

The Bulletin of the European Communities gives details every month (eleven numbers per year) of the activities of the Commission and of the other Community institutions. It is edited by the Secretariat of the Commission of the European Communities (rue de la Loi 200, 1049 Brussels) in the official languages of the Community and also in Spanish.

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In order to facilitate consultation of the Bulletin in the different language editions, the texts are numbered according to the following system: the first figure indicates the part, the second the chapter and the last two indicate the different points in the chapters. Quotations should be presented, therefore, in the following manner: Bull. EC 1-1975, point 2108.

The Supplements are published separately as annexes to the Bulletin. They include the official texts of the Commission (communications to the Council, reports, proposals) of the documents published under the double responsibility of the Council and of the Commission. The Supplements are not published in Spanish.



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

Commission of the European Communities General Secretariat Brussels

> No **12** 1975 8th year

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- *1/76 European Union Report by Mr Leo Tindemans to the European Council

In preparation.

European Union

Mr Tindemans presents his report

On 29 December, Mr Leo *Tindemans*, the Belgian Prime Minister, sent his report on European Union to the other Heads of Government of the Community and to the President of the Commission.¹

At the October 1972 Summit Conference, the Heads of Government of the Community set themselves 'the major objective of transforming before the end of the present decade and with the fullest respect for the Treaties already signed, the whole complex of the relations of Member States into a European Union'. They asked the Community institutions to draw up a report on the subject by the end of 1975 for presentation at a later Summit Conference. The objective of European Union was reaffirmed at the Summit Conference held in Copenhagen in December 1973 and in Paris in December 1974.

At the Paris meeting, the Heads of Government felt that the Nine should agree as soon as possible on an overall plan for European Union.

The Community institutions were asked to present their reports⁵ by the middle rather than the end of 1975.

At the same time they agreed to invite Mr Leo *Tindemans*, the Belgian Prime Minister, to submit a comprehensive report to the Heads of Government, before the end of 1975, on the basis of the reports received from the Institutions and of consultations with the governments and with a wide range of public opinion in the Community.

In carrying out his assignment, Mr Tindemans visited all the Member States and talked with government leaders and many people of all ages and all leanings in the world of politics, the trade unions, industry, the universities and journalism.

When he made his report public on 7 January, Mr Tindemans said:

Statement by Mr Tindemans.

'Nearly everyone I spoke to felt that there was no better future for their country than through the establishment of a united Europe; but at the same time public opinion is confused and sceptical because so little has been actually achieved and because of the lack of real political will.

As a man of politics, I am well aware that you cannot overcome misgivings and scepticism by the creation of legal structures or by declarations of intention. The only right way to go about this is to put in hand work on properly *interrelated measures having a specific objective*. This is the fundamental consideration I had in mind when I drafted the report.

Supplement 1/76 — Bull. EC.

² Point 16 of the Final Communiqué. Bull. EC 10-1972, Part 1, Chap. I.

³ Point 2 of the Final Communiqué issued by the Conference Chairman, Bull. EC 12-1973, point 1106.

⁴ Point 13 of the Communiqué, Bull. EC 12-1974, point 1104.

Supplements 5 and 9/75 — Buil. EC.

I describe European Union not as the definitive arrangement terminating the road towards the unification of Europe, but as a further, essential stage during which a *qualitative change* will take place in the relations between the Nine. This will entail:

- (i) for the Community, consolidation and a deepening of roots;
- (ii) for the *Member States*, further commitments concerning the objectives to be attained, practical progress to be made in the immediate future, and the strengthening of the Institutions which are our security for ongoing progress towards the jointly agreed objective.

This set of interrelated commitments constitutes the change which is the main feature of the European Union, and distinguishes it from the present stage of European unification.

I therefore suggest that the European Council should take as a first objective the definition of the goals to be reached during the European Union, relating these goals to the key underlying wishes of our peoples. The public must be properly informed as to what the policy-goal of European Union entails and as to what considerations it is based upon; the endorsement of public opinion is indispensable.

I then dealt with external relations because I noticed during my visits how keenly aware we all are of the loss of influence of our countries in world affairs and of the growing vulnerability of our way of life. I make proposals designed to enable Europe to work out policies based on greater solidarity in the various fields of external relations, including security, with a view to obtaining a better hearing for Europe in international relations. The aim is also to go beyond coordination, with the Nine undertaking to reach common positions.

There can be no genuine external policy if the European Union is not based on common policy with regard to internal matters. Consequently I could not neglect economic and monetary questions in my report. Clearly the European Union must eventually entail a common economic and monetary policy. And yet, of all the topics discussed during my talks, this was undoubtedly the most delicate and intractable. Here I am proposing to the European Council a new Community approach which is obviously not perfect but which at least has the merit of attempting to overcome the current obstacles which of late have forced us actually to yield ground in this area. Failure to act in a matter as fundamental as this could well endanger the very fabric of the European structure: the 'acquis communautaire'—the gains made over the years—could easily be lost if these problems are neglected.

But the European Union will be incomplete if it does not offer, in the economic and social field, a concept of the post-industrial society which respects the basic values of our society while reconciling individuals' rights with those of the various social groups. I have therefore also made suggestions in this field.

European Union is not a matter only for the States or the Governments: it concerns the European citizen as well. Accordingly I have made suggestions designed to ensure that the citizens of Europe will benefit directly from the changes to be made in the relations between the States.

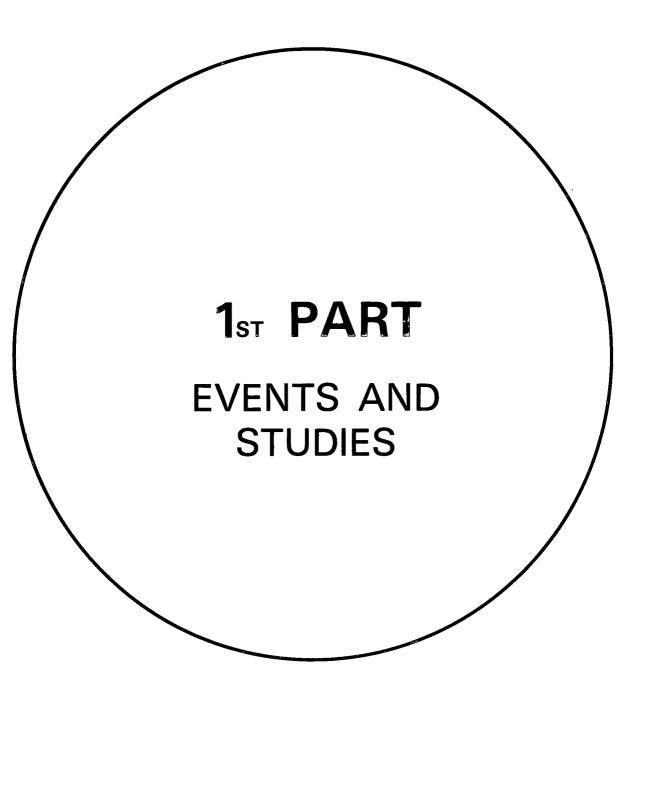
The European Union will, then, be achieved through an ongoing process, but if progress is to be made along the lines advocated, stronger and more effective common institutions are needed. The implications of two key decisions taken recently—direct elections to the Parliament and the establishment of the European Council—must be fully realized. The report also contains proposals designed to ensure more effective working of the Council of Ministers, to enable the Commission to make a fuller contribution to our joint enterprise, and lastly to allow of delegation of implementing powers, a measure which is indispensable.

Under my terms of reference, I could have submitted a very different report; I could have emphasized the legal structures, described the constitutional framework which I believed to be the right one for Europe in the future, or again simply summarized the proposals submitted to me. I have not done this, because I am convinced that Europe cannot move towards a federal pattern, in which I believe, unless we accept practical commitments in key areas to bring about that qualitative change in our relations which is essential if we are to make irreversible progress towards the Union.

My mission was a political one. My political report has a twofold objective:

- (i) that of defining an overall approach providing a framework for relevant action in the member countries in coming years;
- (ii) that of pointing out at the same time a number of practical measures which must be adopted simultaneously in the various directions entailed by the overall approach.

Concluding, I should like to draw attention to a key factor: the credibility of our undertaking. I have already indicated that this factor had led me to prepare a political report advocating practical and major progress along interrelated lines rather than to propose any new legal framework or to list possible alternatives. It is because I believe that Europe must gain in credibility both within its frontiers and outside that I argue that it must always express a single viewpoint on key world problems, that it will neglect major economic and monetary problems at its peril, that it must be in a position to propose a model for society, that it must be close to the citizen and that it must strengthen its power to act, in other words its institutions. But credibility does not depend only upon the Governments: it is also dependent upon public opinion. If this report were to prompt a general debate in Europe on the various aspects of the case for a united Europe and on the implications of the political choice made by certain States twenty years ago and by others more recently, I should feel, for my part, for this reason alone, that my work had not been entirely in vain, since it would have made a contribution to preparatory work on the choice which must be made if it is desired that 'Europe' as a single entity should have a future.'



1. Education: an action programme adopted

Education: Action Programme

1101. On 10 December, the Council and the Ministers of Education meeting within the Council adopted an important Resolution on education and decided to put in hand an education programme at Community level.

In accordance with their Resolution of 6 June 1974,¹ the Ministers had instructed an Education Committee, made up of representatives of the Member States and of the Commission, to draw up a report with suggestions concerning seven areas for priority action. Since then the Committee has held twenty-three meetings at which the Commission representatives played an active part.

On the strength of the report submitted in November by the Committee,² the Ministers finalized an action programme to be implemented at Community level and confirmed that the Education Committee would remain in existence, setting it the tasks of coordinating and following up the implementation of the action programme and preparing for meetings of the Ministers in accordance with the usual Community procedures, including meetings at which future developments in education are to be discussed.

The programme

- 1102. This initial action programme covers the following subjects:
- (a) Better opportunities for cultural and vocational education for nationals of other Community States and non-Community States, and for their children; a number of appropriate projects will be put in hand (exchanges of information and experience, backed up by a limited number of pilot schemes, studies and various projects in educational research) especially to improve the reception facilities for the children of the various countries concerned and enable them to adjust to the schooling and social system of the host country.

- (b) A better correlation between education systems in Europe; for this purpose regular meetings will be organized at Community level between those responsible for education policy and the Member States will arrange fact-finding visits to other Community countries for school and higher education administrators at local, regional and national level.
- (c) Collation of up-to-date facts and figures on education: an information exchange scheme will be set up by designating a national education information department in each Member State; as soon as suitable national measures have been taken, consideration will be given to ways of organizing work at Community level.
- (d) Cooperation in higher education: an effort will be made at Community level to support the development of joint study or research programmes between higher education establishments in more than one Member State, without infringing on the autonomy of these establishments.
- (e) Foreign language teaching: initial measures will include meetings at Community level between the organizers of language teaching and research specialists and an appraisal of the results of research into language-teaching methods in the light of similar work by the Council of Europe.
- (f) Equality of opportunity for unhindered access to all forms of education; action envisaged at Community level will focus on:
- (i) the organization of discussions and exchanges of experience on concepts and trends in order to mark out specific areas for joint projects. Initially, discussions will centre on the organization of nursery school teaching and the links with primary education, with special consideration for the interests of the least-favoured cate-

Bull. EC 11-1975.

¹ Bull. EC 6-1974, point 1203; Eighth General Report, point 323.

2. Opening of the North-South Conference

Education: Action Programme

gories. Early attention will also be paid to the organization of compulsory secondary education so that all children may attain self-fulfilment;

- (ii) the preparation of a report by the Education Committee to be submitted by 1 July 1976, on the problems involved and ways in which the education systems could help to solve them. The aim is to:
- prepare young people for working life, facilitate the transition from studying to earning a living, improve their chances of finding a job and thus reduce the risk of unemployment;
- give young workers and the young unemployed better chances of finding a job, by offering them additional courses as part of continuous training.

1201. The North-South Dialogue officially got under way with the formal opening of the Conference on International Economic Cooperation, the first meeting at ministerial level being held in Paris from 16 to 19 December, as arranged by the Preparatory Meeting of 13 to 16 October.¹

There were twenty-seven Members of the Conference (seven industrialized countries and the Community as such, plus nineteen developing countries), with Canada and Venezuela acting as co-Chairmen. Mr Waldheim, Secretary-General of the United Nations, was present at the Conference and the discussions were opened by Mr Valéry Giscard d'Estaing.

As planned, four Commissions were set up (on energy, raw materials, development and finance) and their composition was decided upon. Their work—which will be prepared by a meeting scheduled for 26 January 1976—will commence on 11 February and continue until the end of the year. It was agreed that the Conference could meet, at the level of government officials, as from the end of June 1976; however, it will be about twelve months before the next ministerial meeting takes place, that is in December 1976.

The Community's position

1202. The Community as such was represented in Paris by a single delegation, the United Kingdom having finally abandoned its claim to a separate seat, which is what its Government had wanted,² as a result of discussions at the European Council meeting held in Rome on 1 and 2 December.³

The Community's position was presented by Mr Mariano Rumor, Italian Minister for Foreign Affairs and President of the Council, and by Mr François-Xavier Ortoli, President of the Commis-

Bull. EC 10-1975, points 1101 to 1112.

² Bull. EC 10-1975, points 1109 and 1111.

³ Bull. EC 11-1975, point 1104.

sion. Mr James Callaghan, Secretary of State for Foreign and Commonwealth Affairs, and Mr Marcel Mart, Luxembourg Minister for Economic Affairs and Energy, also spoke, as had been agreed at the meeting of the European Council in Rome. The most important passages of the speeches are set out below.

Mr Mariano Rumor

1203. '... Three key ideas—interdependence, shared responsibility and concertation—should, in the Community's view, form a permanent backcloth to our discussions.

... What goals does the Community set itself for the dialogue? As I have already indicated, overcoming the international crisis is a necessary but by no means sufficient goal. It is not a matter of returning to a previous situation, which everyone now agrees in recognizing as outmoded. The Community confirms today its resolve to contribute to the attainment of real progress through a better balanced and more equitable structure of international economic relations that strengthen the position of the developing countries. We intend to share the fruits of increased economic growth with a view to improving the relative economic position of those countries. In this respect, we believe that special attention will have to be devoted to the position of the most underprivileged of the developing countries, many of which are faced with genuine problems of survival. A solution to their difficulties cannot wait and is the responsibility of us all.

... The problems awaiting us are immense and complex. We shall be concerned with establishing the groundwork for a move towards a solution of vital world problems.

... The Community is ready to begin discussions in all the fields covered by the dialogue and to deal with the different topics on an equal footing. This it will do in the spirit of openness that it has always adopted and with the desire to contribute

constructively to the work as a whole. I should like to take this opportunity of reminding you that the Community maintains with many countries, and in particular with a large number of those represented here, special relations based on equality and cooperation which often result in the adoption of new and original solutions.

The Community is represented in this dialogue by a single delegation which will speak with a single voice through the Presidency of the Council and the Presidency of the Commission—its usual spokesman—who may be joined by certain of my colleagues who will thus give us the benefit of their particular experience in certain fields.

... For months now, the Community Institutions have been engaged in detailed work on all the subjects which concern us. At the seventh special session of the United Nations General Assembly, we tabled proposals covering a balanced range of subjects which seemed to us to correspond to the major preoccupations of the developing countries. In the present Dialogue we shall base our action on these proposals and we shall draw upon the final Resolution adopted by the General Assembly.

... The Community feels that the recommendations submitted by the preparatory meeting are balanced and sensible. It would like these recommendations to be accepted as they stand. We also feel that the general statements made in the course of our discussions—which statements will give us a better understanding of one another's viewpoints—will serve as a valuable inspiration for the proceedings of the Commission...'

Mr François-Xavier Ortoli

1204. '... This Conference is of historic importance. The tasks devolving on it, and hence on us, are immense. Immense too is our responsibility. We are confronted with serious and distress-

¹ Bull. EC 9-1975, points 1101 to 1104.

ing problems: millions of human beings are still suffering from hunger, and the enormous gap between rich and poor can no longer be tolerated. At the same time we are witnessing an economic crisis that effects us all: industrialized countries and developing countries, producer and consumer countries.

The real reason why we are assembled here is that we have drawn a common conclusion from this situation, namely, that it cannot and must not persist.

As recent events have once again demonstrated, the primary fact is the interdependence of our economies and the shared responsibility of all—industrialized and developing countries, producers and consumers—for development and for the economic prosperity of us all.

Our Conference must therefore produce a definite advance in the movement already in progress towards a more just and equitable economic order. Such an order must seek to correct the imbalance between the industrialized countries and the developing countries. It must increase the latter's capacity to ensure their own development but must simultaneously consider the interests of all. Account must be taken in this context of the great diversity of situations prevailing; we shall have to devote special attention to the problems of the countries whose needs are greatest.

Such a goal can only be achieved within an advancing world economy—a pre-requisite if the necessary economic and social changes are to be effected as smoothly as possible.

All this can only be attained ... if our discussions take place in a climate of confidence and in open-mindedness and a spirit of cooperation. This open-mindedness and this spirit of cooperation have already resulted in the consensus expressed in the Final Resolution of the seventh special session of the United Nations—a statement of profound agreement which we should take as our model.

This same open-mindedness and spirit of cooper-

ation must be reflected in an efficient organization of our work. We have made a good start by meeting one essential condition for a successful conclusion of our task: ensuring that the proceedings of our Conference will be effective by limiting the number of participants and seeing that these participants are representative. We have also undertaken another basic commitment: to deal with all the different Conference topics on an equal footing.

As regards methods of work, we believe that it would be administratively efficient to adopt, for each problem, a method that could involve the following items: reciprocal information, joint evaluation of the situation and identification of the main problems, analysis of the problems identified, and examination of the possibilities for cooperation and of the means for tackling those problems. These methods should be employed in all fields covered by the Conference.

In the case of one of these fields—energy—we have, for lack of a suitable international forum, never made a common and concerted attack on our problems. Recent events, however, have demonstrated the particular importance of continuous and constructive discussion in this sector of vital importance to the functioning of our economies. Only by such discussions is there any likelihood of preventing the occurrence of situations damaging in the long run to all our economies.

For raw materials, we had been unable, until recent years, to arrive at arrangements or actions except on specific questions. An overall approach to this topic was not envisaged until very recently. Such an approach, combining the appropriate actions, could in our view furnish the answer to such diverse and complex problems as, for example, the sometimes unbalanced structures of the markets in the various products, the instability of export earnings, outlets and supply.

Again, while we have been jointly studying development problems and financial questions for some decades, these issues must now be con-

sidered in the new context resulting from the economic events of the past few years and in the new spirit that imbues us today. In this connection, we should not limit our approach to certain instruments of cooperation; rather should we consider them all, from trade policy to financial and technical cooperation, including such new fields as industrial and technological cooperation. Special attention will have to be devoted to the crucial problem of food.

In some fields covered by our Conference, important work has started in various international fora. By taking account of such work, our task should enable us to contribute appropriately to the quest for solutions and to give those bodies any encouragement we may feel to be necessary, in order to facilitate and speed up their work.

... You may rest assured that, as Mr Rumor has already said, the Community is ready to plunge with determination into the great work awaiting us and to give proof of that imagination and creativeness to which I have just referred. Our existing efforts bear witness in our favour and are clearly demonstrated by the way in which we have acted as a forerunner by, among other things, instituting our system of generalized tariff preferences, by our commitment to improve and extend that system after 1980, and by the Convention of Lomé which we have concluded with some fifty African, Caribbean and Pacific countries.

We stand ready to continue along this road. For its part, the Commission over which I preside will discharge its full initiatory function in the exercise of its powers and will spare no pains to ensure the success of our work by seeking practical solutions that will match the hopes placed by the whole world in this Conference.'

Mr James Callaghan

1205. '... Our very survival depends on us thinking and planning multilaterally. The United

Kingdom Government therefore accepts its responsibility to be present as part of the European Economic Community and will work to ensure that the Community's positions at this Conference are both constructive and as comprehensive as possible in a grouping of nine separate governments with wide-ranging interests.

In this domain (energy) the United Kingdom feels that it has a distinctive part to play as by 1980 or even earlier we shall be the second biggest oil producing nation in the Western industrialized world, after the United States which is by far the largest. By 1980 we expect to produce 45% of the total energy resources of the EEC, and 90% of its oil.

But quite apart from the responsibilities this will give us in helping to shape the energy policies of Europe and the Western world the new technology now being wrung from the North Sea at great peril and great cost will become available for other areas of the world where oil deposits lie unexploited and, for the moment, unexploitable. We are preparing to play a leading part in the new industrial revolution in the energy sphere that will characterize the final quarter of the twentieth century.

We shall be ready to make available the 'know-how' of British industry in off-shore and marine engineering to other countries in the search for new energy supplies.

We recognize our good fortune that by 1980 with a production range of 100-140 million tons of oil a year we shall be self-sufficient in our energy requirements including coal, gas and nuclear energy.

We expect to export at least a third of the crude oil given the characteristics of North Sea oil, with its low sulphur content. We shall wish to remain substantial importers and exporters of both crude and products.

