

ECONOMIC AND SOCIAL CONSULTATIVE ASSEMBLY

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## 265th Plenary Session

The Economic and Social Committee of the European Communities held its 265th Plenary Session in Brussels on 26 and 27 April 1989. The Chairman, Mr Alberto Masprone, presided.

The Session was attended by Mrs Christiane Scrivener, the Member of the Commission responsible for taxation and the customs union. Mrs Scrivener addressed the Plenary Session on capital movements and taxation problems.

### **Summary of the address by Mrs Scrivener, Member of the Commission**

'The Commission will not go back on the declared objective of the Single Act', stated Mrs Christiane Scrivener. 'Compromises will have to be reached. The Commission will be pragmatic, but firm'.

Just as the Government of the Federal Republic of Germany was announcing its decision to abolish its withholding tax from 1 July, Mrs Scrivener was presenting to the ESC the outlines of a draft Directive on the taxation of savings: a common withholding tax together with increased cooperation between Member States on the prevention of tax evasion.

'We will attempt to convince the countries which see no point in this', she said. 'Otherwise there will be dangers. If there are massive outflows of capital, some Member States will ask for safeguard clauses. We would then be forced to agree on a compromise, but several years late.'

The Commissioner also talked about indirect taxation. Since November 1988, working parties had been looking at the distribution of VAT rates by category of product and compensation arrangements. The Commission wanted progress towards a closer alignment of VAT rates. It was necessary to be pragmatic, so as to achieve solutions which had unanimous support. Work was being done on new proposals for excise duties; these were 'much more flexible' than the previous ones.



*Mr Masprone, Chairman of the ESC, with Mrs Scrivener, Member of the Commission, at the Plenary Session.*

## Debate

Following the Federal German Government's decision on capital income deductions, Mr Geuenich (Workers, Germany) told Mrs Scrivener that the Federal Republic of Germany had to tackle its budget deficit. But, he added, it was necessary to get back to square one and to start again. Capital taxation must be reintroduced, or free movement of capital would remain a dead letter, Europe's Achilles tendon, without Community regulations. Mrs Scrivener agreed that something had to be done about savings and trusted that Federal Germany would play its part.

Mr Meyer-Horn (Employers, Germany) voiced the views of small savers. He said that high taxpayers would be quite happy with a 15% withholding tax on capital income. Small savers would feel that they alone had lost out. Mrs Scrivener replied that there was a misunderstanding. Under the draft directive, each Member State would frame its own definition of small saving. The entire system was geared to reducing tax rates, in line with competition.

Mr Collas (Employers, France) asked for details of the impact of indirect taxation on cars, mail-order sales and public tenders. Mrs Scrivener said that a solution had been found for the first two topics but that there was no sign of any solution for the public tenders problem, whose opening up was however vital to the success of the single market.

Mr Hancock (Employers, UK) raised the problem of VAT zero-rating in some Member States. Mrs Scrivener replied that the matter was under consideration. She was aware of the social aspect of the matter, particularly in the UK. She was hoping to find a solution as part of a possible compromise with the UK, which would not require a derogation.

Mrs Robinson (Various Interests, UK) said that Mrs Scrivener had not tackled the most urgent problem, that of coordinating company taxation. Mrs Scrivener replied that there were three directives in the pipeline, seeking *inter alia* to avoid double taxation in the event of company mergers or split-ups. It was also intended to submit proposals on the harmonization of company taxation assessment bases.

The economic operators claimed that they wanted action but when it was taken, they were up in arms. There was a need for compromise. Political will was stronger than in the past, but the reticence of some groups was extremely prejudicial to the European venture.

The Economic and Social Committee which adopted a number of Opinions last year on taxation is to be consulted again when the Council reacts to the Commission proposal on indirect taxation.

## *ADOPTION OF OPINIONS*

### 1. HIGH-DEFINITION TELEVISION

#### **'Proposal for a Council Decision on high-definition television'**

[doc. COM(88) 659 final]

#### **Gist of the Commission proposal**

High-definition television is a new technology that will introduce into the home cinema quality television pictures on large screens, and in time replace the existing 35 mm film technology of the cinema. The scale and potential impact of this new technology makes it of strategic importance to the consumer electronics industry. Future growth in the European consumer electronics industry will be intimately related to its success in HDTV and related areas, such as VLSI electronic components and sub-assemblies.

At the International Radio Consultative Committee (CCIR) in Dubrovnik in May 1986, a proposal by Japan, with US support for a world standard for the production of HDTV material was opposed by Europe. The proposed Japanese standard was incompatible with all existing standards, whether for the cinema or TV. An additional study period of four years was agreed to continue the search for a production standard acceptable on a world basis.

The additional study period has allowed European industry in a Eureka project (EU 95), to define an alternative HDTV system based on a philosophy of compatibility and evolution (MAC/packet family of standards).

The CCIR will attempt to adopt a single world standard for summer 1990.

Europe has made progress since the Dubrovnik meeting.

The next stage — the translation of R&D into commercial products and particularly HDTV services will require efforts much greater



than those employed to date. It is possible to put a target date of 1992 for the availability of commercial equipment and the beginnings of operational HDTV services in Europe.

The broad lines of the European HDTV strategy may be elaborated as four objectives:

(a) Objective 1

To ensure that the European industry develops in time all the necessary technology, components and equipment required for the progressive launching of HDTV services throughout the 1990s.

(b) Objective 2

(i) To ensure that the European proposal based on the parameters: 1 250 lines, 50 frames per second progressive scanning, is adopted as the single world standard for the origin and exchange of HDTV programme material.

(ii) To ensure that broadcast standards (which will be different in 50 Hz and 60 Hz countries) obey the rules already laid down in CCIR Recommendation 601 and are thus easily convertible into each other.

(c) Objective 3

To ensure the widest use of the European HDTV system throughout the world and the most favourable environment for the sale of European HDTV equipment and programmes throughout the world.

(d) Objective 4

To ensure the development of a strategy and action plan for the progressive launch of HDTV services in Europe throughout the 1990s.

A major bottleneck on the way to Europe-wide HDTV services is the limited experience of European film-makers and TV programme makers in using this new equipment and the limited range of programmes made with European HDTV equipment.

The Media programme can play an important role in this connection. Nevertheless, this programme has not sufficient resources to fund the equipment requirements of fully equipped HDTV studios. To redress this situation, European industry has submitted a proposal to the Commission for Community part-funding.

## **Gist of the Committee's Opinion**<sup>1</sup>

The Committee adopted its Opinion unanimously, with 3 abstentions.

It stresses that the tight 1995 schedule cannot be relaxed at this time, not only in view of the CCIR deadline but also because of strong competition from the USA, Japan and South Korea.

The Community should continue to contribute to the funding of pilot projects, programme production, etc. and every effort should be made to prevent substantial production being transferred to areas outside the Community and EFTA countries.

With a view to meeting the summer 1990 deadline, all Member States, the EC institutions, public and private broadcasting networks and all other relevant interested parties should be actively involved in the promotion of European industry and standards in this field.

The Committee demands that the action plan foreseen in Article 3 include a specific programme of professional training.

*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 Poeton (United Kingdom — Employers).*

## **2. BAN ON SMOKING**

**'Draft Council Recommendation on banning smoking in public places'**  
[doc. COM(88) 674 final]

### **Gist of the Commission proposal**

The draft Recommendation is part of the 'Europe against cancer' programme's campaign to reduce the use of tobacco and is addressed to the Member States.

The following measures are recommended:

A ban on smoking in public places which are part of establishments where:

- (i) services are provided to the public;

<sup>1</sup> CES 557/89.

- (ii) sick or elderly persons are received or treated;
- (iii) health care is given;
- (iv) children or young people of school age are received, housed or treated;
- (v) formation and vocational training is given;
- (vi) entertainment takes place;
- (vii) exhibitions are held.

Stations, ports, airports, and establishments where sports are practised, are also to be covered.

In case of conflict, the right of the non-smoker should prevail over that of the smoker.

Extend the ban on smoking to all modes of public transport.

Inform the Commission every two years about the implementation of this Recommendation.

### **Gist of the Committee's Opinion <sup>1</sup>**

In an Opinion adopted by 71 votes for, 25 against and 19 abstentions, the Committee approves the Commission proposal but feels that a single Recommendation is an inadequate and rather limited tool.

In accordance with the fourth environmental action programme, the Committee urges the Commission to consider making its measures to ban smoking in public places part of a wider strategy to protect air quality in indoor environments.

Mindful of the psycho-social dependence which smoking causes, the Committee asks the Commission to propose further more aggressive measures. These should include information and awareness-raising campaigns targeted specifically at young people, discouragement of direct and indirect advertising (including the sponsorship of sports events), and discouragement of imitation products.

In its specific comments, the Committee recommends that areas reserved for smokers should be equipped with appropriate systems for changing the air. It also proposes that smoking bans on public transport should take account of the length of the journey and the feasibility of providing special areas for smokers.

<sup>1</sup> CES 561/89.

*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 (Germany — Various Interests). The rapporteur was Mr Da Silva (Portugal — Workers).*

### 3. BLOOD ALCOHOL — DRIVERS

**'Proposal for a Council Directive relating to the maximum permitted blood alcohol concentration of vehicle drivers'**

[doc. COM(88) 707 final]

#### **Gist of the Commission proposal**

In its draft Resolution on the implementation of a Community road safety programme,<sup>1</sup> the Commission recommended a number of measures, including one on the effects of alcohol and drugs. The Council Resolution of 19 December 1984<sup>2</sup> welcomed the Commission's initiative and affirmed the need for Community action on road safety. It invited the Commission to submit proposals, undertaking at the same time to ensure their rapid adoption.

Despite the measures taken to combat drink-driving, alcohol continues to play a significant role in increasing the risk of road accidents. According to a recent OECD study, the percentage of drivers killed with an alcohol level in excess of 0.8 mg per ml of blood varies in member countries from 15% to 45%. Moreover, between one third and one half of drivers involved in fatal accidents have been found to have a significant (even if legal) level of alcohol in their blood.

