

ECONOMIC AND SOCIAL CONSULTATIVE ASSEMBLY

BULLETIN

LIBRARY



EUROPEAN COMMUNITIES
ECONOMIC AND SOCIAL COMMITTEE

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

ECONOMIC AND SOCIAL COMMITTEE
Press, Information and Publications Division

Rue Ravenstein 2
B-1000 Bruxelles

Tel. 519 90 11

Telegrams: ECOSEUR
Telex: 25 983 CESEUR

Catalogue number: ESC 88-005-EN

Luxembourg: Office for Official Publications of the European Communities, 1988

Catalogue number: EX-AA-88-003-EN-C

Reproduction is authorized, except for commercial purposes, provided the source is acknowledged.

Printed in Belgium

Contents

	<i>Page</i>
253rd PLENARY SESSION	3
Summary of Mr Marín's speech	3
Discussion	4
Summary of Mr von Wartenberg's speech	5
Discussion	6
Opinions adopted	9
1. Employment problems facing frontier workers (Own-initiative Opinion).....	9
2. Equal treatment — Social security schemes	10
3. Land set-aside	13
4. Energy efficiency of buildings	17
5. Lot identification of foodstuffs	19
6. International travel	20
7. Wine controls	21
8. Construction products	22
EXTERNAL RELATIONS	27
NEW CONSULTATIONS	28
PROGRAMME OF FUTURE WORK	29
PERSONAL NEWS	31

253rd Plenary Session

The 253rd Plenary Session of the Economic and Social Committee of the European Communities was held at Committee headquarters, Brussels, on 24 and 25 February 1988 under the chairmanship of the Committee's Chairman, Mr Alfons Margot.

The Session was attended by Mr von Wartenberg, Parliamentary State Secretary of the German Federal Ministry of Economic Affairs and President-in-Office of the Council, and by Mr Manuel Marín, Vice-President of the Commission.

Mr von Wartenberg reviewed the outcome of the Brussels Summit meeting and submitted the programme put forward by the Federal Republic of Germany (currently in the Council chair). Mr Marín discussed the social impact of the internal market.

Summary of Mr Marín's speech

Mr Marín's statement focused on the agreement reached at the Brussels Summit of 11 and 12 February, and the impact of this on the European social area. He made special mention of the report by Mr Beretta on social aspects of the internal market which the Committee had adopted a few months ago, and of the discussions it had aroused.

The Commission's recent meetings had centred on how best to develop social policy to meet the changing situation. The Community's role was to guide, encourage, and help redistribute financial resources.

This would be the basis for a more coherent and ambitious social policy embracing five main action areas:

- (i) Improvement of living and working conditions, including health and safety of workers; a framework Directive and five specific Directives were that day being approved. These covered safety at the workplace, the use of machinery, personal protective equipment, VDU work (information technology), and the handling of heavy loads.
- (ii) Free movement of people. Action to combat discrimination against migrants would also encourage movement of persons.

- (iii) Helping people adapt to changes in production and technological developments, by encouraging further training and improving worker information, advice and participation. Action would be taken against the black economy, with a clear-cut delimitation of labour flexibility.
- (iv) Strengthening economic and social cohesion by fighting long-term unemployment and devoting special attention to the problems of working women and to social security problems (a key factor in income redistribution and protection).
- (v) Stepping up social dialogue, by proposing talks with the European Trade Union Confederation (ETUC) and the Union of Industries of the European Community (Unice) to explore ways of increasing dialogue at sectoral level and defining a code of practice.

Mr Marín concluded by stressing his conviction that the internal market should mark a step forward in the social advancement of workers; the achievement of this called for an act of will.

Discussion

During the discussion, Mr E. Aparicio Bravo (Spain), Mr W. Löw (Federal Republic of Germany) and Mr H. Rolão Gonçalves (Portugal), all members of Group I, stressed that it was only through economic growth and competitiveness that the Community would be able to create lasting jobs and achieve social progress. They felt that the term 'social area', like others used by the Commission, was too vague. The Employers' Group felt that it was inappropriate for the Commission to branch out into Community legislation on social matters: that was the responsibility of national governments. Mr Schade-Poulsen (Denmark) was pleased to see that the Commission had abandoned the idea of a social charter and had opted for a more realistic approach.

Group II members — including the Chairman, Mr Staedelin (France), Mr G. Dassis (Greece), Mr E. Calvet Chambon (Spain) and Mr T. Etty (the Netherlands) asked for the 'social' report to be examined at the next Summit, to be held in Hannover. The social aspects of future directives should not be treated as a kind of social addendum and information and consultation of workers should not be overlooked. A framework directive should be introduced in that field. Group II members also noted that the increase in the structural Funds, although welcome, was the minimum needed and that there was still a long way to go, particularly in the Mediterranean Member States, before it would be possible to achieve social unity and reduce unemployment.

With respect to health and safety at work, in addition to other planned directives, it was not enough to align on the minimum standards.

Mrs B. Rangoni-Machiavelli (Italy), for Group III, said that it was difficult to assess the social situation as there were no rules on data collection, particularly data on unemployment. As we set our sights on 1992, we should remember that this was to be the Europe of the citizens, a Europe free of discrimination in terms of sex, age or region, a Europe which would guarantee respect of human rights. Mr W. Briganti (Italy) said that the social implications of the single market could not be dealt with solely by two-way discussion between employers and workers. They affected society as a whole, small and medium-sized firms, cooperatives, etc. He raised the issue of unemployment and asked everyone to give their support to social policy. Mr J. Muñiz Guardado (Spain) agreed, and said that every effort should be made to avoid brushing aside social questions. Europe needed a solid structure and firm foundations. To achieve that, unemployment had to be combated by every possible means.

Mr Marín, in answer to a number of questions, noted that employers thought the Commission's social policy went too far, whereas workers felt that it did not go far enough. That was sure proof of the Commission's impartiality. If wealth was not created, it could not be redistributed. It would be easier to create wealth in a balanced social environment. It was not up to the Commission to solve the problem of unemployment. All the Commission could do was encourage certain Member States to adopt a particular economic strategy; it could not decide for them. Any regulations on social standards should always be considered the minimum — nothing prevented a country from improving them. The real problem arose for countries whose rules fell short of those standards. That was why structural Funds would have to be provided, to help the less-advanced Member States.

