomson announced that the report on regional problems in the expanded Community will be presented to Parliament in April. Then Thomson took up discussion of the three aspects of regional policy essential in his view, namely, the diversity of regional problems in the Community, the necessity of coordinating the national regional policies, and the decision on how best to use the Community's own funds for the common regional policy. Commenting on a supplemental question by Delegate Brewis (C, Great Britain), Thomson agreed that the Community should assist long-term development programs rather than short-term ones. Additional supplemental questions were posed by delegates Cifarelli (S, Italy) and Richarts (C-D, Germany) concerning uniform Community criteria for the definition of regions, Brecon (C, Great Britain) concerning maintenance of the present regional assistance, Johnston (L, Great Britain) concerning the schedule for the Common

Regional Policy, and Jahn (C-D, Germany) concerning promotion of the German areas bordering on the zone.

Extension and Improvement in Giving a Regular Hearing to the European Parliament and its Committees by the Commission

2408. In his reply to the inquiry by the Conservative delegate, Sir Tufton Beamish (Great Britain), as to what recommendations the Commission intends to submit to improve regular hearing of Parliament and its committees in order to insure that their concepts be fully taken into account in every phase of the negotiation of foreign relations of the Community, the Vice President of the Commission, Scarascia Mugnozza, said that expansion of the Community had brought with it a qualitative change. He advocated close collaboration with Parliament and asked that a procedure be set up to make possible a constant exchange of views during all negotiations. Sir Tufton Beamish further asked what formal relations existed between the Commission and the Davignon Committee and how Parliament could be regularly informed concerning its thoughts. Also rising to speak were the delegates Sir Derek Walker-Smith (C, Great Britain) and Vredeling (S, Netherlands), who wanted to know whether the Commission is satisfied with the present situation in which foreign policy questions are dealt with by the Davignon Committee without the Commission being represented. Vice President of the Commission Scarascia Mugnozza pointed out that a distinction must be made between foreign relations, i.e. trade relations, of the Community and political cooperation among the Nine; the Davignon Committee deals with political cooperation and attempts to achieve an integrated foreign policy of the Community. Scarascia Mugnozza stressed that Parliament and Commission had always proceeded jointly in this

area: Parliament had always drawn attention to the necessity of participation by the Commission while the Commission had requested that Parliament participate more and more closely in the political activity.

Measures for Renewal of the Grant System for Coking Coal and Coke for the Iron and Steel Industry of the Community

2409. Delegate Löhner (C-D, Germany) and the Committee for Energy, Research, and Atomic Affairs asked the Commission whether it agreed with the view that 'expiration without replacement' of the present regulation on coking coal (Community equalization of subsidies for quantities crossing borders) would have 'serious consequences' for this important category of Community coal. Speaking for the Commission, Vice President *Simonet*, who is responsible for energy policy, said that a long-term provision must be made and a balanced relation between producer and consumer found. The taxpayers of the Community's producing countries could not be burdened unilaterally with the loads of subsidies. Otherwise the final remnant of the common coal market would collapse. With a complete changeover to imported coal by the steel producers of the Community, the sudden increase in demand for the relatively rare coking coal on the world market could jeopardize the stability of prices and guarantee of supply in the Community and lead to displacements in the location of steel production. On the basis of this argument, the Commission is concerned about reorganization of the grant system for coking coal. The German delegate, *Springorum* (C-D), asked whether the grants are dropped. Earl of *Bessborough* (C, Great Britain) asked how much time the Commission requires for preparing a common energy policy for discussion in the Council and in Parliament. A supplemental question by delegate *Burgbacher* (C-D,

Germany) whether the policy on the Netherlands relative to grants for coking coal and in connection with the refusal to supply natural gas to the Federal Republic permitted drawing the conclusion that this country places independent energy supply above the Community energy policy remained unanswered.

The Community's Relations with the People's Republic of China

2410. The German delegates *Jahn*, *Meister*, *Mommel*, *Richartz*, *Riedel*, and *Schwörer* (all C-D) asked the Commission concerning the state of relations between the Community and the Peoples Republic of China and the Common Foreign Trade Policy to that country. On behalf of the interrogators, Delegate *Jahn* asked that the question be dealt with in a current affairs period following the question period.¹

Importance and Urgency of Community Action in the Realm of Foreign Trade Relations

2411. Delegate *Normanton* (C, Great Britain) asked the Commission concerning the criteria for expanding the exchange of goods with the underdeveloped countries and concerning the effects of such a policy on the single European industrial sectors. Commission Member *Deniau* replied that the underdeveloped countries must by all means be given access to the markets of the industrial states, yet trade could not be expanded at the cost of social and economic equilibrium in the Community, especially with regard to sectors or regions which are already in difficulty.

¹ Point 2413.

ACEA of Rome's Call for Tenders for Construction of a Power Plant

2412. In his inquiry, Delegate *Springorum* (C-D, Germany) took up the case of the 600-mil.-DM contract for construction of a thermal power station given by letter of intent to a German undertaking by the City Works of Rome. According to press reports, the intention is to withdraw the contract because of pressure groups. Such a decision, he said, was a contradiction of the stipulations of the EEC Treaty and the directive for the placing of large contracts by public authorities. Commission Member *Spinelli* stated that no decision had been taken as yet and stressed that, in case of preference to a national undertaking, the Commission would begin proceedings provided in the Treaty for safeguarding the Community right. Also rising to speak were the delegates *Glesener* (C-D, Luxemburg), *Baas* (L, Netherlands), *Vredeling* (S, Netherlands), and *Memmel* (C-D, Germany), who emphasized the basic importance of this case for the actual opening up of the Community's powers. Delegate *Burgbacher* (C-D, Germany) spoke of a test case for the Common Industrial Policy.

Debate Following the Question Period (February 13)

2413. This debate on the Commission's reply to the inquiry regarding the Community's relations with the Peoples Republic of China had been requested during the question period by Delegate *Jahn* (C-D, Germany).

Vice President of the Commission *Soames* had stated during the question period that so far 89 states had accredited representatives at the Community's institutions and, in no case, had the Communities requested it of these countries. The Commission notes China's growing interest in the expanded Community with gratification,

but it is still too early to say exactly how the relations might develop. Doubtless, the possibility existed of intensifying relations for mutual and political benefit.

Delegate *Jahn* termed the reply of Vice President *Soames* as too passive and called for a common China policy for the Community. *Premoli* (L, Italy) spoke of new possibilities that must be utilized. *Memmel* (C-D, Germany) wanted to know whether there were clues pointing to the recognition of the Community by China. *Meister* (C-D, Germany) asked whether it might be possible to include China in the group of under-developed countries. Sir *Douglas Dodds-Parker* (C, Great Britain) thought that China did not need development assistance, only technical aid. *Schwörer* (C-D, Germany) expressed support for taking up contact with the USA in this matter, and the Italian delegates *Cifarelli* (S) and *Bersani* (C-D) advocated closer contacts between China and the Community. Delegates *John Hill* (C, Great Britain) and *Sandri* (non-partisan, Communist, Italy) expressed similar views.

In conclusion, Vice President *Soames* called the relationship of the Community to China a matter of great economic and political importance, but he did not consider it meaningful to advance any farther than he had indicated in the question period. He said, China knows exactly what needs to be done and what shape its relations to the Community can take.

Competition Policy (February 12)

First Report of the Commission Concerning the Competition Policy

2414. On behalf of the Economic Policy Committee, Delegate *Berkhouwer* (L, Nether-

lands) presented a report on the First Report of the Commission Concerning the Competition Policy,¹ which was accepted, the UDE Party and the Communist delegates abstaining from voting. The reporter pointed out that the Competition Policy must, above all, protect the interests of the consumer. Competition policy is no end in itself but an instrument for sound economic development.

The member of the Commission responsible for questions of competition, *Borschette*, set forth the Commission's policy in this area in an exposé² to Parliament.

The German delegate *Artzinger* endorsed the motion on behalf of the Christian Democratic Party and emphasized the necessity of a preventive control on mergers. The German delegate *Lange* likewise supported the motion on behalf of the Socialist Party; he termed harmonization of the national states' legislation important and called for its conformity to Community Law. *Lange* insisted that the jungle of assistance measures must be cleared because this is where most of the falsification of competition arises. The Danish delegate *Bro*, on behalf of the Conservative Party, pleaded for a re-assessment of the objectives of the Competition Policy in the light of the problem of environment. On behalf of the EDU Party, the French delegate *Cousté* expressed disapproval of the report's orientation with respect to investments. The Italian delegate *Leonardi* (non-partisan, Communist) also expressed himself negatively.

In its resolution, Parliament considers it desirable that the Competition Policy attain Community character in increasing measure. The scope of both Community and national competition law must be defined more accurately and reciprocal giving of information between the competition authorities of the Community and the Member States promoted. The Commission's policy on cartels, above all, is to be

oriented to the economic effects of cartels. Parliament expects the Commission to explain more precisely its policy regarding patent license agreements and the know-how contracts. Furthermore, Parliament asks the Commission to supplement the first overall regulation for coordination of the measures for the benefit of the 'central' regions of the Community by gradual reduction of the maximum rate of assistance and by coupling assistance with economic and social backwardness of the respective area; also to pay special attention to assistance that has the effect of distorting competition.

Furthermore, Parliament calls for obligatory advance notification in case of the amalgamation of undertakings by which a certain share of the market or a certain size is exceeded. Such mergers are to be considered approved only if the Commission voices no objection within a period yet to be fixed.

Hindrances to Free Competition in the Sugar Trade

2415. In connection with the proceedings begun by the Commission against a number of European sugar producers because of violations of free competition in the Community's internal sugar trade, the Italian delegates, *Cipolla*, *Amendola*, *d'Angelosante*, *Fabbrini*, *Mrs Iotti*, *Leonardi*, *Marras*, *Sandri* (non-partisan, Communist), and *Mrs Caretoni Romagnoli* (non-partisan, Left Independent) asked the Commission concerning the reasons for the delay in the proceedings, especially whether the industries concerned had used political pressure, concerning the extent of the damage incurred by the consumers and the Community's finances, also whether the Com-

¹ Bull. EG 5-1972, Part One, Chapter 1.

² Full text published, point 1401-1408.

mission intended to suggest measures for eliminating monopolistic arrangements in this sector. In stating the motive for the question, Delegate *Cipolla* insisted that the Community's regulation of the sugar market and the Italian system must be changed in the interests of the consumer.

In his reply, *Borschette*, the member of the Commission responsible for the Competition Policy, affirms that no delay has occurred in these proceedings and that the Commission has so far shown itself insensitive to political pressure. Since the arrangement had precluded all competition it was impossible to say how the prices would have developed without these arrangements and the damage suffered by the Community estimated. Furthermore, *Borschette* said that the fines imposed on the individual firms had been fixed taking into account the duration and gravity of the violations, and stressed, in conclusion, that the Commission would in future apply the competition regulations in the same way as in the case in hand. On behalf of the European Democratic Union Party, Delegate *Couste* (France) emphasized that, in the sugar sector, there is a need for greater concentration on the European level, not on the national level.

Common Trade Policy

Participation of Parliament in the Conclusion of Trade Agreements with Third Countries (February 13)

2416. On behalf of the Political Committee, *Girardo* (C-D, Italy) presented a report to Parliament on the procedure of its participation in the conclusion of trade agreements by the Community with third countries. The reporter pointed out that it was a matter of well-timed participation by Parliament; Parliament must especially be placed in the position to evaluate the financial effects of all agreements. He

expressed himself in favor of raising the overall level of democratic control.

In the resolution passed in this connection, Parliament demanded the following detailed co-determination rights: informing of the competent committees by the Council before signing of the agreement; in pleno debate before the conclusion of trade agreements which involve considerable changes in the Common Trade Policy as well as agreements whose scope goes beyond the framework of the Trade Policy; giving Parliament a hearing concerning the content and practicality of the signing, after negotiation of the agreement and before its final conclusion by the Council. If provisional and definitive signing coincide, Parliament insists that it be heard before ratification by the Council. On this occasion, Parliament reminded the Member States that all agreements affecting the Common Trade Policy must be concluded by the Community. It called on the Commission to see that this legal status is strictly observed so that no undermining of the Common Trade Policy occurs.

For the Socialist Party, *Lautenschlager* (S, Germany) expressed the view that the Member States had made a farce of the Common Trade Policy by concluding bilateral cooperation agreements. His party, he said, was indignant at the fact that the governments were attempting, by slight of hand, to delude the general public into thinking that the wretched skeleton called Common Trade Policy represented a strengthening of the Community. In reality the most important questions of foreign trade were negotiated by cooperative agreements. At the same time parliamentary control was by-passed thereby. The acting chairman of the Foreign Trade Committee, *de la Malène* (DE, France), supported the recommendation to make cooperation agreements subject to Community jurisdiction in the future. *Berthoin* (France), on behalf of the Liberals and associates, expressed agreement with the

motion and welcomed the intention of Commission and Council to strengthen collaboration with Parliament. On behalf of the Conservative Party, *Kirk* said he thought that the question was a problem between Parliament and the Council. The Council should separate the signing and ratification process in order to insert Parliament into the procedure. The Italian delegate, *Mrs Caretoni Romagnoli* (non-partisan, Left Independent), spoke of a disquieting situation with respect to democratic principles. The Vice President of the Commission, *Scarascia Mugnozza*, supported the extension of the powers of Parliament in this question. The German delegate *Lange* (S) called for continuous informing of Parliament. In the further course of the debate, the delegates *Jahn* (C-D, Germany), *Berkhouwer* (L, Netherlands), and *Cifarelli* (S, Italy) took the floor.

Budgetary Questions

Replacement of the Financial Contributions of the Member States by Independent Funds (February 13)

2417. The German delegate *Aigner* (C-D) presented a report on behalf of the Financial and Budgetary Policy Committee concerning the Order to alter Article 6 para 2 and Article 9 para 1 of Order 2/71 of the Council of 2 January 1971 on implementation of the resolution of 21 April 1970 concerning replacement of the financial contributions of the Member States by independent funds of the Communities and concerning the Commission's recommendation to the Council for a budget regulation concerning a departure (for the 1972 fiscal year) from Article 9 para 3 of the Budget Regulation for EAGFL of 5 February 1963. The reporter mentioned the liquidity difficulties of the Community in the past, a problem that should be taken into account when

the income is broadened. For the rest, it was a matter of technical changes, which Parliament should accept, he said.

In two resolutions passed in this connection, Parliament affirmed that coverage of the cash needs of the Commission is not appropriately assured. The delegates were reminded that, in the debate on the 1973 budget, Parliament had requested that the funds for EAGFL, orientation section, appropriated in the budgets for 1969-1972 be adapted for the financing of individual projects so that the modernization of farms in the Community of the Six could be carried out.

Budget Regulation for the Budget of the European Communities (February 13 and 14)

2418. The Luxembourg delegate *Flesch* (L), on behalf of the Financial and Budgetary Policy Committee, presented a report to Parliament concerning the Budget Regulation for the budget of the European Communities. The reporter referred to the Rossi Report, in which Parliament had for the first time given its opinion on this question. Although a number of amendment requests made by Parliament had been considered, as hitherto the Council remained the highest authority on the Community's budget, which was insupportable. The Budget Regulation is a skeleton regulation but nonetheless important.

With reservations, Parliament approved the Commission's recommendation for a new Budget Regulation of the European Communities. It should have been put into effect together with the agreement of 22 April 1970 concerning replacement of the financial contributions of the Member States by independent funds of the Community. Parliament took exception to the fact that its own budgetary prerogatives were given too little consideration; it regards the regulation as provisional until

these prerogatives are definitely established for putting into effect the 1975 budget. The Council was called on to examine the specifications concerning the Control Committee and, in accordance with the requests of the German delegates *Aigner* (C-D) and *Gerlach* (S), place it in a position to assume the function of a European audit office and contribute to preventing and combatting financial scandals with Community funds. The two delegates, however, could not carry their point in the matter of motions of amendment aimed to involve the Control Committee in continuous accounting procedures already during the present fiscal year and not only for rendering of the account after the close of the fiscal year.