Research shows that drivers' reaction times increase, and their ability to process information decreases, when their blood alcohol concentration is as little as 0.5 mg/ml. From 0.5 mg/ml to 0.8 mg/ml the risk of an accident increases. Over 0.8 mg/ml, alcohol is the main factor governing an accident; while with over 1 mg/ml all drivers run a high risk of having an accident.

The Member States have differing laws on the maximum permitted level of alcohol in a driver's blood.

The Commission's preferred option is a Community limit of 0.5 mg/ml. Even at this level, the driving ability of young drivers or infre-

<sup>1</sup> OJ C 95, 6.4.1984, p. 2.

<sup>2</sup> OJ C 341, 21.12.1984, p. 1.

quent drinkers can be seriously impaired. A decision taken now to introduce a Community-wide alcohol limit of 0.5 mg/ml on 1 January 1993 would not immediately alter the status quo in the Member States, but would establish the direction of future legislation and provide sufficient time to ensure proper enforcement once the new limit enters into force.

### **Gist of the Committee's Opinion <sup>1</sup>**

The Committee adopted its Opinion by 95 votes for, 12 against and 6 abstentions.

The proposed maximum limit of 0.5 mg/ml is considerably lower than the level currently considered adequate by 10 of the 12 Member States (0.8 mg/ml).

The Committee therefore feels that a maximum permissible limit of 0.8 mg/ml would be sufficient to curb one of the major causes of road accidents.

The link between blood alcohol levels and the number of fatal accidents, and the effects of medicines and drugs on road safety should also be assessed.

If necessary, the maximum permissible limit should be amended after an appropriate transitional period has elapsed.

The Committee also maintains that, whatever the level fixed, the maximum permissible limit should be accompanied by rules on suitable, uniform checks and, most importantly, by appropriate preventive measures to heighten people's awareness of the problem.

*This Opinion was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr L.J. Smith (United Kingdom — Workers). The rapporteur was Mr Morselli (Italy — Various Interests).*

<sup>1</sup> CES 567/89.

#### 4. POLLUTION CAUSED BY NITRATES

**'Proposal for a Council Directive concerning the protection of fresh, coastal and marine waters against pollution caused by nitrates from diffuse sources'**  
[doc. COM(88) 708 final]

##### **Gist of the Commission proposal**

Legal basis: Article 130S

The rise in the nitrate level in Community waters poses two major environmental problems. The first is in relation to the safety of drinking water supplies and the second is the eutrophication of inland and coastal waters.

There are two main diffuse sources of nitrates: the first is agriculture and the second is municipal wastewater discharges.

Nitrate pollution caused by agriculture arises because of certain land management practices, excessive land-application of animal manures and the over-use of chemical fertilizers.

The Commission is proposing a procedure for controlling discharges of nitrate into the aquatic environment.

Member States will have to identify sensitive areas — those most affected by nitrate pollution and in which measures should be imposed. These measures will include EC limits on the quantity of manure that can be applied to the land, limits on the application of chemical fertilizer set by national authorities, land management practices and a limit on the nitrate content of municipal wastewater discharges.

The application of this Directive may have financial consequences for certain farmers in regions where soil nitrate content is already high for historical reasons. In this context, the Commission recalls its recent Communication on Environment and Agriculture, in which it stated that Member States should *inter alia* be allowed to include in their programmes appropriate 'technical and/or financial assistance to help farmers adapt to the new agro-economic context'.

## Gist of the Committee's Opinion <sup>1</sup>

In an Opinion adopted by a large majority, with 3 votes against and 3 abstentions, the Committee accepts the Commission's plans for the introduction of Community measures on manure application on condition that the guidelines set out by the Commission are adjusted in line with the heterogeneous climatic and soil conditions in the different regions of the Community. Responsibility for limits on the amount of chemical fertilizers used, land management practices and limits on the nitrate content of municipal wastewater lies, however, with the national authorities.

The way in which vulnerable areas are defined and demarcated could have a considerable impact on farm incomes in these areas.

The various requirements of different crops, levels of nitrate pollution in water, different types of soil and their consequently different capacities for nitrate production in line with their physical and biological composition, and different types of climate resulting from solar radiation are all elements which call for a more rational application of chemical fertilizers and manure in farming activities.

As penalties do not constitute effective deterrents, the Directive should comprise recommendations to Member States regarding the role of the programmes in informing, advising and assisting both producers and users of manure and fertilizers.

The definition of the periods when land application of manure is not permitted should be supplemented by a definition of 'recommended' periods for application; this should take into consideration optimum conditions for reducing pollution risks. When application of manure during these periods is impossible for tourist considerations, Member States should provide for compensation.

*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 (Germany — Various Interests). The rapporteur was Mr Säu (France — Workers).*

<sup>1</sup> CES 546/89.

## 5. DRINKING AND BATHING WATER, ETC.

**'Proposal for a Council Directive amending Directives 80/778/EEC on drinking water, 76/160/EEC on bathing water, 75/440/EEC on surface water and 79/869/EEC on methods of measurement and frequencies of analysis of surface water'**  
[doc. COM(88) 752 final]

### **Gist of the Commission proposal**

Legal basis: Article 130S

#### **Aims**

To improve the implementation of environmental legislation, by establishing a uniform and rapid procedure for adapting the annexes of the relevant Directives.

#### **Proposed amendments**

For each of the four Directives, the proposal establishes a regulatory committee procedure as set out in Procedure III, Variant (a) of Article 2 of Council Decision 87/373/EEC. The proposal also extends the range of matters which can be referred to the regulatory committee.

### **Gist of the Committee's Opinion <sup>1</sup>**

In an Opinion, adopted unanimously, the Committee considers that the Directive should specify that the 'measures envisaged' are technical measures, to the exclusion of all others.

At the end of the three-year trial period, the European Parliament and the Economic and Social Committee should be informed of the results of the Directive. Any proposal to amend the Directive should be referred to the Parliament and the Committee.

*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 (Germany — Various Interests). The rapporteur was Mr Saïu (France — Various Interests).*

<sup>1</sup> CES 568/89.



## 6. UNITS OF MEASUREMENT

**'Proposal for a Council Directive amending Directive 80/181/EEC on the approximation of the laws of the Member States relating to units of measurement'**  
[doc. COM(88) 751 final — SYN 171]

### **Gist of the Commission document**

Council Directive 80/181/EEC,<sup>1</sup> amended by Directive 85/1/EEC,<sup>2</sup> refers to the approximation of the laws of the Member States relating to units of measurement.

The aim of this proposal is to amend Directive 80/181/EEC; the Commission proposes to phase out the use of the imperial units set out in Chapter III of the Annex to the aforementioned Directive and to add the 'troy ounce' to Chapter I; the 'troy ounce' is the unit of measurement universally used in international trade in precious metals.

### **Gist of the Committee's Opinion<sup>3</sup>**

In a unanimous Opinion, the Committee fully approves the proposal. However, it is important to make sure that when goods are exported to other Member States, the SI (International System) equivalents are indicated on the packaging. Similarly, when land sales in the UK and Ireland are advertised elsewhere, the SI equivalent of the acre should be indicated.

*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 Proumens (Belgium — Employers).*

<sup>1</sup> OJ L 39, 15.2.1980.

<sup>2</sup> OJ L 2, 3.1.1985.

<sup>3</sup> CES 547/89.

## 7. GUARANTEES ISSUED BY BANKS AND INSURANCE UNDERTAKINGS

**'Proposal for a Council Regulation (EEC) on guarantees issued by credit institutions or insurance undertakings'**

[doc. COM(88) 805 final]

### **Gist of the Commission proposal**

The new proposal goes further than the Treaty provisions on non-discrimination by obliging public authorities to accept guarantees emanating from licensed credit institutions and insurance undertakings.

The existing system of prudential control in all Member States, which is built on a Community foundation and which, with harmonization, is developing further, operates in a way which no longer leaves room for public authorities, other than the actual supervisory bodies, to appreciate the creditworthiness of credit institutions or insurance undertakings. It goes without saying that those qualified guarantors may only act within the limits drawn by their supervisory rules. The new provisions therefore set out the principle that a public authority must accept a guarantee from any credit institution licensed according to Directive 77/780/EEC (First Banking Law Coordination Directive) or from any insurance undertaking authorized for the class of suretyship insurance according to Directive 73/239/EEC. The guarantee will in the first place be required to secure the payment of a debt but can of course also be applied for the assurance to meet a particular obligation.

Public authority means any entity for which a Member State or the EC could be held responsible, thus including, for example, local authorities, social security institutions, law courts and diplomatic representations of these authorities in third countries or with international organizations.

### **Gist of the Committee Opinion <sup>1</sup>**

Unanimously, the Committee by and large endorses the Commission proposal to ensure that responsibility for assessing the creditworthiness of credit institutions and insurance undertakings

<sup>1</sup> CES 548/89.

henceforth rests exclusively with the supervisory authorities concerned and is not left to public authorities in other Member States.

Article 1 sets out the obligation to accept guarantees from all credit institutions licensed in a Community Member State. The draft Regulation does not however stipulate which national law is to be applicable and which court is to have jurisdiction. Legal responsibility is governed by the 'Brussels Agreement' of 27 September 1968. There is however some doubt as to whether this agreement is unconditionally in force in all Member States.

The obligation to accept guarantees is based on the consideration that the prudential regulations, which exist in all Member States and are being approximated and further developed, will ensure that every credit institution and insurance undertaking will be subject to supervision in respect of the guarantees which it provides. The Committee questions whether this constitutes a sufficient legal assurance.

*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 Meyer-Horn (Germany — Employers).*

## 8. CIVIL LIABILITY — MOTOR VEHICLES

**'Proposal for a third Council Directive on the approximation of the laws of the Member States relating to the insurance against civil liability in respect of the use of motor vehicles'**

[doc. COM(88) 644 final — SYN 165]

### **Gist of the Commission document**

This proposal seeks to resolve certain problems left over from the first two third party motor insurance Directives of 1972 and 1983.