Such a position makes us doubly conscious of the need for an international consensus on some of the basic questions facing energy.

Fluctuations in the price and supply of oil cause many problems. Is it possible to reach common agreement on the weight to be attached to the various factors which influence price and supply?

Oil is a non-renewable resource. What is the most rational and economic way of using it?

The present cost of production from the most easily accessible sources is comparatively low. But should we now begin to take account of the costs of bringing less easily exploitable oil into production?

Should we look further ahead to the costs involved as conventional oil supplies dry up and there is a need to bring shale oil, tar sands or non-fossil fuel substitutes into production?

... These answers to these questions can come by means of the dialogue we are initiating here to-day. Such a dialogue should aim at reaching a common analysis of future trends, based upon an exchange of information related both to facts and policies; a common evaluation of the factors which have to be taken into account for decisions on supply and price; a common understanding of the workings of the international energy market, and the multifarious factors which influence exploration, investment, distribution and consumption in this complex field of economic activity.

Europe itself has still to answer these questions before it can achieve a real energy policy.

My own Government makes no secret of its belief that a Minimum Safeguard Price is an essential ingredient for such a policy because it will help investment in all sources of energy—not just oil—as well as encouraging the conservation of unrenewable sources of energy...'

Mr Marcel Mart

1206. '...The Conference will have to find the ways and means of safeguarding all parties' economic and industrial potential, bearing in mind the

need to ensure a fairer universal sharing of income.

It follows from the interdependence of the countries here represented that our responsibility must likewise be collective. During the coming months, we shall all have to display goodwill, understanding and imagination. Only thus can we achieve a positive outcome to the dialogue on which we are embarking today.

... If we are to get the world economy to function smoothly; if we are to achieve a form of economic development consistent with the interests of both industrialized and developing countries, then we shall have to share information, so that we can jointly assess and identify the essential energy problems, so that we can work out hard and fast arrangements for international cooperation and, above all, make better use of our current and foreseeable resources.

It should be possible so to organize the exploitation of and international trade in raw materials as to eliminate the tensions and distortions which—if there is no agreement at international level—will inevitably jeopardize the essential equilibrium between the various categories of interests involved.

All those who are taking part in this Conference will doubtless share the same basic concern to enable the developing countries, and more especially the least-favoured among them, to gain an increasing share in growth more balanced than has hitherto been the case.

In the financial sphere, finally, a number of international arrangements are being or have already been worked out in other international fora. Our Conference can make a useful contribution to thinking in this field by a judicious assessment of the financial implications of our work.

The European Economic Community is prepared to assume its responsibilities in this respect...'

Final communiqué

1207. The Ministerial Conference issued the following communiqué at the end of its work:

- 1. The Conference on International Economic Cooperation met in Paris, at ministerial level, from December 16 to December 19. Representatives of the following 27 Members of the Conference took part: Algeria, Argentina, Australia, Brazil, Cameroon, Canada, EEC, Egypt, India, Indonesia, Iran, Iraq, Jamaica, Japan, Mexico, Nigeria, Pakistan, Peru, Saudi Arabia, Spain, Sweden, Switzerland, United States, Venezuela, Yugoslavia, Zaire, Zambia. The ministerial representatives who attended the Conference welcomed the presence of the Secretary-General of the United Nations.
- 2. The work of the Conference was opened by H.E. the President of the French Republic, Mr Valéry Giscard d'Estaing.
- 3. The Hon. Allan J. MacEachen, Secretary of State for External Affairs of Canada, and Dr Manuel Pérez-Guerrero, Minister of State for International Economic Affairs of Venezuela, co-Chairmen of the Conference on International Economic Cooperation, presided at the Ministerial Meeting.
- 4. The Ministerial representatives at the Conference expressed their views with regard to the international economic situation. They made suggestions as to how the problems which they had identified might be resolved. Attention was drawn to the plight of the most seriously affected countries. They recognized that the Conference on International Economic Cooperation provides a unique opportunity to address these problems and to further international economic cooperation for the benefit of all countries and peoples.
- 5. The Conference decided to initiate an intensified international dialogue. To this end, it established four Commissions (on energy, raw materials, development and financial affairs) which will meet periodically through the coming year. It was

agreed that each of the four Commissions would consist of fifteen members, ten of them representing developing countries, five of them representing industrialized countries.

- 6. The Commissions shall start their work on February 11, 1976. Preparation for the work of the four Commissions shall be reviewed at a meeting of the co-Chairmen of the Conference and of the four Commissions after consultation with the other participants in the Conference. This meeting will take place on January 26, 1976 within the framework of the general guidelines contained in paragraphs 10-14 of the Final Declaration of the Second Preparatory Meeting¹ which are approved by the Conference.
- 7. The Conference agreed that the following participants should serve on the Commissions:
- Energy: Algeria, Brazil, Canada, Egypt, EEC, India, Iran, Iraq, Jamaica, Japan, Saudi Arabia, Switzerland, United States, Venezuela, Zaire.
- Raw Materials: Argentina, Australia, Cameroon, EEC, Indonesia, Japan, Mexico, Nigeria, Peru, Spain, United States, Venezuela, Yugoslavia, Zaire, Zambia.
- Development: Algeria, Argentina, Cameroon, Canada, EEC, India, Jamaica, Japan, Nigeria, Pakistan, Peru, Sweden, United States, Yugoslavia, Zaire.
- Finance: Brazil, EEC, Egypt, India, Indonesia, Iran, Iraq, Japan, Mexico, Pakistan, Saudi Arabia, Sweden, Switzerland, United States, Zambia.

The co-Chairmen of the Commissions will be:

- Energy: Saudi Arabia and United States;
- Raw Materials: Japan and Peru;
- Development: Algeria and EEC;
- Finance: EEC and Iran.

16 Bull. EC 12-197:

¹ Bull. EC 10-1975, point 1108.

- Joint meetings of the co-Chairmen of the Conference and of the Commissions may be held if the need arises.
- 8. It was agreed that members of the Conference who wish to follow the work of a Commission to which they do not belong should be entitled to appoint a representative in the capacity of auditor without the right to speak.
- The Conference decided that a number of functional organizations inter-governmental which are directly concerned with the problems to be considered would be able to make a useful contribution to their consideration. It therefore invited these organizations (United Nations Secretariat, OPEC, IEA, UNCTAD, OECD, FAO, GATT, UNDP, UNIDO, IMF, IBRD, SELA) to be represented on a permanent basis in the relevant Commissions. Their observers will have the right to speak but not the right to vote and hence will not participate in the formation of a consensus. Each Commission may, in addition, invite appropriate inter-governmental functional organizations to participate as observers ad hoc in the examination of specific questions.
- 10. The Conference decided to establish an international Secretariat with an exclusively administrative and technical function on the basis of proposals put forward by the two co-Chairmen. It named Mr Bernard Guitten as head of the Secretariat and approved plans for its organization and operational procedures. The financial costs arising from the establishment of the Secretariat and from future meetings of the Conference will be borne by members of the Conference on the basis of a formula agreed by the Conference.
- 11. It was agreed that the four Commissions should meet in Paris. Subsequent meetings of the Commissions will be convened by their co-Chairmen.
- 12. One or several meetings of the Conference at the level of Government officials may be held at least six months after this ministerial meeting. The Ministerial Conference agreed to meet again

- at Ministerial level in about twelve months time.
- 13. The Conference adopted the Rules of Procedure recommended by the Preparatory Meeting which are based on the principle of consensus, according to which decisions and recommendations are adopted when the chair has established that no member delegation has made any objection. English, Arabic, Spanish and French are the official and working languages of the Conference. The Rules of Procedure apply to all the bodies of the Conference.
- 14. The Conference took note of the resolution of the General Assembly entitled '... Conference on International Economic Cooperation...' (Resolution 3515 (xxx)) and agreed to make reports available to the 31st Session of the UN General Assembly.
- 15. The members of the Conference paid special tribute to President Giscard d'Estaing for the action he had taken to bring about the dialogue which is now engaged and expressed their warm appreciation to the Government of France for its hospitality and for the efforts and obligations it had undertaken in order to make the Ministerial Conference a success.'

3. Community Patent: The Convention is signed

Community Patent Convention

A further step forward has been taken in establishing a European patent law with the signing, on 15 December, of the Convention on the European Patent for the common market, usually referred to as the 'Community Patent.'

The Conference, which was held in Luxembourg from 17 November to 15 December was attended by representatives of the Member States of the Community and concluded with the signature of the Convention at a special meeting of the Council; it was the culmination of work which the Six began in 1959 at the Commission's initiative and resumed in 1969 after a break of several years.

For the Community countries, the Convention is an essential adjunct to the first Convention on the Grant of European Patents¹ signed by sixteen European countries² in Munich in 1973. Under that first Convention, the European Patent Office, due to become operational in 1977, will grant European patents which, as soon as they are issued, will be subject in principle, to the legislation in force in the individual States party to the Munich Convention specified in the applications.

To ensure that, once issued, the European Patent will be subject to the same statutory rules in all Member States, the Luxembourg Convention establishes a unitary corpus of patent law. In all the Member States the Community patent³ will have the same effects as regards the rights conferred by it; any assignment or revocation must generally be total.

The main task of the Commission Delegation at the Luxembourg Conference was to see that the fundamental principles of the EEC Treaty were respected with regard to products covered by a patent.

This meant making sure that the common market could not be divided into nine national markets.

There was to have been an additional protocol to the Convention under which the provisions to

prevent fragmentation of the market (the 'economic clauses') would not apply for a transitional period of five to ten years. This would have meant that patent holders could control the marketing of their products in the common market and protect domestic markets against imports from other Member States.

On 4 April 1974⁴ and 26 September 1974⁵ the Commission addressed Opinions to the Member States drawing their attention to the fact that adoption of the Protocol on the deferred application of the economic clauses and the proposals for limiting the scope of these clauses in a manner adversely affecting the free movement of goods was not compatible with Community laws.

Only after tough negotiations did the Member States fall into line with the Commission's views on these two points.

The Member States recognized the principle that a product marketed in a Member State with the consent of the patent holder may be traded in freely throughout the Community whether or not it has the protection of a patent in that State. The Protocol on deferred application of the economic clauses was simply dropped.

As regards infringement of patents the Commission also succeeded in having the provisions of the Luxembourg Convention brought more closely into line with those of the Brussels Convention of 27 September 1968 on jurisdiction and the enforcement of civil and commercial judgments.6

Bull. EC 9-1972, Part 1, Chap. III.

Bull. EC 10-1973, point 2115. Bull. EC 3-1973, point 2115. OJ L 109 of 23.4.1974 and Bull. EC 4-1974, point 2105. OJ L 261 of 9.10.1975 and Bull. EC 9-1975, point 2105.

Supplement to Bull. EC 2-1969.

Community Patent Convention

1303. The outcome of the Luxembourg Conference may be regarded as satisfactory. The Convention on the Community Patent¹ has enabled a unitary corpus of Community law to emerge in an important area of economic law, so that inventors may make a single application for a patent which is valid throughout the Community and has the same legal effects in all the Member States.

4. Agricultural prices proposals for the 1976/77 marketing year

1401. On 15 December the Commission presented to the Council its proposals for fixing the prices of certain agricultural products and various related measures. The following day the Commission transmitted to the Council its annual report on the agricultural situation in the Community (covering 1975) which served as the basis for the price proposals.

The prices proposals for 1976/77

1402. At the same time as it sent its proposals to the Council, the Commission proposed a series of related measures covering inter alia an agrimonetary operation to restore the single market between six Member States, and reduce the remaining compensatory amounts in Germany and to some extend in the United Kingdom and Ireland. These proposals are also aimed at improving the common organization of markets, particularly in sectors where there is some imbalance: milk and milk products, beef and veal, cereals, fruit and vegetables. As regards the wine sector, the Commission reiterate its proposals for improvements which have been before the Council since June 1975.

Price proposals

1403. The Commission proposed to the Council an increase of about 7.5% in the common prices for the 1976/77 marketing year (the increases for individual products are given in the tables. This percentage was arrived at on the basis both of the outcome of the application of the 'objective method' and of endeavours to maintain market equilibrium. The figures obtained using the objective method were contained within the range 4.6 to 9.1%, depending on whether or not Italy was included in the calculations.

JO L 19 of 26.1.1976.

The objective method takes account of wage trends in other sectors of the economy and movements in prices of agricultural inputs. The objective method has been improved as regards the choice of reference holdings and assessment of their inputs. For these calculations the Commission adopted a mobile reference period of 36 months; account was also taken of the divergent economic and monetary trends within the Community.

In connection with the latter the Commission stresses that the across-the-board application of a uniform percentage increase in common prices in national currency would not meet the economic needs of the different currency areas within the Community. Recalling its frequently expressed desire to restore the unity of the market, the Commission proposes adjusting the representative rates of certain national currencies in relation to the unit of account. This would make it possible to:

- (a) dispense with monetary compensatory amounts in the Benelux. Since Denmark, France and Italy do not apply monetary compensatory amounts the single market would then be restored between six countries of the Community;
- (b) reduce from 10% to 6.5% the remaining compensatory amounts in Germany.

Monetary compensatory amounts would be maintained in the United Kingdom and Ireland but the Commission considers that a greater part of the difference between the 'green' rate and the market rate of depreciated currencies should not be covered by compensatory amounts.

Related measures

1404. To correct the serious imbalances that have developed in the milk and milk products and the beef and veal sectors, the Commission proposed to the Council a series of measures concerning prices, market organization and structural change.

In the Commission's view it is only through simultaneous implementation of a number of radical measures that equilibrium can be restored in the milk and milk products sector.

Milk and milk products

- 1405. The following are some of the main related measures proposed by the Commission in this sector:
- (i) the establishment of prices in two stages: on 1 March and 16 September 1976 (see tables);
- (ii) the maintenance of special marketing measures (persons in receipt of social security benefits, armed forces, etc.) and consumer subsidies for Community butter and increased aid from EAGGF in the execution of these measures:
- (iii) the granting of a subsidy of 15 u.a./100 kg for the production of whole milk powder;
- (iv) the compulsory incorporation, at 2%, of about 600 000 m.t. of skimmed milk powder in compound feedingstuffs; the quantities incorporated will qualify for aid at 30 to 40 u.a./kg.;
- (v) an increase (still to be determined) in aid for liquid skimmed milk for animal feed;
- (vi) EAGGF part-financing of national subsidies to encourage national programmes for the consumption of milk in schools;
- (vii) the allocation of 200 000 m.t. of skimmed milk powder as food aid in 1976 (compared with 55 000 m.t. at present).

The Commission also proposes to establish a conversion plan whereby aid would be granted to producers limiting their deliveries of milk; producers who delivered under 30 000 kg in 1975 would receive 14 u.a./100 kg, between 30 000 and 60 000 kg 12 u.a./100 kg, and between 60 000 kg and 120 000 kg 10 u.a./100 kg. Such aid would be granted over a period of five years and be 50 % financed by EAGGF.

Agricultural prices Agricultural prices

Beef and veal

1406. In this sector the Commission has also proposed a series of improvements mainly designed to render the intervention system less cumbersome. Prices for beef and veal would be fixed so that the difference between guide prices and intervention prices would be 10%. Intervention buying could be reduced by making greater use of private storage aid and by a better coordination of the buying-in price throughout the Community so that intervention buying of certain categories of meat would decline.

Regarding the system of premiums for producers of bovines, the Commission considers that since prices are moving up in the market, this system should be discontinued. Without ruling out the possibility of restoring a premium system during a cyclical drop in prices, the Commission proposes the gradual abolition of existing premiums (slaughter premiums—the part financed by EAGGF, at present 28 u.a. per adult bovine animal, would be 18 u.a. in February 1976, 10 u.a. in March 1976 and 0 u.a. thereafter. Additional national premiums at present fixed at 52 u.a., would be 34 u.a. in March, 18 u.a. in April and 0 u.a. thereafter. Premiums for the birth of calves should be maintained for another 12 months, until 28 February 1977 at the latest).

Cereals

1407. The related measures in this sector include a better differentiation of prices as between cereals based on their nutritional value. To encourage the disposal of high yield common wheat of low bread-making quality for use in animal feed, without recourse to a denaturing premium, the Commission proposes to bring the price of this product closer to that of other feed grains (barley, maize). This would constitute a major step towards the full alignment of the prices of the three cereals; any remaining differences would in fact be negligible. The Commission pro-

poses at the same time that the regional differentiation of intervention prices for common wheat be abolished.

As regards bread wheat, the Commission considers that the production of better qualities should be encouraged. It accordingly proposes for this product a reference price above the intervention price for high yield wheat. Intervention buying-in of bread wheat will no longer be automatic but optional and will be made on the basis of the reference price.

To discourage, a certain tendency to produce high yield durum wheat of poor quality, the Commission proposes to enforce stricter intervention conditions and limit the granting of aid for quality durum wheat.

Fruit and vegetables

In view of market withdrawals of sometimes considerable quantities of apples and pears. the Commission considers that a new rationalization programme is required. It is therefore progrant a grubbing premium 1 100 u.a./h for apples of the Golden Delicious variety and for pears of the Passe Crassane variety, that are most frequently withdrawn. Under this proposal 50% of the premium would be borne by the Guidance Section of EAGGF. The Commission estimates that this measure could effect an area of about 14 250 h, about 6 250 h of apple trees and 8 000 h of pear trees. During a first rationalization project, begun in 1969, the grubbing of apple trees, pear trees and peach trees was carried out over an area of about 80 000 h.

Proposed prices and amounts

1409. The Commission has proposed to the Council that prices and, where applicable, amounts for products be fixed as follows in Table 1 (pages 23, 24 and 25).

The 1975 Agricultural Report

1410. As is customary, the annual report on the agricultural situation in the Community¹ contains a general review, studies and detailed statistical tables on trade in the various products, agricultural markets, structures, incomes and the financial aspects of the common agricultural policy and of national policies.

Production, productivity and socio-structural situation

1411. The Commission finds that, despite a continuing reduction in cultivated areas, in the number of farms and in the number of farm workers, production has once again increased; since 1967, it has increased by average of 2% per year. In the same period, labour productivity in the six original Member States has risen by 7.6% per year, that is at a rate considerably higher than the average annual rate of growth of gross domestic product per employed person (5.1%).

Agricultural incomes

1412. In 1974, earnings from agriculture in the Community declined considerably overall. Italy apart, where the situation was relatively favourable, the estimated decline in countries of the original Community amounted to nearly 12% in money terms and nearly 19% in real terms allowing for the effects of inflation.

In 1975 however, and in money terms, there should be some general improvement in incomes but the general trend hides widely diverging tendencies in the various countries and even more marked variations between types of farming. In addition it should be stressed that estimates take no account of the effects of inflation in each country. Two of the factors behind the relative improvement in farm incomes are a less pro-

nounced increase in the cost of inputs (10.6% in 1975 compared with 20.5% in 1974, and 16.8% in 1973) and the higher prices that farmers have received for their products (12.6% in 1975 compared with 3.7% in 1974 and 17.6% in 1973).

According to initial estimates, agricultural incomes in money terms will have considerably increased in Ireland (30 to 35%), on most farms in the Netherlands (15% or more), in Italy (15%) and in Denmark (10 to 15%). It is estimated that incomes will have gone up by 8.1% in Luxembourg, from 7 to 8% in Germany and from 6 to 7% in Belgium. In France on the other hand, money incomes will probably have declined by 1.8%. Figures are not yet available for the United Kingdom but the general outlook is promising.

Consumer prices

1413. The Commission recalls that as a general rule with few exceptions, consumer prices for agricultural products in the natural state or processed have often risen by far more than have the prices received by the farmer. In 1974, consumer prices for foodstuffs and beverages continued their strong upward movement, whereas the general index for agricultural producer prices dropped substantially in the Community. However, since March/June 1975, producer prices for agricultural products have tended to rise more sharply than for foodstuffs and beverages. For some products, consumers in the Community continued in the 1974/75 marketing year to benefit from the stabilizing effect of the common agricultural policy. During that year, Community prices for rice, sugar, oilseeds and olive oil were on average below world prices: for sugar by 50 %, for oilseeds 25%, for rice 19% and for olive oil 5%.

For the first time this report will be available in printed form similar to that of the 'Social Report' and the 'Report on Competition Policy'. It will be published in conjunction with the 'General Report on the Activities of the European Communities'.