Commission member *Deniau* pointed out that this document is transitional in nature. In view of the extension of the powers of the European Parliament the entire text would have to be revised. On behalf of the Socialist Party, Delegate *Wohlfahrt* (Luxemburg) called attention to the importance of the Budget Regulation; he regretted that the implementation regulation was still lacking. *Offroy* (France), on behalf of the EDU Party, termed the regulation a positive stage in the course of extending the budgetary jurisdiction of the European Parliament. Sir Brandon *Rhys Williams* (Great Britain) expressed himself in favor of accepting the motion on behalf of the Conservative Party.

Adjustment and Supplementary Budget of the European Parliament (February 14)

2419. On behalf of the Financial and Budgetary Policy Committee, *Aigner* (C-D, Germany) submitted a report to Parliament on the draft of the Adjustment and Supplementary Budget estimates of income and expenditures of the European Parliament for the 1973 fiscal

year. This adjustment budget became necessary because of the expansion of the Community and Norway's refusal to enter.

The Italian Communist delegate *Fabbrini* launched a violent protest against discrimination against the non-partisan delegates as compared to those belonging to a party. Occasion for the protest was the planned increase from 30 000 to 50 000 BF in the amount of money coming to the parties for each registered member for the work of the party secretariat. The non-partisan delegates, already 21 in number, do not receive these amounts. The largest group of non-partisan delegates are the Communists, to whom the Italian Left Socialists and the Danish Left Socialist have joined themselves. With its 11 delegates, it is still short of the 14 required for party status. *Fabbrini* spoke about definite discrimination being unacceptable. Reporter *Aigner* (C-D, Germany) defended the supplementary budget, which places the parties in a better position. Parliament does justice to its claim to being European precisely by forming political parties not differentiated according to nationality. Hence, it was not fitting to speak of discrimination, merely differentiation according to tasks. *Aigner* denied the Communist delegates the right to regard themselves as the Opposition, unless they considered themselves in opposition to the European cause. There was no place for an Opposition in the European Parliament since Parliament was not confronted with a government, he said. The Italian delegate *Bermani* (S) voiced support for *Fabbrini's* theses; *Cifarelli* (S, Italy) also disagreed with *Aigner's* arguments. President *Behrendt* pointed out that no political group had ever been discriminated against in Parliament. *Dich* (non-partisan, Popular Socialist Party, Denmark) expressed shock at *Aigner's* concepts. Also rising to speak were delegates *Pêtre* (CD, Belgium), *Kriedemann* (S, Germany), *Romualdi* (non-partisan, MSI-DN, Italy),

Schwörer (CD, Germany), and Lord *O'Hagan* (non-partisan, Independent, Great Britain).

Berkhouwer (L, Netherlands) requested that the report be referred back to the Committee.

After a debate lasting for several hours, Parliament succeeded in achieving final agreement on its supplementary budget for 1973 on time. The non-partisan delegates are now to receive 37 000 BF for secretarial costs as compared to 50 000 BF for the delegates belonging to a party. According to a compromise proposal by the German delegate *Lücker* (CD) the non-partisan delegates are to receive this amount personally, but they must submit proof of the respective expenditures to the parliamentary president.

Freedom of establishment and freedom to supply services

The Right to Remain in Another Member State After Concluding Independent Activity—Coordination of Special Regulations for the Entry and Sojourn of Foreigners (February 13)

2420. At the request of the reporter for the Legal Affairs Committee, *Memmel* (CD, Germany), Parliament resolved to examine the following two reports simultaneously: the report on the Commission's recommendation for a Directive concerning the right of nationals of a Member State to remain in the sovereign territory of another Member State after concluding independent activity, and the report on the Commission's recommendation for a Directive of the Council of 25 February 1964 concerning coordination of the special regulations for the entry and sojourn of foreigners as far as that is justified on the grounds of public order, security, or health in the case of nationals of a Member State who make use of the right to remain in the sovereign territory of another Member State after concluding independent activity.

Parliament approved the Commission's recommendation for a Directive granting nationals of an EEC country, who already have the right of establishment for exercising independent activity in another Member State, the right to remain as well after concluding such activity. Hereby the migrant workers' right to remain, which is in force since 1970, is extended to additional groups. Parliament called on the Commission to speed up the liberalization of independent activities.

The Commission member responsible for internal market affairs, *Gundelach*, endorsed Parliament's proposal for an amendment according to which the right to remain shall in future take effect after a minimum sojourn period in the host country of three years. Originally, the Commission had fixed a longer minimum sojourn period.

Resolution Concerning Vietnam, Laos, and Cambodia (February 15)

2421. On behalf of the Political Affairs Committee *Mommersteeg* (CD, Netherlands) presented a report to Parliament on the motion concerning Vietnam, Laos, and Cambodia submitted by the party chairmen *Lücker* (CD, Germany), *Vals* (S, France), *Berkhouwer* (L, Netherlands), *Kirk* (C, Great Britain), and *Triboulet* (DE, France). The reporter explained that the Community is not a bloc but a 'sui generis unit' which must give mutual assistance. If the Community claims to be an active factor for peace, it may not refuse aid to Vietnam.

Parliament passed a Resolution in favor of comprehensive, internationally coordinated assistance for the reconstruction of Vietnam, Laos, and Cambodia. It called on the Community's Institutions and the Member States to

thoroughly examine the possibilities for an extensive and effective contribution by the Community to such assistance. Commission member *Dahrendorf* cautioned against too great expectations in this matter. The Commission was preparing a recommendation for aid in foodstuffs by the Community, he said. Appropriate distribution and use must be attended to with the help of the International Red Cross. Possibilities for greater assistance by the Community are more limited than Parliament and Commission desire.

Delegate *Bertrand* (CD, Belgium) welcomed the enterprising spirit and said that Vietnam needed economic aid now; he called for a concrete plan of assistance in this connection. *Broeks* (Netherlands), on behalf of the Socialist Party, likewise spoke in favor of intensified and coordinated assistance. *Petersen* (L, Denmark) expressed the desire for purposeful and effective assistance that should be coordinated in the framework of the United Nations. *Bousch* (France) endorsed the motion on behalf of the EDU Party and called for Community solidarity. *Leonardi* (non-partisan, Communist, Italy) likewise spoke for accepting the motion.

Common Research Policy

Motion for the Development of Common Research (February 15)

2422. Representing the reporter, *Noè* (CD, Italy) commented on the motion for development of common research tabled by *Springorum* (CD, Germany) on behalf of the Committee for Energy, Research, and Atomic Affairs. Lord *Bessborough* (C, Great Britain), *Petersen* (L, Denmark), *Bousch* (DE, France) endorsed the motion for their parties, *Leonardi* (non-partisan, Communist, Italy) announcing his abstention from voting. *Dahrendorf*, member of the Commission, praised the Council's

decision of February 5 and commented on the solution brought about by the Commission's initiative. In a Resolution, Parliament welcomed the fact that, after an inadequate provisional arrangement standing for many years, for the first time since 1967 the Council had come up with a research program extending over a number of years, putting Community research on a sound although reduced basis. Nevertheless, it regretted the fact that research by the Community would be rather short of capital and qualified personnel, which left much to be desired, although the non-nuclear aspect had finally been given a vital even though limited place in the four-year research program.

Various Topics

Deferment of Customs Duties for Certain Types of Fruit and Vegetables from the AASM and the East-African Community (February 15)

2423. In his report on the recommendations for an Order concerning temporary deferment of customs duties on certain types of fresh fruit and vegetables originating from the associated African states and Madagascar and the overseas countries and regions, and an Order concerning temporary deferment of customs duties on certain types of fresh fruit and vegetables grown in the United Republic of Tanzania, the Republic of Uganda, and the Republic of Kenya, the reporter for the Committee for Relations with the AASM, *Dewulf* (CD, Belgium), deplored the Community's policy toward the associated countries and disapproved of the fact that the Commission, in its recommendations, has not returned to duty-free importation in view of the insignificant quantities. *Briot* (DE, France) also regretted the fact that the Community had not fulfilled its obligations to the AASM. Commission member *Dahrendorf* said that the Commission

shared the feelings expressed by Dewulf and Briot. In its present recommendations, the Commission has proposed a transitional regulation until the meeting of the Association Council in June.

In its Resolution, Parliament emphasized the necessity of greater coherence in the Community's development policy, which could not, on the one hand, promote the production of certain fruits and vegetables by means of financial and technical assistance and, on the other hand, hinder the marketing of these products.

Harmonization of the Legal Provisions for Cocoa and Chocolate Products
(February 15)

2424. Having examined *Vandewiele's* (CD, Belgium) report on amendments to the Commission's recommendation for a Directive concerning harmonization of legal provisions of the Member States for cocoa and chocolate products specified for nutrition¹ in its session of 18 January 1973, Parliament now put the motion contained in this report to a vote. For her party, Delegate Lulling (S, Luxemburg) supported an amendment proposal made by *John Hill* (Great Britain) on behalf of the Conservative Party which requested that now the legal provisions, production practices, and consumer tastes in the new Member States must be taken into account as quickly as possible.

Interior Equipment of Motor Vehicles
(February 13)

2425. On behalf of the Legal Affairs Committee, *Bermani* (S, Italy) presented a report to Parliament on the recommendation for a Directive concerning harmonization of legal provisions of the Member States for interior

equipment of motor vehicles (protection of the driver against injury from the steering wheel in case of accidents). After comments by Commission member *Gundelach*, who pointed out that corresponding regulations should also be proposed for trucks, Parliament accepted a Resolution in general approving the Commission's recommendation.

Common Procedure in the Area of Air Transport (February 12)

2426. At the request of the acting chairman of the Transport Policy Committee, *Kollwelter* (CD, Luxemburg), Noè's report on initial measures for a common procedure in the area of air transport was referred back to the Committee.

Common Market Organization for Ethyl Alcohol Originating from Agriculture
(February 15)

2427. On the motion of the British delegate *Scott-Hopkins* (C), seconded by the chairman of the Agriculture Committee, *Houdet* (L, France), Biot's report on the Common Market organization for ethyl alcohol originating from agriculture was referred back to the Agriculture Committee.

Modification of the Rules of Procedure of the European Parliament
(February 15)

2428. On behalf of the Legal Affairs Committee, *Jozeau-Marigné* (L, France) presented a report to Parliament on modification of the rules of procedure of the European Parliament in view of the new situation arising from

¹ Bull. EC 1-1973, Point 2419.

expansion of the European Communities. The modification concerns the number of Vice Presidents (twelve instead of the previous eight) as well as the use of the official languages of the Community (now Danish, German, English, French, Italian, Dutch). Parliament unanimously accepted the respective Resolution.

The Council

2429. During February the Council held five sessions devoted to general matters, Euratom, economic and monetary issues, agriculture and social affairs.¹

226th Session — General Matters (Brussels, 5 February 1973)

2430. *Chairman:* Mr Van Elslande, Belgian Foreign Minister.

From the Commission: Mr Ortolì, President, Mr Haferkamp, Mr Scarascia Mugnozza, Sir Christopher Soames, Mr Hillery, Vice Presidents; Mr Borschette, Mr Lardinois, Mr Gundelach, Members.

Member States' Governments were represented by: Mr Van Elslande, Foreign Minister (Belgium); Mr Nørgaard, Minister for External Economic Affairs, Mr Christensen, Secretary of State to the Ministry for External Economic Affairs (Denmark); Mr Apel, Secretary of State for Foreign Affairs (Germany); Mr Schumann, Foreign Minister (France); Mr Lenihan, Foreign Minister (Ireland); Mr Pedini, Under-Secretary of State for Foreign Affairs (Italy); Mr Thorn, Foreign Affairs and External Trade Minister (Luxembourg); Mr Schmelzer, Foreign Minister, Mr Westerterp, Secretary of State for Foreign Affairs (Netherlands); Sir Alec Douglas-Home, Foreign Secretary, Mr Davies, Chancellor of the Duchy of Lancaster (United Kingdom).

The Council adopted the Directives to the Commission for the negotiations with Norway to conclude an Agreement between her and the EEC. The Council took several Decisions over relations with the Mediterranean countries after the Community enlargement. It also agreed the opening of negotiations for amending the EEC-Lebanon Agreement, settled the outstanding questions over the negotiations for an additional Protocol to the EEC-Greece Agreement, approved in principle the additional Protocols to the Association Agreements with Morocco and Tunisia and adopted the Regulations concerning conclusion of further Protocols with Spain and Israel.

Within the negotiations with India over jute and coir products, the Council adopted further negotiation Directives. Over food aid, it gave Community approval to some projects put forwards by the World Food Programme in connection with implementing the EEC-WFP Agreement of 16 November 1972 for supplying 13 000 tonnes of butter-oil.

The Council also formally adopted the Decision on concluding an Agreement with the USA on a further extension until 30 June 1973 of the deadline for resuming negotiations scheduled by the Agreement on quality wheat. It also adopted the Regulations on opening, allocating and administering Community tariff quotas for dried figs, raisins and some wines of Spanish origin.

227th Session — Euratom (Brussels, 5-6 February 1973)

2431. *Chairman:* Mr Hanin, Belgian Minister for Scientific Policy.

¹ For the various matters reviewed during the Council sessions, see Chapters of this number of the Bulletin, dealing with the issues concerned.

From the Commission: Mr Ortolì, Chairman, Mr Haferkamp, Mr Scarascia Mugnozza, Mr Hillery, Vice Presidents; Mr Spinelli, Mr Dahrendorf, Mr Gundelach, Mr Borschette, Members.

Members States' Governments were represented by: Mr Hanin, Minister for Scientific Policy (Belgium); Mr Christensen, Secretary of State for External Economic Affairs (Denmark); Mr Haunschild, Secretary of State for Research and Technology (Germany); Mr Charbonnel, Minister for Industrial and Scientific Development (France); Mr Brennan, Deputy Permanent Representative (Ireland); Mr Ferri, Minister for Industry and Trade, Mr Pedini, Under-Secretary of State for Foreign Affairs (Italy); Mr Mart, Minister of National Economy, Transport and Power (Luxembourg); Mr Westerterp, Secretary of State for Foreign Affairs (Netherlands); Mr Boardman, Minister for Industry (United Kingdom).

As part of the common research and development policy the Council adopted the multi-annual research and education programme for the EEC.

228th Session — Economic and Monetary Issues (Brussels, 14 February 1973)

2432. *Chairman:* Mr De Clercq, Belgian Finance Minister.

From the Commission: Mr Ortolì, President, Mr Haferkamp, Mr Hillery and Mr Simonet, Vice-Presidents; Mr Lardinois, Member.

Member States' Governments were represented by: Mr De Clercq, Finance Minister, Mr Vande Putte, Governor of the National Bank (Belgium); Mr Haekkerup, Finance Minister, Mr Hoffmeier, Governor of the National Bank (Denmark); Mr Schmidt, Finance Minister, Mr Apel,

Parliamentary Secretary of State for Foreign Affairs, Mr Schlecht, Financial Secretary of State (Germany); Mr Giscard d'Estaing, Finance Minister, Mr Wormser, Governor of the Bank of France (France); Mr Colley, Finance Minister, Mr Whittaker, Governor of the Central Bank (Ireland); Mr Malagodi, Treasury Minister, Mr Carli, Governor of the Bank of Italy (Italy); Mr Werner, President of the Government, Finance Minister (Luxembourg); Mr Nelissen, Finance Minister (Netherlands); Mr Barber, Chancellor of the Exchequer, Mr O'Brien, Governor of the Bank of England (United Kingdom).

Also attending were Mr Wormser, Chairman of the EEC Central Bank's Governors Committee and Mr Clappier, Chairman of the Monetary Committee.

The Council was meeting in special session with the Governors of the EEC Central Banks to review the Community monetary picture in the wake of recent international events.

In its conclusions at the close of the debates the Council reaffirmed its resolve to go ahead without delay with accomplishing the Economic and Monetary Union, holding that the Decisions anticipated by the final Paris Summit Conference Communiqué¹ for bringing in the Economic and Monetary Union should be speeded up.

229th Session — Agriculture (Brussels, 19 and 20 February 1973)

2433. *Chairman:* Mr Lavens, Belgian Minister of Agriculture.

From the Commission: Mr Lardinois, Member.

Member States' Governments were represented by: Mr Lavens, Minister of Agriculture

¹ For the complete text of the conclusions, Point 1305.