Summary of Mr von Wartenberg's speech

Having recapitulated the results of the Brussels Summit of 11 and 12 February and the successes achieved by the Government of the Federal Republic of Germany, Dr von Wartenberg said that the completion of the internal market was the number one objective of European policy. Integration of the internal market would 'give a new impetus for growth which was urgently needed for social security in the Community and for the reduction of unemployment'. Radical structural change would, however, be required of the Member States and individual economic sectors. 'This is a challenge to be met equally by firms, workers and trade unions. Their opportunities and

thus their responsibilities will increase as the internal market nears completion. It is thus their conduct which will help determine the extent to which the opportunities offered by the common market are utilized. ... The Community "cake" is getting bigger. This is of vital importance. An integrated internal market should not be equated with a return to the era of "laissez-faire".

Government had an important role to play in the common market. Measures would be needed to guarantee the long-term viability of the market. Free competition did not arise of its own accord. It had to be brought about by the 'State'.

Economic and social cohesion in the Community would be promoted by close cooperation between the Member States on economic policy.

In parallel with the integration of the internal market the Community was pursuing an active social policy. To that end the Single European Act had provided important policy instruments.

Mr von Wartenberg listed reduction of unemployment, protection of jobs and social dialogue as the main focal points of social policy.

Mr von Wartenberg also dealt with the following aspects of economic policy: the further dismantlement of trade barriers — with the emphasis on production based on uniform or reciprocally recognized standards; the opening-up of public purchasing markets; the liberalization of capital movements; progress on freedom of establishment and freedom to provide services; the harmonization of taxes; progress towards a common transport market and the 'Europeanization' of patent and trade-mark protection. Coordination of economic, financial and monetary policy, environmental policy and foreign policy were among the crucial integration issues.

Discussion

Mr J. P. Petersen (Federal Republic of Germany), Mr J. Pardon (Belgium) and Mr Meyer Horn (Federal Republic of Germany), all members of the Employers' Group, called for removal of hindrances to integration, such as the Italian reservation on the 1988 budget. Integration would be very much at risk if the Community failed to achieve substantial economic growth and reduce unemployment. The speakers asked for the views of the State Secretary on the case for setting up a Community central bank.

They accepted that creation of a European currency was still not realistic. The single market would have to be achieved in a harmonized framework. Monetary convergence, liberalization of the capital

market and elimination of unemployment could not be achieved without a minimum of Community consultation. Mr Neto da Silva (Portugal) said that in that respect the summit conference had been a semi-success or a semi-failure. For instance, the agreement on the reduction of spending on agriculture fell far short of what the Commission had proposed. Agreement on structural Funds was incomplete — the concentration of funds was not covered.

Mr F. Staedelin (France) and Mr P. Flum (Federal Republic of Germany) — members of the Workers' Group — said that the German chair should treat unemployment as a priority issue at the forthcoming summit meeting in Hannover. There was clearly an imbalance, if one compared the efforts made to help 13 million farmers in the Community with the problems posed by the 16 to 18 million unemployed. Unemployment was a political risk which might well hamper achievement of the single market. It was essential to work out a policy targeted on restructuring and Community rules for multinationals ensuring consultation and information of workers, so that they were in a position to negotiate.

Mr Flum warned the Council against deregulation and levelling down social security standards in the Federal Republic of Germany.

Mr W. Haas (Federal Republic of Germany), Mr Strauss (United Kingdom) and Mr Moreland (United Kingdom) — members of the Various Activities' Group — said that the single domestic market could only be achieved by a strong political will, not by technical adjustments. The Federal Republic of Germany, which had a strong expanding economy, could be an engine for the integration of Europe. It had to be kept in mind that declining industrial areas were socially explosive, and their inhabitants were liable to tire quickly of that Europe. It would be desirable for the United Kingdom to become a full member of the EMS and for the role of the ECU to be increased.



At the Plenary Session, Mr Margot, ESC Chairman (left) with Mr von Wartenberg, President-in-Office of the Council.

OPINIONS ADOPTED

1. EMPLOYMENT PROBLEMS FACING FRONTIER WORKERS (Own-initiative Opinion)

Gist of Committee Opinion¹

In its Opinion, adopted unanimously, with two abstentions, the Committee examines the nature and scale of the problems facing frontier areas (whose 48 million inhabitants account for 15% of the total Community population). The special transnational character and diversity of these areas provide a microcosm of the key issues underpinning European integration and the achievement of the Community's three political, institutional and socio-economic objectives:

- (i) rapid implementation of the Single Act;
- (ii) completion of the internal market by 1992;
- (iii) better living standards, working conditions and opportunities for all.

Despite the difficulties and the inequalities in treatment and in legislation, the Committee considers that the mobility of labour and the integration of manufacturing, infrastructure and service activities which have developed in frontier areas must be considered a necessary and healthy process (albeit a complex and sometimes contradictory one); they can and must help to provide rational, practical solutions to economic and employment problems at both local and Community level.

In the Committee's view, a sturdy and dynamic internal market is inconceivable without a vigorous and flexible Community labour market, based on market forces and free initiative, and using modern computerized management techniques. A new approach to employment problems is a *sine qua non* for economic and social progress.

The Opinion analyses the various legal shortcomings and uncertainties which affect frontier workers. The Committee recommends:

- (i) new implementing provisions and bilateral/multilateral agreements between Member States or with third countries;

¹ CES 213/88.

- (ii) that the above be backed by inter-regional cooperation based on delegated responsibilities for frontier regions;
- (iii) the holding of a tripartite Community conference on ways to boost employment;
- (iv) that measures to boost employment in frontier areas might include grants for cross-frontier environmental protection;
- (v) closer cooperation between employment agencies;
- (vi) the setting-up of advice centres for workers to help them with training and new technologies;
- (vii) the promotion of pilot youth training schemes in frontier areas, coupled with reciprocal recognition of qualifications and certificates;
- (viii) greater efforts to align social security schemes and to cut delays in the transmission of case files from one country to another;
- (ix) that double taxation of frontier workers must be eliminated, and special measures taken to cushion frontier workers against currency fluctuations.

Lastly, the Committee calls for the definition of a proper EC economic and social framework to tackle cross-frontier labour problems and ensure effective completion of the internal market.