	Nature of prices or amounts	1975/76 amounts	Proposals 1976/77		Period of
Product		fixed u.a./m.t.	u.a./m.t.	% increase 1976/77 on 1975/76	application for the proposed prices
1	2	3	4	5	6
Durum	Target price	207.33	218.80	5.5	1.8.76 - 31.7.77
wheat	Single intervention price	190.53	202.00	6.0	1.8.70 - 31.7.77
Wilcat	Minimum guaranteed producer	215.45	202.00	0.0	
	price (wholesale)	213.43	_		
	Aid	24.92	_	_	
Common	Target price	139.44	152.51	9.5	1.8.76 - 31.7.77
wheat	Basic intervention price	125.93			1.0.70 31.7.77
	Reference price – breadmaking		134.60	_	
	Single intervention price	_	118.66	_	
	angle missivement proc		110.00		
Barley	Target price	126.99	138.46	9.0	1.8.76 - 31.7.77
,	Single intervention price	110.96	117.04	5.5	
D	T	120.74	140.15	7.5	1076 2177
Rye	Target price	138.74	149.15	7.5	1.8.76 - 31.7.77
	Single intervention price	119.76	128.74	7.5	
Maize	Target price	126.41	138.46	9.5	1.8.76 - 31.7.77
	Single intervention price	103.43	113.29	9.5	
Rice	Target price for husked rice	261.03	279.82	7.2	1.9.76 - 31.8.77
	Intervention price for paddy rice	154.87	167.26	8.0	
Sugar	Minimum price for sugar beet	22.75	24.57	8.0	1.7.76 - 30.6.77
oug	Target price for white sugar	320.50	348.70	8.0	1.7.70 - 50.0.77
	Intervention price for white sugar	304.50	331.40	8.0	
Olive	Producer target price	1 850.00	1 905.50	3.0	1.11.76 - 31.10.77
oil	Market guide price	1 499.60	1 551.40	3.0	1.11.70 - 51.10.77
	Intervention price	1 427.10	1 475.60	3.0	
Oilseeds	Guide (norm) price for soya beans Target price	261.10	282.00	8.0	1.11.76 - 31.10.77
	Colza and rape seed	255.30	275.70	8.0	1.7.76 - 30.6.77
	Sunflower seed	265.10	286.30	8.0	1.9.76 - 31.8.77
	Basic intervention price		_		
	Colza and rape seed	247.90	267.70	8.0	1.7.76 - 30.6.77
	Sunflower seed	257.40	278.00	8.0	1.9.76 - 31.8.77

Product	Nature of prices or amounts	1975/76 amounts	Proposals 1976/77		Period of
		fixed u.a./m.t.	u.a./m.t.	% increase 1976/77 on 1975/76	application for the proposed prices
1	2	3	4	5	6
Beef and veal 1	Guide price for adult bovine animals (live weight)	1 099.40	1 187.40	8.0	1.3.76 - 28.2.77
	Guide price for calves (live weight)	1 287.40	1 390.40	8.0	
Pigmeat	Basic price (carcases)	1 060.00	1 150.00	8.5	1.3.76 - 31.10.77
Silkworms	Aid per box of silk seed	36.50	40.00	_	1.4.76 - 31.3.77

¹ Prices and amounts differentiated for new Member States as follows:

Flax United Kingdom Aid u.a./h fixed at 128.20 for 1975/76

proposed at 143.20 for 1976/77

		fi	fixed		proposed	
		3.3.1975	16.9.1975	1.3.1976	16.9.1976	
Butter	JUnited Kingdom intervention price	1 341.90	1 436.80	1 677.40	1 739.60	
u.a./m.t.	Ireland intervention price	1 841.40	1 983.20	2 047.00	2 130.90	

Adult bovine animals: United Kingdom and Ireland: guide price u.a./m.t. fixed for 1975-1976 at 975.50; proposed for 1976-1977 at 1098.10 (increase of 12,6 %)

Calves : United Kingdom and Ireland: guide price u.a./m.t. fixed for 1975-1976 at 1142.10; proposed for 1976-1977 at 1285.70

1 a In 1975/76 aid was fixed for linseed and fibre flax. From 1976/77 it will restricted to fibre flax.

Nineteen varieties of tobacco the prices for which apply to the harvest in the calendar year.

Cauliflowers: 1.5.1976 to 30.4.1977

Tomatoes : 1.6.1976 to 30.11.1976
Peaches : 1.6.1976 to 30.9.1976
Lemons : 1.6.1976 to 31.5.1977
Pears : 1.7.1976 to 30.4.1977

Table grapes : 1.8.1976 to 31.10.1976

Apples : 1.8.1976 to 31.5.1977

Mandarins : 16.11.1976 to 28.2.1977

Sweet oranges : 1.12.1976 to 30.4.1977

4 In this sector in 1975/76, save for skimmed milk powder, there are two periods of application, from 3.3.75 to 15.9.75 and from 16.9.75 to 29.2.76, and in 1976/77 two periods beginning on 1.3.76 and 16.9.76 for all products.

For the fishery sector, prices differ for each product listed in the Council Regulation of 20 October 1970. In December 1975 (guide) price were fixed for products under A and C in Annex I to this Regulation, and for products in Annex II to this Regulation; intervention prices and Community producer prices were also fixed for the 1976 marketing year. Intervention prices for sardines and anchovies are automatically 45% of the guide prices.

³ Products in Annex II of the Council Regulation of 18 May 1972 and the different periods for the different products:

⁵ Consumer subsidy for butter at u.a./100 kg (9.25 u.a. of which is charged to EAGGF) in 1975/76; in 1976/77 this subsidy will be maintained only for butter produced in the Community. Proposed subsidy for whole skimmed milk powder in 1976/77 of 15 u.a./100 kg. Maintenance in 1976/77 of subsidies for skimmed milk powder for animal feed (between 30 and 40 u.a./100 kg) and for liquid skimmed milk for animal feed.

N.B. Aid for the 1974 hop harvest varied from 100 to 750 u.a./h depending on the variety.

5. Meeting of ministers concerned with the environment

Agricultural prices

Market situation and outlook

1414. The report contains an analysis of the trends of most agricultural markets in 1974 and 1975 with particular emphasis on the imbalances in the milk and wine sectors. It also gives a broad outline of likely trends in agricultural markets over the next few years. It is expected, for instance, that there will be marketing or overproduction problems for milk products, wine and sugar while the area under potatoes will be increased. Few changes are expected in the horticultural and fishery sectors.

Financial aspects

1415. Expenditure by the European Agricultural Guidance and Guarantee Fund rose from 2800 million u.a. in 1970 to 4900 million u.a. in 1975. The 1976 budget provides for expenditure of about 5500 million u.a. EAGGF expenditure was determined by the market situation, but the effect of the enlargement of the Community, and of inflationary trends and monetary events, should not be underestimated. In 1975 expenditure represented 0.4% of the Community's gross domestic product, 2.5% of expenditure on foodstuffs, 5.6% of final agricultural production in the Community and 34% of total public, national and Community expenditure on agriculture (14 300 million u.a.).

1501. The Environment Ministers of the nine Member States met for the fourth time in Brussels on 8 December. They made considerable headway, particularly on a highly sensitive issue.

1502. At their last meeting, in Luxembourg on 16 October, a major item on the agenda was not settled, namely the matter of the proposed Directive to reduce pollution from certain dangerous substances discharged into the Community's aquatic environment.

The delegations of eight Member States and the Commission had considered that discharges into water of the most toxic pollutants (mercury, cadmium, organohalogen compounds, etc.) should be limited by setting emission standards; unlike the United Kingdom Delegation, they felt that simply defining 'quality objectives' was not sufficient.

At the Council's request, the Commission endeavoured, between the two meetings, to reconcile the positions; at the close of the December proceedings, the Council was able to approve a system based on the principle of emission standards, but, by way of exception, accepted that quality objectives may be used in certain circumstances.

The Council will determine quality objectives for the most dangerous substances contained in a priority list. The objectives will be set mainly on the basis of the toxicity, persistence and accumulation of these substances in living organisms and in sediment as indicated by the latest conclusive scientific data, taking into account the characteristic differences between sea water and freshwater.

Limits established by the Council will also be applied, except where a Member State can prove to the Commission's satisfaction (through a monitoring procedure laid down by the Council on a

¹ Bull. EC 10-1975, points 1301 to 1309.

Environment Ministers Environment Ministers

proposal from the Commission) that the action it and other States are taking is sufficient to ensure that the quality objectives are being met and continually maintained throughout the geographical area affected by discharges.

Other provisions relate to the application of the decision to underground water and to substances on a 'grey list'.

The Commission will report to the Council cases where it has accepted application of the quality objectives method. Every five years the Council will review, on the basis of a Commission proposal and in accordance with Article 148 of the EEC Treaty, cases where the quality objectives method has been applied.

The Council agreed to instruct the Permanent Representatives Committees to examine the few minor technical points still outstanding in order to prepare the ground for a formal decision on this proposal at a forthcoming meeting.

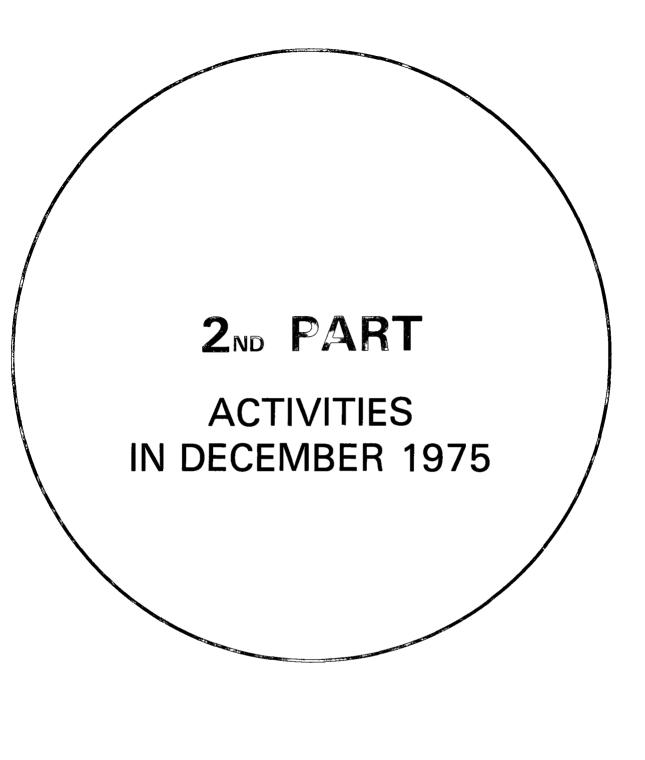
1503. The Council authorized the Commission to participate in the negotiations for the conclusion of the Convention on the protection of the Rhine against chemical pollution. This Convention is now being discussed by the International Commission for the Protection of the Rhine against Pollution. Adopting the principles of Community policy on protecting water from dangerous substances will enable the Commission to take a useful part in the negotiations.

These new measures to protect against water pollution at both Community and international level marked a further important step forward in implementing the Community's environment action programme.

1504. Lastly, the Council formally adopted a Directive and a number of Decisions on which it had agreed at the meeting of 16 October. These are Decisions setting up a common procedure for the preparation and constant updating of an inventory of sources of information on the environ-

ment in the Community, and authorizing the Commission to participate in negotiations on an outline Convention for the protection of the Mediterranean against marine pollution. The Directive concerns the quality of bathing water.

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1. Functioning of the common market

Customs unior

Customs union

Common Customs Tariff

Nomenclature

2101. On 15 December, following a favourable opinion delivered by the Committee on Common Customs Tariff Nomenclature, the Commission amended its Regulation of 17 April 1975² laying down conditions for the entry of port, Madeira, sherry. Sebutal muscatel and Tokay (Aszu and Szamorodni) wines falling within subheading 22.05 C III a) 1 and b) 1 and 2 and 22.05 C IV a) 1 and b) 1 and 2 of the CCT. This Regulation. which was adopted pursuant to the Council Regulation of 16 January 1969, extends for six months (that is, until 30 June 1976) the period of validity of the certificates of designation of origin provided for in the Regulation of April 1975.

The Commission decided on 23 December³ to amend its Regulation of 19 March 1972⁴ on the CCT nomenclature in respect of olive oil in order to distinguish between the various types of oil according to their chemical characteristics. This involves a subdivision of the present subheading (15.07 A II) of the Common Customs Tariff.

Tariff measures

Suspensions

2103. On 3 December, 5 the Council adopted, on a proposal from the Commission, a Regulation totally or partially suspending CCT duties for 1976 on certain agricultural products originating in Malta.

Tariff quotas

2104. On 16 December, the Council adopted, in accordance with the Community's commitments under GATT, a Regulation opening, allocating and providing for the administration of a Community tariff quota for 1976 for frozen beef and veal. This conventional tariff quota of 38 500 metric tons at a duty of 20 % was divided into two parts (22 000 and 16 500 metric tons) in accordance with the tariff arrangements applicable to each and was allocated definitively among the nine Member States.

2105. At its meeting of 18 December, the Council adopted, on a proposal from the Commission, a number of Regulations opening, allocating and providing for the administration of Community tariff quotas for 1976 in respect of the following products:

- (a) certain handicraft products to a value of 10 million u.a., free of customs duties, subject to a maximum of 1.2 million u.a. for each of the tariff headings or subheadings in question. A first tranche of 7.5 million u.a. has been allocated among the Member States, the second tranche of 2.5 million u.a. being held as the reserve;
- handwoven fabrics of silk or of silk waste other than noil to a value of 2.2 million u.a. and handwoven pile fabrics and chenille fabrics in cotton to a value of 2 million u.a. The first successive amounts, of a volume corresponding to 1 200 000 u.a. and 1 784 000 u.a. respectively, have been allocated among the Member States; the second successive amounts covering, in respect of silk goods, a volume corresponding to a value of 1 million u.a. and, in respect of cotton goods, a volume corresponding to 216 000 u.a. constitute the reserve.

OJ L 325 of 17.12.1975.

OJ L 111 of 30.4.1975. OJ L 333 of 30.12.1975. OJ L 78 of 31.3.1972.

OJ L 318 of 9.12.1975.

OJ L 327 of 19.12.1975.

OJ L 336 of 31.12.1975.

Customs union Customs union

2106. On 9 December the Council formally adopted a Regulation on the opening allocation and administration of a Community tariff quota for rum, arrack and tafia originating in the ACP States. This duty-free quota of 168 000 hl of pure alcohol, opened in favour of the ACP States, covers the period 1 July 1975 to 30 June 1976.

2107. Lastly, on 30 December² the Council adopted two Regulations opening, allocating and providing for the administration of two Community tariff quotas for products originating in Spain. The first concerns dried figs (quota of 200 metric tons at a duty partially suspended at 3%) and the second dried grapes (duty-free quota of 1 700 metric tons).

Customs arrangements for the movements of goods

In a Regulation of 9 December³ the Council laid down the provisions necessary for the application within the Community of two Decisions adopted by the EEC-Greece Council of Association concerning the implementation of Article 8 of the Athens Agreement.3 This Article lays down the conditions under which the provisions relating to free circulation may apply to goods in the manufacture of which are used products which come from third countries and are not in free circulation in either the Community or Greece. These conditions entail, in particular, the charging of a compensatory levy by the country in which the goods are manufactured.

The first Decision of the Council of Association laid down the percentages to be taken into consideration in determining the compensatory levy to be applied in trade between the Member States and Greece from 1 January 1976 for the remainder of the 22-year period referred to in Article 15 of the Association Agreement. It thus supplements the previous Decisions on this subject. The aim of the second Decision is to align the rules governing the arrangements for charging this levy on the Council Directive of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing.4

The new Council Regulation also condifies all the provisions relating to the compensatory levy applicable in the context of the EEC-Greece Association, thus helping to simplify the tasks of the customs authorities and the parties concerned.

Origin and methods of administrative cooperation

On 3 December, 5 the Commission adopted four Regulations defining the rules of origin for the application of generalized preferences in 1976. As in previous years, the first of these Regulations gives a general definition of the rules, while the other Regulations derogate from this general definition by organizing a system of cumulative origin for certain regional groups of developing countries: Association of South East Asian Nations, Central American Common Market and Andean Group.

2110. On 9 December,6 the Council adopted a Regulation designed to give greater flexibility to the rules concerning the proof of the origin of goods covered by the Lomé Convention where these were dispatched before 1 January 1976.

2111. On 18 December, the Commission forwarded to the Council a proposal for a regulation concerning the system for guaranteeing the stabilization of earnings from certain commodities

OJ L 321 of 12.12.1975.

OJ L 337 of 31.12.1975.

OJ L 322 of 13.12.1975.

OJ L 58 of 8.3.1969.

OJ L 323 of 15.12.1975. OJ L 321 of 12.12.1975.

exported by the ACP States and the OCT associated with the Community (known as the 'Stabex' system). This proposal deals in particular with the collection of the statistical data necessary for the implementation of the system.

2112. On 18 December the Council adopted seven regulations on the implementation in the Community of Decisions Nos 1/75 and 2/75 taken by each of the Joint Committees set up under the EFTA Agreements. The first Decision, which is applicable from 1 January 1976, lays down a firm date after which all third country products of the kind to which the Agreements apply can no longer be eligible for drawback of customs duty or exemption from customs duty if they are incorporated in 'originating' products covered by the provisions of the Agreements. The main object of the second Decision, which will enter into force on 1 February 1976, is to simplify the procedure for issuing and completing the EUR. 1 certificates and EUR. 2 forms.

Customs arrangements based on economic considerations

2113. On 18 December, the Council adopted a Directive on the harmonization of provisions laid down by law, regulation or administrative action in respect of *outward processing*.

Since the international division of labour is such that it is often necessary to export Community goods temporarily to third countries for processing, working or repair, the outward processing arrangements enable these goods to be reimported into the Community in the form of compensating products which are totally or partially exempted from import duties. The procedures governing the use of these arrangements differ appreciably from one Member State to another. As the customs union established by the EEC Treaty requires the introduction of common rules in this matter, the Council adopted on 18 De-

cember a Directive on the harmonization of the national provisions in this field.

2114. At its part-session from 15 to 19 December, the European Parliament delivered its Opinion on the proposals presented by the Commission to the Council concerning the customs union; these cover the opening of two tariff quotas, Community transit and the postponement of the payment of import or export duties.

Internal common market

Free movement of goods

Protective measures

2115. On 22 December the Commission, acting under Article 135 of the Act of Accession, took a decision to protect the *footwear* industry in *Ireland*.

The decision authorizes Ireland to put off for six months the tariff reductions for the relevant CCT heading which should have been applied on 1 January 1976 pursuant to the Act of Accession. The measure applies to imports both from nonmember countries and from the other Member States. The new duties will be as follows: 9 % on imports from the United Kingdom, 18.5 % on imports from the other Member States and 23.5 % on those from non-member countries.

The Commission will review the situation before 30 June 1976, notably in the light of the plan for reorganizing the footwear industry to be presented by the Irish Government.

¹ OJ L 338 of 31.12.1975.

Removal of technical barriers to trade

Directives adopted by the Council

2116. The Council adopted three directives in the technical barrier field in December.

The first establishes specifications for plates and inscriptions attached to motor vehicles. A second relates to fertilizers and covers the major part of the Community market in solid fertilizers. It requires the fertilizer to be clearly identified and the proportion of the major components to be indicated on the package. The solution is optional. The third, on electrical equipment for use in explosive atmosphere, is the first directive which admits the principle of 'strict reference to harmonized standards'. Free movement is accorded to products which bear a distinctive mark complying with the harmonized standards. A committee for adaptation to technical progress is provided for in the directive.

Commission proposals

2117. The Commission presented a further nine proposals to the Council in December. The proposal on field of vision of motor vehicle drivers replaces the earlier out-dated proposal of 5 August 1968, now withdrawn. The proposal takes account of international progress, and enables both European and American requirements to be satisfied at the same time. The proposal on the permissible sound levels and exhaust systems of motor cycles aims not only at opening up the market. but primarily at offering further protection for public health by reducing the sound level of motor cycles in urban areas. A third proposal relates to pollutants from tractor diesel engines, which has been regarded as necessary in the light of the increase in tractor traffic in rural areas.

The proposal on *nitrate fertilizers*² lays down requirements for ammonium nitrate fertilizers supplementary to those in the main fertilizer direc-

tive adopted by the Council this month. It is designed to enable these fertilizers to be distinguished from other products based on ammonium nitrate which are used as explosives.

The proposal on articles of precious metals³ is designed to bring some order into the varying legal standards of fineness, tolerances and inspection and testing methods and also between the different hallmarking systems with consequent benefit to the consumer. Existing national systems will not however be affected, as the proposal is optional.

A further proposal is on *check-weighing and grad-ing machines*, which concerns design specifications, degree of precision required and control techniques.

Finally, three proposals were transmitted on the permissible sound levels of certain building equipment, namely tower cranes, generators for welding and generators for power supply. These proposals are designed to provide better protection for the environment and public health; they come under the Community's action programme for the environment of 20 July 1973. They are optional.

2118. On 18 December the European Parliament delivered its opinion on a number of Commission proposals to the Council in the field of technical barriers to trade.

Public contracts

2119. On 12 December the Commission decided to bring proceedings before the Court of Justice against the Italian Government for non-appli-

OJ C 10 of 15.1.1976.

² OJ C 16 of 23.1.1976.

³ OJ C 11 of 16.1.1976.

cation of the 1971 Council directive¹ on procedures for the award of public works contracts. Italy is the only Member State which has not yet taken steps to implement the directive.