(Belgium); Mr *Frederiksen*, Minister of Agriculture, Mr *Haekkerup*, Minister for Economic Affairs and Budgets (Denmark); Mr *Ertl*, Minister of Agriculture, Mr *Rohr*, Secretary of State for Agriculture (Germany); Mr *Chirac*, Minister of Agriculture (France); Mr *Gibbons*, Minister of Agriculture and Fisheries (Ireland); Mr *Natali*, Minister of Agriculture, Mr *Alesi*, Under-Secretary of State for Agriculture (Italy); Mr *Ney*, Minister of Agriculture (Luxembourg); Mr *Boersma*, Minister of Agriculture (Netherlands); Mr *Godber*, Minister of Agriculture, Fisheries and Food (United Kingdom).

The Council officially acknowledged the twelfth Commission Report on application of Regulation EEC 974/71 on certain short-term measures to be taken in the agricultural sector following the temporary widening of some Member States' currency fluctuation margins.

On a Proposal from the Commission the Council amended this Regulation to adapt it to cases where a Member States' currency depreciated. The earlier Regulation covered only the cases where a currency appreciated.

The Council agreed an amendment to the aid scheme for the 1972/73 marketing year in connection with aid for Danish seeds and set the aid at 90% of that now running for the other Member States. It also agreed that flax and wheat seeds be incorporated in the list of products eligible for aid. The Council also formally adopted some Regulations on colza and rape seeds and for the compensatory amounts scheme in the fruit and vegetable sectors.

Lastly, it formally adopted a Directive on electrical equipment for use within certain tension limits (low tension).

230th Session — Social Affairs (Brussels, 26 February 1973)

2434. *Chairman*: Mr *Glinne*, Belgian Minister of Labour and Employment.

From the Commission: Mr *Hillery*, Vice President.

Member States' *Governments* were represented by: Mr *Glinne*, Minister of Labour and Employment (Belgium); Mr *Cøln*, Secretary of State for Labour (Denmark); Mr *Rohde*, Parliamentary Secretary of State to the Ministry of Labour and Social Affairs (Germany); Mr *Faure*, Minister of State for Social Affairs (France); Mr *Brennan*, Minister of Labour and Social Security (Ireland); Mr *Coppo*, Minister of Labour and Social Insurance (Italy); Mr *Santer*, Secretary of State for Labour and Social Security (Luxembourg); Mr *Boersma*, Minister of Social Affairs and Public Health (Netherlands); Mr *Chichester-Clark*, Minister of Employment (United Kingdom).

The Council broadly discussed the action programme to be set up in the social sphere to follow up Point 6 of the final statement from the Paris Summit Conference. The discussion helped to bring out very broad assent on the approach to be taken over orientation of the action programme to be adopted by 1 January 1974.

Over agriculture the Council formally adopted several Regulations concerning the conversion rates to be applied for new Member States' currencies and over aid for seeds. The Council adopted a Directive on alignment of Member States' law covering quantitative analysis of textile fibre ternary mixtures. Regulations were adopted on the temporary waiving of customs duties applicable to certain fruit and vegetables originating from the AASM, OCT and the three East African countries in the Arusha Agreement. A Decision was also

adopted on concluding the Accession Protocol for Zaïre to join GATT and the Council agreed that the consultation procedure under Article XXIII § 2 of GATT over certain taxation measures applicable by the USA be opened.

Finally, the Council issued the confirmatory Opinion requested by the Commission under Article 56 § 2 a) of the ECSC Treaty with a view to granting a loan.

Representatives of the Member States of the ECSC, meeting within the Council, formally adopted Decisions on the export of scrap metal to non-Member countries, the export of rolling cylinders and the temporary import and export of scrap metal.

The Court of Justice

New Cases

Cases 4/73 and 4/73R—Firma J. Nold, Kohlen- und Baustoffgrosshandlung, Darmstadt, vs. (1) the Commission, (2) Ruhrkohle AG, Essen, and (3) Ruhrkohle-Verkaufs-GmbH, Essen.

2435. A German firm lodged an appeal with the Court of Justice to quash the Commission Decision of 21 December 1972 over authorization of new Ruhrkohle selling rules ('Handelsregelung Ruhr') plus a claim for damages against injury incurred. It also requested, by means of an injunction, a reprieve from application of the contested Decision.

Case 5/73—Balkan-Import-Export-GmbH, Berlin, vs. Hauptzollamt Berlin-Packhof.

2436. During litigation over the free circulation of Bulgarian white sheep's cheese the Berlin Finanzgericht on 5 February 1973 filed a request with the Court for a preliminary ruling

on the validity of Regulation 974/71 concerning short-term policy measures to be taken in agriculture following the temporary widening of some Member States' currency fluctuation margins.

Cases 6/73 and 6/73R—Istituto Chemioterapico Italiano S.p.A., Milan, vs. The Commission

Cases 7/73 and 7/73R—Commercial Solvents Corporation, New York, vs. the Commission.

2437. On 17 February 1973 two appeals were lodged with the Court to quash the Commission Decision of 14 December 1972 concerning an application procedure of Article 86 of the EEC Treaty (IV/26.911-ZOJA/CSC-ICI) and requests were also filed for reprieve from application of the Decision through an injunction.

Case 8/73—Hauptzollamt Bremerhaven vs. Massey-Ferguson GmbH, Kassel.

2438. On 19 February 1973 the Bundesfinanzhof filed a request with the Court for a preliminary ruling on Regulation 803/68 concerning the customs value of goods. The question which has come up in litigation, is whether in computing the customs value, a sum up to the value of credit charges carried under the agreed deferment of the due date may be deducted from the invoice price.

Case 12/73—Mr Claus W. Muras, Buchholz, vs. Hauptzollamt Hamburg-Jonas.

2439. On 21 February 1973 the Hamburg Finanzgericht filed a request with the Court for a preliminary ruling on interpretation of Article 15 of Regulation 121/67 concerning the joint organization of the market in the pigmeat sector.

Case 13/73—Société Anciens Etablissements D. Angenieux Fils aîné, Saint-Etienne, e.a. vs. Mr Willy Hakenberg, Paris.

2440. On 21 March 1973 the French Cour de Cassation filed a request with the Court for a preliminary ruling on interpretation of Articles 12 and 13 of Regulation 3 covering migrant workers' social security.

Case 14/73—Commission Official vs. the Commission

2441. This is an appeal to quash a disciplinary procedure taken against the plaintiff and the subsequent Decision.

Cases 28-32/73—Commission Officials vs. the Commission

2442. These appeals are for the payment of arrears of living abroad allowances.

Judgements

Case 6/72—Europemballage Corp. Brussels and Continental Can Co. Inc., New York vs. the Commission.

2443. On 9 February 1972 an appeal had been lodged with the Court to quash a Commission Decision of 9 December 1971 over a procedure under Article 86 of the EEC Treaty. (IV/26.811—Continental Can Company).

By Decree of 21 February 1973 the Court quashed the contested Decision.

Case 30/72—The Commission vs. Italy

2444. On 8 June 1972 the Commission had lodged an appeal with the Court against Italy to show that she was in breach of the Com-

munity Regulations setting up a scheme of premiums for the uprooting of certain fruit trees.

By Decree on 7 February 1973 the Court ruled that Italy had not met her obligations under the above-mentioned Regulation.

Case 39/72—The Commission vs. Italy

2445. On 3 July 1972 the Commission had lodged an appeal with the Court to show that Italy had not met her obligations under Regulations 1975/69 and 2195/69 setting up a premium scheme for the slaughter of cows and the non-marketing of milk and dairy produce.

By its Decree of 7 February 1973 the Court ruled that Italy had failed to meet her obligations under the above-mentioned Regulations.

Case 40/72—Firma Schroeder KG, Hamburg, vs. Germany (FR) represented by the Bundesamt für Ernährung und Forstwirtschaft, Frankfurt/Main.

2446. On 4 July 1972 the Frankfurt Verwaltungsgericht had filed a request with the Court of Justice for a preliminary ruling on the validity of the import scheme set up by Regulation 1643/71 in relation to general legal principles and the Agreement with Greece.

By Decree on 7 February 1973 the Court ruled that scrutiny of questions raised had not uncovered anything prejudicial to the validity of the Regulation.

Case 42/72—Firma Alfons Lütticke GmbH, Koln, vs. Hauptzollamt, Passau

2447. On 6 July 1972 the Munich Finanzgericht had filed a request with the Court for a preliminary ruling on the validity of Article 7 § 3 of Regulation 83/67 combined with the method defined in Appendix V.

By Decree on 6 February 1973 the Court ruled that this provision was not invalid because through factors of uncertainty which would affect the analysis technique prescribed in the said Appendix, the values of the oil and fat content from milk are evaluated approximately.

Case 48/72—Brasserie de Haecht SA, Boortmeerbeek, vs. Mr Oscar Wilkin and Mrs Marie Janssen, Esneux

2448. On 11 July 1972 the Liège Commercial Tribunal had filed a request with the Court for a preliminary ruling on interpretation of Regulation 17 (the initial application Regulation of Articles 85 and 86 of the EEC Treaty).

In its Decree of 6 February 1973 the Court ruled (a) that simply sending an acknowledgement of receipt of a negative attestation or of a notification aimed at obtaining the derogation on the basis of Article 85 § 3 did not amount to opening a procedure to apply Articles 2, 3 or 6 of Regulation 17, (b) that regular notification of a type-agreement stood for notification of all the agreements of same content, even earlier ones, made by the same company and (c) that the nullity covered by Article 85 § 2 had retroactive effect.

Case 54/72—Fonderie Officine Riunite (FOR), Biella, vs. Vereinigte Kammgarn-Spinnereien (VKS), Delmenhorst, and Finanzamt Bentheim.

2449. On 31 July 1972 the Biella Tribunal had asked the Court for three preliminary rulings on interpretation of Article 95 of the EEC Treaty, of certain provisions of Directive 67/228 (VAT) and of Articles 30 and 31 of the EEC Treaty. The case pending before the Italian Tribunal concerned the taxation as part of turnover tax of industrial plant exported to Germany.

The Court Decree of 20 February ruled that Article 95 of the EEC Treaty is to be interpreted

as banning a taxation system under which imported goods would be twice subject to turnover tax, as if having been the subject of two separate transactions, during an operation which, for a similar national product at the same stage of marketing, would have been a single taxable operation.

Case 56/72—Commission Official vs. the Commission

2450. This appeal to quash the withdrawal by the Commission of living abroad allowance was rejected as non-suited by the Court's Decree of 8 February 1973.

The Economic and Social Committee

2451. The Economic and Social Committee held its 109th plenary session in Brussels on 21 and 22 February with Mr A. Lappas in the Chair. The Committee adopted 17 Opinions during the session. Mr Haferkamp, Vice President of the Commission, attended part of the proceedings.

Opinions issued by the Committee

Opinion on the '*proposed Council Decision to set up a European Monetary Cooperation Fund.*'

2452. In its Opinion, prepared from a Report by Mr Camman (Germany, Workers Group) and passed by 80 votes against 2 with 19 abstentions, the Committee held that setting up a European Monetary Cooperation Fund was not to be regarded as an isolated tool of monetary policy but had to fit in with all the provisions for creating the Economic and Monetary Union. He held that the Fund

could not be formed solely with the intention of regrouping the sundry existing mechanisms for settling monthly balances and for short-term monetary support but that it should represent the first stage of a future Community banking system. Therefore, the Fund must be endowed with the authority now vested in a central bank, both internally and externally, and the Decision should prescribe the adjustments required.

The Fund would have to be able to promote alignment of credit policies and the mechanisms needed to mount a common monetary policy. At this stage the mechanisms would have to be integrated and retain their identity at Community level. Moreover by its statutes the Fund would have to be acknowledged a responsibility of its own over the measures it would take, with the understanding that such measures were within the compass of the political guidelines laid down by the Community authorities.

As heavier tasks are assigned to it, it would be a timely move if the Fund's Administrative Board were to assume the authority of the Central Bank's Governors Committee.

The Opinion stressed the need for closer cooperation between monetary policies within the Community and for a joint and constructive European monetary policy. The creation of new instruments including a European Monetary Fund would by themselves certainly not be adequate as long as the Member States were not politically minded to pursue a common European monetary policy and forego independent decisions.

Mr Haferkamp Vice President of the Commission, stressed that formation of the Fund was a key step toward achieving the Economic and Monetary Union. The latest monetary crisis had once again shown the need for closer monetary collaboration. Some Member States had taken divergent attitudes, but this was due

to the pressure of events, their resolve for joint action was certainly not in question.

The Fund must be considered against the background of the overall economic monetary policy which should be pointed towards settling short-term economic, structural and regional turmoil still besetting the Community.

Opinion on the 'proposed fourth Directive based on Article 54.3g) to coordinate the guarantees required in the Member States from companies to protect the interests of both partners and third-parties, in connection with the layout and content of annual accounts and the management report, together with the appraisal and publicity of those documents.'

2453. In this Opinion prepared from the Report by Mr Lécuyer (France, General Interests) and passed by 45 votes against 30 with 23 abstentions, the Committee welcomed the clearly progressive approach behind the Commission's Proposal for aligning the provisions on the rendering of accounts and on the publicity by joint stock companies, limited companies and partnerships limited by shares.

It was important to get swifter harmonization of company law and promote the completion of this law because this sort of integration was in the interests of the economy. The Committee approved the objectives but found that the host of references to national laws in the Proposal weakened the text submitted by the Commission.

There were many links between the provisions of this proposed Directive and those of Chapter VI of the proposed Regulation on the statute of European joint stock company. The Committee again stressed the need to ensure homogeneity between the two texts with the single exception of the specific provisions for the European joint stock company (*société anonyme*).

Opinions on the '*proposed Council Directive on levy charges and equivalent taxes.*'

2454. These Opinions were prepared from a Report by Mr Dahrendorf (Germany—General Interests). The Opinion on the general Directive was passed by most Members present or represented with one vote against and 24 abstentions; the Opinion on alcohol was passed by most Members with 2 votes against and 20 abstentions; the Opinion on wine was passed with 5 votes against and 22 abstentions; that on beer was passed with 13 abstentions; that on mixed beverages was passed with 16 abstentions and that on the Levy Committee was passed with 4 votes against and 20 abstentions.

In its Opinions the Committee approved the choice of levies to be abolished and the proposed Directive on the alcohol levy. But Members had more reservations over some provisions for the wine and beer levies, especially the provisions concerning the introduction of a wine levy in some Member States. The Committee held that initial harmonization should come from the principal leading Member States not to heighten the current disparity between levies on these two beverages. This implied that the States who were not raising levies on wine would not be obliged to do so from now on.

Opinion on the '*draft Council Recommendation to Member States signatories to the Bern Convention which set up the International Commission for protecting the Rhine from pollution.*'

2455. With nine abstentions the Committee otherwise unanimously adopted this Opinion from the Report by Mr Balke (Germany—Employers) and approved the draft Recommendation subject to a number of suggestions on getting the clean-up programme into action and setting up the European Rhine Basin Agency.

The Committee supported the Commission's move to delegate the International Rhine Protection Committee to prepare a priority clean-up plan for the Rhine. It also approved the Commission's proposed basis for the plan but insisted that it should be clearly pointed out that preparation of the plan was in no way an excuse for Member States to abandon national action underway or contemplated. The Committee also emphasized that the International Committee should start work as soon as possible.

The Committee approved the Commission's Proposal to set up a European Rhine Basin Agency who would be assigned to activate the clean-up programme to be prepared by the International Committee. Regret was expressed that the Proposal was to be found only in the 'statement of purpose' in the Commission's paper and it was asked to propose the formation of such a European agency without waiting for the Council's Decision on the statute of joint company.

Opinion on the '*proposed Council Regulation concerning application of the statute of joint enterprise to activities within the hydrocarbon industry.*'

2456. The Committee adopted this Opinion by a large majority with only 2 votes against and 25 abstentions.

Since the Rapporteur, Mr Aschoff (Germany—General Interests) had died, the Opinion was presented by Mr Bonomi (Italy—Employers).