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

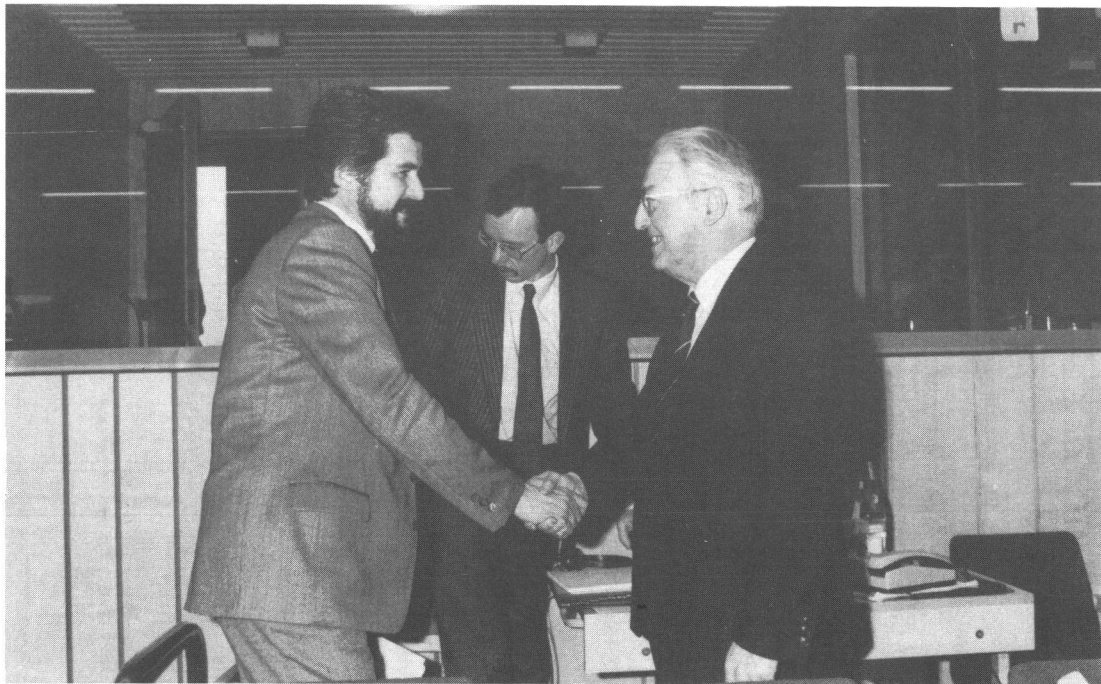
2. EQUAL TREATMENT — SOCIAL SECURITY SCHEMES

'Proposal for a Council Directive completing the implementation of the principle of equal treatment for men and women in statutory and occupational social security schemes'

[COM(87) 494 final]

Gist of the Commission proposal

The aim of this Directive is to complete the implementation of the principle of equal treatment for men and women in matters of social security as defined in Article 4 of Directive 79/7/EEC and Article 5(1) of Directive 86/378/EEC.



ESC Chairman, Mr Margot (right) welcomes Commissioner Marin as he arrives to attend the Plenary Session.

The principle of equal treatment shall be extended to:

- (i) the provisions of statutory schemes concerning survivors' benefits and family benefits (i.e. surviving spouses, orphans, child benefits, benefits for dependent adults and carers);
- (ii) old-age and retirement pensions (after transitional provisions concerning pensionable age and interruptions in employment);
- (iii) invalidity benefits.

The Directive should be complied with within three years of its notification.

Gist of the Committee Opinion¹

In its Opinion, adopted unanimously with two abstentions, the Committee notes that the third Directive contains provisions covering members of the family, survivors and other dependants; the Directive aims to move towards the principle of parity and equal treatment of men and women. In order to meet the actuarial requirements, the Committee calls for equal treatment to be applied in each Member State on the basis of equal, regular contributions and benefits. In order to enable the principle of equal treatment in all the Member States to be put into effect, some Member States might consider slightly increasing the compensatory contributions.

On the subject of the flexible retirement age, the Committee points out that the pension age and retirement age need not necessarily be the same. Whilst seeing considerable merit in portable pensions and a flexible retirement age, the Committee feels that, here too, the principle of equal treatment must prevail. This must also apply to group insurance schemes and cash options relative to pension schemes, the Committee says.

The Committee urges particular attention for spouses working in the home in order to care for the family, and calls for a ruling on the position of the parties concerned in the case of marital breakdown, especially where the female spouse (possibly with dependent children) does not remarry.

Finally, the Committee wonders whether three years is adequate for Member States to draw up the legislation necessary to comply with this Directive.

This Opinion was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs, chaired

¹ CES 209/88.

by Mr Carroll (Ireland — Workers). The rapporteur was Mr Pearson (Ireland — Employers).

3. LAND SET-ASIDE

'Proposal for a Council Regulation (EEC) amending Regulations (EEC) No 797/85 and No 1760/87 as regards the set-aside of agricultural land and the extensification and conversion of production'

[COM(88) 1 final]

Gist of the Commission proposal

The Commission proposal aims, by amending existing legislation:

- (i) to introduce a general set-aside scheme for farmland, including measures to compensate producers taking part. For cereal producers, exemption provisions are proposed from the application of the co-responsibility levy for the sector concerned;
- (ii) to extend to all arable land the 'extensification' arrangements.

This proposal is part of a package of measures aimed at adapting the common agricultural policy both from the point of view of market policy and from the structural angle.

The Commission points out, however, that the suggestions now being made should be regarded as an adjunct and not as an alternative to the existing proposals regarding agricultural stabilizers.

GENERALIZED SET-ASIDE SCHEME

1. Nature of the scheme

In order to respect farmers' freedom of choice, the proposed scheme must be optional. However, to be effective, it must be mandatory for Member States, in that each country will be obliged to introduce it.

2. Nature of the undertaking given by farmers

The scheme applies in principle to all land provided that it has actually been cultivated during a reference period yet to be determined. It does not, however, apply to land used so far for the cultivation of products which are not covered by an EEC market organization, for pasture or for permanent crops.

The proposed scheme provides that farmers who want to participate in the programme must withdraw from production at least 20% of their arable land for a period of not less than five years. For administrative reasons, the area withdrawn must not be less than 1 hectare.