Company law

2120. The proposal for a third directive² on mergers between public companies incorporated within a single Member State has been amended by the Commission for a second time in the light of the opinion delivered by the European Parliament.³

Economic and commercial law

2121. The Convention on the *Community Patent* was signed by the Member States on 15 December in Luxembourg.⁴

Competition policy

2122. The Commission has adopted a report 'on the behaviour of the oil companies in the Community during the period from October 1973 to March 1974'. This report sets out the results of the inquiry which the Commission decided to order in December 1973 and at the same time meets a specific call for information from Parliament. Mr Albert Borschette, Member of the Commission, outlined its conclusions before Parliament on 17 December.⁵

The Commission concludes that on the whole the oil companies complied with the Community rules on competition and does not find that there have been restrictive practices or abuse of dominant positions such as would infringe Article 85 or 86 of the Treaty. Nevertheless, the Commission feels that further investigations are necess-

ary in a number of areas—sales of kerosene to airlines and of naphta to the chemical industry, public contracts for supplies to electricity generating companies and the use of certain price publicity arrangements by the oil companies.

2123. On 16 December⁶ the Court of Justice gave judgment in the joined cases concerning the international sugar cartel on which the Commission issued a Decision on 2 January 1973.⁷

Restrictive agreements, mergers, dominant positions: Specific cases

Prohibition of an abusive pricing policy

2124. On 17 December the Commission issued a Decision finding that United Brands Company (UBC) had been guilty of an abuse of Article 86 of the EEC Treaty in its common market sales of Chiquita branded bananas.

UBC, which was born of the merger between United Fruit and AMK Corporation, an extremely large meat producer in the USA, is a diversified company with bananas accounting for only 20% of its turnover. The world's largest banana producer, it is seen by the Commission as holding a dominant position on the banana market in a substantial part of the Community.

Investigations have shown that UBC's marketing policy, which strengthens its market shares in the northern part of the EEC—Germany, Denmark,

OJ L 185 of 16.8.1971.

OJ C 89 of 14.7.1970 and Supplement to Bull. EC 5-1970

³ OJ C 95 of 28.4.1975.

⁴ Points 1301 to 1303.

⁵ Point 2409.

⁶ Point 2434.

Bull. EC 12-1972, point 13.

Competition policy

Competition policy

Ireland and the Benelux—has actually helped it into a dominant position. Although UBC also has sizeable market shares in the United Kingdom, France and Italy, the Commission left these out of its Decision since different marketing and importing arrangements obtain there.

The Commission took the view that UBC has been abusing its dominant position in a number of ways:

- (i) it prohibited its distributors and ripeners from reselling green bananas, hence there was market fragmentation;
- (ii) it charged its customers prices which differed according to their country, although there were no objective reasons for such differentials;
- (iii) it charged unfair prices for sales to its customers in Germany, Denmark and the Benelux. For identical transactions prices were found to have differed between the ports of Bremerhaven and Rotterdam by as much as 100%;
- (iv) finally, for no objectively valid reason, there was a two-year long refusal to supply one of its major Danish customers.

As a consequence the Commission ordered UBC to cut its prices in Germany, Denmark and the Benelux to a level at least 15% below the prices currently charged in Germany. To allow for monitoring, UBC has also been ordered to inform the Commission of the prices actually charged in those countries over the next two years.

The infringement of the rules on competition in the EEC Treaty is so serious that the Commission has fined UBC one million units of account. Furthermore, to ensure that UBC puts an end to these infringements, the Commission imposed penalty payments of one thousand units of account per day of delay.

Authorization of a selective distribution system

2125. The Commission authorized the EEC sales system of the German firm SABA, which

manufactures radios, televisions and sound reproduction and recording equipment for sale in all Community countries through a network of approved dealers.

There are two aspects of the approval process:

- (i) in general, any dealer wishing to retail SABA equipment must keep a shop or department specializing in the sale of the relevant goods and must meet certain business and technical requirements so that the goods may be sold in a satisfactory manner;
- (ii) of firms meeting these requirements, SABA appoints only those which further undertake to engage in certain sales promotion activities and to meet certain sales targets.

The Commission's view is that SABA's distribution system is anticompetitive because a large number of dealers satisfying all the technical requirements for the sale of this type of equipment are excluded from it. The SABA contracts go beyond straightforward specialist trade arrangements, which would be irreproachable from the antitrust angle; their ultimate effect is qualitative selection of suitable dealers.

In this case, however, it was possible to give the authorization applied for since the distribution system, which is based on close two-way cooperation between manufacturer and retailer, helps in the end to rationalize production and distribution, with the consumer as well reaping the ultimate benefit.

Authorization of agreements on the reprocessing of nuclear fuels

2126. The Commission has given exemption under Article 85(3) for two notified agreements relating to the reprocessing of nuclear fuels.²

¹ This in practice prevented them from reselling at all since bananas are so perishable that only green ones can be sold to medium- or long-distance customers.

² The purpose of reprocessing nuclear fuels is to recover the fissile material (uranium 235 and plutonium) remaining in fuels after irradiation in nuclear reactors and to re-use it in manufacturing nuclear fuels.

The first decision authorizes an agreement between two common market firms operating largenuclear fuels oxvde reprocessing plant—British Nuclear Fuels and the French Commissariat à l'énergie atomique (CEA)—and a further firm — Kernbrennstoff-Wiederaufarbeitungsgesellschaft mbH (KEWA)-which is planning to build one. The three firms agree to coordinate their investments in this field, and it is provided that KEWA will bring its plant on stream with an output capacity of some 1 500 t/y as soon as the French plant (Cap de la Hague, 800 t/y) and the British plant (Windscale, 800 t/y) reach fill-up. The agreement further sets up a joint subsidiary-United Reprocessors Gesellschaft mbH (URG)—for the joint marketing of reprocessing services offered by the three firms and for allocating reprocessing work among the various plants.

The second decision authorizes a related agreement between four German firms—Bayer AG, Hoechst AG, Gelsenberg AG and Nukem GmbH—whereby they form KEWA and through it take a joint shareholding in URG.

In assessing the case the Commission bore in mind the highly specific features of the oxyde nuclear fuels reprocessing industry. This is an advanced technology industry still in its infancy, where costs fall sharply as the size and fill-up rate of plants rise. The industry is at an important stage of the nuclear fuels cycle, where safety and environmental problems arise, and the danger of ultimate full State control is not excluded.

In this situation the URG and KEWA agreements endeavour to organize the European reprocessing market as rationally as possible in economic and technical terms and to prepare for a subsequent competitive situation. In the absence of the agreement considerable harm could have been done to users by the creation of unprofitable State facilities and the dispersion of research work.

Although there will be a transitional period during

which URG will be the dominant supplier of reprocessing services in Europe, the Commission let these agreements through since the firms involved are aware already that in the not too distant future (no later than 1986), at a time set by the decision, they will become competitors and must already orient their conduct with this in mind.

Conditions and obligations are attached to the decision to enable the Commission to monitor URG's business policy and to ensure that the user does actually obtain a fair share of the benefit.

Authorization of specialization agreements

2127. The Commission issued a decision authorizing long-term specialization agreements between two large European drug manufacturers (Bayer in Germany and Gist-Brocades in the Netherlands) following changes made to the agreements at its instigation.

The agreements concern the manufacture of penicillin involving several stages of the production process (raw penicillin, intermediate products, semisynthetics, branded preparations). Each stage of the production process is regarded as constituting a separate market since the products involved may either be processed further or sold to outsiders.

In order to boost their production the two firms entered into a long-term agreement under which raw penicillin manufacture was to be concentrated on Gist-Brocades, with its superior experience of fermentation techniques, while Bayer was to handle intermediate products.

After changes had been made to the agreements in response to objections from the Commission, the case was one of an authorizable specialization agreement. Production will be improved since specialization will pave the way for cost savings from which the user will take a fair share of the

Competition policy Competition policy

benefit. Above all, the restrictions imposed by the agreements are indispensable to the attainment of the benefits aimed at by the two firms.

The original version of the agreements did not meet with the Commission's approval as the two firms were to transfer their manufacturing plants to joint subsidiaires in which each of them had a 50 % holding, and this would have given them the power to exercise joint control over production and investment. On a multistage market such as that in penicillin, it was vital, despite the long-term specialization, for the firms to remain independent of each other in matters concerning the utilization and extension of their production facilities and output over and above their reciprocal supply commitments.

Changes to terms of sale

2128. In its investigation of a complaint lodged in 1973, the Commission was able to establish that the sales policy of the *Instituto Brasileiro do Café* (IBC), which is managed mainly by its office in Milan, did not comply, in several respects, with the Community's rules on competition.

The Commission was able to establish that, under the general terms laid down for sales from its warehouse in Trieste, one of its largest warehouses abroad, IBC prohibited the exportation outside Italy and France of raw coffee sold in this way and also restricted consumption of roasted coffee, likewise sold via this warehouse, to these two markets. In addition, the preferential sales agreements which IBC had concluded with numerous coffee-roasting firms in the Community discriminated between competitors and, in some respects, restricted trade.

At the Commission's request, IBC has granted access to the warehouse in Trieste to all traders in the EEC, who will, therefore, enjoy the special sales terms hitherto reserved for the Italian and French markets, and it has also terminated the preferential agreements.

iBC's new marketing policy in the EEC makes for greater competition, to the benefit of consumers in the Community. This is all the more important economically when it is remembered that Brazil is by far the largest coffee producer in the world and that the Community, as the second-largest world importer of this widely consumed product, imports from Brazil some 30 % of its total consumption of coffee.

Mergers in the steel industry

2129. By decision taken under Article 66 of the ECSC Treaty the Commission authorized Compagnie française des ferrailles SA (CFF), Paris, direct supplier of ferrous and non-ferrous scrap, to require control over Ets Fernand Vernerey, Montbéliard (Doubs).

Vernerey, an indirect supplier of scrap with an annual turnover of some 170 000 tonnes, has for some years now been selling more than half its scrap to CFF. The transaction authorized, whereby CFF will acquire 3 500 shares giving it a 53.8 % holding in Vernerey, constitutes a concentration between the two firms for the purpose of Article 66(1) of the ECSC Treaty.

2130. In another decision under Article 66(2) of the ECSC Treaty, the Commission authorized the British Steel Corporation (BSC), London, under Article 66(2) of the ECSC Treaty, to acquire the stainless steel stockholding business of Alfred Simpson Ltd. (Simpson), Manchester.

Simpson is a wholly owned subsidiary of Head Wrighton & Co. Ltd., which is a company engaged mainly in the heavy engineering industry. Simpson's activities include the stocking, processing and selling of carbon, alloy and stainless steel products. The transaction which has been authorized involves BSC acquiring the goodwill of the stainless steel stockholding business carried on by Simpson, together with the land, buildings and stocks related to this branch.

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This acquisition will give BSC a share of about 9% of the United Kingdom stockholders' market for stainless steel products. Important competition will continue from a number of stockholders who sell stainless steel in the UK market. Moreover there is a considerable degree of penetration by imports in the UK stainless steel market. In these circumstances, the Commission has concluded that the transaction will not hinder effective competition in the market concerned.

State aids

General schemes of aid

Increase in the minimum value of notifiable assisted investments

2131. On 18 December the Commission decided to increase from two to three million u.a. the value of assisted investments which the Member States must notify to the Commission for the purposes of the latter's monitoring of general schemes of aid.¹

United Kingdom

- 2132. On 1 December the Commission decided not to object to the introduction of temporary measures taken by the United Kingdom to improve the employment situation. The measures are:
- (a) The Temporary Employment Subsidy to be paid at the rate of £10 per week per person to employers to keep in employment workers in groups of 50 or more who would otherwise have been made redundant. The subsidy can be paid for any group for a period of three months, with a possibility of an extension for another three months. The aid will be available for a twelve-

month period and can be renewed for a further year.

(b) Recruitment Subsidy Scheme to find employment for young people. A payment of £5 per week will be made for 26 weeks for each newly recruited young person who was registered as unemployed and who left school before the end of July 1975.

The recipient firms must be structurally sound and thus provide an assurance that the employees for whom these subsidies are paid will be able to stay in the firm in the long term.

The Commission informed the UK Government that it had no objection to these measures as long as they were warranted by the economic situation.

Industry schemes

United Kingdom

2133. On 15 December the Commission decided to raise no objections to the introduction by the United Kingdom of a scheme of aids in favour of the clothing industry. The scheme is aimed at helping the industry through its current difficulties, provoked by large-scale imports from low-wage non-member countries and by the fragmented structure of the British industry.

There are four categories of assistance:

- 1. A subsidy to cover 50 % of the costs will be granted to small- and medium-sized firms which call in consultants to help them improve their management.
- 2. A subsidy of up to 20 % will be granted to firms for the purchase of plant and machinery and for the modernization of premises, provided the firm intends to restructure.
- 3. Interest relief grants will be paid to assist mergers and closures.

¹ OJ L 5 of 10.1.1976.

4. A Productivity Centre will be set up to promote research in the industry.

The total value of the assistance, granted under Section 8 of the Industry Act 1972, will be £20 million.

After the scheme as originally notified to the Commission was amended and the UK Government had assured the Commission that there was no question of increasing production capacity, the Commission decided that the scheme qualified for exemption under Article 92(3) of the EEC Treaty which prohibits the grant of such assistance. It nonetheless asked the UK Government to notify significant cases of application.

- 2134. On 22 December the Commission decided not to oppose the assistance which the UK Government planned to give Chrysler (UK) Ltd. The assistance is worth a total of £162.5 million and consists of:
- (a) a grant of £72.5 million to offset some of the losses which Chrysler expects to make between 1976 and 1979;
- (b) a guarantee worth £35 million, enabling Chrysler to convert short-term commitments into longer-term bank loans;
- (c) a loan at concessionary rates of £55 million to finance the development and construction of a new model. Chrysler will make the investments required for the assembly and later, perhaps, the construction of another new model in the United Kingdom.

The British Government's decision to come to the rescue of Chrysler with this assistance came after the announcement by the American parent company— Chrysler Corporation Inc.—that it intended to close down its UK operations following its heavy losses.

In deciding not to oppose the scheme, the Commission took account of the particularly acute economic climate in the United Kingdom and of the social problems which would have arisen from a closure at Chrysler, especially in Scotland. It also noted that the rescue operation devised by the Government with Chrysler would help to make the firm viable by trimming the workforce by one third and renewing the range of models to improve the competitive position.

Netherlands

2135. On 19 December the Commission decided not to object to the implementation of a plan to restructure the Dutch *footwear industry*.

In reaction to the difficult situation facing the industry, the Dutch Government asked the Nederlandse Herstructureringsmaatschappij (NEHEM) to draw up a recovery plan. A total of Fl 4.3 million has been set aside to cover public action decided on in 1975 and 1976.

The scheme falls within a general restructuring plan covering a wide range of industries. The terms for the grant of assistance are as follows:

- (i) a subsidy of up to 20% of the total cost of a project may be granted. When reorganization results, however, in better use being made of raw materials or contributes to an aid programme for developing countries, the ceiling is raised to 25%;
- (ii) the subsidy is reduced to 7.5% for aids granted after 1976;
- (iii) costs incurred in cutting back the number of jobs may not be included in the amount qualifying for aid;

Upon consideration the Commission concluded that, in view of the special situation of the Dutch footwear industry and of its importance not only to the Netherlands but also to the Community as a whole, the scheme did not adversely affect the conditions of competition to an extent contrary to the common interest.

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Fiscal policy and financial institutions

Financial institutions

Insurance

Indemnity insurance

2136. On 22 December, the Commission adopted a proposal for a second Council Directive coordinating laws, regulations and administrative provisions relating to direct insurance other than life assurance, and laying down provisions to facilitate the effective exercise of freedom to provide insurance services.

In its Judgment of 3 December 1974 in the Van Binsbergen case, the Court of Justice established the general legal principle of freedom to provide services in all the areas covered by the EEC Treaty, and the Directive is intended to facilitate in practice the exercise of freedom to provide services, by coordinating, particularly in the field of insurance law, national provisions impeding this freedom.

The most important change resulting from the Directive is that approval of the general policy conditions and tariffs will no longer be required in transport, credit and suretyship insurance, provided certain conditions are met, or for certain risks, provided the amount for which cover is taken out exceeds a certain figure. In addition, in insuring against such risks, the parties to the contract will have greater freedom in the choice as to which law is to apply to the contract.

Banks and other financial institutions

Admission of securities to official stock exchange quotation

2137. On 1 December, the Commission decided to amend the proposal for a Directive concerning the prospectus to be published by a company when its securities are admitted to official stock exchange quotation, laid before the Council on 5 October 1972.1

The amended proposal takes particular account of a Parliament Resolution adopted on 17 January 1974² and the Opinion adopted by the Economic and Social Committee on 17 July 1974.3 Most of the amendments to the original text are based on those put forward by the Parliament and some points have been incorporated from the ESC Opinion as well. The Commission has also made a number of other amendments to its original proposal, mainly on matters of form, to bring the text into line with work already completed in other fields such as the coordination of conditions for admission of securities to official stock exchange quotation and of the laws governing undertakings engaged in collective investment in securities (unit trusts, etc.).

The amendments as a whole do not, however, greatly alter the implications of the proposal presented by the Commission in 1972 for the purpose of coordinating the laws of the Member States concerning the content, checking and distribution of the prospectus to be published when securities are admitted to official stock exchange quotation. The aim is to harmonize and improve the information provided to the public on the nature of the securities for which admission to stock exchange quotation has been requested and on the assets, financial situation and business performance of the issuing companies.

Designed to ensure effective safeguards for investors and to facilitate the admission of securities to official quotation on stock exchanges in two or more Member States, the proposal forms part of the Commission's efforts to promote a European capital market.

OJ C 131 of 13.12.1972 and Supplement 8/72 — Bull. EC.

OJ C 11 of 7.2.1974. OJ C 125 of 16.10.1974.

2. Economic and monetary union

Economic, monetary and financial policy

Economic, monetary and financial policy

Adaptation of th conditions laid down for the grant of medium-term financial assistance to Italy

2201. On 17 December 1974, the Council, acting on a proposal from the Commission, adopted a Directive granting Italy medium-term financial assistance totalling 1 159.2 million u.a., subject to a number of conditions relating to the economic and monetary measures to be taken by Italy.¹

The Commission, in collaboration with the Monetary Committee, has regularly checked that the conditions are being complied with. The last check, which was carried out in November 1975, showed that the main objective laid down in the Directive, namely the achievement in 1975 of a non-oil trade surplus of at least US \$1000 million, has been attained and even substantially exceeded. However, the ceilings on the increase in total lending, the deficit on Treasury transactions and the rate of increase in central government expenditure will doubtless be higher than those provided for in the Council Directive, since the slowdown in economic activity in Italy has been much more marked than was forecast when the economic policy conditions for 1975 were laid down.

2202. As provided for in the Directive of 17 December 1974, the Council, acting on a recommendation from the Commission, adopted, at its meeting on 18 December 1975, a Directive adapting, for 1976, the economic policy conditions laid down for the grant of medium-term financial assistance to Italy.²

The Directive adjusts some of the objectives laid down for 1975:

- (i) the increase in total lending to the economy is limited to Lit. 31 000 000 million;
- (ii) a ceiling of Lit. 14 800 000 million is set for the deficit on Treasury transactions;

(iii) the rate of increase in central government and, where possible, other public authority expenditure must not exceed 15%.

In addition, a new objective has been laid down with a view to continuing the fight against inflation and to encouraging non-monetary financing of Treasury requirements; it limits Central Bank financing of the deficit on Treasury transactions to 5 700 000 million, or slightly more than one-third of the ceiling on the deficit.

The Italian authorities are also requested to inform the Commission, before the end of 1976, to what extent the medium-term measures provided for in the Council Directive of December 1974 (Article 7) have been achieved.

International monetary problems

2203. Towards the end of 1975, the work which had been going on for some months in various institutions in preparation for the meeting of the Interim Committee of the International Monetary Fund (IMF), to be held on 7 and 8 January 1976 in Kingston, Jamaica, was stepped up. For instance, the 'Group of Ten' held a meeting of deputy members on 11 and 12 December and a ministerial meeting on 19 December in Paris. At Community level, the Conference of the Economic and Finance Ministers of the Member States held on 15 December in Brussels adopted a joint position on the international monetary problems listed on the agenda for the Jamaica meeting. These problems, most of which had been discussed in detail and a number of which had already been the subject of an agreement as to principle at the previous session of the Interim

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OJ L 341 of 20.12.1974; Bull. EC 11-1974, points 2201 and 2202, and 12-1974, point 2205.

² OJ L 330 of 24.12.1975.

³ The members of the 'Group of Ten' are the countries participating in the General Arrangements to Borrow, namely: Belgium, Canada, France, Germany, Italy, Japan, the Netherlands, Sweden, the United Kingdom and the United States.

Committee,¹ concern gold (including the setting up of a Trust Fund for the developing countries), the system of exchange rates, the improvement of the compensatory financing mechanism and the raising of quotas.