The first motor insurance Directive has as its main objective the abolition of green card insurance checks. It left Member States largely free to decide the extent and coverage of compulsory third party motor insurance.

The second motor insurance Directive, in contrast, set out to achieve a certain harmonization in this area and to that end it made the coverage of property damage compulsory, set minimum levels of compulsory civil responsibility, etc.

Gaps still exist in passenger cover in various Member States. Greece still has no compulsory passenger coverage at all; Ireland and Luxembourg do not at present require insurance cover for liability towards motor cycle pillion passengers, while several Member States exclude the policyholder or owner of the vehicle.

These gaps can affect Community citizens visiting another Member State. As passengers in a locally registered vehicle they have no say and often no knowledge of the insurance cover held for the use of that vehicle and may face unpleasant surprises in the event of an accident.

The present situation is unsatisfactory. Community citizens travelling in the Member States should be guaranteed comparable protection throughout the Community when carried as passengers.

The Commission also proposes that the guarantee fund established under the second Directive should be given more scope for protecting the interests of insured parties, particularly in respect of persons who are visiting another Member State.

### **Gist of the Committee Opinion <sup>1</sup>**

In its Opinion adopted unanimously, with one abstention, the Committee notes that the Commission has not opted for the possibility of requiring that motor insurance policies issued in Member States imposing high levels of statutory cover should apply those same levels throughout the Community irrespective of the (lower) level required in the country visited. The Committee can accept the Commission's approach provided that it strictly monitors progress towards the minimum statutory levels of cover laid down by the second insurance Directive.

*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 Speirs (United Kingdom — Various Interests).*

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<sup>1</sup> CES 549/89.

## 9. LEGAL PROTECTION — BIOTECHNOLOGICAL INVENTIONS

### **'Proposal for a Council Directive on the legal protection of biotechnological inventions'**

[doc. COM(88) 496 final — SYN 159]

#### **Gist of the Commission document**

Progress in the field of biotechnology has outstripped the provisions of the international conventions on intellectual property (Paris 1961; Strasbourg 1963). Because of this, the interpretation which national authorities give to the provisions of the international conventions as regards new processes varies considerably. The legal uncertainty which this creates, and the inadequate legal protection in Europe at present, thus need to be remedied.

The Community's competitors in the United States and Japan have better legal protection for the intellectual ownership of biotechnological inventions, and encourage research and innovation in this field.

The adoption of a Community Directive will help the creation of a single internal market by eliminating national differences in legal protection of biotechnological inventions. At the same time, the possibility of patenting these inventions will encourage research and allow Community industry to be more competitive in world markets.

The proposal covers various legal points:

- (i) the possibility of patenting a living organism;
- (ii) the possibility of patenting pre-existing living matter, provided that there is a sufficient degree of human intervention in its creation;
- (iii) period of legal protection for inventions involving self-replicable matter (20 years from the date of filing);
- (iv) eligibility criteria: plant and animal varieties may be patented if the patentability conditions of novelty, invention and industrial application are met;
- (v) requirement of repeatable disclosure of the invention in order to obtain a patent: a deposited sample of a micro-organism can fulfil this requirement.

One of the primary aims of the proposal is to ensure broad legal protection of (a) the various techniques of altering living organisms

and (b) the modified organisms themselves (e.g. genetically engineered micro-organisms). Processes to improve plants' resistance to disease will be patentable, as will the plants themselves and the genetic material inserted into plants or animals.

The scope of patent rights of self-reproducing material will cover unauthorized use of this material for commercial multiplication and reproduction.

For patented plant material which is thereafter incorporated into plant varieties, there will be a system of licensing between the patent rights and those of the breeder to ensure that biotechnological breakthroughs are disseminated properly.

The proposed legal protection of animal varieties should lead to an improvement in breeding techniques, with the use of a genetic enhancement to achieve better prevention and control of disease. It should also be beneficial for the development of animals for medical and pharmaceutical research.

### **Gist of the Committee's Opinion <sup>1</sup>**

By a large majority (one vote against and 5 abstentions), the Committee approves the proposal. It feels, nevertheless that it does not face up to all the problems associated with the legal protection of biotechnological inventions.

Agriculture is one of the sectors most directly concerned, being a principal consumer of the products of biotechnology.

The distinction between 'traditional' plant varieties and the 'new' plant varieties seems likely to lead to legal disputes where a biotechnological invention is incorporated in a plant variety.

The Committee considers that one of the Directive's main aims is to put Europe on an equal footing with Japan and the USA in obtaining patents. In the Committee's view, this can only be achieved if researchers are better motivated. Such motivation hinges on the emergence of a genuine inventor's charter, and this is something which the Directive does not address.

The Committee is sorry to see that the Directive does not provide for the alignment of Member States' arrangements for settling disputes which may arise between industrial property law and labour law, as well as the question of jurisdiction.

<sup>1</sup> CES 550/89.

*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 Saiu (France — Workers).*

## 10. NUTRITION LABELLING

**'Proposal for a Council Directive on the introduction of compulsory nutrition labelling of foodstuffs intended for sale to the ultimate consumer',**

and the

**'proposal for a Council Directive on nutritional labelling rules for foodstuffs intended for sale to the ultimate consumer'**

[doc. COM(88) 489 final — SYN 155]

### **Gist of the Commission proposals**

The proposals form part of the White Paper programme for the completion of the internal market in the food sector, and were also foreseen in the 'Europe against cancer' programme.

The first proposal requires that when food is nutrition labelled, information should be presented in a standard format. The elements that must be provided are protein, carbohydrate, fat, sugars, fibre, salt and energy value per 100 g, 100 ml or per portion if packed in smaller quantities. Nutrition labelling may also include the amounts of other specific nutrients such as vitamins and minerals, and where the amount of polyunsaturated or mono-unsaturated fats is given the amount of saturated fat must also be declared.

Under the first proposal, nutrition labelling will be voluntary. However, the second proposal provides a mechanism whereby the Commission can, through a Committee procedure, introduce compulsory nutrition labelling if evidence shows that this is imperative. The making of a nutrition claim on the foodstuff or in advertising would already oblige the food concerned to bear nutrition labelling under the first proposal.

## Gist of the Committee Opinion <sup>1</sup>

Given the importance of nutrition labelling it is essential to have a harmonized format which will be used as widely as possible by food producers and sellers (farmers, manufacturers, butchers, greengrocers etc.) and which is sufficiently clear and simple to be understood and applied by consumers.

In its Opinion, adopted unanimously, (with one abstention), the Committee stresses at the outset that nutrition labelling can only serve its purpose if backed up by systematic and continuing consumer education, resulting in an increase of awareness of the public.

The Commission wants to introduce such compulsory labelling by a Committee procedure, claiming this is 'of a technical nature'.

The Committee insists that such compulsory labelling be introduced only by the Article 100a procedure involving consultation of the ESC and the European Parliament.

It is the aim of the Committee to have as many foods as possible with nutrition labelling.

There are however considerable problems in applying the rules proposed by the Commission to many foods.

In particular, while it is possible to label most foods with the 'big 4' — energy, protein, fat and carbohydrate, there are difficulties associated with the application of the Commission proposals (7 nutrients).

*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 (Germany — Various Interests). The rapporteur was Mr Gardner (United Kingdom — Employers).*

<sup>1</sup> CES 560/89.



## 11. ELECTROMEDICAL IMPLANTS

**'Proposal for a Council Directive on the approximation of the laws of the Member States relating to active implantable electromedical equipment'**  
[doc. COM(88) 717 final — SYN 173]

### **Gist of the Commission proposal**

This proposal concerns the safety of 'implants', i.e. active implantable electromedical equipment permanently implanted in the human body by means of a surgical operation, e.g. the cardiac stimulator.

The proposed Directive will serve two purposes:

- (i) the introduction of Community Regulations on patient safety;
- (ii) the removal of barriers to trade arising from differences between national regulations.

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee unanimously approves the Commission's proposal subject to the following comments:

- (i) the standardization process must ensure that the removal of trade barriers must not compromise the level of patient safety;
- (ii) in the definition of 'medical device' (Article 1(2)) certain terms should be modified or expanded;
- (iii) provision might be made to cover 'devices manufactured on prescription';
- (iv) the Member States might make provisions at national level for penalties for the wrongful affixing of the EC-mark;
- (v) a review of some of the annexes is recommended.

*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 (Germany — Various Interests). The rapporteur was Mr Proumens (Belgium — Employers).*

<sup>1</sup> CES 652/89.

## 12. TRADE STATISTICS

### **'Proposal for a Council Regulation (EEC) on the statistics relating to the trading of goods between Member States'**

[doc. COM(88) 810 final — SYN 181]

#### **Gist of the Commission document**

At present intra-Community trade statistics are based on the relevant formalities, documents and checks. These formalities, etc., will disappear once physical frontiers are abolished as demanded in the White Paper. If there are to be intra-Community trade statistics after 1992, a new basis will therefore have to be found for them.

The system for providing users with intra-Community trade data after 1992 will have to ensure that these data are as exhaustive, reliable and up-to-date as possible. In devising a new method for collecting these data the Statistical Office has applied the following principles:

- (i) the parties obliged to supply information will not be asked for any further data; instead every type of simplification will be used;
- (ii) care will be taken to ensure that the parties obliged to supply information have, in all the Member States, an equivalent workload as far as possible;
- (iii) intra and extra-Community trade data will continue to be comparable;
- (iv) the methods of collection used will be as flexible as possible and greater use will be made of simplified declarations based on automatic data processing.