'Set-aside' land is land

- (i) left fallow,
- (ii) afforested, or
- (iii) used for non-agricultural purposes.

3. Compensation

(a) *Flat-rate premium*

The compensation offered to farmers who undertook to set aside part of their arable land would have to cover the loss of income sustained by them in giving up farming on the land concerned. The level of the premium (per hectare withdrawn) would be determined by the Member States in relation to the loss of income arising from the land set aside. The amount of the aid would have to be sufficient to ensure that it was effective without amounting to over-compensation.

The premium would be paid annually provided that the undertaking was complied with. It would be calculated not individually but on a flat-rate basis fixed by the Member State in the light of the situation in each region or for each type of land, having due regard to the fact that it is the less productive land which is most likely to be set aside.

(b) *Exemption from the co-responsibility levy on cereals*

SPECIAL EXEMPTION

The Commission is proposing that producers who withdraw at least 30% of their arable land would have 20 tonnes exempted from the payment of the co-responsibility levies.

GENERAL EXEMPTION

In addition, the Commission intends to propose the amendment of certain implementing procedures so that the levies would be payable by the first buyer of the cereals. In the same context, it will also propose that all cereal producers be exempted from the basic and additional levies for the first 20 tonnes of cereals marketed. This across-the-board exemption would be fair to all producers and would help protect small cereal producers. It should therefore replace the direct aid provided for under the existing rules.

(c) *Financial contribution from the EAGGF*

In order to allow for the situation in the less prosperous regions of the Community, a modulated rate of reimbursement from the EAGGF (Guarantee Section) is proposed.

In those regions, net margins per hectare tend to be lower and premiums would normally be fixed at a lower level. The Commission is therefore proposing a rate of reimbursement that tapers off by tranches:

- (i) 50% for the first 200 ECU/ha,
- (ii) 25% for the 200 to 400 ECU/ha tranche,
- (iii) 15% for the 400 to 600 ECU/ha tranche.

(d) *Cost to the EAGGF*

The cost of the proposed measure to the Guarantee Section is estimated at 133 million ECU per year when it is operational, that is to say on the assumption that almost 1 million of the 70 million ha of arable land in the Community would be withdrawn. Given the quantities that would not be produced on the land set aside, there could at the same time be a reduction in the costs to the Guarantee Section of around 400 million ECU per year.

In the light of the results obtained during the first two years in which the scheme is operational, and in particular of the savings to the EAGGF from the improved stabilization of supplies of agricultural products, the Commission may, where appropriate, propose changes to the funding so that the EAGGF might contribute towards the costs of the premiums.

4. Safeguarding of the environment and natural resources

The Member States will take action to ensure that land set aside is kept in good condition. They will enact the land management provisions needed to safeguard the environment and natural resources.

5. Exemption for certain regions

The existing rules already allow the Member States not to apply the extension or conversion arrangements in 'regions or areas in which production should not, because of natural conditions or the danger of depopulation, be reduced'. The Commission will lay down criteria for defining those areas. Portugal is exempted until 1991.

The Commission is now proposing that the same mechanism be used for the generalized set-aside scheme.

'EXTENSIFICATION' ARRANGEMENTS

The Commission believes that the generalized application of set-aside arrangements is perfectly consistent with 'extensification' arrange-

ments aimed at reducing the volume of production on a holding. 'Extensification' is conducive to less intensive farming and the introduction of production techniques (e.g. organic farming) which are favourable from an environmental point of view.

Gist of the Committee Opinion¹

The Economic and Social Committee notes that the basic aim of set-aside is to help reduce farm production and stabilize Community agricultural expenditure, but feels that improvements can be achieved only by granting satisfactory payments for setting aside land of considerable production capacity. In its Opinion adopted by 107 votes to 2, with 15 abstentions, the ESC notes that, since proper controls will be difficult to achieve, there could be more intensive farming of the land which continues to be cultivated.

The ESC considers that set-aside does not form part and parcel of a coherent masterplan but reflects too selective a view of reform of the common agricultural policy, disregarding the overall conception presented in the Green Paper.

One million hectares would be taken out of production (above all land used for cereals), which would mean a 2.3 million-tonne cut affecting mainly land with a low yield. The total cost and the amount saved would be both 400 million ECU.

The ESC is concerned that set-aside could lead to the abandonment of certain vulnerable areas. In economic terms, set-aside would have only a very limited effect. In social terms there is a danger that farming would disappear from the areas in question, jeopardizing the socio-economic balance and causing a loss of jobs not only in agriculture but also in allied sectors (processing, crafts, trade, etc.).

However, the ESC recognizes the potential benefits of set-aside for the natural environment.

Finally, the ESC calls for appropriate solutions to the problems relating to prices and quantities and the import of cereal substitutes, oil-seeds and protein plants, and urges an increase in the utilization of agricultural commodities in the non-food sector.

The rapporteur-general for this Opinion was Mr Luchetti (Italy — Various Interests).

¹ CES 210/88.

4. ENERGY EFFICIENCY OF BUILDINGS

'Proposal for a Council Directive on information on the energy efficiency of buildings'
[COM(87) 401 final]

Gist of the Commission proposal

The overall energy efficiency of the Community has improved by 20% since 1973, and a further improvement of 20% is one of the Community's energy objectives for 1995 (see Council Resolution of 16 September 1986, OJ C 241 of 25 September 1986).

The Commission feels that the building sector should contribute to achieving this objective as it is the one which consumes the most energy: i.e. more than 38% of final energy consumption in the Community of Twelve or some 260 million toe (tonnes of oil equivalent) in 1985.

The Commission estimates the potential for energy saving in this sector at 55 million toe/year (EUR 10).

Following two Council Resolutions and one declaration, this proposal for a Directive is based on the premise that lack of information is a major obstacle to investment in improving the energy efficiency of buildings, notably during periods of low energy prices.

In addition to removing this obstacle, the proposed information procedure will set out to:

- (i) speed up investment decisions and guide them towards the most profitable projects;
- (ii) improve the transparency of the property market.

The information procedure is also expected:

- (i) to create jobs;
- (ii) in the longer term to extend energy auditing to the greater part of the property market;
- (iii) to lead to the build-up of data bases on the state of the sector and the real potential for its improvement.