The Swiss franc and the 'snake'

The Finance Ministers and the Central Bank Governors of the countries participating in the Community currency exchange system² met on 15 December in Brussels. They noted that it had proved impossible to achieve unanimous agreement on a procedure for bringing the Swiss franc into the 'snake',3 and concluded that examination of this matter should therefore be deferred, stressing, however, that this decision should not prejudice eventual arrangements. They also decided to instruct the Committee of Governors of Central Banks of the countries of the Community to present them with a report on whether it would be possible to enable Switzerland to carry out intervention operations in some or all of the present 'snake' currencies.

Industrial investment in the Community

2205. Judging by tentative results of the investment survey carried out in the Community last autumn, industrial investment spending in most member countries marked time or actually declined in 1975.

In France and Germany, industrial investment apparently showed no increase. In both countries, the food industry and the processing industry suffered the sharpest fall in investment compared with the previous year. In Belgium and Luxembourg, there was a general drop in industrial investment which was, however, particularly felt in the basic products industry and the processing industry.

In 1976, the propensity to invest should, generally speaking, remain at a very modest level in the countries of the Community. The improvement in the economic climate could, however, prompt managements to review their investment programmes, as happened in several sectors and countries in 1969 and 1972.

In France, total industrial investment will in all probability rise by some 9% in money terms in 1976, particularly in the basic products industry, the metallurgical industry and, to a lesser extent, the mechanical and electrical engineering industries, the extractive industry and the food industry. In Germany, investment programmes are expected to be cut by about 1% overall, with the basic products industry and the mechanical and engineering industries being particularly affected. In Belgium, a general fall in industrial investment is expected, while, in Luxembourg, the metallurgical industry and the mechanical engineering industry are the only ones likely to show any substantial growth.⁴

Monetary Committee

2206. The Working Party on Securities Markets held its thirty-second meeting in Brussels on 9 and 10 December with Mr D'Haeze in the chair. As usual, it reviewed the situation on the international bond markets and the national capital markets (third quarter) and also discussed a draft Directive, prepared by the Commission's departments, concerning the free movement of shares or units of collective investment undertakings (unit trusts, etc.).

Bull. EC 9-1975, points 1201 to 1204.

² Namely, six member countries (Germany, France, Denmark, the Benelux countries) and two associate countries (Norway, Sweden).

³ Bull. EC 9-1975, point 2201.

⁴ Source: 'Graphs and Notes on the Economic Situation in the Community', 12/1975.

Economic Policy Committee

2207. The Working Party on Public Finance held its fifth meeting in Brussels on 12 December, with Mr O'Horgain in the chair. It drew up its work programme, on the basis of the new terms of reference given to it by the Committee, and initiated studies in the field of public finance with a view to the fourth medium-term economic policy programme.

Advisory Committee on the Economic Situation

The Advisory Committee on the Econ-2208. omic Situation met on 10 December in Brussels to discuss recent developments in the Community and the short-term outlook. It noted that demand and production had staged a moderate recovery in a number of member countries since the summer. The recovery, which is discernible so far in only a few sectors, should take a firm hold in the coming months and should, after a certain time lag, make for an improvement in the employment situation; there is still, however, uncertainty as to its scale and duration. The Committee felt that the assumption that, in 1976, the Community's gross domestic product, which probably fell by around $2\frac{1}{2}\%$ in 1975, will grow by some 3% in real terms was realistic.

Panel of Experts on Economic Budgets

2209. At its meeting on 2 December in Brussels, the Panel of Experts on Economic Budgets discussed world trade growth hypotheses worked out with a view to preparing the full economic budgets for 1976. The experts were of the opinion that the world economy should manage quite an appreciable recovery in 1976 as the economic situation in the major industrial countries gradually improved. However, considering the sluggish trend in activity which will no doubt persist in

most other industrial countries and in view of the problems facing the oil-importing developing countries, the experts concluded that the volume of world trade would probably grow in 1976 at a rate considerably lower than the average longterm rate.

Regional policy

2210. The second and last batch of decisions allocating grants for 1975 from the European Regional Development Fund was adopted in December. These 96 decisions had been endorsed by the Fund's Management Committee on 9 December, the Regional Policy Committee having been consulted on 2 December on draft grant decisions involving investments in infrastructure facilities scheduled to cost more than 10 million u.a. each.

Financing operations

European Regional Development Fund

Second allocation of grants from the Fund: 139.3 million u.a.

2211. On 15 December the Commission decided on the second allocation of grants from the Fund, amounting to 139.3 million u.a., thus bringing the appropriations committed since the beginning of the financial year to 299.8 million u.a., i.e., almost the whole of the 300 million u.a. available for 1975.

Table 2 gives details of the second allocation of Regional Fund grants.

The 139.3 million u.a. is broken down as follows:

(a) 75.3 million u.a. to help finance 279 infrastructure projects required to develop industrial, handicraft or service activities, comprising:

Bull. EC 12-1975

Table 2 —	Grants	from	the	European	Regional	Developmen	t Fund	Qnd	allocation	1975)
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Member State	Number of grant decisions	Number of investment projects	Investments assisted (million u.a.)	Assistance granted (million u.a.)	
Belgium	5	36	61.9	4.04	
Denmark	_	_	_	_	
Germany	22	44	55.0	3.28	
France	19	85	156.3	24.09	
Ireland	3	17	43.6	5.72	
Italy	14	48	215.2	37.24	
Luxembourg	_	_	_	_	
Netherlands	_	_	_	_	
United Kingdom	33	298	639.9	64.95	
Total	96	528	1 171.9	139.32	

- 26.2 million u.a. to help finance 10 projects costing not less than 10 million u.a. each, and
- 49.1 million u.a. to help finance 269 projects costing less than 10 million u.a. each.

Infrastructure investments helped from the Fund total 494.3 million u.a. The main Member States to benefit are the United Kingdom with 31.4 million u.a., France with 20.3 million u.a. and Italy with 18.0 million u.a.

(b) 59.8 million u.a. to finance 238 projects in industrial, handicraft or service activities.

The aid granted by the Fund in this area breaks down into

- 24.4 million u.a. to finance 12 projects costing more than 10 million u.a. each, and
- 35.4 million u.a. to finance 226 projects costing less than 10 million u.a. each.

Industrial- and service-sector investments supported by Fund aid total 659.6 million u.a. The main Member States to benefit are the United Kingdom with 29.3 million u.a., Italy with 19.3 million u.a. and Ireland with 5.1 million u.a.

(c) 4.2 million u.a. to help finance 11 infrastructure projects in the United Kingdom in regions referred to by the Directive on hill farming and farming in less-favoured areas. Investments which have received Fund aid in this field total 17.9 million u.a.

Conversion

Financing of new activities

- 2212. Pursuant to Article 56 (2) (a) of the ECSC Treaty, the Commission has decided, subject to the assent of the Council, to make the following three industrial conversion loans:
- a loan of approximately 1.97 million u.a., at a reduced rate of interest, to *Vald. Birn Ltd.*, Newcastle, to establish a modern, pollution-free foundry located at Cambois, Blyth, in North Cumberland, on the site of a former colliery. The project will create 192 new jobs between now and 1980, half of which will be offered in the first instance to miners from the Netherton colliery, closed in 1974;

44 Bull. EC 12-1975

• a loan of approximately 9.6 million u.a., at a reduced rate of interest, to *Courtaulds Ltd.*, London, for a spinning factory and dyehouse expansion at Spennymoor, and a weaving factory at Belmont, Co. Durham. The project will create 1 222 jobs, of which 900 to 975 will be offered in the first instance to workers from ECSC industries.

These projects are both situated in a Special Development Area within the Northern Economic Planning Region of the United Kingdom where, owing to the closure of several collieries and the planned closure of steel works, new jobs are urgently needed.

A loan of about 3 million u.a., at a low rate of interest, to *Cokitalia SpA* for the purchase and installation of equipment to convert cokeoven gas from present application in an ammonia plant to electricity generation, comprising purification and compression of the gas and transmission through a 23 km pipeline.

The change in the activities of Cokitalia, situated in the province of Savona (Liguria) will save 615 jobs in a region where the outlook for industrial growth is poor.

- 2213. The Commission has also endorsed two loans to be granted to ECSC industries under Article 56 (2) (a) of the ECSC Treaty:
- a loan of about 2.15 million u.a., at a reduced rate of interest, to the *British Steel Corporation* for the construction of a plant to produce colorcoated coils at Ebbw Vale, South Wales. This project will help to minimize the effects of the closure programme for the BSC Ebbw Vale works by creating 96 jobs, all of which will be offered in the first instance to ex-ECSC workers;
- a second loan of about 23.8 million u.a., of which 5 million u.a. is to qualify for a reduced rate of interest, to *Italsider SpA* to restructure the cold rolling and coating mills at its Genova-Cornigliano plant. This project will save 515 jobs in the steel works which would otherwise have

been lost as a result of the modernization of steelmaking.

Regional Policy Committee

2214. The Regional Policy Comittee held its third meeting on 1 and 2 December. The Committee, which had already adopted, at its meeting on 6 and 7 October, the standard outline of the information to be provided in the regional development programmes, was informed of the forecasts of Member States with regard to the periods these programmes would cover and the approximate timetable for notifying the Commission of them. The standard outline for the regional development programmes and these forecasts will be published in the Official Journal.

Before deciding on a second allocation of projects for infrastructure investments costing not less than 10 million u.a. each, the Committee heard an interim report on the work of the *ad-hoc* Group on Infrastructures, instructed to work out guidelines for the Committee's opinion on this matter.

Lastly, the Committee decided that at its next meeting, planned for 29 and 30 March 1976, it would begin a detailed examination of the problem of frontier regions.

Social policy

Social problems before the Council

- 2215. Important decisions in the field of social affairs were taken by the Council at its meeting on 18 December, when it adopted:
- (a) a Directive implementing the principle of equal treatment for men and women workers (access

Bull. EC 12-1975 45

¹ Bull. EC 10-1975, point 2209.

to employment and vocational training; working conditions);1 this was one of the main aims of the Community's social action programme;²

- (b) a Regulation giving all migrant workers in the Community the right to participate in the management and administration of trade unions;3
- (c) a Regulation on the compilation of standardized statistics on foreign labour;
- (d) a Resolution on an action programme for migrant workers and their families.

With regard to the European Social Fund, two draft decisions under Article 4 of the Decision of 1 February 1971 have been presented to the Council: one on action by the Fund to assist vocational retraining operations linked to the current recession and the other on the continuation of aid from the Fund for workers employed in the textile and clothing industries.4 The Decision concerning the textile and clothing industries was adopted; however, no agreement could be reached on the other on the basis of the Commission's proposals. Since the need for Community action in this field was recognized, the Council asked the Commission to examine the possibility of financing certain important operations under the rules laid down in the Decision of February 1971.

During this meeting, the Council also took cognizance of the third report on the activities of the European Social Fund.5 Lastly, there was a discussion on the proposal for a directive on the education of migrant workers' children⁶ and the progress of the social action programme.

Employment

Standing Committee on Employment

2216. The Standing Committee on Employment held its eight meeting in Brussels on 4 December with Mr Toros, the Italian Minister of Labour, in the chair. The meeting was devoted in particular to the examination of three proposals from the Commission on which the Council was to give a formal decision at its meeting on 18 December:7 action by the European Social Fund to assist vocational retraining operations linked to the current recession and to help workers employed in the textile and clothing industries; a draft directive on equal treatment for men and women workers (access to employment, training, promotion and working conditions).

The discussion, which was based on documents prepared by the Commission, also covered Community action on the employment of young people, the coordination of policies on immigration from non-member countries and the question of illegal immigrants.

Dr Hillery, Vice-President of the Commission, presented a progress report on the coordination of employment policies and said that the European Council, at its meeting in Rome on 1 and 2 December, had noted the agreement by which the Commission was given the task of studying, in consultation with the two sides of industry, the problems examined at this Conference and preparing a report for a later meeting.8

Freedom of movement and social security for migrant workers

Action programme for migrant workers

2217. Following the Communication from the Commission, the Council adopted a Resolution

Bull. EC 2-1975, point 2209. Supplement 2/74 — Bull. EC.

Bull. EC 9-1975, point 2207. Bull. EC 10-1975, points 2213 and 2214. Bull. EC 7/8-1975, points 2227.

Bull. EC 7/8-1975, point 2226.

Point 2215.

Bull. EC 11-1975, points 1104 and 1205.

Bull. EC 12-1974, point 2217.

on an action programme for migrant workers¹ at its meeting on 18 December.

The Resolution stresses that the aim of this programme is to define the principal measures to be taken to humanize the conditions of migrant workers in the framework of the free movement of workers provided for in the EEC Treaty and to guarantee migrant workers equal treatment with nationals in all fields. These measures should above all be aimed at facilitating their integration in the host country and their resettlement in their country of origin by an improved social infrastructure and information service, and ensuring their social and vocational advancement by means of action concerned with vocational training, housing, social services, medical and social care, schooling, and information programmes to make the population of the host country aware of the problems of migrant workers and their families.

The Council stressed the importance it attaches to the implementation of point 11 of the Conference of Heads of Government held in Paris in December 1974, which concerned the granting of special rights to nationals of Member States.

Technical Committee on Free Movement

2218. At its meeting on 11 December, the Technical Committee on Free Movement examined, as part of the preparations for the harmonization of migration policies, measures which could be adopted at Community level to control the illegal immigration and employment of foreign workers from outside the Community.2

There was also a wide-ranging discussion on trends in migration in 1975 and developments in national policies in this field. Lastly, the Commission drew the Committee's attention to the need for national authorities to take suitable steps without delay to apply, in accordance with the judgment of the Court of Justice in Case 32/75, equality of treatment in the field of social benefits, in particular as regards reduced passenger fares for large families.³

Administrative Commission on Social Security for Migrant Workers

2219. From 9 to 12 December the Audit Board attached to the Administrative Commission on Social Security for Migrant Workers examined disputes regarding claims between social security bodies in the Member States going back to the 1970 financial year and earlier, and involving considerable sums.

Recourse to this special procedure, which is provided for in the Community rules4 but had never previously been used, proved to be the only way of finally settling a number of accounts which had remained outstanding in spite of several recommendations from the Administrative Committee. The results were extremely positive and a similar method will be applied in future years.

Social fund, re-employment and retraining

Social fund

2220. On 17 December the Commission approved the third instalment, and on 22 December the fourth and final instalment for 1975, of applications for aid from the European Social Fund submitted under Articles 4 and 5 of the Council Decision of 1 February 1971.

Of these applications (which had been examined by the Committee of the Social Fund on 24 October and 28 November respectively), those submitted under Article 4 were concerned mainly

Point 2215.

Bull. EC 2-1975, point 2210. Bull. EC 9-1975, point 2442. 2

OJ L 74 of 27.3.1972.

with retraining schemes for workers leaving agriculture, textile workers, migrant workers or the handicapped; those submitted under *Article 5* related to programmes concerned with unemployment in less-developed regions, the training of workers to keep up with technical progress and measures for unemployed young people and older workers.

The Decisions taken on 17 December concerned the following amounts:

Article 4:

Financial year	Amount (u.a.)
1975	18 764 904.40
1976	6 870 792.58
1977	529 098.68

Article 5:

Financial year	Amount (u.a.)
1975	48 300 333.64
1976	62 252 283.49
1977	14 303 445.42

The applications approved by the Commission on 22 December concerned the following amounts:

Article 4

Financial year	Amounts (u.a.)
1975	36 277 591.61
1976	10 539 063.04
1977	5 654 723.51

Article 5

Financial year	Amounts (u.a.)
1975	80 859 309.44
1976	80 115 543.48
1977	18 752 228.43

2221. On 23 December the Commission approved the granting of aid from the European Social Fund to Germany, France, Italy and Luxembourg for vocational retraining and re-employment programmes. This aid, granted under Article 125 of the EEC Treaty and concerning the original Fund, is still granted as a temporary measure for operations begun before 1 May 1972, when the new Fund entered into force, and completed

before 1 July 1972. The amounts granted were: Germany, DM 10 487 072.19; France, FF 6 167,070.14; Italy, Lit. 573 943 071; Luxembourg, Lfrs 70 568.

Retraining measures

2222. In December the Commission decided, pursuant to Article 56 (2) of the ECSC Treaty, to contribute to the cost of retraining workers affected by the partial or complete closure of undertakings in the steel or coal industry in four Member States.

In Germany a sum of DM 320 000 was allocated to assist 162 workers affected by the closure of an iron ore mine. Three amounts totalling Bfrs 18 300 000 were made available in Belgium to assist 762 workers affected by the closure of steel works. A sum allocated to assist 429 French workers affected by colliery closures was increased by FF 6 689 000. Lastly, in the United Kingdom, one sum was increased and two others made available to assist about 2 534 workers affected by the closure of steel works or collieries, involving a total of £ 5 234 500.

Social security and social action

2223. Representatives of workers and employers and of the Commission met on 2 December to examine the guidelines to be followed in progressively extending social protection to persons not covered or inadequately provided for under existing schemes. The opinions noted, which supplement those expressed earlier by government representatives, will enable the Commission to prepare proposals on this point in the social action programme.

2224. On 17 December the Commission transmitted to the Council a report on the guidelines to be followed in developing a permanent information system on social security in agriculture.

European social budget

2225. On 17 December the Commission forwarded to the Council a communication on the European social budget, including a description of the objectives of the social budget, an outline of the follow-up to the first budget and guidelines for preparing the second.

Living and working conditions

2226. As part of the first and second instalments of the seventh programme of financial aid in respect of low-cost housing for workers in the ECSC industries, the Commission approved the following programmes:

Belgium: coal industry, 20 dwellings (Bfrs 3 997 000); Germany: coal industry, 181 dwellings (DM 1 482 000); iron and steel industry, 15 dwellings (DM 135 000); United Kingdom: coal industry, 61 dwellings (£ 30 451); Netherlands: iron and steel industry, 103 dwellings (Fl 515 000); Ireland: iron and steel industry, 34 dwellings (£ 38 210); Luxembourg: iron and steel industry, 14 dwellings (Lfrs 8 519 000).

2227. As part of the first instalment of the eighth programme, the Commission decided to grant the following loans: *Germany:* iron and steel industry, DM 14 000 000 for the construction of 1 600 dwellings; coal industry, DM 14 000 000 for 2 000 dwellings; *France:* coal industry, three loans totalling FF 7 428 000 for the construction of 1 200 dwellings.

Industrial relations

2228. On 2 December, the Joint Committee for the Harmonization of Working Conditions in the Coal Mining Industry met in Luxembourg for the irst time since the Commission Decision of

24 November laying down the rules defining its task, composition and method of procedure.¹ The meeting was devoted to the appointment and installation of the Chairman, Mr Wieder, (proposed by the workers group) and the Vice-Chairman, Mr Pierre Nègre (proposed by the employers group). The Committee then examined the proposals made by its Working Party on the Social Action Programme. Participants agreed to carry out an inquiry into the situation of workers in the coal industry with a view to drawing up comparative tables on working conditions as of 1 January 1976.

2229. The two sides of the sugar industry met at European level on 10 December. It was agreed to set up a working group to prepare comparative tables concerning various aspects of working hours in this industry on the basis of a scheme approved by both sides.

Health protection

2230. Between 14 November and 5 December, the Commission and the CEA (French Atomic Energy Commission) organized a practical-experiment seminar at Fontenay-aux-Roses devoted to a programme for the *inter-comparison of dosimeters* used in radiation protection, with the aim of improving the reliability and accuracy in dosimetry laid down by the Euratom Basic Standards and in harmonizing measuring techniques and methods.

Experts in personnel dosimetry representing more than 20 national institutes from the Community compared their techniques and apparatus, particularly under the exposure conditions usual in nuclear power stations (9 MeV photon radiation) and in optimum calibration conditions (monochromatic radiation, radiation emitted by a cobatl-60

¹ Bull. EC 11-1975, point 2212.

source). The Commission plans to hold similar practical-experiment session on the problems of neutron dosimetry in 1976.

2231. The Committee of Government Experts on Pollution in the Iron and Steel Industry met in Luxembourg on 2 December and reached a decision on four projects to be included in its third research programme. These deal with the determination of the cyanide content of wastes, the modification of dedusters for use in steel works, the dispersal of pollutants discharged at sea and the cleaning of residual gases from electric ovens and LD convertors.

2232. The Working Party on Health Conditions in Rolling Mills of the Steel Industry Safety and Health Commission held its first meeting in Luxembourg. It determined its method of work and drew up its first list of activities, which will be mainly concerned with problems of noise, climate and pollution connected with rolled steel manufacture (long and flat products).

2233. The Mines Safety and Health Commission met on 2 December and approved a proposal for a directive drawn up by the Commission on the harmonization of the legislation of the Member States concerning electrical equipment suitable for use in the explosive atmosphere of gassy mines and the adoption of uniform safety regulations concerning the attachment and suspension of balance cables. It reviewed the activities of its working parties to determine priorities for work concerning collieries and other mining and quarrying industries subject to the authority of the Commission since July 1974.

2234. From 9 to 11 December the Commission Secretariat organized information sessions at Bochum. For the first time this year these were attended by seventy engineers from the mining administrative bodies of the Member States.