The Commission's aim, in presenting its proposal, is:

- (a) to define framework for all statistics covering trade between Member States which will be justified at Community or national level after 1992; and
- (b) to develop a system of collection with the widest possible field of application. In order to respond to the White Paper's aim of ensuring the free movement of goods on equal terms throughout the Community, the proposal seeks to include in the Community rules practically all goods movements between Member States. This means that it will be necessary not only to define trade statistics between Member States (special trade)

but also to lay down the rules for transit and warehousing statistics.

The proposal consists mainly of the following:

- (a) establishment of a central collection system (Intrastat) and
- (b) revision of the statistics on trade between Member States.

### **Gist of the Committee's Opinion <sup>1</sup>**

In an Opinion, adopted unanimously, with 5 abstentions, the Committee acknowledges that the present proposal is a first step towards a possible solution to the problem of statistics concerning intra-Community trade in goods. Nevertheless it notes that it cannot be divorced from the question of harmonizing indirect taxation, on which the ESC expressed its views in several Opinions adopted in July 1988.

Moreover, and quite apart from the doubts about how the compensation machinery will operate, it remains to be seen whether the Commission will maintain its proposals for abolishing tax exemption on exports or whether it will opt for a scheme for holding over internal payments, which would enable the present system for collecting statistics on intra-Community trade to be retained and the introduction of the compensation machinery to be abandoned, machinery which, from the taxation point of view, underpins the present proposal.

*This Opinion was drawn up in the light of the paper produced by the Section for Economic, Financial and Monetary Questions, chaired by Mr Margot (Belgium — Various Interests). The rapporteur was Mr Giacomelli (Luxembourg — Employers).*

<sup>1</sup> CES 552/89.

### 13. ACTION PROGRAMME — LEAST-PRIVILEGED GROUPS

**‘Proposal for a Council Decision establishing a medium-term Community action programme to foster the economic and social integration of the least-privileged groups’**

[doc. COM(88) 826 final]

#### **Gist of the Commission proposal**

The European Community has long been active with measures to combat poverty. Food aid for the most needy and various measures to help specific population groups (e.g. the long-term unemployed and the illiterate) have been launched and financed through special budgets or via the structural Funds. In 1975 the Community adopted a specific programme to combat poverty. This was extended in 1985 by a second programme that is now nearing completion.

Meanwhile, the problem of poverty in the Community has worsened substantially. The number of persons dependent on welfare assistance has increased rapidly since the 1970s and even doubled in several Member States.

The Commission is therefore proposing a third specific programme, with an allocation of ECU 70 million, to cover a period of five years. It will take account of the lessons learnt from the two previous programmes (duration, concentration of operations, transnational coordination and ongoing assessment) and will focus on two different sets of needs: corrective measures to meet the needs of extreme poverty, and preventive schemes for groups at risk.

The programme will involve a limited number of selected prototype schemes. These will be on larger scale than was the case previously and will be rooted in the local context, combining government action and local operations and involving all aspects of poverty. The Community will provide direct financial aid for the development of experiments as well as information and assistance for reflection.

The Commission will negotiate the selection of prototype schemes (30 schemes in all) with the national authorities. Once the selection has been made it will set up the management structures with the local authorities in close cooperation with public and private bodies in the areas concerned. Each scheme will be managed by a steering committee, made up of representatives of all the bodies involved in carrying out the scheme. The committee will undertake a joint

programme to combat all facets of poverty in their region, province or town.

Each committee should prepare a detailed draft of integrated economic and social strategy to combat poverty in all its widely varying aspects and to support high risk groups in the area concerned for a period of five years.

The steering committee will be assisted and advised on technical matters by research and development units located in each country or group of countries. There will be eight in all. These units will make up a European network to combat poverty under the direction of the Commission which will disseminate the results.

It is planned to continue efforts to coordinate and accelerate the collection and processing of comparable poverty indicators at Community level in order to ensure improved monitoring of the development and extent of the poverty phenomenon.

### **Gist of the Committee's Opinion <sup>1</sup>**

This Opinion was adopted unanimously, with one abstention.

After recalling the main points contained in its recent Information Report, the Committee expresses the view that the draft programme presented by the Commission, although better funded than its predecessors, is still inadequate when weighed against the scale and urgency of the problems to be tackled.

While approving the proposal, the Committee regrets that it does not draw more on the lessons of the previous programmes.

The Committee considers that an excessive proportion of the proposed budget is allocated to technical assistance and back-up for the programme.

The Committee finally calls for improved cooperation with international institutions such as Unesco and the ILO and with the major non-governmental organizations dealing with the problem of poverty.

*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 Burnel (France — Various Interests).*

<sup>1</sup> CES 551/89.

## 14. POSEIDOM

**'Draft Joint Decision of the Council and the Commission establishing a programme of options specific to the remote and insular nature of the French overseas departments (Poseidom)'**

and the

**'Proposal for a Council Decision concerning the dock dues arrangements in the French overseas departments'**

[doc. COM(88) 730 final]

### **Gist of the Commission document**

Although dealing specifically with the French overseas departments (Guadeloupe, Martinique, French Guiana and Réunion), this document in fact comprises two distinct texts:

- (i) a Draft Joint Decision of the Council and the Commission containing a series of specific measures in favour of tropical agricultural products; by 1992 these measures should replace all the bilateral aid granted by France which in many cases is discriminatory under EC competition rules;
- (ii) a proposal for a Council Decision amending the dock dues system (maritime taxes, harbour dues).

The specific provisions cover the import of cereals used in animal feed, the rum and banana markets, aid in the event of natural disasters, and an easing of the Community's trade rules making it possible to trade with neighbouring islands which are signatories to the Lomé agreements.

The Commission also calls for the very rapid — preferential even — application of the reformed structural Funds in the overseas departments and the application of the principle of partnership.

The dock dues system must be made compatible with Community law while remaining a decentralized source of tax revenue administered by the local authorities which often have no other financial resources.

## **Gist of the Committee Opinion <sup>1</sup>**

In this Opinion, adopted by a large majority, 2 votes against and 5 abstentions, the Committee feels that the programme's approach focuses too much on economic development and the use of traditional regional policy measures, when the DOM's problems derive more from their sociological, demographic, and historical position.

The best solution would be an integrated programme based on partnership. Measures should include training, and productive investment in the manufacturing sector.

The Commission wishes to phase out the dues by the end of 1992, as they are incompatible with Community rules. They are to be replaced by a new system in which different products will be taxed at different rates, with revenue being used to further the DOM's economic development.

The Committee finds it difficult to assess the new tax in isolation from the overall framework of taxation.

*This Opinion was drawn up in the light of the paper produced by the Section for Regional Development and Town and Country Planning chaired by Mr Vasco Cal (Portugal — Workers). The rapporteur was Mr Della Croce (Italy — Workers).*

## **15. DRIVING LICENCES**

### **'Commission proposal on the mutual recognition of driving licences'**

[doc. COM(88) 705 final]

## **Gist of the Commission proposal**

The Commission has proposed the mutual recognition of driving licences between the different member countries of the Community so that a licence granted in one Member State would remain valid wherever the holder lived in the Community. This would replace the present system under which a Community citizen moving residence from one member country to another should exchange his or her driving licence within one year.

The principle of mutual recognition would apply both to existing licences and to new ones. New licences would be granted for

<sup>1</sup> CES 569/89.

specific categories fixed at the Community level, with agreed minimum age limits and subject to a common test schedule which would include driving, theory and medical tests.

Introduction of the principle of mutual recognition, together with Community agreement on vehicle categories and common rules for testing reflects the increase in the number of people travelling and settling in other member countries. By ensuring common standards, the new measures would help to make the roads safer and are an important part of the Commission's programme for road safety.

**Vehicle categories:** Some modifications have been proposed to the vehicle categories already defined under the 1980 Directive on driving licences (80/1263/EEC). These include the introduction of a specific category for high-powered motorcycles, another for three and four-wheel light cars which were previously defined as motorcycles, one for light commercial vehicles under 7 1/2 tonnes and one for vehicles for handicapped people.

**Minimum driving age:** The normal minimum for motorcycles and cars would be 18 throughout the Community, but Member States would be free to apply a minimum age limit of 17 if they chose to. For motorcycles under 125 cc a minimum of 16 could be applied. However, the Commission proposes a progressive age qualification for driving powerful bikes, whereby two years' experience would be needed on a smaller model before the licence-holder could graduate to machines above 400 cc.

**Driving tests:** A specific range of practical, theoretical and medical tests would be necessary for each category of vehicle. In order to gain a licence, applicants would be expected to have all-round knowledge of the practical aspects of their vehicles such as tyres, indicators, and exhaust systems, they should understand the effects of alcohol and fatigue, the risks associated with other road users including children and old people.

The practical driving tests would be designed to show technical control of the vehicle and the ability to cope in traffic, preferably on all types of road including motorways.

The physical and mental standards required would include visual and hearing abilities. Cardio-vascular and diabetic problems would be taken into account as well as neurological illnesses. Special vigilance would be required in assessing alcohol and drug abuse.



## **Gist of the Committee Opinion <sup>1</sup>**

In its Opinion, adopted unanimously, with 4 abstentions, the Committee believes that driving licences should be harmonized in the EC, for technical and also psychological reasons.

The Committee notes that vehicles with eight or more passenger seats (not counting the driver's seat) can be described as minibuses. The situation regarding responsibility is different; roadholding characteristics are different and manoeuvring is more difficult. More stringent training and a corresponding licence are thus needed.

Finally, the Committee notes that in the comments on the model driving licence it is stated that Member States shall have the right to:

- (i) dispense with the photograph requirement;
- (ii) replace the permanent place of residence by the postal address.

The Committee does not support these provisions and considers that the photograph and the exact address are, on the contrary, necessary in order to prevent fraud.

*This Opinion was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr L.J. Smith (United Kingdom — Workers). The rapporteur was Mr Tukker (Netherlands — Employers).*

<sup>1</sup> CES 553/89.