The proposal is based on the following general principles:

- (i) When property is put up for sale, an energy audit will be carried out and every potential purchaser will be supplied with the resulting report indicating:
 - (a) the energy consumption of the premises as they stand;

- (b) possible improvements, their cost, their impact on energy consumption and the return on the investment.
- (ii) When property is put up for rent, every potential tenant will be informed of the energy consumption.
- (iii) Recent buildings (which were built to certain heating standards) will be compared with an equivalent new building with the aid of an appropriate scale.

Gist of the Committee Opinion¹

The Economic and Social Committee adopted its Opinion on this subject by 82 votes to 46, with 7 abstentions.

It has regularly expressed its support for the policy of rational use of energy, especially in the building sector, not only because it will further energy policy objectives but also because of its beneficial effect on employment.

The Committee agrees with the Commission that lack of information is an obstacle to investment in improving the energy efficiency of buildings and considers that a certification procedure for the energy consumption of buildings would be a remedy. Such a procedure would encourage economically viable work on improving the thermal insulation of buildings and could create a wealth of jobs in this sector.

The Committee none the less notes in its Opinion that the draft Directive:

- (i) shows a lack of precision about the criteria applicable to different types of buildings (new, recent or old, public or private, single or multi-occupant), and
- (ii) provides for the partial or total exclusion of certain public or private buildings used for agricultural or industrial purposes.

The Committee recommends that:

- (i) the Directive should be widely circulated among the different bodies and persons affected;
- (ii) the definition and implementation of a clear, objective and coherent common policy for the rational use of energy in the building sector should be encouraged;
- (iii) stock should be taken of current measures which are calculated to improve energy efficiency in the building and construction sectors or which are designed to improve the common technical language.

¹ CES 214/88.

This Opinion was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research, chaired by Mr Romoli (Italy — Employers). The rapporteur was Mr Salmon (France — Various Interests).

5. LOT IDENTIFICATION OF FOODSTUFFS

**‘Proposal for a Council Regulation on indications or marks identifying the lot to which a foodstuff belongs’
[COM(87) 501 final]**

Gist of the Commission proposal

The purpose of this proposal is to establish a Community-wide lot identification system applicable to foodstuffs, in order to provide an efficient means of investigation in cases of contaminated foodstuffs.

The proposal lays down Community rules of a general and horizontal nature for the inclusion of the necessary particulars in the labelling of food products marketed in the Community.

Gist of the Committee Opinion¹

In its Opinion, adopted unanimously, the Committee approves the Commission’s proposal, subject to a number of technical comments, notably:

- (i) the possible extension of the Regulation to categories of foodstuffs not covered by the present proposal (e.g. unwrapped meat, fish, milk, etc., and multi-packs or combination packs);
- (ii) alterations in the labelling to avoid linguistic confusion;
- (iii) improvements in inspection procedures;
- (iv) implementation dates.

This Opinion was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Jaschick (Federal Republic of Germany — Various Interests). The rapporteur was Mr Gardner (United Kingdom — Employers).

¹ CES 208/88.

6. INTERNATIONAL TRAVEL

'Proposal for a Council Directive amending for the ninth time Directive 69/169/EEC on the harmonization of provisions laid down by law, regulation or administrative action relating to exemption from turnover tax and excise duty on imports in international travel'

[COM(87) 570 final]

Gist of the Commission proposal

This proposal seeks to make certain amendments to Council Directive 69/169/EEC, which in 1969 introduced tax exemption for intra-Community travellers (amounting to 75 ECU at the time). This exemption has been increased several times, most recently to 350 ECU on 1 October 1985. Reductions for travellers under 15 years of age and derogations for Denmark, Greece and Ireland were provided for.

In this last amendment to the Directive, a paragraph was inserted to provide for biennial adaptations to the amounts of the exemptions in order to maintain their real value.

According to Commission surveys, consumer prices in the Community increased by 6.8% (weighted average) between 1 October 1985 and 30 September 1987.

Applying this increase to the exemptions in question, and rounding off the figures slightly, the Commission proposes amounts of 375 ECU for the exemption for intra-Community travellers (previously 350 ECU), 100 ECU for the exemption for travellers under 15 years of age (previously 90 ECU), 300 ECU for the derogation for Denmark and Greece (previously 280 ECU) and 85 ECU for the derogation for Ireland (previously 77 ECU).

Gist of the Committee Opinion¹

In its Opinion, adopted by 93 votes to 13, with 3 abstentions, the Committee endorses the proposed increase of 25 ECU in the allowance (new limit: 375 ECU) in order to maintain the real value of the goods concerned.

However, it finds the continued discrepancy between the derogation for Ireland (85 ECU) and the general limit (375 ECU) unacceptable

¹ CES 212/88.

in view of the implementation of the internal market by 1992 and invites the Commission to submit specific proposals for a realistic phasing-out of these derogations by this date.

Also, the difference of 75 ECU between the derogations for Denmark and Greece and the general limit seems of such relatively little significance that these derogations, too, should be phased out immediately.

The Committee further considers that unilateral imposition of limitations other than those stipulated by the Directive (such as time-limit conditions like the 24-hour rule in Denmark) are of questionable legality and should be dealt with immediately by the Commission.

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

7. WINE CONTROLS

'Proposal for a Council Regulation (EEC) laying down general rules on controls in the wine sector'
[COM(87) 694 final]

Gist of the Commission proposal

The Commission feels that the present proposal and the setting-up of a vineyard register should constitute a coherent and complete package, which will considerably improve the effectiveness of controls and ensure that the wine regulations are applied in a uniform manner.

The Commission takes the view that if the objectives that have been set for it are to be achieved, the three fundamental points described below — upon which depends the proper application of the regulations — must be tackled properly:

(i) Improvement of controls at national level

Priority fields should be chosen in which controls should be specially adapted, according to procedures to be determined by the Member States, and then notified to all the responsible agencies or authorities to enable the modifications necessary for the achievement of the Commission's objectives to be implemented.

(ii) Introduction of a Community control structure

Responsible specifically for wine problems, this Community structure, in addition to its own powers of verification working

with the Member States' competent authorities, will be able to give assistance to competent authorities which so request, in particular to ensure better information and more prompt prosecution of infringements.