Two meetings of scientific advisers held in December were devoted to drawing up dose/effect ratios (health criteria) for asbestos, which is classed as a first degree pollutant in the Community action programme.

Environment and protection of consumers

Environment

Environment Ministers meet again

The Environment Ministers met again in the Council on 8 December in Brussels. The most important result of the proceedings was the outline agreement reached on a proposal for a Directive on the discharge of dangerous substances into the Community's aquatic environment; it had proved impossible to reach such agreement at the Council meeting on the environment held on 16 October in Luxembourg.2

Cooperation with Switzerland on environmental matters

2237. There is to be cooperation between the Community and Switzerland on environmental matters following an exchange of letters similar to that with the United States in July 1974 and with Canada last November.3 This informal cooperation in the technical field-will consist mainly in the exchange of information regarding the work, studies and research carried out by Switzer land and the Commission in connection with their respective environment protection and im provement programmes. These exchanges wil cover methods of analysing and measuring cer tain air and water pollutants (including noise) and

Points 1501 to 1504.

Bull. EC 10-1975, point 1309. Bull. EC 11-1975, point 2223. 2

knowledge of their harmful effects; pollution problems connected with certain branches of industry: the establishment of quality criteria and quality objectives; environment-related research; use of toxicity test procedures for certain pollutants; study of common epidemiological research possibilities; environmental effects of energy production, etc.

Sulphur content of fuel oils

2238. On 30 December the Commission forwarded to the Council a proposal for a Directive relating to the use of fuel oils with the aim of reducing sulphurous emissions. This is in response to the Council's request in its Resolution of 3 March 1975 on Energy and the Environment, which called on the Commission to put forward proposals on the sulphur content and use of heavy fuel oils.

To reduce atmospheric pollution caused by sulphur compounds and suspended particulate matter resulting from the combustion of these fuel oils, the Commission plans to establish zones of special protection against sulphur dioxide and suspended particulate matter in certain highly polluted areas, gradually to reduce the sulphur content in (low-sulphur) fuel oils marketed in the Community and to require that low-sulphur fuel oils be used in combustion installations within the zones of special protection.

Consumer protection

Consumers' Consultative Committee

2239. The Consumers' Consultative Committee held its last meeting of 1975 in Brussels on 15 December. Two salient points were dealt with at the meeting.

The Committee delivered its Opinion on the Commission's preliminary draft directive on the

approximation of the laws of Member States relating to liability for harm caused by products. In its Opinion, the Committee stressed that it was vitally important that the consumer who suffers harm caused by a defective product should receive adequate compensation. The Committee stated that the responsibility for harm caused by products did not always rest with the producers or distributors, and that the directive should cover the liability of other links in the production and distribution chain. This liability extends to damage caused by goods and chattels, buildings, or by services. The Committee was firmly against any limitation on the amount of damages.

The other important topic discussed was the conclusion to be drawn from the talks on 4 December between Mr Lardinois, Member of the Commission, and the Consumers' Consultative Committee on the *agricultural policy*. Mr Lardinois supported the idea of consumer representatives being consulted before any important decision on agriculture, for example concerning prices. The Committee welcomed the attitude of Mr Lardinois, with whom further talks on agricultural prices are planned for February 1976. The next meeting of the Committee will be held on 19 March 1976.

Agricultural policy

2240. In December the proposals for the common agricultural prices for the 1976/77 marketing year¹ were presented to the Council. They represented an average increase of 7.5% expressed in units of account. The 1975 annual report on the agricultural situation² on which these proposals were based was also presented. The Council had a first look at the price proposals at its meeting on 15-16 December.

Points 1401 to 1409.

² Points 1410 to 1415.

With regard to the organization of markets, apart from the measures affecting everyday management, the Commission forwarded to the Council a proposal on the organization of the market in potatoes, one of the few remaining products not yet covered by this system. A number of decisions were taken concerning the European Agricultural Guidance and Guarantee Fund, in particular the granting of the first instalment of EAGGF Guidance Section aid for 1975 (the second will be the subject of a Commission decision in spring 1976).

New proposal for a common market organization

2241. On 22 December the Commission decided to send the Council a proposal for a regulation on the organization of the market in the potato sector.

Since the initial regulation on the gradual establishment of a common organization of the markets in fruit and vegetables was adopted in 1962, a common organization of the market in potatoes has frequently been under consideration.

The nature of the product and the difficulties in this sector have consistently hampered efforts to regulate it. Enlargement of the Community—in particular the entry of the United Kingdom and Ireland with their very structured market organizations—has increased the difficulties.

The Community is self-sufficient as regards potatoes, although the situation varies from one Member State to another and from one sector to another. The volume of production fluctuates a great deal and the weather is a major factor determining the yield per hectare. The common organization of markets in the potato sector would have to regulate fresh potatoes (seed potatoes, early and main crops, and potatoes for starch manufacture) and processed products (crisps, purée, deep-frozen) at present falling under the Reg-

ulation of 28 June 1968¹ in respect of products processed from fruit and vegtables and potatoes unfit for human consumption at present falling under the Regulation of 30 April 1974² on dehydrated fodder.

The organization of the market proposed by the Commission provides for:

- (i) a marketing year from 1 April to 31 July for early potatoes and from 1 August to 30 June for other fresh potatoes;
- (ii) the establishment of common quality standards;
- (iii) recognized producer groups with the object of further developing contractual arrangements with the distributive trade and the processing industry;
- (iv) support measures enabling recognized producer groups to obtain private storage aid and aid for dehydration if annual forecasts indicate marketing difficulties;
- (v) a system of trade with non-member countries comprising a reference price for early potatoes for a limited period of the year and for all products the application of the CCT, a protective clause, a scarcity clause and provision for granting export refunds;
- (vi) general provisions, concerning in particular the transparency of the market.

Common organization of markets

2242. In December the Council fixed the prices for fishery products for the 1976 marketing year and the derived prices in the wine-growing sector for 1975/76. A number of other problems connected with the trade in sugar, olive oil, live plants, wine, milk products and beef and veal were settled.

OJ L 153 of 1.7.1968.

² OJ L 120 of 1.5.1974.

2243. Following complaints from the trade in the sugar sector that imports to Belgium from other Member States are subject to the issue of so-called import licences, which in this sector have, since 6 November 1975 been issued only after a certain lapse of time, the Commission has decided to initiate infringement proceedings against Belgium under Article 169 of the Treaty as this system and practice contravene Article 30 of the EEC Treaty.

In the light of the world market situation. *2244*. the Council has studied the special measures proposed for the determination of the supply of olive oil on the world market and on the Greek market. Since the situation on the olive oil market at the beginning of December was likely to entail advance fixing of the import levy for unusually large quantities, the Commission temporarily suspended advance fixing on 4 December.¹

2245. In accordance with the basic regulation, on 16 December the Council adopted² a Regulation on the standardization of the treatment applied by the individual Member States to imports of live plants from non-member countries and a Regulation laying down detailed rules for applying protective measures in this sector. In addition, in the context of relations with the ACP States and the OCT, the Council agreed to exempt from customs duty cut-flowers and ornamental foliage imported from these countries and territories.

2246. In the wine sector, on 9 December the Council fixed³ the activating prices for table wines for the period 16 December 1975 to 15 December 1976; this is the threshold at which the intervention mechanism comes into play for each type of wine for which a guide price has been fixed. The activating prices were fixed at 93% of the respective guide price.

On 2 December, the Commission fixed⁴ the reference prices for wine applicable from 16 December 1975 to 15 December 1976. This constitutes a 6% increase for red and white wine compared with the previous year. No change was made in the reference prices for other types of wine (liqueur wine, liqueur wine for processing and wine fortified for distillation).

On the basis of forecasts for the 1975/76 winegrowing year,5 the Commission decided on 15 December, 6 to grant long-term private storage aid for certain table wines. The forecasts indicate that there will be more than four months' supply of table wines in excess of foreseeable requirements for the marketing year.

In the beef and veal sector, on 16 December the Council approved a Regulation opening, allocating and providing for the administration of a Community tariff quota for frozen beef and veal of 38 500 m.t. for 1976, in accordance with commitments entered into by the Community in the latest round of multilateral negotiations in GATT.

The measures applied under the protective clause have been changed twice. The special import arrangements for young cattle of alpine breeds for fattening will continue until March 1976.7 On the other hand, from January 1976 no further import licences will be issued under the Exim arrangements which constitute the protective measures except for those in respect of which entitlement had been acquired before the end of 1975.8 These arrangements will soon be superseded with a view to a gradual return to normal.

In connection with intervention, recent developments and the foreseeable seasonal movement of

OJ L 315 of 5.12.1975. OJ L 326 of 18.12.1975. OJ L 320 of 11.12.1975 and Bull. EC 2-1975, point 2226, Table 1.

OJ L 313 of 3.12.1975.

OJ C 2 of 5.1.1976.

OJ L 324 of 16.12.1975. OJ L 322 of 13.12.1975.

Bull. EC 9-1975, point 2227, and OJ L 321 of 12.12.1975.

prices have made it possible to halt the conclusion of private storage contracts in which standard rate aid fixed in advance is granted for carcases, half carcases and compensated quarters with bone in. Measures to offload the market in 1975 mainly involved the direct buying-in of 385 000 m.t. by the intervention agencies and the granting of private storage aid for 110 000 m.t. of carcases and 78 000 m.t. of forequarters of beef.

2248. On 16 December² the Council fixed for the 1976 fishing year the guide, intervention and Community producer prices for the various fishery products, fresh or chilled or intended for the canning industry. These prices went up on average by 11% to 12% compared with the previous year. Hake was added to the Council Regulation of 30 November 19703 determining marketing standards for certain fresh or chilled fish. On 23 December⁴ the Commission took a number of measures to implement these Council Regulations.

In view of the critical situation in France, the protective measures taken in respect of imports to France of tunny for the canning industry were further extended to 31 March 1976.

European Agricultural Guidance and Guarantee Fund

The prevention and prosecution of irregularities

On 15 December 19755 the Council adopted a Resolution reinforcing measures for the prevention and the prosecution of irregularities in the financing of the common agricultural policy. Further, the Council took note of a report on the application of the Regulation of 7 February 1972 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this

Guarantee Section

2250. On 15 December the Commission presented to the Council a proposal for amendment of the Regulation of 28 December 19727 laying down general rules for the financing of intervention by the Guarantee Section of the EAGGF. The proposal was for a two-year extension, until 1 January 1978, of the present rules governing the financing of intervention for buying in, storage and sales operations.

Guidance Section

2251. On 16 December,² the Council determined the allocation of appropriations for the EAGGF Guidance Section for 1975 and extended certain time limits for 1975 and 1976. The total of appropriations allocated for the financing in 1975 of individual projects covered by the Council Regulation of 5 February 19648 was amended to 212.6 million u.a.

Part of this sum was allocated on 19 December when the Commission adopted several decisions on the granting of aid from the Guidance Section of EAGGF under the Council Regulation of 5 February 1964.8 Almost 108 million u.a. of aid was granted for 318 projects as shown in Table 3.

This figure represents about 50% of the total amount available for individual projects in 1975. The Commission hopes to adopt decisions with regard to the second and last instalment in April 1976.

Bull. EC 10-1975, point 2235, and OJ L 316 of 6.12.1975.

OJ L 328 of 20.12.1975.

OJ L 264 of 5.12.1970. OJ L 333 of 30.12.1975 and Bull. EC 9-1975, point 2229. OJ C 298 of 30.12.1975.

Bull. EC 10-1975, point 2237. OJ L 298 of 31.12.1972.

Agricultural policy

Table 3 — Aid from the EAGGF Guidance Section (1975)

	Number of projects	Aid in national currency	Aid in u.a.
Germany	99	DM 96 609 816	26 396 125
Belgium	34	Bfrs 311 305 202	6 226 104
Denmark	10	Dkr 38 892 853	5 185 714
France	34	FF 105 873 499	19 061 915
Ireland	14	£ 2 757 581	6 618 189
Italy	63	Lit. 17 548 624 440	28 077 799
Luxembourg	1	Bfrs 753 500	15 070
Netherlands	38	FL 29 287 479	8 090 464
United Kingdom	25	£ 3 468 192	8 323 654
Community	318		107 995 034

2252. Also on 19 December the Commission adopted two decisions granting EAGGF Guidance Section Aid in accordance with the Council Regulation of 19 December 1972 on the conversion of the *cod fishing industry*. A sum of 2 682 704 u.a. (FF 14 900 250) was allocated to finance three refrigerated tunny seiners, two for Le Havre and one for Fécamp (Seine maritime).

Competition

2253. In accordance with Article 93(3) of the EEC Treaty, the Commission decided to close the proceedings initiated under Article 93 (2) on 5 November 1974 in respect of an aid measure proposed by the *German* Government to assist poultry farmers in Bavaria by compensating for higher heating fuel costs, the German authorities having dropped this proposal.

The Commission decided to initiate proceedings under Article 93 (2) of the EEC Treaty in respect of a scheme of aid to be granted to the sugar beet sector in the Campania region in *Italy*¹ on the ba-

sis of areas grown and also in respect of specific aid to the food industry in the tomato processing sector, again in Italy.

Harmonization of legislation

2254. On 9 December² the Council decided to contribute 280 000 u.a. towards the campaign against *foot-and-mouth disease* in certain southeast European countries. On 16 December it was decided³ that the Community would make a financial contribution of up to \$1 000 000 to the Foot-and-Mouth Disease Institute in Ankara in order to step up the vaccine production capacity; this will also provide the Community with better protection against the exotic viruses.

2255. On 18 December the Council adopted a Directive on the composition and labelling of certain types of preserved milk; the Directive covers certain

Bull. EC 12-1975 55

¹ OJ C 289 of 17.12.1975.

² OJ L 321 of 12.12.1975.

³ OJ L 326 of 18.12.1975.

types of concentrated and powdered milk, sweetened and unsweetened, including skimmed and partially skimmed milk.

On 30 December the Commission adopted seven decisions enabling certain Member States to restrict the marketing of seeds of a number of varieties to be included in the common catalogue of varieties of agricultural plant species for 1976.

On 17 December the Commission proposed that the Council Directive of 23 October 1962¹ on the approximation of the rules of the Member States concerning the colouring matters authorized for use in foodstuffs intended for human consumption should be amended to remove nine colouring matters from the list annexed. The Scientific Committee for Foodstuffs² recommended this measure in order to offer consumers greater protection.

Farm accountancy data network

The Commission forwarded to the Coun-2256. cil the report on the '1973' (1973/74) results for farm holdings surveyed in the enlarged Community. These results give a general picture of the varied situation of Community agriculture.

Luxembourg agriculture

2257. On 16 December the Council adopted a Regulation on agriculture in the Grand Duchy of Luxembourg³ which provides for the application of a special tax system to Luxembourg wines, as envisaged in the Benelux Treaty, and its continuation under certain conditions until 31 December 1976.

Industrial and technological policy

Industry

Iron and steel

The difficulties afflicting steel again dominated the industrial scene in December.

During a wide-ranging discussion of developments in the steel industry's present position, held on 10 December, the Commission noted that the state of the steel market had continued to worsen during the second half of the year and that the few signs of an upturn in both orders and prices could not be taken to mean that there had been a real and lasting improvement in the situation. Since the iron and steel industry depends, for the greater part of its activities, on orders for plant and machinery, some time will be required before an improvement in the overall economic climate works through to the steel sector.

The gradual deterioration in the financial situation of the companies concerned could lead to indebtedness becoming dangerously heavy or investments for rationalization and modernization being halted, the danger then being that competitive positions would be undermined. Similarly, this financial situation is no longer such as to guarantee that the level of employment, which, hitherto, has remained fairly stable, can be maintained.

The persistence of the present recession in the steel industry could therefore lead very quickly to serious structural problems affecting the very existence of certain undertakings, together with the social and regional difficulties this would entail.

OJ 115 of 11.11.1962.

Bull. EC 4-1974, point 2236. OJ L 328 of 20.12.1975 and Bull. EC 12-1974, point 2251.

This analysis has caused the Commission to adopt or envisage a number of measures (before formal adoption, the opinion of the ECSC Consultative Committee must be obtained or the Council consulted on some of them). These measures follow on from those adopted during recent months and from the consultations on the 'Trade Pledge' held within the OECD on 13-14 November.

Monitoring of imports

2259. On 10 December the Commission adopted a Decision² establishing a system of statistical monitoring of the main steel imports from certain non-Community countries. This Decision was immediately communicated to the Member States which will have to inform the Commission, within six weeks, of the imports wich have taken place (volumes and prices). These data will enable the Commission to ascertain whether these imports are in line with the demand situation on the market and that they do not give rise to abrupt changes in the supply situation; it will thus be able to look for appropriate solutions, where necessary.

Minimum prices within the common market

2260. The Commission also thought that the conditions were right for fixing minimum prices for steel products within the common market (pursuant to Article 61(b) of the ECSC Treaty) This measure would involve a limitation on adjustments in respect of supplies from non-Community countries but not a restriction on imports.

The Commission therefore decided to initiate the consultation procedure, as provided for in the ECSC Treaty, with regard to the advisability of such a measure. When the Council and the ECSC Consultative Committee have been consulted the Commission will base its attitude on the trends in the iron and steel sector.

Forward programme for steel for the first quarter of 1976

2261. On 17 December the Commission formally adopted its forward programme for steel for the first quarter of 1976,³ the ECSC Consultative Committee having endorsed this document at its meeting on 12 December; it had earlier been approved by the Commission on its first reading at the meeting on 10 December. It was in May 1975 that the Commission, noting the very serious situation prevailing on the Community steel market, decided to adopt certain measures and, interalia, to step up its own guidance activities by means of target estimates produced on a quarterly basis.⁴

For the first quarter of 1976 the Commission forecasts that the actual consumption of steel will be down by some 12% on the first quarter of 1975. Furthermore, no upturn is expected in the demand for replenishing stocks, which should remain at a very low level.

It emerges from the programme that the monthly production of crude steel in the Community has reached approximately ten million tonnes, i.e. over three million tonnes lower than the figure for the corresponding months of the previous year. The rate of utilization of production capacity still remains very low, being less than 60% in the Community as a whole. The level of domestic demand also remains very depressed although a slight improvement was noted towards the end of the year. The trend towards a decline in steel exports to non-Community countries and towards an increase in steel imports became more pronounced around mid-1975.

According to the forecast made in the programme and despite a slight improvement in some countries and in certain sectors, a general

Bull. EC 11-1975, points 2237 and 2325.

² OJ L 7 of 14.1.1976. ³ OJ C 299 of 31.12.1975.

⁴ Bull. EC 5-1975, point 2238.

Table 4 — Crude steel production (million tonnes)

	Germany	France	Italy	Netherlands	BLEU	United Kingdom	Ireland + Denmark	Community
January-March 1974	13.37	7.17	5.99	1.51	5.86	5.29	0.17	39.36
January-March 1975	11.41	6.12	6.07	1.43	4.92	6.20	0.16	36.31
January-March 1976	9.50	5.25	5.10	1.05	3.95	5.00	0.25	30.10

recovery in the steel market cannot be reckoned on in the months ahead. The situation still remains very precarious in the capital goods sector, which is the largest consumer of steel.

Exports should settle down at a low level (5 800 000 metric tons in the first quarter of 1976) whereas imports could fall off slightly (1 700 000 tonnes).

The forecast for the overall production of crude steel during the first quarter of 1976 is 30 100 000 tonnes for the Community as a whole, no change from the very low level of recent months. The decline compared with the first quarter of 1974 would be 23.5%. The steel production figures for each country are given in Table 4.

With regard to the broad product categories, the forecast reveal that sheet and certain types of long products are in a better position; on the other hand, the production of heavy plate should decline considerably.

The crude steel production forecasts show that the employment situation, which deteriorated sharply in September and October, will remain serious during the first quarter of 1976.

General objectives for steel (1980-85)

2262. Lastly, on 10 December the Commission approved at first reading, a memorandum on the general objectives for steel for the period 1980-85. These objectives will be submitted for the Opin-

ion of the ECSC Consultative Committee which will decide on them at the beginning of March 1976. Any amendments which may result from this Opinion will be put to the Commission, which will then be able to adopt its general objectives for steel.

According to the document sent to the ECSC Consultative Committee, the average annual growth of steel consumption in the original Community, which was 4.4% between 1965 and 1974, should fall to 3.0% during the period 1972-80. This trend is mainly the result of continuing inflation and the downturn of activity in the construction and motor vehicle industries. In the United Kingdom, steel consumption has increased only very slightly in past years. It was nevertheless assumed that the growth rate in the United Kingdom will, in the years ahead, approach the Community average. This rate should decline in all the Community countries during the period 1980-85.

By 1985 no outstanding change should occur in the external steel market. The complexity of modern steel technology will mean that the developing countries, which are short of skilled labour and have considerable need of steel, will not be very serious competitors during this period. The Community's most serious competitors will continue to be the other industrialized countries.