## 16. SAFETY BELTS IN VEHICLES

**'Proposal for a Council Directive on the approximation of the laws of the Member States relating to compulsory use of safety belts in vehicles of less than 3.5 tonnes'**

[doc. COM(88) 544 final]

### **Gist of the Commission document**

One of the objectives of the common transport policy is to contribute effectively towards the reduction of traffic accidents and resulting casualties (at present about 50 000 killed and more than 1.5 million injured in the Community every year), and towards the improvement of traffic conditions. On a number of occasions, and more particularly in its Own-initiative Opinion on the European Road Safety Year,<sup>1</sup> the Committee has strongly supported the idea of standardizing safety rules in the Member States, and any other Community measure which would help to achieve this objective.

This proposal for a Directive seeks specifically to contribute to the gradual achievement of a common road safety policy, through the simplification and approximation of national laws on the compulsory wearing of safety belts. Where they exist, these laws vary considerably from one Member State to another. To remedy this situation, the draft Directive should, within reasonable time-limits, make it compulsory for all passengers (front and rear) of vehicles weighing less than 3.5 tonnes to wear a safety belt, with certain derogations granted on special or exceptional grounds.

Such a measure introduced at the European level should also make it easier for car manufacturers to take the use of safety belts into consideration in the design and production of safe cars for the common market. Moreover, this measure should facilitate the free movement of persons by making the rules similar in the whole Community.

The following categories of vehicle are covered by this proposal:

- (a) **Category M1:** Vehicles used for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat.

<sup>1</sup> OJ C 101, 28.4.1986, p. 8.

- (b) **Category M2:** Vehicles used for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum weight not exceeding 5 tonnes.
- (c) **Category N1:** Vehicles used for the carriage of goods and having a maximum weight not exceeding 3.5 tonnes.

### **Gist of the Committee's Opinion**<sup>1</sup>

The Committee Opinion, adopted by 78 votes for, 4 votes against and 5 abstentions, contains certain comments and recommendations on:

- (i) the type of anchorage for safety belts on rear seats;
- (ii) restraint systems for small children (under 12);
- (iii) the application of the derogations in Article 9 of the draft Directive (exemption from compulsory use of seat-belts for certain categories of people) in built-up areas only;
- (iv) wider publicity regarding the need to wear safety belts.

*This Opinion was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr L.J. Smith (United Kingdom — Workers). The rapporteur was Mr Tukker (Netherlands — Employers).*

## **17. SPEED LIMITS — MOTOR VEHICLES**

**'Proposal for a Council Directive on speed limits for certain categories of motor vehicles in the Community'**  
[doc. COM(88) 706 final]

### **Summary of Commission proposal**

Community speed limits vary between 100 and 140 km on motorways, 80 and 110 km on other roads and 48 and 60 km in built-up areas.

On German motorways, the speed limit only applies to commercial vehicles. It is only recommended for private vehicles.

Limits outside built-up areas for commercial vehicles vary between 60 and 100 km. They are lower than for private vehicles, though coaches can be driven at 112 km on UK motorways.

<sup>1</sup> CES 566/89.

On 26 January the Commission submitted a communication on speed limits. The Committee issued an Opinion on 21 October 1987 (OJ C 347, 22.12.1987). The communication stated that the Community should adopt a Directive establishing rules on speed limits, having regard to previous deliberations on road safety, environmental pollution, energy consumption and cost/benefits for industry and transport.

The Commission proposes the following speed limits:

**(1) On motorways:**

- (a) 100 km/h for motor vehicles of categories M2, M3, N1 and N2;
- (b) 80 km/h for motor vehicles of category N3 and all motor vehicles towing a trailer, semi-trailer or a caravan.

**(2) On expressways:**

80 km/h for motor vehicles of categories M2, M3, N1, N2 and N3 and all motor vehicles towing a trailer, semi-trailer or a caravan.

**(3) On other roads outside built-up areas:**

- (a) 80 km/h for motor vehicles of categories M2, M3, N1 and N2;
- (b) 70 km/h for motor vehicles of category N3 and all motor vehicles towing a trailer, semi-trailer or a caravan.

**(4) On roads in built-up areas:**

50 km/h for motor vehicles of category M2, M3, N1, N2 and N3 and all motor vehicles towing a trailer, semi-trailer or a caravan.

The various types of vehicle are defined in the first article of the draft Directive.

### **Gist of the Committee's Opinion <sup>1</sup>**

In its Opinion, adopted by a large majority (one vote against), the Committee notes that the proposed Directive covers only certain aspects (introduction of differentiated speed limits according to the characteristics of vehicles and roads), an approach with which it agrees. However, it asks the Commission to complete the rest of its work in this area as soon as possible.

<sup>1</sup> CES 554/89.

The Committee would like to see separate rules on speed limits on expressways — at present, they are classified as non-urban roads, whereas in point of fact they are more similar to motorways.

*This Opinion was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr L.J. Smith (United Kingdom — Workers). The rapporteur was Mr Cavazutti (Italy — Workers).*

## 18. TELECOMMUNICATIONS (ONP)

**'Proposal for a Council Directive on the establishment of the internal market for telecommunications services through the implementation of an open network provision'**

[doc. COM(88) 825 final]

### **Gist of the Commission document**

The proposal is an important step forward in implementing the proposals set out in the Commission's Green Paper on the development of the common market for telecommunications services and equipment published in 1987. The central concept of the Green Paper is to intensify competition in the telecommunications sector.

The ONP Directive lays down the guiding principles and the structural framework within which the suppliers of telecommunications services may have access to and use the public network. The Commission approach may be summarized as follows:

- (i) The harmonized conditions for ONP must be based on objective criteria, be transparent and published appropriately. They must not discriminate between nationals of a Member State and other nationals and must guarantee equality of access.
- (ii) The ONP conditions must develop and be established gradually.
- (iii) The ONP conditions require the development of open network standards as part of an overall Community approach to European standards.

The ultimate aim of the Commission's initiative is the mutual recognition of authorization procedures so that an authorization obtained in one Member State entitles a supplier of services to operate throughout the Community without having to submit to any other procedures.

The liberalization of the telecommunications services will specifically concern the value-added services such as those to improve telecommunications functions, remote data-processing services, message recording and retransmission services (electronic mail), transactional services (financial transactions, electronic commercial data transfer), and remote activity services (teleshopping, telebooking and remote control).

### **Gist of the Committee Opinion <sup>1</sup>**

In its Opinion, adopted by a large majority (2 votes against), the Committee hopes that the telecommunications administrations have the funds required for ensuring fair competition.

The Committee would stress that Community telecommunications policy forms a coherent whole which it is difficult to split up. Thus, the present proposal has been preceded by others and gives notice of further proposals to come.

The Committee would therefore like to be informed of any decisions taken by the Commission and would like the Commission to review progress made in the field of telecommunications. While endorsing the need for the rapid establishment of an open Community-wide telecommunications network, the Committee subscribes to the principle that ONP conditions should be defined in stages.

With regard to 'public networks', the Committee calls on the Commission to lay down a definition which takes account of previous Committee Opinions on this subject and also specifies the boundaries (where does the network stop and the terminal start?).

*This Opinion was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr L.J. Smith (United Kingdom — Workers). The rapporteur was Mr Rouzier (France — Workers).*

<sup>1</sup> CES 558/89.

## 19. RADIATION PROTECTION PROGRAMME

**'Proposal for a Council Decision adopting a specific multiannual research and training programme for the European Atomic Energy Community in the field of radiation protection (1990-91)'**  
[doc. COM(88) 789 final]

### **Gist of the Commission proposal**

The radiation protection programme comes under line of activity 1 — Quality of life — of the framework programme of Community research and technological development (1987-91),<sup>1</sup> more specifically chapter 1.2.

The aim of the proposed programme is to extend the measures taken under the current 1985-89 programme, adopted by the Council in March 1985,<sup>2</sup> amended in December 1987,<sup>3</sup> so as to take account of the specific problems of research into radiation protection in the wake of the Chernobyl nuclear accident.

According to the framework programme, its objectives are 'to provide data and methods needed for the prevention and counteraction of harmful effects of ionizing radiation and radioactivity, and to assess the consequences of radiation accidents. Particular attention will be paid to the evaluation of recent accidents and incidents, and to the lessons which can be learned from them'.

Specifically, the programme will deal with the following subject areas:

- (a) Human exposure to radiation and radioactivity:
  - (i) measurement of radiation dose and its interpretation;
  - (ii) transfer and behaviour of radionuclides in the environment.
- (b) Consequences of radiation exposure to man; their assessment, prevention and treatment:
  - (i) stochastic effects of radiation;
  - (ii) non-stochastic effects of radiation;
  - (iii) radiation effects on the developing organism.

<sup>1</sup> OJ L 302, 24.10.1987, p. 1.

<sup>2</sup> OJ L 83, 25.3.1985, p. 23.

<sup>3</sup> OJ L 16, 21.1.1988, p. 44.

- (c) Risks and management of radiation exposure
  - (i) assessment of human exposure and risks;
  - (ii) optimization and management of radiation protection.

Community funding of ECU 21.2 million for the period 1990-91 is considered necessary for the realization of the programme. The research will be carried out primarily by means of cost-shared contracts.

The proposed Decision authorizes the Commission to negotiate agreements with non-member States and international organizations with a view to associating them wholly or partially with the programme. It also lays down the evaluation criteria for the programme.

### **Gist of the Committee Opinion <sup>1</sup>**

In its Opinion adopted unanimously, the Committee considers the funding for research and training in radiation protection to be totally inadequate.

It therefore feels that the Commission's proposal for the years 1990-91 does not make it possible to preserve a balanced research programme.

In particular it urges that when the framework programme is reviewed, priority be given to research and training activities in the field of radiation protection, and expects, at the very least, that the Commission carries out its intention to allocate ECU 90 million to the implementation of the programme for 1990-94.