Whilst it approved the aims of the Commission, especially over the security of the Community's energy supply, the Committee made many reservations over the hazy jurisdiction of the proposed scheme and its efficacy as a means likely to help in reaching the objectives. The Commission was therefore asked to rescrutinize its Proposal taking note of the comments on

the need to boost the competitiveness of Community undertakings, clarify the criteria to be applied in authorizing the system of joint enterprise and specify the nature and extent of the benefits and obligations deriving from such authorization.

Opinion on the '*proposed Council Directive on financing publicity projects in the plant and flower-growing sector.*'

2457. In this Opinion prepared from a Report by Mr Canonge (France—General Interests) and adopted by a large majority, the Committee found that the Commission's Proposal impinged on several questions of principle which go very much further than the plant and flower-growing sector and even further than agriculture in general.

While approving the principle of some Community moves to swell the outlets of some farm products whose disposal is complicated, the Committee took the view that since adequate justification had not been found for the priority given to plants and flowers, it could not make any worthwhile judgement on the proposed Directive. The Committee asked the Commission to re-examine its Proposal.

Opinion on the '*proposed Council Directive concerning harmonization of legal, regulatory and administrative provisions for the system of outward processing traffic.*'

2458. This Opinion, prepared from the Report by Mr De Grave (Belgium—Workers Group), was unanimously adopted with 23 abstentions.

The Committee approved the proposed Directive, making only a few comments on some of its Articles which covered in particular the cession of a good while under processing and made by countries enjoying preferential schemes with the Community.

Opinion on the '*proposed Council Regulation amending Council Regulation (EEC) 1463/70 of 20 July 1970 concerning the installation of a monitoring device (tachometer) for road haulage.*'

2459. The Committee approved the Opinion unanimously with 6 abstentions. It had been prepared from the Report by Mr Mourgues (France—Workers).

The Committee held that in the interest of road safety, there was an urgent need to equip all vehicles hauling dangerous goods with a mechanical monitoring device which would register the following data: distance covered, speed, length of driving spell, other working spells and the time of the crew on the job, rest breaks and other interruptions of a working day.

But the Committee did acknowledge that devices meeting these Community norms would not be on the market before 1975 and therefore approved the Commission's Proposal to delay installation of the 'Community device' but with the clear recommendation that by 1 January 1975 at the latest all vehicles hauling dangerous substances would at least be fitted with a mechanical device of national type.

Opinion on the '*proposed Council Directive amending the Council Directive amending the Directive of 23 November 1970 concerning additives in animal feeds.*'

2460. The Committee unanimously adopted with 4 abstentions its Opinion prepared from the Report by Mr Wick (Germany—Employers Group).

The Committee approved, in principle, the Commission Proposal and asked the Council to insist that the national authorities adopt, if need be, the measures for swift and complete harmonization of their provisions on additives in animal feeds.

Opinion on the '*proposed Council Directive on statistical surveys of the livestock population, on availability forecasts for butchery cattle and on cattle slaughter statistics to be made by Member States.*'

2461. The Committee unanimously adopted with 3 abstentions its Opinion prepared from the Report by Mr Flandre (France—Miscellaneous Interests).

In this Opinion, the Committee approved the proposed Directive subject to a few comments. It stressed the need for closer coordination of agricultural statistical work between Member States and the Commission and felt that besides the data envisaged by the Commission, precise data on external trade should be available.

Opinion on the '*proposed Council Directive concerning alignment of Member States' law on radio-electric disturbance generated by domestic electric appliances, portable tools and similar gadgets.*'

2462. This Opinion prepared from the Report by Mr Lécuyer (France—Miscellaneous Interests) was unanimously approved apart from 3 abstentions.

In this Opinion, the Committee held that conformity of appliances with the rules of the Directives should apply over their normal working life and that 'atmospheric' suppressors should carry the same guarantee which normally covered the appliance.

Opinion on the '*proposed Council Directive on alignment of Member States' law on lamps for fluorescent lighting.*'

2463. Apart from 2 abstentions the Committee unanimously adopted this Opinion prepared from the Report by Mr Lécuyer (France—General Interests).

The Committee approved the proposed Directive but held that the wording 'lamps for fluorescent lighting' should be replaced by the words 'luminaries for fluorescent lamps.'

Corrigendum

Bulletin EC 11-1972: Part Two, at the end of sec. 149 read: 'Mr Illerhaus and Mr Kaulich, Vice President and General Secretary, respectively, of the EEC Commercial Organizations Committee (COCCEE)...'

European Investment Bank

Loans Issued

2464. The European Investment Bank has signed a contract in Luxembourg for a 75 million dollar bond issue.

The bonds have been underwritten by an international syndicate of banks and will be put onto the Luxembourg, Milan and New York Stock Exchanges.

The bonds will have a maximum term of 15 years and will bear interest at 7.25% payable annually. They will be offered to the public at 98.5% and will have a yield of 7.42% calculated on the basis of their total lifetime.

Redemption will be in 15 annual installments as from 15 February 1974, either by drawn lots or by repurchase on the market. The Bank reserves the right to undertake early redemption at a progressively decreasing premium as from 1983.

The proceeds from the sale of the bonds will be used by the European Investment Bank for its ordinary lending operations.

Loans Granted

Turkey

2465. The Second EEC-Turkey Financial Protocol came into effect on 1 January 1973.

It provides for the granting of soft loans totalling as much as 195 million u.a. up to May 1976 for financing investment projects contributing to the development of the Turkish economy. The European Investment Bank has just concluded, in Ankara, a number of transactions with the Republic of Turkey, within the context of these new provisions for a total of 27.75 million u.a. (equivalent to US \$ 30.1 million).

The European Bank is conducting the transactions within the scope of its Special Section on behalf of the Member States of the European Community under the mandate entrusted to it for applying the Financial Protocol. For the time being, this is the mandate given by the six founder Member States, because the provisions regarding adjustments to the Association Agreement due to enlargement of the Community, including the new Member States' participation vis-à-vis financial aid to Turkey, have not yet come into effect.

The transactions cover the following projects:

1. Financing of a synthetic rubber factor for producing styrene-butadiene (SBR) and cis-polybutadiene (CBR) rubber, to be built in İzmit by the Petkim Kaucuk Company, a subsidiary of the Petkim Petrokimya A.S., petrochemical public enterprise. The projected factory will produce 45 000 metric tons of synthetic rubber a year to meet the Turkish market's short-term requirements which are increasing rapidly, mainly as a result of the growth of the tyre industry. Turkey currently imports its rubber so the project will have a healthy effect on the balance of payments and inject fresh industrial techniques into Turkey's highly important petrochemical sector.

Fixed investments for the project are put at 32.7 million u.a. and the European Bank's contribution to financing them will be a 6.4 million u.a. loan in addition to its first 9.3 million u.a. loan made in 1969, which represented

the balance of the amount provided for under the First EEC-Turkey Financial Protocol.

2. Conclusion of a skeleton contract covering an amount of 15 million u.a. for financing private sector industrial projects in 1973 through the Turkiye Sinai Kalkinma Bankasi—T.S.K.B. (Industrial Development Bank of Turkey). 6 million u.a. on account of this contract is granted in the form of a global loan for financing small- and medium-scale ventures.

This transaction was made in the light of the favourable growth potential of the Turkish private sector which receives by far the largest slice of its investment credits from the T.S.K.B.

3. Grant of a global loan for 2 million u.a. for financing pre-investment expenses in the public sector which is Turkey's principal promotor for major investment projects. Combined with the other contributions received by Turkey in this sphere, the European Bank's loan towards financing study and technical assistance contracts will help define and improve preparation of investment projects and give Turkey added opportunities to profit from the experience and technology of the European Community countries.

4. Financing of the electrification of the 140 km Istanbul-Adapazari line including fixed installations and supply of 15 locomotives. This project ties in with a comprehensive Turkish Railways modernization programme for which the Bank made a loan of 11 million u.a. in 1968 for the first stage of the dieselization plan.

The cost of the project, to be carried out by the T.C.D.D. State Railways Undertaking is, reckoned at 17.3 million u.a. and the European Bank's loan is for 4.35 million u.a.

The European Bank's loans are granted to the Turkish State for a term of 30 years including an 8-year period of grace. The rate of interest

charged for the first two operations which offer a normal return is 4.5% and for the two other operation where the return is diffuse or long-term, the rate is 2.5%. The conditions according to which the Turkish State will relend the funds to the ultimate beneficiaries will be stipulated according to individual circumstances, taking the economic and financial characteristics of each project into consideration. The Republic of Turkey and the European Bank have signed a Codicil which widens the scope of the General Agreement concluded in 1964 to embrace the financing provided for by the Second Financial Protocol. This Agreement set out the procedure concerning the re-use of funds temporarily held by the Turkish State as a result of the shortness of the terms applying to the ultimate beneficiaries of the Bank's loans compared with the repayment period prescribed for the State. These funds will continue to be centralized in a special account with the Central Bank of Turkey and may be used for financing other investment projects subject to the consent of the Bank.

Financing Community Activities

ECSC Loan

2466. On 9 February 1973 the Commission signed a bond issue for 80 million SWFr. (i.e. equivalent to 19.6 million u.a.). This loan, firmly subscribed by a syndicate of Swiss banks, was offered to the public at 100% of issue price; interest rate is 6.25% and its duration is 15 years.

As a result of this operation, the total of loans contracted by the ECSC since the start of its activities amounts to 1 277.8 million u.a.

*

2467. In the course of its session from 12 to 15 February 1973,¹ the *European Parliament*

adopted a Resolution approving by and large but subject to certain amendments the Proposal prepared by the Commission concerning the new financial Regulation applicable to the European Community budget: The House regretted that the proposal 'still does not take sufficient note of the new Institutional balance deriving from the Treaty of 22 April 1970 and especially the reinforced financial authority of the European Parliament.' In another Resolution, the European Parliament 'finds that cover for the Commission's treasury needs is not assured in the way it should be and it approves the Commission's Proposal for shortening the deadlines for remitting own resources for Commission disposal.'

¹ Point 2418.



3RD PART

**INFORMATION
AND SOURCES**

1 February 1973

3101. By 87 votes to 85 the Danish *Folketing* rejected an Opposition motion 'disapproving' of the way in which the Danish Minister had handled the agriculture negotiations during the Council session of 22-24 January. The political crisis threatening Mr Jorgensen's Government was thus narrowly averted. But the *Folketing* by 112 votes to nil with 60 abstentions passed a Resolution pledging the Government to consult the Parliamentary Committee whenever a key decision is to be taken by the Council. So in principle from now on no Minister can accept any arrangements being made in Brussels without the assurance that he has a majority in the *Folketing*.

3102. The British Prime Minister, Mr *Edward Heath*, went to the United States for two days of talks with President Nixon. The talks bore mainly on EEC-USA economic relations and East-West negotiations in Europe.

3103. The Robert Schuman Prize for 1973 awarded by the Hamburg FVS Foundation went to Mr *Jens Otto Krag*, the former Danish Prime Minister for his distinguished services to the cause of Europe over the Community enlargement.

5 February 1973

3104. Addressing the Overseas Bankers Club, Sir *Christopher Soames*, Vice President of the Commission, stressed the need for a Community common foreign policy: 'We cannot be one of the mightiest industrial complexes, the largest trading unit, the richest holder of currency reserves in the world and not live up to the global responsibilities for peace and prosperity that fall on us by virtue of that potential power. Surely it can be no purpose of ours to be an economic colossus but a

political pygmy. The time has come for us to play an adult political role in the world... a role that will demand common expression of a European policy in foreign affairs,' said Sir Christopher.

3105. In Husum (Schleswig-Holstein) a new '*Europa-Academy*' was opened jointly by the West German arm of the European Movement, the political authorities of Schleswig-Holstein Land and German cultural organizations related to Danish bodies.

3106. Mr *Maurice Schumann*, the French Foreign Minister, sent a letter to the President of the European Parliament, Mr Walter Behrendt, in which he said that 'the practice adopted by the European Parliamentary Assembly of holding a number of sessions in Luxembourg' was not in line with the Paris or Rome Treaty provisions or with the Governmental decisions of 1958 and 1965 defining the provisional working site of the Institutions. In Mr Schumann's view no internal Institutional regulation can contravene the Treaties' provisions which assign exclusive authority to Member States' Governments for fixing the headquarters or working site of Community bodies. 'You will readily understand that the French Government cannot easily accept such a situation,' wrote Mr Schumann, who asked for the Parliamentary Bureau to review the session schedule so that Strasbourg may receive its rightful due.

3107. In an address at the opening of a specialization course for banking officers, Mr *Guido Carli*, Governor of the Bank of Italy, noted that European monetary integration was not going forwards but backwards. Mr Carli once again illustrated the non-rational nature of monetary integration not based on the harmonization of short-term policies, internal monetary policies and taxation policies. Whilst Community currencies were bound tightly together by exchange relations, Governments

had not harmonized and aligned share company disciplines, taxation treatment of shares, norms for joint funds and all those variables and factors which by their very variation from country to country provoked disturbance in capital flow thus creating tension between exchange rates. The quest for administrative controls simply meant renewing the process from the start without solving anything.

6 February 1973

3108. The VIIth European Community Prize for the branch of 'judicial science' was awarded by Mr Carlo Scarascia Mugnozza, Vice President of the Commission, to Mr Hans Petersmann of Hamburg University for his thesis on 'Die Suprematie des Europäischen Gemeinschaftsrechts und die Suprematie des britischen Parlaments.' This Prize of 100 000 BFrs. per branch is awarded every other year by an international jury chaired by Mr Pierre Pescatore, Professor at Liege University, Judge of the EEC Court of Justice, to honour university theses making a solid and creative contribution towards the study of European integration problems. For the 'political science' branch it was awarded to Mr Andreas Leitolf of Würzburg University for his thesis on 'Das Einwirken der Wirtschaftsverbände auf die Agrarmarktorganisation der EWG.' Although it did not feel bound to award the Prize for the 'economics' branch, the jury awarded special mentions to the theses of Mr Schaub, Bonn University, Mr Spilker, Frankfurt University, Mr Zippel, Munich University and Mr Melandri, Nice University.

3109. The British Minister of Agriculture, Mr Joseph Godber, said at a meeting in London that in his view the prices policy would not by itself solve the problems of European agriculture. He was in favour in principle of direct aid for cattle-breeding, saying: 'I should like

to see a closer study of measures of this kind which are aimed at promoting income or cutting costs. They are less liable to provoke overproduction and should lighten the burden pressing on the consumer.' In this way Mr Godber was saying that the United Kingdom 'would subsidize supplies from her Community partners.'

3110. Poland's Deputy Foreign Minister, Mr Stefan Trepczynski, currently chairing the United Nations General Assembly, recently said that solutions to European problems could affect solutions to be applied in other world areas. In this way the European climate had had a happy influence on the UN Assembly debates. Europe, he said, was perfectly capable of helping the other world areas to solve their difficult problems through direct assistance in the shape of economic aid. But she could also set an example by showing how complicated issues could be resolved peacefully.

7 February 1973

3111. Britain's Young Conservatives meeting from 2 February for their national conference, unanimously passed a Resolution applauding Britain's entry into the European Community and asking that as part of the now obligatory democratizing of Institutional control, the Government to bring in direct elections for the European Parliament within five years.

3112. In an interview published by the Belgian daily 'L'Echo de la Bourse,' Mr Henri Simonet, Vice President of the Commission, said concerning Euratom: 'Up to now the Community has administered only that area attributed to it by the Euratom Treaty. But it has done so without a joint approach and overshadowed by the national viewpoints. Now is the time to drop this policy and promote the creation of a joint, united and broader

framework. I have already said from the practical angle that the Community must set itself priorities over research. The use of nuclear energy must be amplified without for all that foregoing research into new resources.'

3113. During his Brussels visit, the German Chancellor, Mr *Willy Brandt*, speaking on the monetary crisis, said, 'It is high time that we investigate a European solution and show the world that the European Monetary Union is something more than words and good intentions. This Union,' he added, 'will soon be facing an acid test. Europe is beset by a new international monetary crisis and Germany is in the front line. I do not think this is a one-currency crisis. If we do not overcome it all the countries of the world will feel the effects.'