(iii) **Improvement of cooperation between the competent authorities responsible for controls**

It is also clear that the conditions under which cooperation between competent authorities, including the Commission, can be requested, must be amplified.

The new provisions applicable should be such as to ensure better prevention while placing the Commission, as the party having an interest in its proper operation, in a position to take action so that the objectives pursued can be achieved.

Gist of the Committee Opinion¹

In its Opinion, adopted by 93 votes to 3, with 2 abstentions, the Committee welcomes the Commission's intention to improve national and Community wine controls, notably by setting up a control body.

The aim of these improvements is to combat unfair and fraudulent practices and promote consumer protection.

Control set-ups vary widely between one Member State and another; in the Committee's view they should be improved in both producer and non-producer countries.

The rapporteur-general for this Opinion was Mr Jaschick (Federal Republic of Germany — Various Interests).

8. CONSTRUCTION PRODUCTS

'Proposal for a Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to construction products'
[COM(86) 756 final]

Gist of the Commission proposal

Although construction is one of the most important areas of industrial and economic activity in the Community, trading in construction goods is relatively limited due to compartmentalized national markets.

¹ CES 211/88.

The present compartmentalization of markets is mainly due to the fact that technical regulations vary from one Member State to another. Such regulations, which apply to construction work itself, affect technical specifications (particularly product standards) and the procedures used in verifying the conformity of the products in question. This is what explains the incongruity between actual trade and market potential.

The present proposal for a Directive on construction products (replacing that of 1978) aims to implement that part of the White Paper on the completion of the internal market dealing with construction products. It also constitutes a specific application of the new approach laid down in the Resolution of 7 May 1985. This approach is based on four basic principles, namely:

- (i) legislative harmonization is limited to the adoption, by means of Directives based on Article 100 of the EEC Treaty, of the essential safety requirements with which products put on the market must conform, and which should therefore enjoy free movement throughout the Community;
- (ii) the task of drawing up the technical specifications needed for the production and placing on the market of products conforming to the essential requirements established by the Directives, while taking into account the current stage of technology, is entrusted to organizations competent in the standardization area;
- (iii) these technical specifications are not mandatory and maintain their status of voluntary standards;
- (iv) but at the same time national authorities are obliged to recognize that products manufactured in conformity with harmonized standards (or, provisionally, with national standards) are presumed to conform to the essential requirements established by the Directive. (This signifies that the producer has the choice of not manufacturing in conformity with the standards but that in this event he has an obligation to prove that his products conform to the essential requirements of the Directive).

The essential requirements are themselves defined in functional terms in the Directive. This constitutes an indispensable first stage which allows the process of harmonization to begin, but which is not sufficient to deal with every case. For construction products, so long as the essential requirements are only expressed in functional terms as permitted by this proposed Directive at present, it will not be possible in general to establish directly a presumption of conformity with the requirements by means of a type-examination carried out an

approved body. There must therefore be a second stage during which technical documents will be established, such as the Eurocodes now being prepared in connection with the mechanical resistance of structures.

These technical documents have to do with the rules that must be observed when incorporating, assembling, or installing products in structures in order to meet the objectives fixed by the essential requirements. Each essential requirement will be the subject of specific technical documents, which in a final stage could be adopted according to a procedure analogous to that for the adoption of European standards and treated in the same manner within the framework of the new approach, that is to say as reference documents the respect of which conveys the presumption that the essential requirements are satisfied.

These technical documents constitute the link between the products and construction works.

Gist of the Committee Opinion¹

For the Economic and Social Committee the removal of regulatory restraints to trade in construction products is a key step towards the inclusion of the construction sector in the internal market by 1992. It supports strongly the need for the Community-wide free movement, marketing and use of construction products and for the drawing-up of Community standards which ensure that the products are fit for use and that consequent progress is made towards compliance in all member countries with basic minimum standards of health and safety in construction works.

The Committee's views are put forth in its Opinion adopted on 25 February by unanimity, with three abstentions. The Committee points out that the construction sector is large and complex; hence it recommends the setting-up of a mechanism whereby the Commission can call on the experience and advice of all those involved in the industry.

The Committee considers that the ultimate objective must be to remove all barriers to the use of construction products so that consumers may freely and knowledgeably exercise their choice.

As climatic and other conditions differ throughout the Community, each Member State will be able to require a category for a specific

¹ CES 215/88.

product for a specific purpose. But no country will be able to prevent the use of a product which meets the minimum requirements laid down by the EC.

The construction sector is both large — employment equal to agriculture and turnover more than 300 000 million ECU — and complex, covering buildings and public works and the products which go to make them and involving builders themselves, the manufacturers of the vast range of products used by them, professionals such as architects and surveyors and not least the customer.

Making a common market for such a complex and varied sector is one of the most far-reaching applications so far of the Community's new approach to removal of technical barriers to trade. This approach fixes minimum standards, called 'essential requirements' with which products put on the market must conform. Since construction products have a single purpose only, to be used in buildings and works, the effect of Community legislation will be to ensure that building laws, regulations and administrative provisions of Member States encompass and take account of such essential requirements.

The Community legislation endorsed by Ecosoc would take the form of a Directive, which leaves Member States free to apply their own laws and regulations provided these conform with the aims set out in the Directive. Adoption of the legislation by the Council of Ministers will still leave much work to be done including:

- (i) drawing up interpretative documents which will indicate design codes and technical product standards necessary to support each essential requirement;
- (ii) establishing European standards and harmonized technical specifications, especially for products for which considerable trans-frontier trade exists;
- (iii) harmonization of test methods, of accuracies and acceptance levels, and of classification of performance.

This Opinion was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services, chaired by Mr Kazazis (Greece — Employers). The rapporteur was Mr de Normann (United Kingdom — Employers).

External relations

On 2 February, Commissioner Clinton Davis whose portfolio includes environmental policy and Mr Brinkhorst, Director-General of DG XI (Environment, consumer protection and nuclear safety) attended the Environmental Section meeting held in Brussels.

On 9 February, Committee Member, Mr Hancock had a meeting in Brussels with Mr Roitmann who was Chairman of the Council's Internal Working Group on Fisheries during the Danish Presidency.

On 16 February, Mrs Tiemann, Committee Member and rapporteur for the Committee's Opinion on the AIM programme addressed the European Parliament's Energy Committee in Brussels.