The Committee considers that priority must be given to research concerning:

- (i) the consequences of radioactive substances in the food chain;
- (ii) exposure to radon, which could be the cause of around 15 000 lung cancer deaths a year in Europe;
- (iii) irradiation of the embryo, which many experts feel is a probable cause of mental retardation;
- (iv) irradiation from medical and dental x-rays, which is said to be the origin of up to 40% of the public's total exposure to radiation in the Community;
- (v) the effects of using ionizing radiation for medical treatments.

<sup>1</sup> CES 570/89.



As regards training, the Committee doubts whether the effort proposed by the Commission will be enough to preserve knowledge about radiation protection and build on what is known.

*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 Saiu (France — Workers).*

## 20. BRIDGE PROGRAMME

**‘Proposal for a Council Decision adopting a specific research and technological development programme in the field of biotechnology (1990-94) Bridge — Biotechnology research for innovation, development and growth in Europe’**  
[doc. COM(88) 806 final — SYN 182]

### **Gist of the Commission proposal**

The Bridge programme<sup>1</sup> forms part of the line 4 research actions — exploitation and enhancement of biological resources — of the framework programme for Community activities in the field of research and technological development (1987-91),<sup>2</sup> and more specifically of subdivision 4.1. Biotechnology, whose aim is to ‘master the properties of living cells and to ensure their exploitation, in the interests of consumers, by both industry and agriculture’.

Devised to pursue the activities already implemented under the two previous programmes — BEP (1982-86)<sup>3</sup> and BAP (1985-89),<sup>4</sup> which is still in progress — the Bridge programme’s objective is to:

- (i) foster transnational research and to promote its catalytic effects, for accelerating the production of biological data, materials and methods necessary for the safe and rational exploitation of useful organisms;

<sup>1</sup> Biotechnology research for innovation, development and growth in Europe.

<sup>2</sup> OJ L 302, 24.10.1987, p. 1.

<sup>3</sup> OJ L 375, 30.12.1981, p. 1.

<sup>4</sup> OJ L 83, 23.3.1985, p. 1, amended by the Decision of 29 September 1988, OJ L 206, 30.7.1988, p. 38.

- (ii) place such data, materials and methods at the disposal of industry, agriculture and research centres and to encourage their exploitation;
- (iii) ensure that information generated under the programme is available for current discussions on the social acceptability of modern biotechnology;
- (iv) establish, through normative research, the scientific basis necessary for the establishment of guidelines to regulate new and economically important production methods (including, in particular, those which are based upon the use of genetic engineering);
- (v) take advantage of the scientific competences dispersed throughout the Community for contributing, via training and scientific mobility, to the requirements of biotechnology operators in qualified scientific staff and in multidisciplinary combinations of expertise.

As with the ongoing BAP programme, the Commission proposes to subdivide the Bridge programme into two separate but related actions covering the following fields:

### **Action I: Research and training**

#### 1. Information infrastructure

- 1.1. culture collections;
- 1.2. processing and analyses of bio(techno)logical data.

#### 2. Enabling technologies

- 2.1. protein design/molecular modelling;
- 2.2. biotransformation;
- 2.3. gene mapping, genome sequencing, novel cloning methods.

#### 3. Cellular biology

- 3.1. physiology and molecular genetics of industrial microorganisms;
- 3.2. basic biology of plants and associated organisms;
- 3.3. biotechnology of animal cells.

#### 4. Pre-normative research

- 4.1. safety assessments associated with the release of genetically engineered organisms;
- 4.2. *in vitro* evaluation of the toxicity and pharmacological activity of molecules.

Research actions will be conducted on the basis of shared-cost research contracts while training actions will be implemented through training contracts and courses.

### **Action II: Concertation**

This action will cover a range of monitoring, information and collaborative activities to provide and facilitate the effective application of biotechnology to the social and economic objectives of the Community and of the Member States.

The estimated cost of implementing the programme is ECU 100 million, of which ECU 90 million for action I and 10 million for action II.

The proposed decision also envisages full or partial association of non-member countries and international organizations. The criteria for evaluation are specified.

### **Gist of the Committee Opinion <sup>1</sup>**

In its Opinion, adopted unanimously, the Committee highlights certain issues which are directly linked to the implementation of the Bridge programme, as well as the more general aspects of the development of bio(techno)logy. These include:

- (i) the ethical and moral aspects of biotechnological research;
- (ii) risk assessment;
- (iii) industry participation in the Bridge programme;
- (iv) assessment of the social impact of biotechnology;
- (v) training;
- (vi) concertation activities (national and Community programmes).

*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 De Tavernier (Belgium — Various Interests).*

<sup>1</sup> CES 555/89.

## 21. RECYCLING OF RAW MATERIALS (R&D REWARD)

**'Proposal for a Council Decision adopting a specific research and technological development programme of the European Economic Community in the fields of raw materials and recycling'**

[doc. COM(88) 795 final — SYN 188]

### **Gist of the Commission proposal**

The Reward programme comes under the line 3 research actions — modernization sectors — of the framework programme for Community activities in the field of research and technological development (1987-91),<sup>1</sup> and more specifically of heading 3.3. 'Raw materials and recycling' whose aim is to contribute to the competitiveness of traditional and new industrial sectors of the Community, by satisfying their requirements in raw materials, both renewable (wood) and non-renewable'.

The aim of this new programme is to extend some of the research activities undertaken as part of the previous two programmes on raw materials covering the periods 1982-85<sup>2</sup> and 1986-89.<sup>3</sup> The work on advanced materials which also formed part of the 1986-89 programme has been included in the Brite/Euram programme which is the subject of a separate draft Decision on which the Committee has already given its views.

The Reward programme has several objectives, namely:

- (i) to help enhance the competitive position in world markets of the Community's raw materials and recycling industries by providing them with the technology base required for strategic and innovative developments in the fields covered by the programme;
- (ii) to encourage trans-frontier collaboration within the Community in strategic industrial research between industrial companies, research organizations and universities;
- (iii) to encourage the transfer of technology between different sectors of the raw materials and recycling industries and other

<sup>1</sup> OJ L 302, 24.10.1987, p. 1.

<sup>2</sup> OJ L 174, 17.5.1982, p. 23 and OJ L 181, 6.7.1983.

<sup>3</sup> OJ L 159, 14.6.1986, p. 36.

industries, particularly to those sectors with a high predominance of SMEs.

The Commission proposes a funding of ECU 45 million for the programme which is divided into four sub-programmes.

1. Primary raw materials: ECU 21 million
  - 1.1. Exploration
  - 1.2. Mining technology
  - 1.3. Mineral processing and extractive metallurgy
  
2. Recycling of non-ferrous metals and strategic metals: ECU 6 million
  - 2.1. Characterization and classification of secondary materials
  - 2.2. Physical separation and concentration
  - 2.3. Advanced pyrometallurgical processes
  - 2.4. Advanced hydrometallurgical processes
  - 2.5. Refining technologies
  - 2.6. Instrumentation on control of the processes
  
3. Renewable raw materials, forestry and wood products: ECU 12 million
  - 3.1. Forestry resources
  - 3.2. Wood technology
  - 3.3. Pulp and paper manufacturing
  
4. Recycling of waste: ECU 6 million
  - 4.1. Sampling, analysis and classification of waste
  - 4.2. Recycling technologies
  - 4.3. Energy production from waste

These activities will be mainly carried out in the form of shared-cost contracts with part of the funding going to coordination activities, particularly for recycling of waste.

The draft Decision also provides for the possible involvement in the programme, under conditions to be defined, of third countries and international organizations and of organizations and firms from non-EC European countries with which framework agreements for scientific and technical cooperation have been concluded.

The evaluation criteria are also specified.

## Gist of the Committee Opinion <sup>1</sup>

In its Opinion adopted unanimously, the Committee calls for a reduction in the funding of the primary raw materials sub-programme (which receives about half of the proposed budget for the entire programme) and a transfer of the funds released thereby to the three other sub-programmes.

The programme as a whole would seem to be rather ambitious given the funds allocated to it. The Committee therefore considers that priorities will have to be pinpointed and precise criteria for the selection of projects established.

The Committee considers that attention should be paid:

- (i) to ensuring that the research projects selected help to satisfy needs;
- (ii) to the regional and social (particularly employment) impact of the projects and their contribution to the narrowing of the gaps between Member States' levels of development.

Nor is the Committee convinced that EC funds are really necessary for all the research activities envisaged by the Commission in the primary raw materials field.

As far as renewable raw materials (forestry and wood products) are concerned, the Committee considers that this sub-programme should focus on securing an overall improvement in quality.

As far as the recycling of waste is concerned, the Committee draws attention to the fact that a research programme in this area must not be allowed to detract from the need to use resources sensibly and responsibly since it is always better to prevent waste than to have to treat it.

*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 Jaschick (Germany — Various Interests).*

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<sup>1</sup> CES 556/89.

## 22. IMPROVEMENT OF THE BUSINESS ENVIRONMENT

**'Proposal for a Council Decision relating to the improvement of the business environment and the promotion of the development of enterprises, in particular of small and medium-sized enterprises, in the Community'**

[doc. COM(89) 102 final]

### **Gist of the Commission document**

The proposal for a Council Decision seeks to create a legal and budgetary basis for Community action in the area of enterprise policy. The main aims of the measures proposed are as follows:

- (i) to remove undue administrative, financial and legal constraints which hold back the development and creation of small and medium-sized enterprises;
- (ii) to inform and assist enterprises, and in particular SMEs, on national and Community policies, regulations and activities which concern them or are likely to concern them;
- (iii) to encourage cooperation and partnership between enterprises, in particular between enterprises from different regions of the Community.

The Commission considers that an overall budget of ECU 135 million would be needed for the period 1990-93.

### **Gist of the Committee Opinion <sup>1</sup>**

In its Opinion adopted unanimously, with one abstention, the Committee endorses the Commission's decision to create a new DG XXIII; it feels, however, that there should at least be a separate directorate for crafts and small/medium-sized industries within the new Directorate-General.

The SME impact assessments accompanying the Commission proposals should be more comprehensive than has hitherto been the case.