3114. In an interview published on 8 January by the daily 'Républicain Lorrain' Mr *Albert Borschette*, Member of the Commission, said, 'The heavy fines recently imposed on some companies and which have made quite a noise are the end result of a long maturing process. Applied Regulations were needed for the principles of the Treaty and then the cases had to be built up which takes years. The action against 'Continental Can' (the packaging Trust) was initiated by Mr Sassen, my predecessor. It took two years to deal with sugar and involved some 250 pages of exciting reading like a detective novel. A sound decision must also be reached otherwise one might be up before the Court of Justice.'

3115. Addressing the third European management symposium at Davos, Mr *Raymond Barre*, former Commission Vice President, said, 'If the EEC countries can manage to hold and develop the intervention and regulation system tied in with the acceptance of cut fluctuation margins between their currency exchange rates, they can make an increasing contribution to "monetary burden sharing", the key to a finer balance in international monetary relations.'

9 February 1973

3116. The *European Confederation of Trade Unions* held its constitutive meeting in Brussels. This organization includes 17 trade union bodies from 14 European countries and represents more than 29 million members. Mr Vic Feather, the General Secretary of the Trade Union Congress, was unanimously elected first Chairman of the new European Confederation. During the formal ceremony the Belgian Minister of Labour, Mr Glinne, Chairman-in-Office of the Confederation, welcomed this new organization which would make possible 'in-depth' work at European level. The Belgian Minister then recalled the Paris Summit commitments for setting up an energetic social programme in the Community. Attaining the objectives of the Summit in this field would hinge on the capability of both sides of industry to get together between themselves and with the European Institutions. For the Commission, Mr Spinelli made a similar appeal saying that 'the Confederation needs the Community and the Community needs you.' He quoted many examples: coordinated policy over employment and vocational training, improvements in working conditions, harmonization of company law and the 'European company' project, collective agreements, regional policy, etc. 'The biggest obstacle preventing completion of the social action programme is the persistent national partitioning still to be found in our laws, our minds and among politicians.'

3117. During a two-day round table attended by European and Soviet journalists, Mr *Oleg Bogomolov*, Director of a Soviet Economic Institute within the Academy of Science, tackled the subject of economic and technical cooperation between all the European countries and in particular between the Comecon and the EEC. For Mr Bogomolov, the two bodies were a European reality voicing the different European social systems. The two systems could coexist

if the Member States did not apply a discrimination policy and in his view the west European countries were applying discrimination towards the Comecon countries. Thus the western countries represent 18 to 20% of the external trade of Comecon countries whereas the Comecon share in the external trade of the West was only 4 to 5%. This imbalance plus the unstable western monetary system was a danger for the Eastern countries. Moreover, many Europeans recognized the EEC as spokesman of its Member countries but refused this right to Comecon. The Soviet expert found this not very realistic. He noted that the growing western integration was also naturally strengthening consolidation among the Eastern countries. The Comecon countries did not want to confine their exports to raw materials but to extend them to industrial products. In this context, Mr Bogomolov stressed the benefits for western Europeans of cooperation with the Eastern countries. It would solve in particular the problem of labour shortage which up to now had been settled with the help of foreign labour.

3118. The United States Ambassador in Bonn, Mr *Hillenbrandt*, addressing German ship owners and businessmen in Bremen, said, 'We are very worried over the troublesome effects of the Common Market agricultural policy on American farm exports and over the Community Association Treaties with other countries. This welter of Association Treaties will set off real discrimination in world trade. Failure to recast the world monetary and trade system could have serious results. It could escalate protectionism on both sides of the Atlantic.'

10 February 1973

3119. Mr Franz Helmut Leitner, Head of the Austrian Mission to the Community, bestowed

distinguished decorations from his country on Mr *Jean-François Deniau*, Member of the Commission, Mr *Christian Calmes*, General Secretary of the Council, and Mr *Edmond P. Wellenstein*, Head of the Commission Delegation for the Community enlargement negotiations.

11 February 1973

3120. The former French Minister, Mr *Gilbert Granval*, considered that the only solution to the monetary crisis was coordinated and stronger action by the Nine. They had mutual interests. If need be the formation of a European monetary zone, with a floating currency in relation to the dollar, would have to be contemplated. Political friendships must never impair the economic development and social progress of the European countries.

12 February 1973

3121. The Secretary of the USA Treasury, Mr *Shultz*, announced the decision to devalue the dollar by 10%.

14 February 1973

3122. In an article in 'Le Figaro' Professor Raymond Aron, writing on the monetary crisis, said, 'Here we have a second devaluation which nobody can see as necessarily the last, as long as the American authorities are chained by specious and/or cynical ideas and as long as Europeans do not put up a counter to the will of Washington.'

3123. The Soviet press gave much space to the dollar devaluation and its effects. For the Soviet commentators the present monetary turbulence reveals a clash of interests splitting

the whole western world. As for western European unity the daily 'Izvestia' considers that it is still missing, at least over monetary policy towards the United States.

3124. During a press conference in Luxembourg, Mr *Albert Borschette*, Member of the Commission, said that the European Monetary Cooperation Fund should be installed in Luxembourg according to the merging Treaty of 1965 and that he had high hopes that Luxembourg would benefit from this new Institution. Concerning the European Parliamentary sessions held sometimes in Strasbourg and sometimes in Luxembourg, Mr Borschette said that the capital of Alsace was clearly the headquarters of the Institution but that this in no way prevented the House from meeting in Luxembourg for technical reasons.

15 February 1973

3125. The European Journalists Association and the Foreign Press Union in Belgium protested against police action taken over journalists reporting on the Council of Finance Ministers. The two press associations feel that there were no grounds for setting up a security area or putting up barriers at the Charlemagne building. They hope that this would be the last police move of this kind since it compromised freedom of information.

Mr *Lambert Schaus*, Luxembourg Ambassador to Brussels, took his leave. Mr Schaus was one of the negotiators and signatories of the Rome Treaty. He was afterwards his country's permanent Community representative and a Member of the EEC Commission.

3126. The President of the USA, Mr *Richard Nixon*, said that 1973 would be the 'year of Europe.' 'Europe was taking on key importance both in the monetary context, as proved

by the recent monetary crisis, and in that of our national security.' Mr Nixon also recalled that the problem of mutual and balanced cutting down of armed forces and the question of European security were currently on the agenda of American concern in Europe. Mentioning the next round of talks on reorganizing world trade, Mr Nixon said: 'The question of trade will be very interesting and at times difficult with our European allies and Japan.'

3127. Speaking in the Bundestag, the German Chancellor, Mr *Willy Brandt*, held that his Government's Ostpolitik had been felt by the Community as an encouragement. 'It had helped the European Union and in mounting a real western European foreign policy.'

16 February 1973

3128. Addressing the Commonwealth African Trade Ministers Conference in Lagos, Mr *Wenike Briggs*, the Nigerian Trade Commissioner, said: 'Nigeria rejects any association with the EEC.' He added that 'any form of association which does not put us on an equal footing with Europe is politically unacceptable,' and observed that 'Europe would never sacrifice her interests, even minor ones, when they conflicted with the interests of the associated countries.'

19 February 1973

3129. The Nordic Council held its 21st session in Oslo attended by Parliamentary and Government representatives from Sweden, Denmark, Norway, Finland and Iceland. Mr *Willoch*, Chairman of the Council, felt that only a fraction of nordic Europe was represented in the Community and this might set off upheavals in regional policy.

3130. In an interview published by the Belgian weekly 'De Vlaamse Elseviers,' Mr *Henri Simonet*, Member of the Commission, said concerning the international monetary crisis, 'The Europe of Nine has no joint strategy because it fails to formulate a joint viewpoint. The Americans have not missed this. It strengthens them and gives them the chance to dodge their responsibilities.' For the future Mr Simonet felt that 'the Europeans must prove themselves capable of adopting a Community attitude.'

3131. Mr *Michel Thauvin*, Chairman of the Committee for the International Relations of the French Youth and People's Education Associations (CRIF), said that CRIF was asking for the Youth Advisory Committee prescribed by the EEC Commission to be set up promptly for 'since the Paris Summit the Committee has apparently been consigned to oblivion.' The leaders of CRIF hold that 'the vital thing is European awareness by the greatest possible number of youngsters.' They also hoped for swift harmonization of attitudes over issues such as the age of civil majority, the free movement of people, the equivalence of diplomas, language apprenticeships, European-scale information, etc.

20 February 1973

3132. Mr *Peter Peterson*, former USA Secretary of Trade, special envoy of President Nixon, speaking in Paris on EEC-USA trade, said, 'The 10% dollar devaluation has allowed more realistic parities to be set between currencies. But this is not enough. You must help us to gain a better balance in our trade by accepting the abolition of discriminatory measures in the Common Market against products made in the USA.'

3133. Addressing the American and Common Market Club, *Ambassador Greenwald*, Head of the USA Mission to the Community, re-

viewed the outlook on EEC-USA relations. He stressed the following points:

(i) 'It must always be remembered that security and economic problems are inseparable. The difficult thing is to set up a global dialogue between Europe and the USA. Furthermore, this "globality" must apply geographically, that is to say that we cannot talk of trade between Europe and the USA without also talking about trade with Japan;

(ii) In their relations with the Eastern countries the EEC and the USA must consult each other closely so as to avert any leapfrogging over credits;

(iii) The dollar is still the hub of the problem. Obviously, periodical crises can only be averted when the USA's position has improved. The United States have taken the classic measure of devaluation and others over internal policy but the effects are not yet to be seen. The United States have kept an edge only in some advanced technology sectors and agriculture. There is therefore a need to liberalize trade in these areas.

(iv) The traditional debate between protectionists and liberals will reoccur in America and will unleash a good deal of 'rhetoric.' Mr Greenwald recommended that 'Europe can help us much by not reacting oversharply.' She could also help constructively by keeping an open mind during the pre-negotiation period.'

3134. In a published statement on the 'Nixon round,' the *Paris Chamber of Commerce and Industry* held that, 'We must not cover up the fact that if the "Nixon round" were to reach firm results, the customs protection affording the EEC a certain cohesion would almost vanish. There would then be a serious risk of the common market losing its substance and dissolving into an international free-trade area. Therefore, there was apparently an even greater need to speed up the process

of Community integration by moving past the stage of customs union. The EEC is going through a crucial phase today and Member States must accept the sacrifices necessary to develop and strengthen it.'

21 February 1973

3135. The British House of Commons passed with a 43 vote majority the Amendment to the *Immigration Law* which authorizes EEC nationals to establish themselves on British territory.

3136. During a Brussels conference on current judicial issues at the time of the Community enlargement, Sir *Christopher Soames*, Vice President of the Commission, held that the difference in legal traditions between both sides of the Channel were not to be exaggerated. Of course, they were there but were 'rather of degree than of kind.' Having mentioned the complications of the Community decision process, Sir Christopher said that an effort must be made to make the bulk of Community decisions and legislation 'more easily accessible and comprehensible.' He made a few suggestions on this point. 'Day by day the Communities added more and more documents and decisions' in a bewildering variety of forms and with a bewildering variety of effects. Sir Christopher said he hoped the Commission would give thought to improving the presentation of this mass of material. One way might be to re-examine the form in which the Communities' official journal was set out, another would be to try to consolidate texts on the same subjects and take more care to say which texts had been repealed by new instruments.

3137. Addressing representatives of the Andean Group and delegates from the European mechanical and electrical industries meeting in Brussels to explore the scope for the European industry to share in mounting the development

plan for the mechanical and metal-processing industries, recently adopted by the Andean Group, Mr *Altiero Spinelli*, Member of the Commission, said that in its efforts to aid the Third World the EEC must go further than setting up the scheme of generalized preferences and that the industries of our countries must cooperate and participate in the industrialization of those nations. Mr Spinelli reiterated the interest taken by the Commission from the start of the Group's work for it considers that the regional integration processes are key factors likely to speed up the harmonious economic and social growth of the developing countries. The Commission's interest has already taken practical form in a number of technical aid measures which have been made in direct liaison with the services of the Andean Group Junta.

3138. Mr *Mwai Kibaki*, the Kenyan Finance Minister, attending the Ministerial Conference of Economic Commission for Africa (ECA) now underway in Accra, said that the EEC countries were insisting that the African countries choose this or that form of Association because they could see the interest for the Community therein.

3139. Mr *Anthony Barber*, the British Chancellor of the Exchequer, said in the House of Commons, that 'The 10% dollar devaluation has actually brought about an additional devaluation of sterling to the order of 4% in relation to the combined European currencies. Under the present circumstances, the dollar devaluation was the best solution allowing for both the problems of the European currencies and the yen and would make the biggest contribution to international monetary stability.' The Chancellor added that in the long term a combined fluctuation of European currencies could be a lasting solution for monetary questions.

23 February 1973

3140. Mr *François-Xavier Ortoli*, President of the Commission together with Mr *Emile Noël*, General Secretary of the Commission, officially visited London where he met Queen Elizabeth, the Prime Minister Mr Edward Heath, the Foreign Secretary Sir Alec Douglas-Home, and Mr John Davies, Minister for European Affairs.

3141. During an official visit to Dublin, Mr *George Thomson*, Member of the Commission, said: 'That regional development in the Community context had no magic wand to offer on North-South relations in Ireland: it promised no dramatic short cuts.' But he added that it was his hope, with Ireland and Britain inside the Community, putting their relationship in a wider framework, that regional policy as part of the total pattern of the Community would have a role to play in creating a more favourable climate of opinion.

24 February 1973

3142. In an interview with the Turin daily 'La Stampa,' Mr *François-Xavier Ortoli*, President of the Commission, asked about European monetary cohesion, said: 'The international monetary system is from now on involved in a permanent crisis period, where the latest somersault has certainly made the Economic and Monetary Union more complicated but at the same time more necessary than ever. We must think now about the future since it is the future that matters, as the gold crisis now bears out. The Community must gird itself with a "counter and prevention device," a kind of protective moat which could be formed by joint floating or other mechanisms, while the Community was tightening its bonds of internal solidarity by strengthening and accelerating the economic and monetary integration process. If we had this kind of "safety belt" we could more

effectively attack the debate on recasting the international monetary system and incorporate in it the projected "single currency" for Europe.'

26 February 1973

3143. In a statement on the monetary crisis, Mr *Willy De Clercq*, the Belgian Deputy Prime Minister, reproached the Community countries for their isolated reactions to the proposals made to them from outside. In his view the EEC Members must rally together in the negotiations with the USA on recasting the monetary system. Their main goal must be to put an end to the dollar's role as a reserve currency which was letting the USA make up their deficit by issuing their own currency.

To get out of the crisis Mr De Clercq held that the Member States of the EEC must ensure a closer monitoring of the Eurodollar market and lay down the keel of a genuine European capital market. Stressing the need for more strenuous integration of national economies, Mr De Clercq reiterated the appeal by his predecessor Mr Vlerick for the formation of a joint European currency and to increase the financial resources made available to the European Monetary Cooperation Fund.

3144. The Norwegian Government rejected the EEC proposals asking it to ease the import of certain agricultural products coming from the Common Market in exchange for the free sale of Norwegian frozen fish. Mr *Hallvard Eika*, the Norwegian Minister of Commerce, explained, however, that the negotiations had only just begun and that they would continue in Brussels.

3145. In a report he made for the United States of Europe Action Committee, Mr *Robert Triffin* recommended that the European Monetary Cooperation Fund to be set up on 1 April 1973 'have at its disposal a substantial

striking force in dollars and Community currencies.' 'What matters most at this stage,' he wrote, 'is not the widening of credit lines between Member States but the installation of a mechanism to gradually diminish and eventually eliminate margins between Community currencies.'

'The inconvertibility of the dollar,' added Mr Triffin, 'makes it more necessary than ever to overhaul the traditional rules on credit and settlement...' 'Inter-Community agreements on these questions are urgently needed...'

3146. By 55 votes to 1 the *Icelandic Parliament* ratified the Trade and Customs Agreement with the EEC. The Icelanders are eagerly waiting to know the EEC's position on their country's fishing zone boundary which they have set at 50 nautical miles and which has not been recognized by West Germany or Great Britain.