On 28 January, Mr Poeton, Committee Vice-Chairman and Secretary-General Mr Moreau received a delegation from the House of Lords' European Communities Committee in Brussels.

Committee Members Mr Curlis, Mr Roseingrave and Mr Kaaris went to Geneva to attend the ESC/EFTA Contact Group Committee. They were accompanied by the Secretary-General Mr Moreau and Secretariat officials Mr Schwaiger and Mr van de Graaf.

On 17 February, Mr Godeaux, President of the Committee of the Governors of the Central Banks addressed the Study Group on the European Financial Area (Section for Economic and Financial Questions) in Brussels.

New consultations

Since the last Plenary Session the Economic and Social Committee has been consulted on the following questions:

'Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71'
[COM(88) 27 final]

'Proposal for a Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products'
[COM(87) 719 final]

and the

'Proposal for a Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States concerning the maximum tar yield of cigarettes'
[COM(87) 720 final]

'Proposal for a Council Directive amending for the eighth time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations'
[COM(88) 7 final]

'Proposal for a Council Directive amending Directive 65/269/EEC concerning the standardization of certain rules relating to authorizations for the carriage of goods by road between Member States'
[COM(88) 10 final]

'Proposal for a Council Directive amending Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from the engines of motor vehicles'
[COM(87) 706 final]

Programme of future work

March 1988 Plenary Session

Opinions upon consultation

- Recognition of medical qualifications [COM(87) 577 final]
- Recognition of nurses' qualifications [COM(87) 649 final]
- Electromagnetic compatibility [COM(87) 527 final]
- Calcium content of fertilizers [COM(87) 646 final]
- Regional statistics in respect of carriage of goods by road [COM(87) 548 final]
- Eclair programme [COM(87) 667 final]
- Importation of minced meat [COM(87) 658 final]

Own-initiative Opinions

- Know-how licensing agreements
- Community transit
- Relations between the Community and State-trading countries

Information reports

- Upland areas
- The problem of ACP countries' indebtedness

Subsequent Plenary Sessions

Opinions upon consultation

- Tax harmonization [COM(87) 320 to 328 final]
- European financial area [COM(87) 550 final]
- 12th ERDF Report [COM(87) 521 final]
- Motorcycle exhaust systems [COM(88) 6 final]
- Development of agriculture in certain regions of Spain [COM(87) 368 final]
- Protection of workers against carcinogens [COM(87) 641 final]
- Social developments

Equal treatment for men and women (reversal of the burden of proof)

Protection of workers against biological substances

Pharmaceuticals [COM(87) 697 final]

Approximation of the laws on machinery [COM(87) 564 final]

Boost for cultural action

Access to credit institutions [COM(87) 715 final]

Driving licences [COM(87) 509 final]

Social legislation relating to road transport

Transport infrastructure costs [COM(87) 716 final]

Own-initiative Opinions

Safe products

Franchising agreements

Economic situation mid-1988

Social aspects of sea fishing

Commission report on sardines and herrings
[COM(87) 219 and 542 final]

Allocation of agricultural areas in the Community

Information reports

Relations between the Community and Mediterranean countries

Training and supply of researchers

Energy policy and completion of the internal market

GATT/Uruguay Round

Poverty

Personal news

Appointments

The Council of Ministers has appointed two new Committee Members, Mr G.J. Doornbos (The Netherlands) to replace Mr J.M.W. van der Veen who has resigned. Mr Doornbos is Chairman of the Board of the Dutch Christian Federation of Wholesale and Retail Trade.

Mr H.G. Kirchfeld (Federal Republic of Germany) has been appointed to replace the late Mr Stahlmann. Mr Kirchfeld is Chairman of the National Confederation of Wholesale and Retail Trade.

PUBLICATIONS OBTAINABLE FROM THE ECONOMIC AND SOCIAL COMMITTEE

General documentation

The other European Assembly, January 1987 (CES 87-004)

Opinions and studies

National regional development aid (Opinion) (Brussels 1986)
Demographic situation in the Community (Information report) (Brussels 1986)
Consumer-producer dialogue (Opinion) (January 1985) (ESC 84-011)
Irish border areas (Information report) (February 1984) (ESC 84-002)
Transport policy in the 1980s (Opinion) (March 1983) 99 pp. (ESC 83-003)

Obtainable from Gower Publishing Co. Ltd, 1 Westmead, Farnborough, Hants GU 147RU:

Community Advisory Committee for the Representation of Socio-Economic
Interests (UKL 8.50)
European interest groups and their relationship to the Economic and Social
Committee (UKL 25)

Obtainable from Editions Delta, 92-94 Square Plasky, 1040 Brussels:

The economic and social interest groups of Portugal (BFR 350)
Action by the European Community through its financial instruments (Brussels
1979) (BFR 425)
The economic and social interest groups of Greece (BFR 350)
The right of initiative of the ESC (BFR 400)

Obtainable from Kogan Page Ltd, 120 Pentonville Rd, London N1

Directory of European agricultural organizations (UKL 39)

Office for Official Publications of the European Communities

Bulletin (monthly publication) (per issue: ECU 3.50, UKL 2.50, USD 3.50,
IRL 2.70). Annual subscription: ECU 27.70, UKL 19.80, USD 29, IRL 21.20)
Effects of the CAP on the social situation of farmworkers in the European
Community (Brussels 1987) (ECU 3.40, BFR 150, IRL 2.40, UKL 2.10,
USD 3.50)
European environment policy: Air, water, waste management (Brussels 1987)
(ECU 3.50, BFR 150, IRL 2.70, UKL 2.60, USD 4.00)
Community Rail Policy (ECU 7.40, IRL 2.70, UKL 2.40, USD 4)
EEC maritime transport policy (Brussels, June 1986) (ESC 86-008-EN)
(ECU 3.40, UKL 2.40, IRL 2.70, USD 4)
EEC air transport policy (October 1985) (ECU 5.50, UKL 3.30, IRL 4, USD 5)
The economic and social situation of the Community (1986) (84-015) (ECU 4,
IRL 3, UKL 3, USD 5)
GATT — towards a new round (Opinion) (Brussels 1986) (ECU 2.20, BFR 100,
IRL 1.60, UKL 1.40, USD 2.50)
Competition policy (ECU 3.40, BFR 150, IRL 2.70, UKL 2.50, USD 4)