The Commission proposal stipulates that around 70% of the ECU 135 million budgeted for 1990/93 is to be channelled into informa-

<sup>1</sup> CES 559/89.

tion and assistance activities for firms. The Committee agrees that the budget should focus on these activities at this stage, but trusts that other policy areas will not suffer in consequence. With the increasing number of information centres, there is a danger that services may be duplicated and that SMEs may find it difficult to gain access to information which they require.

*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 Lustenhouwer (Netherlands — Various Interests).*

## 23. FREE MOVEMENT OF WORKERS

**‘Regulation amending Regulation No 1612/68 on freedom of movement for workers within the Community and the proposal for a Council Directive amending Directive No 68/360/EEC on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families’**

[doc. COM(88) 815 final — SYN 185]

### **Gist of the Commission’s proposal**

Twenty years have passed since the adoption of Regulation (EEC) 1612/68 on freedom of movement for workers and Directive 68/360/EEC on the right of residence of workers. There are a number of reasons for amending these two instruments:

- (i) experience in implementing these instruments which has revealed a number of legal loopholes as regards the protection of migrant workers and their families;
- (ii) economic and social changes, in particular the contraction of the labour market, which mean that workers are in greater need of protection;
- (iii) the large number of rulings by the Court of Justice in this field which should be formally embodied in Community legislation;
- (iv) the political will of the Member States to increase protection as illustrated by:
  - (a) the White Paper on the completion of the internal market by the end of 1992, adopted by the European Council of Milan on 28 and 29 June 1985, including reference to



removal of the remaining obstacles to the freedom of movement of persons;

(b) Resolution of 16 July 1985 setting out 'Guidelines for a Community migration policy';

(c) Article 8a EEC introduced by the Single European Act.

The revision proposed by the Commission is concerned essentially with:

- (i) extending the categories of persons protected by Community law, to cover all descendants and relatives in the ascending line of the worker and his spouse and to cover dependent collaterals;
- (ii) strengthening the rule of equal treatment for nationals of the host State and other Community nationals (thus enshrining the principle of equivalence of situations);
- (iii) strengthening the right of residence of workers and the families of workers who are unemployed or who have accented short-term employment in another Member State, as well as the right of residence of workers and their families where the worker retains a link with the territory of a Member State by reason of the place where a contractual tie has been established or the place where it has produced its effects.

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee adopted its Opinion unanimously on this subject, with one abstention.

It notes the intention to extend the categories protected by Community legal provisions so that the family unit is now to be included.

The terms of the proposal for the introduction of a 'European Community Residence Card' (as opposed to the current EC Residence Permit) are welcomed.

The Committee regrets that long administrative delays are still being experienced by citizens moving within the Community entitled to, and claiming, social security benefits. It would strongly urge the Commission to see that the formal commitment upon Member States to deal swiftly with the calculation totalization of

<sup>1</sup> CES 571/89.

pension payments, and unemployment benefits and sickness and invalidity entitlements is properly exercised.

*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 Pearson (Ireland — Employers).*

## 24. COMMON ORGANIZATION OF THE MARKET IN CEREALS

**'Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals',**

**'Proposal for a Council Regulation (EEC) setting general rules on the production aid for high quality flint maize',**

**'Proposal for a Council Regulation (EEC) fixing the production aid for sowings in the 1988/89 marketing year of certain varieties of high quality flint maize'**

### **Gist of the Committee's Opinion <sup>1</sup>**

In a unanimously adopted Opinion, the Committee expresses its belief that it is not in the interests of the Community to depend on foreign sources for its basic supplies.

To persuade producers to grow flint maize, a special incentive is required. Given this incentive, growers in Andalusia, and possibly also in some other parts of southern Europe, could switch from dent to flint maize.

The Committee supports the concept of pump priming. It believes that the scheme should, as intended, operate for three years only. It would then be up to the processors to provide producers with the necessary premium.

The Committee regrets the delay which has occurred in framing the proposal and is of the view that the scheme should run for three years commencing 1989/90. Early agreement to the Commission's proposal is necessary if sufficient seed is to be procured for significant plantings in 1989/90.

<sup>1</sup> CES 563/89.

*The rapporteur-general of this Opinion was Mr Strauss (United Kingdom — Various Interests).*

## 25. COMMON ORGANIZATION OF THE MARKET IN RICE

**'Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 1418/76 on the common organization of the market in rice'**

### **Gist of the Committee Opinion <sup>1</sup>**

The Economic and Social Committee unanimously endorses the Commission's proposal.

The geographical location of Réunion (separated from Europe by a distance of 10 000 km), the high per capita consumption of rice in the island (a staple food) and the need to prevent a decline in the living standards of the poorer inhabitants provide every justification for the exemptions from import levies provided for.

*The rapporteur-general of this Opinion was Mr Della Croce (Italy — Workers).*

## 26. HORMONES

**'Proposal for a Council Directive amending Directives 81/602/EEC and 88/146/EEC in respect of the prohibition of certain substances having a hormonal action and of substances having a thyrostatic action'**

### **Gist of the Committee's Opinion <sup>2</sup>**

The Committee unanimously agrees with the Commission's proposal but would like to see an on-going study of the possible therapeutic applications.

*The rapporteur-general of this Opinion was Mr Storie-Pugh (United Kingdom — Various Interests).*

<sup>1</sup> CES 564/89.

<sup>2</sup> CES 565/89.

## 27. BROADCASTING (Additional Opinion)

**'Proposal for a Council Directive on the coordination of certain provisions laid down by law, regulation or administrative action in the Member States concerning the pursuit of broadcasting activities'**

### **Previous work in this field**

The previous Opinion on this proposal was adopted on 1 July 1987; at that time, the subcommittee on broadcasting asked for permission to issue an additional Opinion when the Council adopted its common position.

On 22 November 1988, in preparation for the continuation of this work, the Bureau instructed Mr Ramaekers, Rapporteur-General, assisted by Mr Pronk and Mr Broicher, subcommittee Chairman and Co-Rapporteur, respectively, to draft an additional Opinion.

The Council adopted its common position on 13 April, and this was immediately forwarded to the European Parliament. The second reading will be completed at the May session, the last session before the Parliament elections.

### **Gist of the Committee's Opinion <sup>1</sup>**

This Opinion, adopted by a large majority, one vote against and four abstentions, highlights the main amendments outlined in the previous Opinion, which were taken on board by the Council:

- (i) the promotion of European television programmes no longer involves the imposition of strict quotas; more flexible and adaptable arrangements are proposed which take into account the specific situations in each of the Member States; however, it will not be possible to achieve the objective of encouraging the production of television programmes unless all broadcasters abide by the rule that a majority proportion of their transmission time is to be reserved for European programmes. The Committee would question whether the proposed system of reports is an effective guarantee thereof;
- (ii) any natural or legal person whose legitimate interests are damaged by an assertion of incorrect facts in a television programme will now have a right of reply. The Committee's

<sup>1</sup> CES 572/89.

earlier Opinions had advocated the introduction of this right, although the Commission proposal did not initially provide for this;

- (iii) the common position no longer contains any provisions relating to copyright.

The Committee's previous Opinion rejected a partial solution of limited scope and called for comprehensive regulation of copyright under a separate Community instrument for general application.

The Committee deplores the fact that the daily quota for advertising, which it felt should have been limited to 10%, has been set at 15%, and possibly even higher under certain circumstances.

*The rapporteur-general of this Opinion was Mr Ramaekers (Belgium — Various Interests).*



*Mr John Carroll, Chairman of the Social Affairs Section, welcomes Ms Papandreou, Member of the Commission.*

## External relations

### Activities undertaken by the Chairman and the Secretary-General

On 4 April 1989 Mr Masprone and Mr Moreau welcomed, in Brussels, the President of the Foundation for Economic Development of the Turkish Chamber of Commerce, Mr Coskun, accompanied by a delegation.

On 5 April, Mr Masprone and the Secretary-General welcomed Mr Cardoso E Cunha, Member of the Commission, who attended the Industry Section meeting in the Committee building.

In conjunction with the Hispano-French commemoration of the 10th anniversary of Confemetal on the theme of the European single market, Mr Moreau took part on 6 April in a conference on the creation of a European space in Madrid.

On 6 and 7 April the ESC Chairman attended a conference organized by the European Parliament in Brussels on global Mediterranean cooperation.

On 7 April the ESC Chairman addressed the XIVth Congress of the Union of European Federalists in Brussels.

On 10 April Mr Moreau attended the plenary assembly of the Midi-Pyrénées regional economic and social council, where he spoke on the Single Act.

On 12 April the ESC Chairman, accompanied by the Secretary-General, welcomed the Spanish Minister for Transport to the ESC during his visit to Brussels.

The same day the Secretary-General welcomed the EFTA representative, Mr Christoph Querner, to Brussels.

On 13 April the ESC Chairman attended a Conference on Small and Medium-sized Businesses (SMEs) organized by Confindustria in Rome.

On 13 April, the Secretary-General attended the European Parliament plenary session in Strasbourg.

On 14 April Mr Moreau met Mr Lavondes, Secretary-General of the French ESC, in Paris.

On 15 April the Chairman attended a Round Table on the Single Market and Tourism, organized by Italcongressi at Torgiano, Italy.

On 17 April Mr Masprone and Mr Moreau attended the opening of the Eurocoop meeting in Brussels, followed by a luncheon.

On 18 April Mr Masprone and Mr Moreau took part in an information day on the European Economic Interest Grouping (EEIG), organized by the European Commission in Brussels.

The same day the ESC Chairman addressed the public sitting of the Congress of the International Confederation of Executive Staffs (CIC) in Brussels.

The same day, Mr Ceyrac, Member of the Committee, and Mr Moreau attended a meeting of the senior management study and research centre (Cerdi) in Brussels.

On 19 April the ESC Chairman and Secretary-General attended the Agriculture Section's 300th meeting, held in Stresa, Italy, followed by a press conference.