3147. During an interview with the London 'Times' largely devoted to European issues, Mr *Willy Brandt*, the Federal German Chancellor, when asked about expanding the authority of the European Parliament, replied as follows: 'For all the time I can foresee, it cannot replace the national parliaments. As the Council of Ministers continues to function, Parliament is not the decisive body of the Community. National governments who form this Council must be under the control of their national parliaments for what they are doing. We do not do very much along this line, but it is a natural thing that a government is asked by the national parliament to account for a decision upon this or that issue. But in the end, the European Parliament must have budgetary rights in all those areas where the Community collects money of its own. The area in which the Community controls money of its own is growing. There is a great danger now that certain things may get out of the

normal control of national parliaments and such control is not replaced by another. So this is the main thing. Then Strasbourg must have at least a higher degree of influence on legislation where the Community of course depends upon the balance between the Council of Ministers and the Commission. But the Parliament has to come into that. And they should have intensive rights of interpellation, i.e. to summon the responsible people of the Commission and of the Council and to have them explain their position and answer for those things in which public opinion is interested.'

3148. After welcoming the formation of the European Confederation of Trade Unions on 8 February 1973, the executive office of the European arm of the WCL meeting in Brussels with Mr Houthuys in the Chair expressed the wish that the discussions between the unions on union unity be swiftly resumed.

27 February 1973

3149. During a seminar in New Delhi for economic journalists, Mr *L. N. Mishra*, the Indian Minister of External Trade, said that 'the EEC's responsibilities towards the developing countries would not be met as long as stable and viable relations over trade have not been established with India. In particular, India is expecting from the EEC an immediate arrangement to help in neutralizing the negative effect on her exports due to the cutting out of trade advantages granted to her by Great Britain. India then requires a positive solution over the question of sensitive products like jute and coir fibre, an issue which has been hanging fire for too long. Finally, India is asking for a viable trade agreement to let her absorb the sizable and ever-increasing deficit of her trade balance with the EEC and also asking for fair access for her products to the largest and most prosperous economic union in the world.' The

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Minister recalled that over the 1970/71 financial year, India's trade balance with the Community finally came out as a deficit of 1 098 million rupees. The deficit was only partially offset by Community aid which amounted to 338 million rupees. The Minister acknowledged that the Community was not indifferent to India's trade problems. He noted that the Community was leading the field in the application of generalized preferences from which in his view India could draw some benefit provided she marshalled her production more scientifically.

3150. The *enlarged Bureau of the European Parliament* met in Berlin on 26 and 27 February. After the meeting a Communiqué was issued in which the Bureau took a position on the protests of the East German authorities against the meeting in Berlin of the Parliamentary Bureau. The Bureau declared: 'At this meeting of the enlarged Bureau, it may be said that the Treaties forming the EEC are completely applicable in Berlin. This legal position has been strengthened by the Berlin Agreement. It is the practice for the Bureau to meet in various Community cities, on its own initiative and quite independently. In this way, Berlin has been selected as the meeting place. The city's future role was not otherwise brought up during this working session. But the European Parliament is firmly convinced that through the policy of détente and the deepening of cooperation in Europe, the city will still be a link between the European groups which till now have been separated. This role falls to it due to its particular situation and to the splendid commitment of its citizens towards Europe.'

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Opinion on the proposal for a third directive on the harmonization of provisions laid down by law, regulation or administrative action in respect of turnover tax and excise duties levied on passenger transport

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(iii) a regulation on the opening, allocation and administration of a Community tariff quota for Jumilla, Priorato, Rioja and Valdepeñas wines coming under subheading ex 22.05 of the Common Customs Tariff and originating in Spain

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(ii) a regulation on the opening, allocation and administration of a Community tariff quota for pre-packed raisins, originating in Spain, with a net weight of 15 kg or less, under heading 08.04 B I of the Common Customs Tariff

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Opinion on the proposal for a regulation on imports of citrus fruit originating in the Arab Republic of Egypt

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Written questions and replies

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Question écrite 13/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Monopole français de la potasse (réponse complémentaire) [13/72 by Mr Vredeling to the Commission: French monopoly in potash (supplementary reply)]

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Question écrite 258/72 de M. Cousté à la Commission des Communautés européennes. Objet: Avenir dans la CEE des entreprises moyennes et petites, et les mesures que pourrait prendre la Commission en vue d'en favoriser le développement (258/72 by Mr Cousté to the Commission: The future in the EEC of medium and small size enterprises and measures the Commission could take to encourage their development) C 138, 31.12.1972

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Question écrite 294/72 de M. Durand à la Commission des Communautés européennes. Objet: Exportations communautaires de fromages (294/72 by Mr Durand to the Commission: Community exports of cheese)
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Question écrite 305/72 de M. Ginne à la Commission des Communautés européennes. Objet: Relations entre la Communauté européenne et l'OEA (305/72 by Mr Glinne to the Commission: Relations between the European Community and the OAS)
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Question écrite 306/72 de M. Glinne au Conseil des Communautés européennes. Objet: Relations entre la Communauté européenne et l'OEA (306/72 by Mr Glinne to the Council: Relations between the European Communities and the OAS)
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Question écrite 316/72 de M. Müller à la Commission des Communautés européennes. Objet: Mesures communautaires visant à prévenir les atteintes à la santé, consécutives à l'utilisation de cosmétiques et de produits d'hygiène corporelle (316/72 by Mr Müller to the Commission: Community measures to prevent harm to health through the use of cosmetics and products of personal hygiene)
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Question écrite 325/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Interdiction d'importer des œufs néerlandais en république fédérale d'Allemagne afin d'éviter la pseudo- peste aviaire

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Question écrite 327/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Décision de la Commission de retirer certains de ses projets et propositions au Conseil (327/72 by Mr Vredeling to the Commission: Commission Decision to withdraw some of its projects and proposals to the Council)
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C 138, 31.12.1972

Question écrite 348/72 de M. Seefeld à la Commission des Communautés européennes. Objet: Voyages aériens vers l'Italie et carte de débarquement (348/72 by Mr Seefeld to the Commission: Air travel to Italy and landing card)
C 138, 31.12.1972

Question écrite 350/72 de M. Cousté à la Commission des Communautés européennes. Objet: Nombre de centrales nucléaires dans le monde (350/72 by Mr Cousté to the Commission: The number of nuclear generating stations in the world)
C 138, 31.12.1972

Question écrite 352/72 de M. Glinne à la Commission des Communautés européennes. Objet: Octroi de bourses d'études de la Communauté et non-validité de diplômes ainsi obtenus (352/72 by Mr Glinne to the Commission: Grant of Community scholarships and non-validity of diplomas obtained through them)
C 138, 31.12.1972

Question écrite 354/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Perception, en Italie, de taxes à l'importation pour l'établissement de statistiques (354/72 by Mr Vredeling to the Commission: Collection of import taxes in Italy for establishing statistics)
C 138, 31.12.1972

Question écrite 355/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Accord international sur l'huile d'olive (355/72 by Mr Vredeling to the Commission: International agreement on olive oil)
C 138, 31.12.1972

Question écrite 369/72 de M. Oele à la Commission des Communautés européennes. Objet: Garanties contre le chantage aux explosifs nucléaires (369/72 by Mr Oele to the Commission: Guarantees against blackmail for nuclear explosives)
C 138, 12.31.1972

Question écrite 370/72 de M. Vredeling à la Commission de la Communautés européennes. Objet: Financement de projets par la section orientation du FEOGA (370/72 by Mr Vredeling to the Commission: Financing projects by the guidance section of the EAGGF)
C 138, 31.12.1972

Question écrite 373/72 de M. Richarts à la Commission des Communautés européennes. Objet: Propositions de prix agricoles (373/72 by Mr Richarts to the Commission: Proposed agricultural prices)
C 138, 31.12.1972

Question écrite 374/72 de M. Fellermaier à la Commission des Communautés européennes. Objet: Stocks de beurre dans la Communauté (374/72 by Mr Fellermaier to the Commission: Stocks of butter in the Community)
C 138, 31.12.1972

Question écrite 376/72 de M. Glinne au Conseil des Communautés européennes. Objet: Candidature roumaine à la Banque mondiale et au FMI (376/72 by Mr Glinne to the Council: Roumanian candidature for the World Bank and the IMF)
C 138, 31.12.1972

Question écrite 378/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Accords sur les débouchés entre producteurs européens, japonais et américains (378/72 by Mr Vredeling to the Commission: Agreements on outlets between European, Japanese and American producers)
C 138, 31.12.1972

Question écrite 380/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Représentation de la Communauté auprès de l'Organisation des Nations unies pour l'alimentation et l'agriculture (380/72 by Mr Vredeling to the Commission: Representation of the Community with the UNO for food and agriculture)
C 138, 31.12.1972

Question écrite 381/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Situation du marché des céréales dans les États membres (381/72 by Mr Vredeling to the Commission: Situation in the cereal market in Member States)
C 138, 31.12.1972

Question écrite 382/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Prélèvements internes sur les céréales en France (382/72 by Mr Vredeling to the Commission: Internal levies on cereals in France)
C 138, 31.12.1972

Question écrite 383/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Organisation commune du marché du tabac (383/72 by Mr Vredeling to the Commission: Common organization of the tobacco market)
C 138, 31.12.1972

Question écrite 384/72 de M. Springorum à la Commission des Communautés européennes. Objet: Rapport annuel de la Commission sur la situation économique de la Communauté, relatif à l'exercice 1972/1973 (384/72 by Mr Springorum to the Commission: Annual Report by the Commission on the economic situation of the Community for the 1972/1973 financial year)
C 138, 31.12.1972

Question écrite 385/72 de M. Terrenoire à la Commission des Communautés européennes. Objet: Danger de l'abattage prématuré et systématique des veaux pour l'avenir de la production de viande bovine (385/72 by Mr Terrenoire to the Commission: Danger of premature and systematic slaughter of calves for the future production of beef and veal)
C 138, 31.12.1972

Question écrite 387/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Présence d'hexachlorobenzène dans la viande porcine provenant des Pays-bas (387/72 by Mr Vredeling to the Commission: Presence of hexachlorobenzene in pork meat from the Netherlands)
C 138, 31.12.1972

Question écrite 388/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Programme communautaire visant à favoriser l'échange de jeunes travailleurs (388/72 by Mr Vredeling to the Commission: Community programme aimed at facilitating exchange of young workers)
C 138, 31.12.1972

Question écrite 390/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Aide à la Sicile après les tremblements de terre en 1968 (390/72

by Mr Vredeling to the Commission: Aid to Sicily after the 1968 earthquake)
C 138, 31.12.1972

Question écrite 391/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Teneur en mercure du poisson (391/72 by Mr Vredeling to the Commission: Mercury contents in fish)
C 138, 31.12.1972

Question écrite 392/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Demande d'aide alimentaire destinée aux habitants de la zone du canal de Suez, adressée par l'Égypte à la Commission (392/72 by Mr Vredeling to the Commission: Request for food aid for inhabitants of the Suez Canal area, sent by Egypt to the Commission)
C 138, 31.12.1972

Question écrite 393/72 de M. Vredeling au Conseil des Communautés européennes. Objet: Libre circulation des produits pharmaceutiques (393/72 by Mr Vredeling to the Council: Free circulation of pharmaceutical products)
C 138, 31.12.1972

Question écrite 395/72 de M. Cousté à la Commission des Communautés européennes. Objet: Étude sur l'introduction de la TVA en Italie (395/72 by Mr Cousté to the Commission: Study on the introduction of VAT in Italy)
C 138, 31.12.1972

Question écrite 396/72 de M. Cousté à la Commission des Communautés européennes. Objet: Traité commercial entre l'Union soviétique et l'Espagne (396/72 by Mr Cousté to the Commission: Trade agreement between the USSR and Spain)
C 138, 31.12.1972

Question écrite 398/72 de M. Oele à la Commission des Communautés européennes. Objet: Fusion dans l'industrie du pneu (398/72 by Mr Oele to the Commission: Mergers in the tyre industry)
C 138, 31.12.1972

Question écrite 399/72 de M. de Koning à la Commission des Communautés européennes. Objet: Assainissement de la production fruitière dans la Communauté (399/72 by Mr de Koning to the Commission: Improvement in the Community's fruit production)
C 138, 31.12.1972

Question écrite 402/72 de M. Jahn au Conseil des Communautés européennes. Objet: Suppression du contrôle aux frontières de l'assurance de la responsabilité civile résultant de la circulation des véhicules auto-

moteurs (402/72 by Mr Jahn to the Council: Removal of the border control on third party insurance for circulation of motor vehicles)
C 138, 31.12.1972

Question écrite 404/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Coopération entre la Yougoslavie et la Communauté dans le domaine scientifique et technique (404/72 by Mr Vredeling to the Commission: Cooperation between Yugoslavia and the Community in the field of science and technique)
C 138, 31.12.1972

Question écrite 407/72 de MM. Vredeling et Oele à la Commission des Communautés européennes. Objet: Prix des disques en Grande-Bretagne (407/72 by Mr Vredeling and Mr Oele to the Commission: Price of records in Great Britain)
C 138, 31.12.1972

Question écrite 410/72 de M. Burgbacher à la Commission des Communautés européennes. Objet: Désignation du « Land de Berlin » dans les actes juridiques de la Communauté (410/72 by Mr Burgbacher to the Commission: Designation of the "Land of Berlin" in the Community's legal provision)
C 138, 31.12.1972

Question écrite 413/72 de M. Glinne à la Commission des Communautés européennes. Objet: Mesures de protection vis-à-vis de produits dangereux (413/72 by Mr Glinne to the Commission: Protective measures against dangerous products)
C 138, 31.12.1972

Question écrite 414/72 de M. Glinne à la Commission des Communautés européennes. Objet: Importation frauduleuse de viandes congelées (414/72 by Mr Glinne to the Commission: Fraudulent imports of frozen meat)
C 138, 31.12.1972

Question écrite 415/72 de M. Glinne à la Commission des Communautés européennes. Objet: Coopération européenne dans l'industrie aéronautique (415/72 by Mr Glinne to the Commission: European cooperation in the aeronautical industry)
C 138, 31.12.1972

Question écrite 416/72 de M. Glinne à la Commission des Communautés européennes. Objet: Violation des droits de l'homme en Grèce et application de l'accord d'association CEE-Grèce (416/72 by Mr Glinne to the Commission: Infringement of human rights in Greece and implementation of the EEC/Greece association agreement)
C 138, 31.12.1972

Question écrite 420/72 de M. Dewulf à la Commission des Communautés européennes. Objet: Bourses accordées par la Communauté européenne aux ressortissants du Burundi (420/72 by Mr Dewulf to the Commission: Community grants to Burundi nationals)
C 138, 31.12.1972

Question écrite 422/72 de M. Dewulf à la Commission des Communautés européennes. Objet: Revenu par habitant dans les EAMA (422/72 by Mr Dewulf to the Commission: Income per head in the AASM)
C 138, 31.12.1972

Question écrite 432/71 de M. Vredeling à la Commission des Communautés européennes (432/71 by Mr Vredeling to the Commission)

Question écrite 403/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Importations en république fédérale d'Allemagne de pâte de cacao en provenance de la RDA (403/72 by Mr Vredeling to the Commission: Imports by the German Federal Republic of cocoa paste from the GDR)

Réponse complémentaire à la question écrite 432/71 et réponse à la question écrite 403/72 (Supplementary reply to 432/71 and reply and 403/72)
C 138, 31.12.1972

Question écrite 638/71 de M. Vredeling à la Commission des Communautés européennes. Objet: Construction d'une centrale nucléaire en Alsace (réponse complémentaire) [638/71 by Mr Vredeling to the Commission: Erection of a nuclear power station in Alsace (supplementary reply)]
C 138, 31.12.1972

Question écrite 10/72 de M. Ramaekers à la Commission des Communautés européennes. Objet: Harmonisation des techniques et prescriptions technologiques en matière de sécurité des installations nucléaires (réponse complémentaire) [10/72 by Mr Ramaekers to the Commission: Alignment of techniques and technological measures in the safety of nuclear plants (supplementary reply)]
C 138, 31.12.1972

Question écrite 93/72 DE M. Vredeling à la Commission des Communautés européennes. Objet: Accord international dans l'industrie chimique (93/72 by Mr Vredeling to the Commission: International agreement in the chemical industry)
C 138, 31.12.1972

Question écrite 180/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Coopération entre les services de traduction des institutions

européennes et les services administratifs des États membres (180/72 by Mr Vredeling to the Commission: Cooperation between the translation departments of the EEC and administrative departments of Member States)
C 138, 31.12.1972