Venta y suscripciones · Salg og abonnement · Verkauf und Abonnement · Πωλήσεις και συνδρομές
Sales and subscriptions · Vente et abonnements · Vendita e abbonamenti
Verkoop en abonnementen · Venda e assinaturas

BELGIQUE / BELGIE

Moniteur belge / Belgisch Staatsblad

Rue de Louvain 40-42 / Leuvensestraat 40-42
 1000 Bruxelles / 1000 Brussel
 Tél. 512 00 26
 CCP / Postrekening 000-2005502-27

Sous-dépôts / Agentschappen:

**Librairie européenne /
Europese Boekhandel**

Rue de la Loi 244 / Wetstraat 244
 1040 Bruxelles / 1040 Brussel

CREDOC

Rue de la Montagne 34 / Bergstraat 34
 Bte 11 / Bus 11
 1000 Bruxelles / 1000 Brussel

DANMARK

Schultz EF-publikationer

Montergade 19
 1116 København K
 Tlf. (01) 14 11 95
 Telecopier: (01) 32 75 11

BR DEUTSCHLAND

Bundesanzeiger Verlag

Breite Straße
 Postfach 10 80 06
 5000 Köln 1
 Tel. (02 21) 20 29-0
 Fernschreiber: ANZEIGER BONN 8 882 595
 Telecopierer: 20 29 278

GREECE

G. C. Eleftheroudakis SA

International Bookstore
 4 Nikis Street
 105 63 Athens
 Tel. 322 22 55
 Telex 219410 ELEF

Sub-agent for Northern Greece:

Molho's Bookstore

The Business Bookshop
 10 Tsimiski Street
 Thessaloniki
 Tel. 275 271
 Telex 412885 LIMO

ESPAÑA

Boletín Oficial del Estado

Trafalgar 27
 28010 Madrid
 Tel. (91) 446 60 00

Mundi-Prensa Libros, S.A.

Castelló 37
 28001 Madrid
 Tel. (91) 431 33 99 (Libros)
 431 32 22 (Suscripciones)
 435 36 37 (Dirección)
 Télex 49370-MPLI-E

FRANCE

Journal officiel

**Service des publications
des Communautés européennes**

26, rue Desaix
 75727 Paris Cedex 15
 Tel. (1) 45 78 61 39

IRELAND

Government Publications Sales Office

Sun Alliance House
 Molesworth Street
 Dublin 2
 Tel. 71 03 09

or by post

Government Stationery Office

EEC Section

6th floor
 Bishop Street
 Dublin 8
 Tel. 78 16 66

ITALIA

Licosa Spa

Via Lamarmora, 45
 Casella postale 552
 50 121 Firenze
 Tel. 57 97 51
 Telex 570466 LICOSA I
 CCP 343 509

Subagent:

Libreria scientifica Lucio de Biasio -AEIOU

Via Meravigli, 16
 20 123 Milano
 Tel. 80 76 79

Herder Editrice e Libreria

Piazza Montecitorio, 117-120
 00 186 Roma
 Tel. 67 94 628/67 95 304

Libreria giuridica

Via 12 Ottobre, 172/R
 16 121 Genova
 Tel. 59 56 93

**GRAND-DUCHÉ DE LUXEMBOURG
et autres pays / and other countries**

**Office des publications officielles
des Communautés européennes**

2, rue Mercier
 L-2985 Luxembourg
 Tel. 49 92 81
 Télex PUBOF LU 1324 b
 CCP 19190-81
 CC bancaire BIL 8-109/6003/200
 Sogenal 61-490226-96-26

Abonnements / Subscriptions

Messageries Paul Kraus

11, rue Christophe Plantin
 L-2339 Luxembourg
 Tél. 49 98 881
 Téléx 2515
 CCP 49242-63

NEREDLAND

Staatsdrukkerij- en uitgeverijbedrijf

Christoffel Plantijnstraat
 Postbus 20014
 2500 EA 's-Gravenhage
 Tel. (070) 78 98 80 (bestellingen)

PORTUGAL

**Imprensa Nacional
Casa da Moeda, E. P.**

Rua D. Francisco Manuel de Melo, 5
 1092 Lisboa Codex
 Tel. 69 34 14
 Telex 15328 INCM

Distribuidora Livros Bertrand Lda.

Grupo Bertrand, SARL

Rua das Terras dos Vales, 4-A
 Apart. 37
 2700 Amadora CODEX
 Tel. 493 90 50 - 494 87 88
 Telex 15798 BERDIS

UNITED KINGDOM

HMSO Books (PC 16)

HMSO Publications Centre
 51 Nine Elms Lane
 London SW8 5DR
 Tel. (01) 211 77 02

Sub-agent:

Alan Armstrong & Associates Ltd

Arkwright Road
 Reading, Berks RG2 0SQ
 Tel. (0734) 75 17 69
 Telex 849937 AAALTD G

TÜRKIYE

Dünya süper veb ofset A.Ş.

Narlıbahçe Sokak No. 15
 Cağaloğlu
 İstanbul
 Tel. 512 01 90
 Telex: 23822 dsvo-tr.

UNITED STATES OF AMERICA

**European Community Information
Service**

2100 M Street, NW
 Suite 707
 Washington, DC 20037
 Tel. (202) 862 9500

CANADA

Renouf Publishing Co., Ltd

61 Sparks Street
 Ottawa
 Ontario K1P 5R1
 Tel. Toll Free 1 (800) 267 4164
 Ottawa Region (613) 238 8985-6
 Telex 053-4936

JAPAN

Kinokuniya Company Ltd

17-7 Shinjuku 3-Chome
 Shinjuku-ku
 Tokyo 160-91
 Tel. (03) 354 0131

Journal Department

PO Box 55 Chitose
 Tokyo 156
 Tel. (03) 439 0124



EN

Prices (excluding VAT) in Luxembourg

Single copy	ECU 2.50	BFR 110	IRL 2	UKL 1.80	USD 3.10
Annual subscription	ECU 28	BFR 1 200	IRL 21.60	UKL 19.80	USD 33.50



OFFICE FOR OFFICIAL PUBLICATIONS
OF THE EUROPEAN COMMUNITIES

L-2985 Luxembourg



EX-AA-88-003-EN-C