Long-term developments must not be analysed solely from a quantitative point of view. The growing requirements of the consumer industries,

as regards product quality, also make guidance necessary on this aspect. Furthermore, it should be stressed that, although the Community is short of raw materials and cheap energy, it is, however, rich in highly skilled labour and, in the long-term, il would be wise to make use of this valuable asset to increase the competitiveness of exports of high quality products. The Commission should give financial support to research, as provided for in Article 55 of the ECSC Treaty, in order, more specifically, to hasten the advancement of product quality.

In 1980 the crude steel production potential of the Community's steel industry should not exceed 215 million tonnes. Owing to the current depression, income from the iron and steel industry cannot cover depreciation, while investments must be financed almost entirely by loans.

If the depression continues, the industry could slide critically into debt. On the other hand, there is still the danger that, owing to a bad financial situation, the investment needed for nationalization and modernization might not be made and the competitiveness of the Community's iron and steel industry might be diminished. The Commission should therefore increase the loans as provided for in Article 54 of the ECSC Treaty in order to keep investments at an adequate level.

It is forecast that employment in the iron and steel industry will fall sharply in several regions, chiefly in the eastern parts of France and Belgium. As for the United Kingdom, it has not been possible to make separate assessments since the basic data are not available. The British Steel Corporation has sent in figures which show that, subject to more detailed examination, a sharper reduction in employment will have to be expected—chiefly in Wales and Scotland. If effective regional measures are not taken, problems will arise in all the regions referred to. Article 56 of the ECSC Treaty was provided to cope with this; nevertheless other resources will also have to be employed as far as is possible.

In crude steel production, the investment figures passed on to the Commission suggest that there will be a more than proportionate increase in scrap requirements. The anticipated supply of scrap will nevertheless be sufficient to meet the needs of the entire production capacity listed in the 1980 investment survey. If the crude steel investment plans notified to the Commission were to exceed this level and consequently give rise to greater needs for imported scrap, the Commission would have to stress the danger of inadequate supplies in the opinions referred to in Article 54. In the wire rod sector the investment problem is one of avoiding the generation of unused capacity.

Business Cooperation Centre

2263. The results obtained by the Business Cooperation Centre—set up by the Commission in 1973¹,—and the lessons to be drawn from the experience gained are the subject of a report addressed to the Council on 30 December.

During its first 30 months of activity the Centre received 2 259 requests for information (of which 322 came from undertakings in non-Community countries). The information requested chiefly concerned company law, tax arrangements, exchange or investment control regulations and the right of establishment. Requests to find partners to form possible links (requests examined and disseminated) totalled 327; there were 2 490 replies from interested undertakings within the Community and at least one contact was arranged in 189 cases.

The Commission specifies in the conclusion to its report that it intends:

(a) to strengthen the Business Cooperation Centre's function of providing information and arranging contacts for Community undertakings;

Bull. EC 12-1975 59

¹ Bull. EC 4-1973, point 2238.

- (b) to make it responsible for certain coordination tasks relating to subcontracting operations in the Community;
- (c) to study in greater detail the possibility of extending the activities of the Centre to undertakings in certain non-Community countries.

Science, research, and development. education, scientific and technical information

Science, research and development

The Council and research problems

2264. At its meeting on 15 December, the Council (Research Ministers) had on its agenda consideration of:

- the two communications forwarded by the Commission in October entitled 'Objectives, Priorities and Resources for a Common Research and Development Policy'1 and 'The Overall Concept for the Next Multiannual Programme (1977-80) of the JRC';2
- four proposals for multiannual research programmes³ on controlled thermonuclear fusion and plasma physics, biology and health protection and the environment for the period 1976-80 and reference materials and methods-Community Bureau of Reference (CBR)—for the period 1976-78.

On the basis of the first Communication (Objectives. Priorities and Resources for a Common Research and Development Policy), the Council held a policy debate which showed that the Commission Communication was generally welcomed as the first general definition of the lines along which the common policy in this field should develop. It also gave delegations the opportunity to make additional observations and to set out the problems of particular concern to them.

At the close of the debate, the Council took formal note of the Commission Communication. It invited the Commission to speed up its work on the objectives and development of the common science and technology policy and to submit a second document on this subject before the end of 1976, taking account of the opinion expressed in the report from the Permanent Representatives Committee and during the talks held by the Council.

On the second Communication (Overall Concept for the Next Multiannual Programme of the JRC), the Council held a thoroughgoing policy debate and paid particular attention to matters connected with the following topics: concentration of JRC activities, programme priorities, form (relationship between direct and indirect action), size of staff complement and of budget.

The Council's discussions provided the Commission with sufficient concrete and positive material to enable it to go ahead and formulate its programme proposals. The Commission referred in particular to the convergence of views which had been noted concerning concentration on a reduced number of programmes, the definition of priorities in the field of energy (including nuclear safety) and the environment (essentially energy ecology) and the need to continue work on measurements and references.

The Council examined in depth the problems arising in connection with the Commission proposal for a multiannual programme for the years 1976-80 in the field of controlled thermonuclear fusion and plasma physics.

Bull. EC 10-1975, points 1401 to 1406. Bull. EC 10-1975, points 1501 to 1503. Bull. EC 7/8-1975, points 1501 to 1505.

Although views on the content of the programme and the financial resources to be made available converged to a large extent, the Council was unable to agree on a site for the JET (Joint European Torus), which is the key item in the programme. It was agreed that discussions would be resumed in February on this point and also on the three other proposed multiannual programmes, which were not discussed.

Mr Brunner, Member of the Commission, regretted the delay in the Council's decision. This might well mean that the research workers will be interrupted in their work on the four multiannual programmes; moreover the Community's position among the world leaders in research into machines of the JET type might be in danger if construction work did not begin in the near future. He pointed out that studies in progress showed clearly the advantages of having the JET located at the JRC Ispra Establishment and undertook to transmit to the Council in January the report drawn up on the matter with the cooperation of Community experts.

Energy Research

2265. The Energy Subcommittee of the European Research and Development Committee (CERD) met in Brussels on 16 December with Mr della Porta in the Chair.

It decided to concentrate its future work mainly on the storage of various types of secondary energy, a research field which it considered to be of extreme importance in the short term in view of the plans for increased numbers of nuclear power stations. In the longer term, the large-scale use of non-conventional sources of primary energy (solar, wind and tidal power, for example) will take on increasing importance.

The Sub-committee will also consider various aspects of cooling in power stations, coal research and model design in the energy sector.

European Research and Development Committee

On 17 December, CERD held its eleventh meeting chaired by Mr Danzin. It discussed the Commission Communications on the Objectives, Priorities and Resources for a Common Research and Development Policy¹ and the Overall Concept for the next Multiannual Programme of the Joint Research Centre.²

At this meeting, CERD proposed that a 'European Science Year' be organized in 1978 or 1979.

Finally, the Committee took note of the progress of two studies being undertaken in CERD on the definition of a European identity for research and the low-energy-consumption society.

Multiannual programme

Advisory committees on programme management (ACPM)

The ACPM for environmental research met on 9 and 10 December with Professor Passino in the chair. Discussion centred mainly on the preliminary draft multiannual programme (1977-80) for direct action. With regard to the proposal for a multiannual programme (1976-80) for indirect action,3 initial discussions were held on suitable research topics for concerted action and a possible tendering procedure to be adopted after the Council had approved the programme.

The ACPM for solar energy research met *2268*. on 17 and 18 December with Mr Chabbal in the chair. Most of the meeting was devoted to re-

Bull. EC 10-1975, points 1401 to 1406. Bull. EC 10-1975, points 1501 to 1503. Bull. EC 7/8-1975, points 1501 and 1504.

ports and discussions on the work of the five expert working parties set up in September¹ to deal with housing, generating sets and photovoltaic, photochemical and photosynthetic methods. In these five fields, the Committee finalized recommendations on the invitations the Commission intends to issue for the submission of research proposals.

Education

2269. On 10 December the Council and the Ministers of Education meeting within the Council agreed on a Resolution concerning an action programme on education.²

Scientific and technical information and information management

Transfer of nuclear information systems

2270. On 11 December, Mr E. Knoops, Belgian State Secretary for Economic Affairs, and Mr Guido Brunner, Member of the Commission, signed an important agreement transferring the management of nuclear documentation from the Commission to Belgium, which will now be responsible for providing the nuclear industry and the European research institutes with a swift and up-to-date information service.

Two sources of documentation are involved: ENDS,³ set up by the Commission and comprising 1.5 million references to scientific articles before 1973, and INIS,⁴ run under the auspices of the United Nations and covering world nuclear publications from 1973 onwards.

Responsibility for the documentary research work will be taken over by a highly qualified team of specialists at the Centre d'étude de l'énergie nucléaire/Studiecentrum voor Kernenergie, Mol,

and the computer processing will be carried out at the Centre de traitement de l'information (CTI) at Brussels. The system's users in Europe will thus have available within the space of a few seconds all the scientific and technical references, they can possibly require for their industrial or research activities.

The transfer of the nuclear documentation system to Belgium is part of a three-year programme decided on by the Council of Ministers on 18 March,⁵ the object of which is to organize and develop a Community-wide system for the collection, storage and dissemination of scientific, technical, economic and social information.

To link the various data bases, a network of high-intensity data transmission lines will be set up in collaboration with the national authorities of the nine Member States. Its opening, scheduled for June 1977, will give centres, and later thousands of institutional and individual subscribers, direct access to a genuine Community information pool covering a very wide range of activities. Thes projects may well mark the beginning of a new Community policy in a field where Europe is lagging behind, particularly in comparison with the United States and Japan.

Information management: machine translation

2271. As part of its three-year programme on scientific and technical information, the Commission is tackling the problem of the linguistic barriers in Europe between information producers and users. Two agreements were concluded in December with the aim of examining the possibilities of using two machine translation systems developed in France and the United States. The first requires texts to be written in controlled

¹ Bull. EC 9-1975, point 2240.

Points 1101 and 1102.

European Nuclear Documentation System.

⁴ International Nuclear Information System.

⁵ Bull. EC 3-1975, point 2249.

syntax but produces translations into several languages simultaneously, while the second can handle any text but only one pair of languages.

Energy policy

2272. Energy problems were raised at several meetings during December and in particular in the European Council at Rome, the Energy Committee, the Council meeting (Foreign Affairs), and at the Conference on International Economic Cooperation. On all these occasions the Community stated its intention to take action in the energy sector (this the Commission did, at its first meeting in 1976).

Formulation and implementation of a Community energy policy

Energy policy

2273. One of the 'conclusions' reached by the European Council at Rome (1-2 December) was as follows: 'the Commission will submit proposals and the Council decide as soon as possible on appropriate mechanisms to protect existing sources and ensure the development of alternative sources of Community energy, on reasonable economic conditions, and also to encourage conservation in the use of energy'. The European Council also referred to the problems raised by the oil shortage and the steps which should be taken to remedy this situation.

The Energy Committee, meeting on 4 December under the chairmanship of Mr Henri Simonet, discussed the follow-up to the agreements reached in Rome by the Heads of Government; the Committee also studied the report on the objectives for 1985.

At its meeting on 9 December, the Council (Foreign Affairs) also referred to the conclusions of the European Council at Rome with regard to the energy sector. President Ortoli told the Council that the Commission would shortly be submitting proposals in this context, by the end of January 1976 at the latest.

The Council agreed to discuss these proposals as soon as possible and make every effort to do this before the basic problems were broached in the Commission for Energy of the Conference on International Economic Cooperation.

2276. A Ministerial meeting of this Conference (the real beginning of the 'North-South dialogue') was held from 16 to 19 December in Paris. The four commissions set up by the Conference, including the energy commission, will begin work in February and will, in theory, continue until the end of the year.2

Energy conservation

2277. On 9 December³ the Council adopted a Resolution concerning the 'setting of a short-term target for energy saving 1976/77', in accordance with the communication (accompanied by a draft resolution) which the Commission had addressed to the Council in September 1975.4

Energy supplies in the Community

2278. On 30 December the Commission forwarded a draft regulation to the Council on the collation of information about the energy supply situation in the Community.

Bull. EC 11-1975, point 1104. Points 1201 to 1207. OJ C 289 of 17.12.1975.

Bull. EC 9-1975, point 2250.

The aim here is to provide the Commission with the requisite data for the execution of its tasks concerning energy policy in difficult and normal periods alike. Since the Council Regulation of 30 January 1974¹ on the establishment of comprehensive energy balance-sheets no longer meets the demands of the present situation, that Regulation needs to be replaced by a new text which would enable the Commission to have an overall and uniform view of the energy supply situation in the Community.

Problems in individual sectors

Hydrocarbons

2279. The Commission has asked the Member States to *communicate* the forecasts of imports and exports of petroleum products for 1976 on a half-yearly basis (not annually as before) and in respect of individual companies.²

The Commission has thus made use op the option granted to it by the Regulations of 18 May 1972³ and 13 February 1975⁴ to ask for this information to be notified more regularly and in respect of individual companies, to make it easier to assess the supply situation. Since this situation remains uncertain, it was thought necessary to make a detailed survey of import and export forecasts for 1976; this should make it possible to calculate the total cost of future oil imports.

2280. On 3 December the Commission adopted a report on the extent of implementation of Council directives imposing upon Member States the obligation to maintain a *minimum level of crude* oil and/or petroleum product stocks.

Coal

2281. The non-fulfilment of some long-term contracts coming under the special system of aid

for coking coal supplied to the iron and steel industry (set up by the Commission Decision of 25 July 1973) was the subject of a letter from the Commission to undertakings which come under the ECSC Treaty.

The Commission has observed some cases of delay in the execution of these long-term contracts—concluded between the coal producers and the users of blast-furnace coke; these delays affect the coal-mining industry in various ways and are likely to bring about a situation which is incompatible with the spirit and objectives of the system of aid to coking coal. Accordingly, the Commission has formally asked those undertakings which have fallen behind in the execution of their commitments to take the necessary steps to fulfil their contracts in a proper and non-discriminatory fashion.

2282. At its meeting on 12 December⁵ the ECSC Consultative Committee discussed the matter of the execution of long-term coking coal contracts mentioned above, the Committee also delivered its opinion on the Commission proposal relating to a new Community system for intervention by the Member States to aid the coal industry.

Transport policy

Transport matters before the Council

2283. The Council (Transport) met in Brussels on 10 and 11 December, with Mr Martinelli, the Italian Minister of Transport, in the chair. How-

¹ OJ L 32 of 5.2.1974

OJ C 3 of 7 1 1976

³ OJ L 120 of 25 5 1 72

⁴ OJ L 45 of 19 2 1 - 75

Point 2442.

ever, the meeting failed to attain the principal objective set by the Chair, which was to adopt a number of priority measures concerned with social harmonization in the field of road transport, weights and dimensions of road vehicles, the harmonization of taxes on commercial vehicles, bracket rates and the Community quota system.

In the absence of any general agreement on all these measures, the Council approved the Commission proposal that the *tariff arrangements* currently in force¹ should remain valid in 1976. Similarly, the Council merely retained for 1976 the current arrangements concerning the *Community quota* for the carriage of goods by road between Member States.²

As regards taxes, the Council instructed the Permanent Representatives to resume their examination of the Commission proposal on the adjustment of the national system for *taxing commercial vehicles*,³ recommending that initially, the sole concern should be to seek conventional solutions for calculating costs and tax charges.

In the field of social harmonization the Council was unable to reach any decision as to the amendment of the Council Regulation on the harmonization of certain social legislation relating to road transport, as no formal proposal had yet been presented by the Commission; the Council agreed to wait until it received such a proposal before taking a decision.

Finally, on the matter of weights and dimensions, the Council, having noted the compromise solution proposed by the Chair, asked the Permanent Representatives Committee, with the help of the Commission, to seek a practical solution to these problems and to report back to the Council at its next meeting.

In connection with the negotiations with Switzerland for an agreement on the temporary laying-up of vessels, the Council looked at a number of problems on which the Member States had been unable to find common ground. It endorsed most of the solutions recommended by the Commis-

sion in its proposal for a decision; it should be possible to find answers in the near future to the few technical problems still outstanding. If full agreement was reached on the matter at a forth-coming Council meeting, the Commission would be able to conclude the negotiations with Switzerland rapidly on the basis of the new directives adopted by the Council.

As regards the other items on the agenda, the Council approved the Commission proposal on the reciprocal recognition of navigability certificates for inland waterway vessels.4 The aim of the directive is to improve the safety of inland waterway traffic in the Community by improving the technical conditions relating to the navigability of vessels. It provides that the reciprocal recognition of navigability certificates for inland waterway vessels should be based on the application of uniform conditions for the issue of certificates and lays down the minimum quantitative and qualitative particulars which must be shown for inspection purposes. Finally, the Council took note of a French memorandum on sea transport and instructed the Permanent Representatives Committee to examine it together with the Commission.

Functioning of the market

2284. On 15 December the Commission sent the Council a proposal for a Regulation on a system of reference tariffs for the carriage of goods by inland waterway between Member States. This system, like those proposed by the Commission

OJ L 329 of 23.12.1975.

² The current arrangements concerning the Community quota system were introduced by the Council Regulation of 19 July 1968, supplemented on 28 December 1972 and amended on 1 August and 19 December 1974.

OJ C 95 of 21.9.1968.
 OJ L 265 of 19.11.1975.

on 10 October 1975 for railway and road transport, provides that such tariffs shall be established by the inland waterway trade organizations, in consultation with other interested bodies.

2285. On account of the difficulties arising from the current economic situation, the German Government had asked the Commission to amend its Decision on 22 July 1971¹ on the authorization of special Deutsche Bundesbahn tariffs in favour of coal and steel producers in the Saar, with a view to postponing for two years the gradual removal (in five annual stages) of the reductions provided by these tariffs.

To enable the Saar undertakings concerned to continue with their restructuring and adaptation programmes referred to in the 1971 Decision, the Commission, by a Decision adopted on 18 December, deferred until 1 January 1978 the first stage in the gradual removal of the tariff reductions, but retained the original date of 31 December 1979 for their total abolition; it reserved the right to review its position in the light of economic developments.

Harmonization

2286. On 15 December the Commission sent to the Council its fourth *report* on the implementation by the Member States of the Regulation on the *harmonization of certain social legislation relating to road transport* during the period from 1 January to 31 December 1973 as required by this regulation.

The general conclusion reached is that the organization, procedures and control measures still vary considerably from country to country and that it is difficult to make an accurate assessment of their effectiveness. The same applies to the prosecution of infringements. The scale of checks applied to international freight traffic are still far from satisfactory.

There has been a slight improvement in mutual assistance between the Member States. The Member States will have to develop common practical procedures and rules enabling them, despite the differences between their legal systems, to achieve satisfactory results pragmatically from the penal actions brought against foreign nationals. Most Member States recognize the need to improve the application of the Regulation.

2287. On 22 December, the Commission, acting under Article 135 of the Act of Accession, decided to allow the United Kingdom, Danish and Irish Governments to defer for six months application of certain articles of the Regulation on the harmonization of certain social legislation relating to road transport in order to give the Council time to adjust and supplement this regulation.

2288. Under the consultation procedure initiated in 1962, the *Netherlands* Government informed the Commission and the other Member States of a proposal for a law on *noise reduction*, the provisions of which clearly affect transport. A meeting was therefore held on 17 December with the representatives of the Netherlands Ministries of Health and Transport in order to ensure that the proposals were in line with the common transport policy, particularly as regards charging for the use of infrastructures and compliance with Community technical standards for vehicles.

2289. On 5 December² the Commission sent the Council an amended version of the proposal for a directive on the harmonization of the laws relating to *motor vehicle driving licences* presented to the Council on 17 August 1972.³

¹ OJ L 179 of 9.8.1971.

² OJ C 8 of 13.1.1976.

³ OJ C 119 of 16.11.1972.

3. External relations

Transport policy

The aim of this proposal is to introduce a Community driving licence which will be valid in all the Member States, to promote full reciprocal recognition of driving licences and to provide for the establishment of uniform conditions for the issue of driving licences and common measures for the uniform treatment of offences.

Infrastructures

2290. At a meeting with experts from the Member States on 18 December, a programme was drawn up preparing the alternative assumptions and strategies required for drawing up projections of goods transport needs for 1985-2000. The discussions at the meeting also provided a clearer view of the terms of reference of the Committee set up to coordinate the contributions to be made by the Commission and the Member States to the study envisaged.

Multilateral negotiations

Trade Negotiations Committee

Meeting of the Committee

2301. The Trade Negotiations Committee (TNC) met from 9 to 11 December to take stock of its past activities and organize its future work.

It was able to reach a solution on the problem of the negotiating structures for agricultural products¹ on the basis of a practical suggestion made by its chairman, Mr Long. Essentially, it was decided that, without prejudicing the positions of the delegations in question, the Agriculture Group should begin its work on agricultural products other than those already being dealt with in the three sub-groups (grains, meat and dairy products); where necessary recourse should be had to bilateral or multilateral consultations, all the parties concerned being kept informed, and all the negotiating groups should work in concert.