Question écrite 192/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Limitation des exportations d'acier et de produits sidérurgiques de la Communauté à destination des États-Unis (192/72 by Mr Vredeling to the Commission: Limitation on exports of steel and iron and steel products by the Community to the USA)
C 138, 31.12.1972

Question écrite 205/72 de Mü Lulling à la Commission des Communautés européennes. Objet: Recrutement de personnel des pays candidats à l'adhésion (205/72 by Miss Lulling to the Commission: Recruitment of staff by countries candidates for accession)
C 138, 31.12.1972

Question écrite 424/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Arrangement dans le secteur des produits de jute (424/72 by Mr Vredeling to the Commission: Agreements in the jute product sector)
C 138, 31.12.1972

Question écrite 425/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Situation du marché mondial de l'acier (425/72 by Mr Vredeling to the Commission: Situation in the world market for steel).
C 138, 31.12.1972

Question écrite 428/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Accord international sur le cacao (428/72 by Mr Vredeling to the Commission: International cocoa agreement)
C 138, 31.12.1972

Question écrite 431/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Accord international sur la quinine (431/72 by Mr Vredeling to the Commission: International quinine agreement)
C 138, 31.12.1972

Question écrite 433/72 de M. Vredeling à la Commission des Communautés européennes. Objet: Concentration dans le domaine de la production et de la vente des pneumatiques (433/72 by Mr Vredeling to the Commission: Concentration in the production and sale of tyres)
C 138, 31.12.1972

Question écrite 439/72 de M. Vredeling à la Commission des Communautés européennes. Objet : Commentaires de la Commission sur des informations de presse (439/72 by Mr Vredeling to the Commission: Comments by the Commission on Press information)
C 138, 31.12.1972

Question écrite 447/72 de M. Vredeling à la Commission des Communautés européennes. Objet : Réponse à des questions écrites posées suite à des articles parus dans la presse (447/72 by Mr Vredeling to the Commission: Replies to written questions following articles in the Press)
C 138, 31.12.1972

Question écrite 452/72 de M. Vredeling à la Commission des Communautés européennes. Objet : Testament de la Commission en matière de politique agricole (452/72 by Mr Vredeling to the Commission: Statement by the Commission on agricultural policy)
C 138, 31.12.1972

Question écrite 456/72 de M. Cousté à la Commission des Communautés européennes. Objet : Statut fiscal "Domestic International Sales Corporation" (DISC) (456/72 by Mr Cousté to the Commission: "Domestic International Sales Corporation" (DISC) fiscal statute)
C 138, 31.12.1972

Question écrite 470/72 de M. Vredeling à la Commission des Communautés européennes. Objet : Impôt frappant les caravanes étrangères qui séjournent plus de 12 mois aux Pays-Bas (470/72 by Mr Vredeling to the Commission: Taxes on foreign caravans remaining more than 12 months in the Netherlands)
C 138, 31.12.1972

Question écrite 473/72 de M. Vredeling à la Commission des Communautés européennes. Objet : Envoi de circulaires via les Pays-Bas avec la mention « Port payé à Amsterdam » (473/72 by Mr Vredeling to the Commission: Despatch of circulars through the Netherlands with the endorsement "Postage paid in Amsterdam")
C 138, 31.12.1972

Question écrite 479/72 de M. Vredeling à la Commission des Communautés européennes. Objet : Traité fondamental entre la république fédérale d'Allemagne et la RDA (479/72 by Mr Vredeling to the Commission: Basic treaty between the German Federal Republic and the GDR)
C 138, 31.12.1972

Question écrite 484/72 de M. Rossi à la Commission des Communautés européennes. Objet : Diversité des prix perçus par les producteurs agricoles de la CEE en

1970/1971, selon les pays (484/72 by Mr Rossi to the Commission: Disparity in prices received by EEC agricultural producers in 1970/1971 according to countries)
C 138, 31.12.1972

Question écrite 495/72 de M. Jahn à la Commission des Communautés européennes. Objet : Création d'une direction « Commerce » à la Commission européenne (495/72 by Mr Jahn to the Commission: Setting up a "trade" directorate at the Commission)
C 138, 31.12.1972

Question écrite 499/72 de M. Vredeling à la Commission des Communautés européennes. Objet : Mesures compensatoires envisagées aux Pays-Bas en faveur de l'agriculture à la suite de la modification des taux de TVA (499/72 by Mr Vredeling to the Commission: Compensatory measures contemplated in the Netherlands in favour of agriculture following changes in VAT rates)
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Règlement (CEE) 2836/72 du Conseil, du 19 décembre 1972, portant conclusion d'un accord entre la Communauté économique européenne et la république d'Autriche et arrêtant des dispositions pour son application (Council Regulation (EEC) 2836/72 of 19 December 1972 concluding an agreement between the EEC and Austria and adopting provisions for its application)
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L 300, 31.12.1972

Règlement (CEE) 2838/72 du Conseil, du 19 décembre 1972, portant conclusion d'un accord entre la Communauté économique européenne et le royaume de Suède

et arrêtant des dispositions pour son application (Council Regulation (EEC) 2838/72 of 19 December 1972 on concluding an agreement between the EEC and Sweden and adopting provisions for its application)

Accord entre la Communauté économique européenne et le royaume de Suède (Agreement between the EEC and Sweden)

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L 300, 31.12.1972

Règlement (CEE) 2839/72 du Conseil, du 19 décembre 1972, relatif aux mesures de sauvegarde prévues à l'accord entre la Communauté économique européenne et le royaume de Suède (Council Regulation (EEC) 2839/72 of 19 December 1972 on safeguard measures written in the agreement between the EEC and Sweden)
L 300, 31.12.1972

Règlement (CEE) 2840/72 du Conseil, du 19 décembre 1972, portant conclusion d'un accord entre la Communauté économique européenne et la Confédération suisse, arrêtant des dispositions pour son application et portant conclusion de l'accord additionnel sur la validité pour la principauté de Liechtenstein de l'accord entre la Communauté économique européenne et la Confédération suisse du 22 juillet 1972 (Council Regulation (EEC) 2840/72 of 19 December 1972 concluding an agreement between the EEC and Switzerland and adopting provisions for its application and concluding an additional validity agreement for Liechtenstein of the agreement between the EEC and Switzerland of 22 July 1972)

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on the validity for Liechtenstein of the agreement between the EEC and Switzerland of 22 July 1972)

règlement (CEE) 2841/72 du Conseil, du 19 décembre 1972, relatif aux mesures de sauvegarde prévues à l'accord entre la Communauté économique européenne et la Confédération suisse (Council Regulation (EEC) 2841/72 of 19 December 1972 on safeguard measures for the agreement between the EEC and Switzerland)
L 300, 31.12.1972

Règlement (CEE) 2855/72 du Conseil, du 28 décembre 1972, portant ouverture, répartition et mode de gestion du contingent tarifaire communautaire d'autres tissus de coton, de la position 55.09 du tarif douanier commun, originaires d'Israël (Council Regulation (EEC) 2855/72 of 28 December 1972 on opening, distribution and administration of a Community tariff quota for other cotton material of heading 55.09 of the CCT, from Israel)
L 302, 31.12.1972

Règlement (CEE) 2856/72 du Conseil, du 28 décembre 1972, portant ouverture, répartition et mode de gestion du contingent tarifaire communautaire d'autres tissus de coton, de la position 55.09 du tarif douanier commun, originaires d'Espagne (Council Regulation (EEC) 2856/72 of 28 December 1972 on opening, distribution and administration of a Community tariff quota for other cotton material of heading 55.09 of the CCT from Spain)
L 302, 31.12.1972

Règlement (CEE) 2857/72 du Conseil, du 28 décembre 1972, portant ouverture, répartition et mode de gestion du contingent tarifaire communautaire de certains produits pétroliers, du chapitre 27 du tarif douanier commun, raffinés en Espagne (Council Regulation (EEC) 2857/72 of 28 December 1972, on opening, distribution and administration of a Community tariff quota for certain petroleum products of Chapter 27 of the CCT, refined in Spain)
L 302, 31.12.1972

Règlement (CEE) 2858/72 du Conseil, du 28 décembre 1972, portant ouverture, répartition et mode de gestion du contingent tarifaire communautaire de fils de coton, non conditionnés pour la vente au détail, de la position 55.05 du tarif douanier commun, originaires de Malte (Council Regulation (EEC) 2858/72 of 28 December 1972 on opening, distribution and administration of a Community tariff quota for cotton thread, not presented for retail sale, of heading 55.05 of the CCT, from Malta)
L 302, 31.12.1972

Règlement (CEE) 2859/72 du Conseil, du 28 décembre 1972, portant ouverture, répartition et mode de gestion du contingent tarifaire communautaire de fibres textiles synthétiques et artificielles, de la position 56.04 du tarif douanier commun, originaires de Malte (Council Regulation (EEC) 2859/72 of 28 December 1972, on opening, distribution and administration of a Community tariff quota for synthetic and artificial textile fibres of heading 56.04 of the CCT, from Malta)
L 302, 31.12.1972

Règlement (CEE) 2860/72 du Conseil, du 28 décembre 1972, portant ouverture, répartition et mode de gestion du contingent tarifaire communautaire de vêtements de dessus, de la position 60.05 du tarif douanier commun, originaires de Malte (Council Regulation (EEC) 2860/72 of 28 December 1972 on opening, distributing and administration of a Community tariff quota for top clothes of 60.05 of the CCT, from Malta)
L 302, 31.12.1972

Règlement (CEE) 2861/72 du Conseil, du 28 décembre 1972, portant ouverture, répartition et mode de gestion du contingent tarifaire communautaire de vêtements de dessus pour hommes et garçonnets, de la position 61.01 du tarif douanier commun, originaires de Malte (Council Regulation (EEC) 2861/72 of 28 December 1972 on opening, distribution and administration of a Community tariff quota for top clothes for men and boys of heading 61.01 of the CCT, from Malta)
L 302, 31.12.1972

Regulation (EEC) 220/73 of the Council of 31 January 1973 amending the Common Customs Tariff in respect of certain fishery products
L 27, 1.2.1973

Regulation (EEC) 221/73 of the Council of 31 January 1973 partially and temporarily suspending the autonomous duties in the Common Customs Tariff on fillets of herring, uncooked, breaded and frozen, of subheading ex 16.04 C and on fillets of other fish, uncooked, breaded and frozen, of subheading ex 16.04 G
L 27, 1.2.1973

Regulation (EEC) 222/73 of the Council of 31 January 1973 on the exchange rates to be applied in agriculture for the currencies of the new Member States
L 27, 1.2.1973

Regulation (EEC) 223/73 of the Council of 31 January 1973 laying down general rules to ensure the proper functioning of the common organization of the market in sugar following the Accession of the new Member States
L 27, 1.2.1973

Regulation (EEC) 224/73 of the Council of 31 January 1973 laying down general rules concerning the components designed to ensure, within the cereals and rice sectors, the protection of the processing industry, and fixing those components in respect of the new Member States
L 27, 1.2.1973

Regulation (EEC) 225/73 of the Council of 31 January 1973 amending Regulation (EEC) 1349/72 on the production and marketing of eggs for hatching and poultry chicks
L 27, 1.2.1973

Regulation (EEC) 226/73 of the Council of 31 January 1973 laying down general rules for imports of New Zealand butter and cheese into the United Kingdom
L 27, 1.2.1973

Regulation (EEC) 227/73 of the Council of 31 January 1973 authorizing the new Member States to take over national subdivisions for certain agricultural products within the Common Customs Tariff nomenclature
L 27, 1.2.1973

Regulation (EEC) 228/73 of the Council of 31 January 1973 laying down general rules for the system of compensatory amounts for fruit and vegetables
L 27, 1.2.1973

Regulation (EEC) 229/73 of the Council of 31 January 1973 laying down general rules for the system of compensatory amounts for cereals and fixing these for certain products
L 27, 1.2.1973

Regulation (EEC) 234/73 of the Council of 31 January 1973 laying down general rules for the system of compensatory amounts for pigmeat
L 29, 1.2.1973

Regulation (EEC) 235/73 of the Council of 31 January 1973 laying down the general rules of the system of compensatory amounts for poultrymeat
L 29, 1.2.1973

Regulation (EEC) 236/73 of the Council of 31 January 1973 amending several regulations relating to agriculture in consequence of the decisions taken concerning the currencies of the new Member States
L 29, 1.2.1973

Regulation (EEC) 237/73 of the Council of 31 January 1973 laying down general rules for the system of compensatory amounts for eggs
L 29, 1.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 49, 22.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 50, 23.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

Regulation (EEC) 533/73 of the Commission of 23 February 1973 fixing the import levies on white sugar and raw sugar
L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 51, 24.2.1973

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L 52, 25.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 54, 27.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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L 55, 28.2.1973

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72/461/CEE :

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L 302, 31.12.1972

72/462/CEE :

Directive du Conseil, du 12 décembre 1972, concernant des problèmes sanitaires et de police sanitaire lors de l'importation d'animaux des espèces bovine et porcine et des viandes fraîches en provenance des pays tiers (Council Directive of 12 December 1972 on problems of health and health control when importing animals of the bovine and porcine species and fresh meat from third countries)
L 302, 31.12.1972

72/464/CEE :

Directive du Conseil, du 19 décembre 1972, concernant les impôts autres que les taxes sur le chiffre d'affaires frappant la consommation des tabacs manufacturés (Council Directive of 19 December 1972 on taxes other than turnover tax affecting the consumption of manufactured tobaccos)
L 303, 31.12.1972

72/491/CEE :

Décision du Conseil, du 26 septembre 1972, portant conclusion d'un accord entre la Communauté économique européenne et le Programme alimentaire mondial relatif à la fourniture de céréales au bénéfice de pays en voie de développement à titre d'aide alimentaire (Council Decision of 26 September 1972 concluding an agreement between the EEC and the World Food Programme on the supply of cereals to developing countries as food aid)
L 304, 31.12.1972

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L 304, 31.12.1972

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L 304, 31.12.1972

72/492/Euratom, CECA, CEE :

Décision du Conseil, du 7 novembre 1972, donnant décharge à la Commission sur l'exécution du budget supplémentaire des Communautés européennes pour l'exercice 1969 (Council Decision of 7 November 1972 discharging the Commission of the execution of the budget and supplementary budget of the European Communities in the 1969 financial year)
L 304, 31.12.1972

72/493/Euratom :

Décision du Conseil, du 7 novembre 1972, donnant décharge à la Commission sur l'exécution du budget supplémentaire de recherches et d'investissement de la CEEA pour l'exercice 1969 (Council Decision of 7 November 1972 discharging the Commission of the execution of the budget and supplementary budget for the ECSC research and investments in the 1969 financial year)
L 304, 31.12.1972

72/494/Euratom :

Décision du Conseil, du 12 décembre 1972, portant modification de la décision du Conseil, du 25 avril 1972, arrêtant un programme de recherches et d'enseignement de la Communauté européenne de l'énergie atomique pour l'exercice 1972, composé d'un pro-

gramme commun et de programmes complémentaires (Council Decision of 12 December 1972 amending Council Decision of 25 April 1972 adopting a Community research and teaching programme in atomic energy for the 1972 financial year consisting of a joint programme and supplementary programmes)
L 304, 31.12.1972

72/495/CEE :

Décision du Conseil, du 12 décembre 1972, portant conclusion d'un accord entre la Communauté économique européenne et la république du Bangla Desh sur le commerce des produits de jute (Council Decision of 12 December 1972 concluding an agreement between the EEC and Bangladesh on trade in jute products)
L 304, 31.12.1972

72/496/CEE :

Décision du Conseil, du 19 décembre 1972, portant conclusion d'une convention entre la Communauté économique européenne et l'office de secours et de travaux des Nations unies pour les réfugiés de Palestine, relative à l'assistance aux réfugiés des pays du Moyen-Orient (Council Decision of 19 December 1972 concluding an agreement between the EEC and the Relief and Welfare Agency of the United Nations for the refugees of Palestine, concerning assistance to refugees of Middle East countries)
L 304, 31.12.1972