On 21 April the ESC Chairman attended a symposium on European taxation organized by the European League for Economic Cooperation in Brussels.

The same day he spoke to the European Movement Congress in Brussels on the social dimension.

On 26 April he attended a conference organized by Unipede. The same day he welcomed Dr Glück, Bavarian Minister for Labour and Social Affairs, to the ESC.

### **Other activities**

On 3 April a delegation from the Confederation of Building Crafts and Small Firms (CAPEB), led by its president, Mr Letertre, visited the ESC.

In connection with its work on high-definition television, the responsible Study Group visited Eindhoven (Netherlands) on 3 April and watched a Eureka 95 HDTV project demonstration. The Group was welcomed by the project director, Mr Bogels.

On 6 April Mr Flum and Mr Petersen, Members of the ESC, accompanied by Mr Leiner from the Secretariat, attended a Round Table at the Rhine-Palatinate information office, where the topic of





*Members of the Agriculture Section visit a wine cooperative near Stresa.*



*The Committee Chairman Mr Masprone opens the Agriculture Section's 300th meeting in Stresa.*

discussion was the internal market and the social dimension, Dr Ursula Hansen, the Rhine-Palatinate Minister for Social and Family Affairs, took part.

On 12 April, Mr Walrave, Deputy Director-General of the French Railways, representing the European Railways Community on the high-speed rail network proposal, addressed the ESC Transport Section meeting. Mr Barrionuevo Pena, President-in-Office of the Council of Transport Ministers, also attended the meeting.

On 18 April Mr Gedeon, President of the Guadeloupe ESC, attended the Regional Development Section meeting.

On 19 and 20 April Mr Roseingrave, Member of the ESC, attended the fourth coordination meeting on coping with social and economic change at neighbourhood level, organized in Brussels by the European Foundation for the Improvement of Living and Working Conditions.

On 19 April Mr Vassilaras, Chairman of the ESC Various Interests Group, took part in a conference on social tourism organized by Cecotos in Brussels.

On 20 and 21 April Mr Jaschick, Member of the ESC, gave a speech on the completion of the internal market — Impact on consumers, during the Bundesverband der Beamteten Tierartzte working session held in Konstanz, Federal Republic of Germany.

On 21 April Mr McLaughlin, Director at the ESC, spoke in France at the Brive a conference on the subject 'You, the Young, are the builders of Europe'.

On 24 April Mr Staedelin, Member of the ESC, accompanied by Mr Schwaiger, Director, spoke on basic rights at the CDU-CSU-Fraktion hearing in Bonn.



## New consultations

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

**'Proposal for a Council Directive amending Directive 80/390/EEC in respect of mutual recognition of stock exchange listing particulars'**

[doc. COM(89) 133 final — SYN 191]

**'Proposal for a Council Regulation (EEC) concerning the promotion of energy technology in Europe'**

[doc. COM(89) 121 final]

**'Proposal for a Council Directive amending Directives 81/602/EEC and 88/146/EEC in respect of the prohibition of certain substances having a hormonal action and of substances having a thyrostatic action'**

[doc. COM(89) 136 final]

**'Proposal for a Council Directive concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising of tobacco products in the press and by means of bills and posters'**

[doc. COM(89) 163 final — SYN 194]

**'Proposal for a Council Decision concluding the Convention on Cooperation on the Management of Water Resources in the Danube Basin'**

[doc. COM(89) 28 final]

**'Coordinated introduction of a pan-European public radio messaging system in the Community'**

[doc. COM(89) 166 final]



## Provisional future work programme

### May 1989 Plenary Session

#### OPINIONS

##### *Ecofin Section*

Harmonization of laws: Stock exchange listing prospectus  
[doc. COM(89) 133 final — SYN 191]

##### *Environment Section*

Batteries and accumulators  
[doc. COM(88) 672 final — SYN 170]

Irradiated food  
[doc. COM(88) 654 final — SYN 169]

Gas appliances  
[doc. COM(88) 786 final — SYN 178]

Non-automatic weighing instruments  
[doc. COM(88) 780 final — SYN 174]

Motor vehicle liability and direct non-life insurance  
[doc. COM(88) 791 final — SYN 179]

Mobile machinery  
[doc. COM(88) 740 final — SYN 175]

##### *Regional Development Section*

13th ERDF report  
[doc. COM(88) 728 final]

##### *Transport Section*

Capacity of air traffic control systems  
[doc. COM(88) 577 final]

##### *Agriculture Section*

Anti-rabies pilot projects  
[doc. COM(88) 836 final]

Health rules for intra-Community trade in cattle  
[doc. COM(88) 742 final]

Health rules for intra-Community trade in and imports of poultry and hatching eggs  
[doc. COM(89) 9 final]

### *External Relations Section*

#### *Information Report*

EEC relations with Mediterranean countries

## **June 1989 Plenary Session**

### **OPINIONS**

#### *Ecofin Section*

VAT on secondhand goods  
[doc. COM(88) 846 final]

Liberalization of capital movements  
[doc. COM(89) 60 final]

#### *Social Section*

Social developments in 1988

#### *Environment Section*

Protection of natural habitats  
[doc. COM(88) 381 final]

Noise level of subsonic aircraft  
[doc. COM(88) 662 final]

Veterinary medicines  
[doc. COM(88) 779 final]

Pesticide residues in fruit and vegetables  
[doc. COM(88) 798 final]

#### *Transport Section*

Elimination of border checks  
[doc. COM(88) 800 final]

Weights and dimensions of road vehicles  
[doc. COM(88) 759 final]

Roadworthiness tests  
[doc. COM(89) 6 final]



**OWN-INITIATIVE WORK***Ecofin Section*

Economic situation first half of 1989

*Environment Section*

Consumer information centre

**July 1989 Plenary Session****OPINIONS***Environment Section*

Plant protection products  
[doc. COM(89) 34 final]

*Energy Section*

Thermie programme  
[doc. COM(89) 121 final]

**OWN-INITIATIVE WORKS***Regional Development Section*

Declining industrial areas

*Transport Section*

Positive measures in favour of maritime transport

**September 1989 Plenary Session****OPINIONS***Ecofin Section*

Take-over bids  
[doc. COM(88) 823 final]

*Social Section*

Mutual recognition of professional qualifications  
[doc. COM(88) 824 final]

European cultural area (Additional Opinion)

Right of asylum and status of refugees

*Industry Section*

Life assurance  
[doc. COM(88) 729 final — SYN 177]

Legal protection of computer programs  
[doc. COM(88) 816 final — SYN 183]

Investment services for securities  
[doc. COM(88) 778 final — SYN 176]

#### OWN-INITIATIVE WORKS

##### *Social Section*

Social consequences of cross-border mergers  
Poverty (subject to confirmation)

##### *Regional Development Section*

Cooperatives' contribution to regional development

##### *Subcommittees*

Use of agricultural and forestry resources

#### **October 1989 Plenary Session**

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##### *Industry Section*

18th report on competition

#### **Subsequent Plenary Sessions**

##### *Environment Section*

Tourism — five-year programme  
[doc. COM(88) 363 final]

Protection of the Mediterranean environment

##### *Industry Section*

Technical standards and regulations  
[doc. COM(88) 722 final]

##### *Transport Section*

Relations between the Member States and the railways  
[doc. COM(88) 842 final]

#### OWN-INITIATIVE WORKS

##### *Energy Section*

1992 and the EC's external trade

Development of economic and commercial relations between  
the EEC and Latin America

*Subcommittees*

Future of rural society  
[doc. COM(88) 501 final]

Environment and agriculture  
[doc. COM(88) 338 final/2]



## **Members' news**

### **Appointments**

The Council of the European Communities has appointed two new Members of the Economic and Social Committee:

Mr Joël Decaillon (France), National Office of the General Confederation of Labour (CGT) International Department/European Workers' Collective, who replaces Mr Dunet, outgoing Member, and

Mr Joël Berton (France), Deputy Secretary-General of the National Centre of Young Farmers, who replaces Mr Nugeyre, outgoing Member.

### **New president of Seplis**

On 17 March 1989 Mrs Susanne Tiemann, Member of the Economic and Social Committee, was elected President of the European Secretariat of the Liberal, Independent and Social Professions (Seplis).

## **PUBLICATIONS OBTAINABLE FROM THE ECONOMIC AND SOCIAL COMMITTEE**

### **General documentation**

The other European Assembly (CES 89-003)  
Leaflet on the ESC

### **Opinions and studies**

Europe and the new technologies (1986) (ESC 89-004)  
Disadvantaged island regions (July 1988) (ESC 88-009)  
Basic Community social rights (Opinion) (February 1989)  
Horizon 1992: The ESC supports the removal of fiscal frontiers (July 1988)  
(8 Opinions)  
Target date 1992: The ESC supports 'the new-frontier Europe' (June 1988)  
(7 Opinions) (ESC 88-010)

### **Obtainable from Gower Publishing Co. Ltd, 1 Westmead, Farnborough, Hants GU1 47RU**

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, rue Scailquin 55, 1030 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 Road, London N1**

Directory of European agricultural organizations (UKL 39)

### **Office for Official Publications of the European Communities**

Bulletin (monthly) (per issue: ECU 4. Annual subscription: ECU 28)  
Annual Report 1988 (ECU 8.50)  
Effects of the CAP on the social situation of farmworkers in the European  
Community (Brussels, 1987) (ECU 3.40)  
European environment policy: air, water, waste management (Brussels,  
1987) (ECU 3.50)  
Community rail policy (ECU 7.40)  
EEC maritime transport policy (Brussels, June 1986) (ECU 3.40)  
EEC air transport policy (October 1985) (ECU 5.50)  
GATT — towards a new round (Opinion) (Brussels, 1986) (ECU 2.20)  
Competition policy (ECU 3.40)  
Europe and the new technologies (Brussels, 1988) (ESC 87-020) (ECU  
18.50)

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