Convention entre la Communauté économique européenne et l'office de secours et de travaux des Nations unies pour les réfugiés de Palestine, relative à l'assistance aux réfugiés des pays du Moyen-Orient (Convention between the EEC and the Relief and Welfare Agency of the United Nations for refugees of Palestine, concerning assistance to refugees of Middle East countries)

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L 304, 31.12.1972

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C 141, 31.12.1972

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C 141, 31.12.1972

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L 141, 31.12.1972

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C 141, 31.12.1972

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C 141, 31.12.1972

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C 141, 31.12.1972

Remplacement d'un membre du Comité consultatif pour la formation professionnelle (Substitution of a member of the Advisory Committee for vocational training)
C 141, 31.12.1972

Remplacement d'un membre du Comité scientifique et technique (Substitution of a member of the Scientific and Technical Committee)
L 141, 31.12.1972

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C 3, 5.2.1973

The Commission

Directives and Decisions

72/465/CEE :

Décision de la Commission, du 8 décembre 1972, autorisant le royaume de Belgique, le grand-duché de Luxembourg et le royaume des Pays-Bas à vendre du beurre à prix réduit sous forme de beurre concentré (Commission decision of 8 December 1972 authorizing Belgium, Luxembourg and the Netherlands to sell butter in the form of concentrated butter at reduced price)
L 303, 31.12.1972

72/466/CEE :

Décision de la Commission, du 8 décembre 1972, fixant le montant maximum pour la fourniture de produits d'œufs au Programme alimentaire mondial dans le cadre de la procédure d'adjudication prévue dans le règlement (CEE) 2332/72 (Commission Decision of 8 December 1972 fixing the maximum amount for the supply of eggs to the World Food Programme in the context of the tender procedure provided for in Regulation (EEC) 2332/72)
L 303, 31.12.1972

72/467/CEE :

Décision de la Commission, du 8 décembre 1972, relative à la fixation du prix minimum de vente du beurre pour la sixième adjudication particulière effectuée dans le cadre de l'adjudication permanente visée au règlement (CEE) 1519/72 (Commission Decision of 8 December 1972 on fixing the minimum selling price of butter in the sixth special tender in the context of the permanent tender under Regulation (EEC) 1519/72)
L 303, 31.12.1972

72/468/CEE :

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L 303, 31.12.1972

72/469/CEE :

Décision de la Commission, du 18 décembre 1972, relative à la fixation du prix minimum de vente du beurre pour la onzième adjudication particulière effectuée dans le cadre de l'adjudication permanente visée au règlement (CEE) 1259/72 (Commission Decision of 18 December 1972 on fixing the minimum selling price

of butter in the eleventh special tender in the context of the permanent tender under Regulation (EEC) 1259/72)
L 303, 31.12.1972

72/470/CEE :

Décision de la Commission, du 18 décembre 1972, relative à la fixation du prix minimum de vente du beurre pour la septième adjudication particulière effectuée dans le cadre de l'adjudication permanente visée au règlement (CEE) 1519/72 (Commission Decision of 18 December 1972 on fixing the minimum selling price of butter in the seventh tender in the context of the permanent tender under Regulation (EEC) 1519/72)
L 303, 31.12.1972

72/471/CEE :

Avis de la Commission, du 18 décembre 1972, adressé au gouvernement du royaume des Pays-Bas au sujet d'un projet de loi portant approbation et exécution de la convention conclue le 29 mai 1972 à Luxembourg entre les Pays-Bas, la Belgique et le Luxembourg, relative à l'unification des droits d'accise (Commission Opinion of 18 December 1972 sent to the Government of the Netherlands concerning a draft law approving and implementing the Convention concluded on 29 May 1972 in Luxembourg between the Netherlands, Belgium and Luxembourg on standardization of excise duties)
L 303, 31.12.1972

72/472/CEE :

Décision de la Commission, du 20 décembre 1972, fixant le montant maximum pour la quinzième adjudication partielle de sucre blanc effectuée en vertu du règlement (CEE) 1897/72 (Commission Decision of 20 December 1972 fixing the maximum amount for the fifteenth partial tender for white sugar under Regulation (EEC) 1897/72)
L 303, 31.12.1972

72/473/CEE :

Décision de la Commission, du 20 décembre 1972, autorisant la République italienne à exclure du traitement communautaire les véhicules automobiles pour le transport des personnes, de la position 87.02 A du tarif douanier commun, originaires du Japon et mis en libre pratique dans les autres États membres (Commission Decision of 20 December 1972 authorizing Italy to exclude from Community conditions motor vehicles for transport of persons of heading 87.02 A of the CCT, from Japan and circulating freely in other Member States)
L 303, 31.12.1972

72/474/CEE :

Décision de la Commission, du 22 décembre 1972, relative à une procédure d'application de l'article 85 du traité CEE (IV/243, 244, 245 — Cimbel) [Commission Decision of 22 December 1972 on an application procedure of Article 85 of the EEC Treaty (IV/243, 244 and 245—Cimbel)]
L 303, 31.12.1972

72/475/CEE :

Décision de la Commission, du 22 décembre 1972, autorisant la république fédérale d'Allemagne à vendre du beurre à prix réduit sous forme de beurre concentré (Commission Decision of 22 December 1972 authorizing the German Federal Republic to sell butter in the form of concentrated butter at a reduced price)
L 303, 31.12.1972

72/476/CEE :

Décision de la Commission, du 22 décembre 1972, relative au remboursement par le FEOGA, section orientation, à la république fédérale d'Allemagne, des primes versées pendant les années 1970 et 1971 pour l'arrachage des pommiers, des poiriers et des pêchers (Commission Decision of 22 December 1972 on refund by the EAGGF, guidance section, to Germany of bonuses paid in 1970 and 1971 for lifting apple trees, pear trees and peach trees)

72/477/CEE :

Décision de la Commission, du 22 décembre 1972, portant octroi du concours du Fonds social européen, prévu à l'article 125 du traité, au bénéfice du royaume des Pays-Bas pour des dépenses relatives à des opérations de rééducation professionnelle et de réinstallation effectuées par le « Ministerie van Sociale Zaken » (Dossiers FSE 71 009, 71 010, 71 055, 71 056, 71 071, 71 072, 71 102, 71 105) [Commission Decision of 22 December 1972 authorizing payments from the European Social Fund under Article 125 of the Treaty to the Netherlands for expenses on vocational retraining and resettling by the "Ministerie van Sociale Zaken" (FSE files 71 009, 71 010, 71 055, 71 056, 71 071, 71 072, 71 102, 71 105)]
L 303, 31.12.1972

72/478/CEE :

Décision de la Commission, du 22 décembre 1972, relative à une procédure d'application de l'article 85 du traité CEE (IV/89-26 349 « Décisions de l'association GISA ») [Commission Decision of 22 December 1972 on an application procedure of Article 85 of the EEC Treaty (IV/89-26 349 "Decisions on the GISA Association")].
L 303, 31.12.1972

72/479/CEE :

Décision de la Commission, du 22 décembre 1972, autorisant la république fédérale d'Allemagne à différer l'application des droits du tarif douanier commun en ce qui concerne certains vinaigres (Commission Decision of 22 December 1972 authorizing Germany to defer the application of the CCT to certain vinegars)
L 303, 31.12.1972

72/480/CEE :

Décision de la Commission, du 22 décembre 1972, relative à une procédure d'application de l'article 85 du traité CEE (IV/26 992 — WEA-Filipacchi Music SA) [Commission Decision of 22 December 1972 on an application procedure of Article 85 of the EEC Treaty (IV/26 992—WEA-Filipacchi Music SA)]
L 303, 31.12.1972

72/481/CEE :

Décision de la Commission, du 22 décembre 1972, autorisant la République française à appliquer des mesures de protection pour les animaux vivants de l'espèce ovine, position 01.04 A I b) du tarif douanier commun, et la viande ovine de la position 02.01 A ex IV du tarif douanier commun, originaires des pays tiers et mis en libre pratique dans les autres États membres (Commission Decision of 22 December 1972 authorizing France to apply protective measures for live animals of the ovine race, heading 01.04 A I b of the CCT and ovine meat, heading 02.01 A ex IV of the CCT from third countries and in free circulation in the other Member States)
L 303, 31.12.1972

72/482/CEE :

Décision de la Commission, du 27 décembre 1972, relative à la fixation du prix minimum du lait écrémé en poudre pour l'adjudication visée au règlement (CEE) 2374/72 (Commission Decision of 27 December 1972 fixing the minimum price of skimmed milk powder for the tender under Regulation (EEC) 2374/72)
L 303, 31.12.1972

72/483/CEE :

Décision de la Commission, du 29 décembre 1972, fixant les taux des taxes compensatoires pouvant être perçues par la république fédérale d'Allemagne et la République française, en remplacement des prix minima (Commission Decision of 29 December 1972 fixing compensatory rates which can be collected by Germany and France instead of the minimum prices)
L 303, 31.12.1972

72/484/CEE :

Décision de la Commission, du 29 décembre 1972, portant concours de la Communauté aux dépenses du royaume de Belgique résultant de l'exécution du programme 1968/1969 de la convention d'aide alimentaire de 1967 (Commission Decision of 29 December 1972 on the Community's participation in Belgium's expenses through the execution of the 1968/1969 programme of the food aid convention of 1967)

L 303, 31.12.1972

72/485/CECA :

Décision de la Commission, du 29 décembre 1972, portant dérogation à la recommandation 1-64 de la Haute Autorité relative à un relèvement de la protection frappant les produits sidérurgiques à la périphérie de la Communauté (cinquante et unième dérogation) [Commission Decision of 29 December 1972 by way of derogation from Recommendation 1-64 by the High Authority on lifting the protection on steel products at the periphery of the Community (51st derogation)]

L 303, 31.12.1972

72/486/CECA :

Décision de la Commission, du 29 décembre 1972, portant dérogation à la recommandation 1-64 de la Haute Autorité relative à un relèvement de la protection frappant les produits sidérurgiques à la périphérie de la Communauté (cinquante-deuxième dérogation) [Commission Decision of 29 December 1972 by way of derogation from Recommendation 1-64 by the High Authority on lifting the protection on steel products at the periphery of the Community (52nd derogation)]

L 303, 31.12.1972

72/487/CEE :

Décision de la Commission, du 29 décembre 1972, portant concours de la Communauté aux dépenses de la république fédérale d'Allemagne résultant de l'exécution du programme 1968/1969 de la convention d'aide alimentaire de 1967 (Commission Decision of 29 December 1972 on the Community's participation in Germany's expenses through the execution of the 1968/1969 programme of the food aid convention of 1967)

L 303, 31.12.1972

72/488/CEE :

Décision de la Commission, du 29 décembre 1972, portant concours de la Communauté aux dépenses de la République française résultant de l'exécution du programme 1968/1969 de la convention d'aide alimentaire de 1967 (Commission Decision of 29 December 1972 on the Community's participation in France's expenses

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L 303, 31.12.1972

72/489/CEE :

Décision de la Commission, du 29 décembre 1972, portant concours de la Communauté aux dépenses de la République italienne résultant de l'exécution du programme 1968/1969 de la convention d'aide alimentaire 1967 (Commission Decision of 29 December 1972 on the Community's participation in Italy's expenses through the execution of the 1968/1969 programme of the food aid convention of 1967)

L 303, 31.12.1972

72/490/CEE :

Décision de la Commission, du 29 décembre 1972, portant concours de la Communauté aux dépenses du royaume des Pays-Bas résultant de l'exécution du programme 1968/1969 de la convention d'aide alimentaire de 1967 (Commission Decision of 29 December 1972 on the Community's participation in the Netherlands' expenses through the execution of the 1968/1969 programme of the food aid convention of 1967)

L 303, 31.12.1972

72/497/CEE :

Décision de la Commission, du 22 décembre 1972, portant octroi du concours du Fonds social européen, prévu à l'article 125 du traité, au bénéfice de la République italienne, pour des dépenses relatives à des opérations de rééducation professionnelle effectuées par le ministère du travail et de la prévoyance sociale et plusieurs organismes italiens (Commission Decision of 22 December 1972 authorizing the help of the European social Fund under Article 125 of the Treaty in favour of Italy for vocational retraining expenses incurred by the Ministry of Labour and Social Security and several other Italian organisms)

L 304, 31.12.1972

72/498/CEE :

Décision de la Commission, du 22 décembre 1972, portant octroi du concours du Fonds social européen, prévu à l'article 125 du traité, au bénéfice du royaume de Belgique, pour des dépenses relatives à des opérations de rééducation professionnelle et de réinstallation effectuées par l'Office national de l'emploi (ONEM) [Commission Decision of 22 December 1972 authorizing the help of the European Social Fund under Article 125 of the Treaty in favour of Belgium for vocational retraining and resettling expenses incurred by the National Employment Office (ONEM)]

L 304, 31.12.1972

72/499/CEE:

Décision de la Commission, du 22 décembre 1972, portant octroi du concours du Fonds social européen, prévu à l'article 125 du traité, au bénéfice de la République fédérale d'Allemagne, pour des dépenses relatives à des opérations de rééducation professionnelle et de réinstallation effectuées par la Bundesversicherungsanstalt für Angestellte (BfA) les organismes d'assurances sociales des travailleurs, la Bundesanstalt für Arbeit (BA) et la Bergbau-Berufsgenossenschaft Bochum (Commission Decision of 22 December 1972 authorizing the help of the European Social Fund under Article 125 of the Treaty in favour of Germany FR for vocational retraining and resettling expenses incurred by the Bundesversicherungsanstalt für Angestellte (BfA), organisms for workers social insurance, the Bundesanstalt für Arbeit (BA) and the Bergbau-Berufsgenossenschaft Bochum)

L 304, 31.12.1972

72/500/CEE :

Décision de la Commission, du 22 décembre 1972, portant octroi du concours du Fonds social européen, prévu à l'article 125 du traité, au bénéfice de la République française, pour des dépenses relatives à des opérations de rééducation professionnelle effectuées par le ministère du travail, de l'emploi et de la population et le ministère de l'agriculture (Commission Decision of 22 December 1972 authorizing the help of the European Social Fund under Article 125 of the Treaty in favour of France for vocational retraining expenses incurred by the Ministry of Agriculture)

L 304, 31.12.1972

72/501/CEE:

Décision, du 22 décembre 1972, portant octroi du concours du Fonds social européen, prévu à l'article 125 du traité, au bénéfice de la République italienne, pour des dépenses relatives à des opérations de rééducation professionnelle effectuées par le ministère du travail et de la prévoyance sociale, l'Istituto nazionale per l'addestramento ed il perfezionamento dei lavoratori dell'industria (INAPLI) et l'Istituto nazionale della previdenza sociale (INPS) [Commission Decision of 22 December 1972 authorizing the help of the European Social Fund under Article 125 of the Treaty in favour of Italy for vocational retraining expenses incurred by the Ministry of Labour and Social Security, the Istituto nazionale per l'addestramento ed il perfezionamento dei lavoratori dell'industria (INAPLI) and the Istituto nazionale della previdenza sociale (INPS)]

L 304, 31.12.1972

72/502/CEE:

Décision de la Commission, du 22 décembre 1972, portant octroi du concours du Fonds social européen,

prévu à l'article 125 du traité, au bénéfice du grand-duché de Luxembourg, pour des dépenses relatives à une opération de rééducation professionnelle effectuée par l'Office de placement et de rééducation professionnelle des travailleurs handicapés (Commission Decision of 22 December 1972 authorizing the help of the European Social Fund under Article 125 of the Treaty in favour of Luxembourg for vocational retraining expenses incurred by the Employment and Vocational Retraining Office for handicapped workers)

L 304, 31.12.1972

72/503/CEE:

Décision de la Commission, du 22 décembre 1972, portant octroi du concours du Fonds social européen, prévu à l'article 125 du traité, au bénéfice du royaume des Pays-Bas, pour des dépenses relatives à des opérations de rééducation professionnelle effectuées par le ministère des affaires sociales (Commission Decision of 22 December 1972 authorizing the help of the European Social Fund under Article 125 of the Treaty in favour of the Netherlands for vocational retraining expenses incurred by the Ministry for Social Affairs)

L 304, 31.12.1972

72/463/CEE:

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L 40, 13.2.1973

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73/15/EEC.

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L 51, 24.2.1973

73/16/EEC:

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