The following points are worth noting in connection with the TNC's discussions on work in progress and the future programme:

- the usefulness of the negotiations, in the international economic context, as a vehicle for containing protectionist pressures;
- the developing countries' disappointment at the slow progress being made in certain sectors (except tropical products), tempered however by an awareness of the difficulties caused by the international economic situation:
- the advisability of reaching an agreement on tropical products in 1976;
- the need for fresh substantial and tangible progress during 1976 in various areas of the negotiations so that they can be completed in 1977, which is considered the target year.

¹ Bull. 7/8-1975, point 2301, 9-1975, point 2301 and 10-1975, point 2302.

Non-tariff measures

2302. The Non-Tariff Measures Group, which met on 3 and 5 December, dealt with three specific proposals—on anti-dumping practices, government purchases and variable levies and minimum prices in respect of imports.

With regard to the establishment of a second list of non-tariff measures the Group agreed that no measure should be excluded from the negotiations but considered that at the present stage it would be preferable to concentrate on the four existing sub-groups.

At its next meeting, scheduled for April 1976, the Group will endeavour to establish additional categories of non-tariff measures to be dealt with within the multilateral framework.

Agriculture

2303. As suggested by the chairman of the TNC, the Agriculture Group met on 16 December. The Group agreed to continue its work by a process of information and consultation on all tariff and non-tariff measures applied in the agricultural sector, except those already being dealt with by the sub-groups on dairy products, meat and grains. It was also agreed to give priority to problems concerning the developing countries' agricultural trade.

Commercial policy

Preparing and implementing the common commercial policy

Common rules for imports and exports

2304. In three communications the Commission published the updated versions of the lists annexed to the Regulations of 19 December 1969,² 20 December 1969³ and 4 June 1974⁴ dealing respectively with the common rules for imports from state-trading countries, exports and imports.

Autonomous import arrangements

2305. By a decision of 18 December, 5 the Council adopted the autonomous import quotas to be opened by the Member States in respect of the state-trading countries for 1976.

Trade agreements: renewals, derogations or authorizations

2306. On 16 December, the Council adopted a decision authorizing the tacit renewal or continued operation until 31 December 1977 of certain treaties of friendship, trade and navigation treaties and similar agreements concluded between Member States and third countries.

Trade protection

The Commission initiated two antidumping/anti-subsidy procedures concerning sacks and bags of a kind used for packing made from polyethylene strip and originating in Hungary, and trichlorethylene originating in Poland and the German Democratic Republic.7

2308. On 16 December, the Council extended until the end of 1977 the systems of authorization for imports into the Federal Republic of Ger-

OJ C 287 of 15.12.1975.

OJ L 19 of 26.1.1970.

OJ L 324 of 27.12.1969.

OJ L 159 of 15.6.1974.

OJ L 332 of 29.12.1975 and point 2350. OJ L 328 of 20.12.1975.

OJ C 285 of 13.12.1975.

⁸ OJ L 326 of 18.12.1975.

many, the Benelux countries and France of synthetic socks originating in Taiwan.

2309. On 22 and 23 December, the Commission established interim measures (involving the introduction of a system of licences) with regard to imports of certain textile products originating in South Korea and Brazil.

On 22 December,² the Commission also introduced interim measures with regard to imports into the United Kingdom of certain fabrics originating in Spain and Portugal.

Credit insurance and export credit

2311. In a communication presented to the Council on 30 December, the Commission recommended the negotiation of a gentleman's agreement on export credits with the Community's main trading partners.

Discussions³ have been going on for nearly two vears between the Member States of the Community and the Commission on the one hand and the United States and Japan on the other to find a basis to limit growing international competition in the export credit field, which both distorts trade and places a growing burden on national budgets. These discussions started in May 1974 following a meeting earlier that year between the Finance Ministers of certain Member States, the United States and Japan. These discussions have continued since, mainly on technical points, and have succeeded in achieving a large degree of consensus as to the scope and structure of the agreement. However, answers must still be found to a number of major problems.

The Commission attaches great importance to limiting outbidding in the export credit field between the Community and its major trading partners and, therefore, welcomed certain recent indications of a renewed political will in the maior industrialized countries to make progress. It is with this objective in mind that it has sent to the Council a draft decision and a proposal for directives for the negotiation of the 'gentleman's agreement' which takes account of progress achieved in the discussions so far. They cover such questions as minimum interest rates and the maximum duration of state-assisted export credits and other related matters.

This recommendation has necessarily been influenced by the recent Opinion of the Court of Justice on the question of the Community's role in the export credit field, in which the Court ruled that export credit matters form an integral part of the common commercial policy.4

Specific measures of commercial policy

Steel

2312. In December the Commission adopted three Decisions derogating from Recommendation No 1-64, which establishes a minimum level of import duties on iron and steel products. The purpose of the first decision was to permit the duty-free importation for the next six months of small quantities of products not manufactured in the Community—six-monthly quotas.5 The second was concerned with the application of the ECSC generalized preferences for 1976,6 and the third authorized Germany to import additional quantities of 'electrical' sheets and plates during the second half of 1975.7 These decisions were the result of an agreement between representatives of the Member States on the matters in question.

OJ L 330 of 24.12.1975.

OJ L 329 of 23.12.1975.

Bull. EC 7/8-1974, point 2303, 9-1974, point 2303, 12-1974, point 2304, 1-1975, point 2301, 5-1975, point 2311.
 Bull. EC 11-1975, point 2308.

OJ L 2 of 7.1.1976

OJ L6 of 13.1.1976.

OJ L 12 of 21.1.1976.

The Commission has been concerned at the depressed state of the iron and steel market and the risk of massive imports, possibly at very low prices. The Commission has examined the avenues open to it under the Treaty but up to now has decided only to introduce close monitoring of imports, accompanied by efforts to get the major exporters to exercise voluntary restraint or reduce their export levels.

Scrap

2313. As regards exports of scrap, the Representatives of the Governments of the Member States have laid down the arrangements which will apply during the first half of 1976. They have granted two quarterly quotas of 350 000 tonnes; the first may be used unconditionally, while the second is subject to the state of the market at the appropriate time. A small proportion of these quotas is for good-quality scrap. A number of decisions of lesser importance have been renewed (alloy steel scrap, rolling-mill rolls, etc.).

Non-ferrous metals

2314. On 18 December,² the Council adopted a Regulation fixing for 1976 the Community quantitative export quotas for certain types of copper ash and residues and for certain types of *copper* and *aluminium* waste and scrap.

Textiles

Agreement with Japan

2315. An Agreement between the Community and Japan on trade in textile products was initialled in Brussels on 12 December. This Agreement, which covers 1976 and 1977, takes account of the special structure of trade in textile products between the Community and Japan. The essen-

tial feature of the Agreement is a consultation procedure on all problems arising out of trade in textiles in both directions. Under this consultation procedure Japan has agreed to apply restraints in respect of its exports to the Community of certain synthetic fabrics and mixed cotton fabrics. Japan has also agreed to limit its exports of five other products to certain regions of the Community market. This Agreement is the eighth concluded in the framework of the Multifibre Arrangement.

Hong Kong

2316. Under the present Agreement between the Community and Hong Kong on trade in textile products, consultations were held on 15 and 16 December 1975 (following on from those held in November) in order to resolve certain difficulties that had arisen in the operation of this Agreement.

In 1975, exports of certain textile products exceeded the limits laid down in the Agreement for that year. The consultations were concluded to the satisfaction of both sides.

Brazil

2317. The negotiations with Brazil under the Geneva Arrangement for the conclusion of an agreement on trade in textile products continued from 10 to 19 December, an initial round of negotiations having already been held in October.³ The discussions clarified the viewpoints of the two parties, and a third round of negotiations is planned for early 1976.

Point 2258.

OJ L 330 of 24.12.1975.

Bull. EC 10-1975, point 2312.

Development and cooperation

Development cooperation policy

Conference on International Economic Cooperation

2318. The Conference on International Economic Cooperation—known as the 'North-South Dialogue'—was held at ministerial level in Paris from 16 to 19 December.¹

United Nations Conference on Trade and Development

2319. The UNCTAD Committee on the Transfer of Technology met in Geneva from 24 November to 5 December. This was its first meeting and formed part of the general preparations for the fourth Session of UNCTAD to be held in Nairobi in May 1976. The following three points were discussed:

- the preparation of an international code of conduct for the transfer of technology;
- the role of the patents system in the transfer of technology to developing countries;
- proposals for action on the transfer of technology at the fourth Session of UNCTAD.

The Commission's participation in this meeting follows a series of coordinating and preparatory meetings within the Council (for the Nine) and the OECD (for all the industrialized countries).

Commodities and world agreements

UNCTAD Committee on Commodities

2320. The Commission was represented at the third part of the eighth session of the UNCTAD

Committee on Commodities in Geneva from 8 to 19 December.

The topic under discussion was the scope for implementing an integrated programme for commodities (bearing in mind the fourth session of UNCTAD, to be held in Nairobi in May 1976) in the broader context of the establishment of a new international economic order. In conclusion the Committee adopted a resolution calling on the Trade and Development Board (which is to meet next March) to draw up detailed recommendations on the objectives, products, international measures and schedule to be selected for negotiating an integrated programme.

Wheat

2321. The Community and its Member States took part in the meeting of the *International Wheat Council* which was held in London from 1 to 5 December.

Since the 1971 International Wheat Agreement is to expire on 30 June 1976 the International Wheat Council examined the measures to be taken to replace it as soon as possible by a new agreement containing real economic provisions. It was agreed that the texts of the protocols extending the existing agreement would be adopted at a special meeting in February 1976; a decision would then be taken on the length of the extension.

Coffee

2322. The International Coffee Council, on which 63 countries are represented, held a special meeting in London and adopted after a month of negotiations (3 November-3 December 1975) the text of the *new International Coffee Agreement*, 1976. The new agreement, which is to last six

Bull. EC 12-1975 71

¹ Points 1201 to 1207.

years, is open for signature by the governments concerned as from 31 January 1976 and should enter into force on 1 October 1976.

The 1976 Agreement, which was extended in 1973 without its economic provisions and will expire on 31 September 1976, served essentially as the starting point for the negotiation of the new agreement. Since the Community as such was not a member of the extended 1968 Agreement (one Member State did not sign), it had to participate in the negotiations with observer status.

Despite an unsatisfactory legal situation, the Commission was authorized, in accordance with the Council decision of 18 August 1972—which was confirmed for the 1975 negotiations—to negotiate on behalf of the Community the matters falling within the jurisdiction of the Community and it was the Community observer who put forward the Community's viewpoint. The positions of the Member States of the EEC on all major issues were harmonized through the customary coordination process.

The 1976 International Coffee Agreement is based, like the previous agreements (1962 and 1968), on the principle of setting export quotas by reference to certain price levels but major changes have been made to provide a better balance between the interests of the producer countries and those of the consumer countries.

The price levels at which export quotas are introduced suspended or reinstated are fixed at the beginning of each coffee year by the ICO Council. Should, however, the ICO Council fail to take a decision on prices, the quota mechanism can operate by reference to the average prices for the 'robusta' and 'other mild arabica' varieties during the 1975 calendar year, it being possible to revise this level twice during the life of the agreement.

An advertising fund, with financial resources amounting to \$25 million within two years thanks to a compulsory levy on the exporting members' coffee exports, will be able to finance half the cost of the multi-annual promotion cam-

paigns to increase consumption in the importing countries.

Ways of bringing a production policy to bear will be the subject of decisions to be taken in due course by the ICO Council.

The agreement was warmly received by all the delegations; it renews international cooperation—interrupted for the past three years—for the purpose of stabilizing the world market in one of the major commodities of interest to many developing countries.

Tin

2323. The Community participated in the twentieth session of the *International Tin Council* in London from 8 to 11 December. Discussions centred on the current low price for tin and the consequent difficulties for producers, who were being forced to close or consider closing tin mines in view of the present persistent lack of demand caused by the continuing recession. The main feature of the meeting was a Council decision to continue tightening export control in an effort to prevent a breach of the floor price under the agreement.

International organizations

Organization for Economic Cooperation and Development

2324. The high-level ad hoc Group on relations with the developing countries (North-South Group) met on 19 December, the day on which the Conference on International Economic Cooperation (CIEC) ended, and the Commission was represented at the meeting. Having set itself the immediate task of preparing the work of the Dev-

elopment Commission set up by the Conference¹—the first meeting of the Development Commission is scheduled for 11 February 1976—the Group mainly examined the way in which these preparations could be geared to progress made in the dialogue and the role which the Group could play in informing the OECD member countries which were not taking part in the CIEC. It was decided that the Group would meet before each meeting of the Development Commission.

With regard to the substance of its work the Group made an initial examination of its subgroup's report on the opportunities for industrial cooperation with developing countries. The impression that emerged was that there was a whole range of points which, once they have been examined in greater depth, might serve to define an overall policy for the member countries on industrial cooperation. The group also discussed the trade aspects of development policies and noted the progress made on this topic in the multilateral trade negotiations.

by their spokesman.

As it immediately followed the seventh Special

shared the same concerns through a declaration

As it immediately followed the seventh Special Session,² the thirtieth Session devoted relatively little time to economic matters. The consensus hoped for in order to maintain the climate of cooperation which had prevailed at the Special Session did not emerge from the mid-term review of the international development strategy for 1970-80, despite prolonged consultations, in which the Community participated.

The Conference on International Economic Cooperation¹ was invited to inform the General Assembly at its thirty-first Session of the conclusions of the Paris meeting. The Assembly also invited the Member States to apply the measures adopted at the Special Session rapidly.

Although the Nine did not vote in identical fashion throughout the thirtieth Session their voting behaviour did on the whole reflect the convergence of views of the Member States of the Community. A large number of joint declarations made on behalf of the Community enabled it to consolidate its influence in the United Nations.

United Nations

General Assembly

2325. The thirtieth Session of the United Nations General Assembly—which ended on 17 December and at which the Community participated as an observer—was dominated by the problems of the *Middle East*.

In particular the Assembly adopted a resolution considering Zionism as a form of racism and racial discrimination, which the nine Member States of the Community voted against. In another resolution it requested that the Palestine Liberation Organization be invited to take part in the efforts to achieve peace in the Middle East. Although the Nine did not vote in the same way on this matter they did, however, state that they

EFTA countries

Joint Committees

2326. Six of the Joint Committees set up under the agreements between the European Economic Community and the EFTA countries met in December: the EEC-Norway and EEC-Switzerland Joint Committees on 1 December, the EEC-Austria and EEC-Iceland Joint Committees on 2 December, the EEC-Sweden Joint Committee on

Points 1201 to 1207.

² Bull. EC 9-1975, points 1101 to 1104.

10 December and the EEC-Finland Joint Committee on 11 December. These meetings were immediately followed by meetings of the Joint Committees set up under the agreements between the ECSC and five EFTA countries (the ECSC-Iceland Agreement does not provide for a committee of this kind).

At these meetings the delegations examined the functioning of the various agreements and held a wide-ranging discussion on current international economic problems and the situation in the iron and steel market.

The Joint Committees also approved two Customs Committee decisions on abolition of the system of reimbursing import duties and on simplification of the EUR. 1 and EUR. 2 movement certificates. In accordance with a Council Regulation of 18 December¹ the former decision will enter into force on 1 January 1976 and the latter on 1 February 1976. The Customs Committees also examined proposals for amending certain rules of origin.

Austria

2327. On 6 December Austria took a safeguard measure (on the basis of Article 26 of the agreement) by introducing a minimum price for imports of tights, regardless of which country they come from. The validity of this measure, which was taken after consultation, is disputed by the Community.

2328. On 9 December² the Community re-established the customs duties applicable in respect of third countries on certain types of paper and paperboard coming from Austria since imports into the Community of these products had *exceeded* the level of the reduced-duty indicative ceilings.

Mediterranean countries

Overall Mediterranean approach

2329. At its meeting of 9-10 December the Council agreed on certain directives to be given to the Commission with a view to the opening of negotiations with *Egypt*, *Jordan*, *Lebanon* and *Syria*. The text of the directives is to be finalized very shortly.

The Commission had proposed in January 1975³ that the Council embark upon a new phase under the 'overall approach'—the broad lines had been mapped out in a Commission memorandum in 1972—and open negotiations with the Mashrek countries.

Greece

2330. The EEC-Greece Joint Parliamentary Committee held its tenth meeting in Rome from 8 to 10 December 1975. It discussed in detail the main questions concerning relations between the two parties, in particular the problems regarding Greece's application to accede to the Community. In addition, the Joint Committee discussed the development of the association (preparation of a second financial protocol and harmonization of agricultural policies), matters relating to the social sector and the political situation in the Mediterranean region.

At the end of its work the Joint Parliamentary Committee adopted three recommendations, in which it expressed *inter alia* the hope that the Commission opinion on Greece's application to accede to the Community would be presented rapidly and that negotiations would be started as

OJ L 338 of 31.12.1975.

² OJ L 320 of 11.12.1975.

³ Bull. EC 1-1975, point 2318.

soon as possible. The Joint Committee stressed the need to orient the development of the association systematically in order to facilitate Greece's accession to the Community and requested that special importance accordingly be given to the harmonization of agricultural policies, the conclusion of the second financial protocol and social matters.

2331. At its meeting on 9 December, the Council of the European Communities took note of a report on the progress made in harmonizing agricultural policies and drawing up directives for the conclusion of the second financial protocol. The Permanent Representatives were invited to give this file 'the priority appropriate to it', so as to enable the Council to act as soon as possible.

Turkey

2332. At its meeting on 9 December the Council noted the Turkish Government's unfavourable reaction to the supplementary agricultural concessions proposed by the Community at the EEC-Turkey Joint Committee meeting held in Brussels on 5 December. The proposals were made under Article 35 of the additional protocol, which provides for a review every two years of the arrangements concerning agricultural products contained in this protocol. The Council will in due course adopt a position on the matter.

Malta

2333. The negotiations for the conclusion of a protocol with Malta were completed on 22 December; the two delegations were able to reach an ad referendum agreement on the content of this protocol, which provides for the extension of the present EEC-Malta Association Agreement to include cooperation and agriculture and the adaptation of this Agreement to take account of the enlargement of the Community.

With regard to cooperation the protocol covers economic and technological cooperation and con-

tains a financial arrangement, which is to last five years and involves 26 million u.a., comprising loans from the European Investment Bank, grants and special loans. As regards agriculture, the Agreement covers the products which are traditionally exported on to the Community market by Malta, such as flowers and certain horticultural products.

Tunisia and Morocco

2334. On 30 December¹ the Council extended again, for a period of six months (until 30 June 1976), the arrangements applied by the Community to trade with Tunisia and Morocco, pending the conclusion of new EEC-Tunisia and EEC-Morocco Association Agreements.²

Portugal

2335. At its meeting on 9 December the Council examined all the points still open as regards the preparation of the directives required for the opening of negotiations with Portugal with a view to developing the 1972 Agreement. After making some progress the Council agreed to resume its examination of this file at the beginning of 1976 'with the intention of reaching a final decision then'.

Egypt

2336. The negotiations conducted with Egypt on the supply to that country of agricultural products coming from the Community—the opening of the negotiations was decided by the Council

¹ OJ L 337, 31.12.1975.

The negotiations with these two countries were completed in January.

on 24 November -- led to the drafting of an outline agreement and of exchanges of letters.

This draft agreement provides for the supply of approximately 1 million t of wheat (or the equivalent in flour) during 1975/76, 75 000 t of white sugar, approximately 11 000 t of frozen beef and veal and corned beef, 10 000 t of skimmed-milk powder and 5 000 t of compound feedingstuffs over a period of one year from the date of entry into force of the agreement. The draft outline agreement also specifies the prices at which the products will be supplied.

On 30 December the Commission transmitted a communication to the Council on the outcome of these negotiations, recommending that the Council formally conclude the agreement.

Yugoslavia

2337. At its meeting on 9 December the Council examined a suggestion from the Chair for the establishment of financial cooperation with Yugoslavia. Although it was not able to reach a final decision it agreed to reexamine this matter at the beginning of 1976 in order to finalize its position.

A mission to provide information on the generalized tariff preferences visited Yugoslavia from 1 to 4 December following the decisions taken by the EEC-Yugoslavia Joint Committee last July.2 During their discussions the representatives of the Community and of Yugoslavia had a wide-ranging exchange of views on the trend of EEC-Yugoslav trade under the generalized system of preferences.

2339. During its part-session of 15-19 December the European Parliament adopted a resolution on the Agreement concluded on 11 May 1975 between the Community and the State of Israel.3

African, Caribbean and Pacific countries

ACP-EEC Convention of Lomé

Ratifications

2340. During December six Community States and six ACP States deposited their instruments of ratification of the Convention, thus bringing the number of countries that had completed the ratification procedures to seven Community States and thirty-nine ACP States at end 1975.

The ACP States that deposited their instruments of ratification with the General Secretariat of the Council of the European Communities were the following: Barbados, Ethiopia, Gabon, Guyana, Mali and Swaziland. There are only seven more ratifications to come. Of the Community States only Ireland and Italy have not yet ratified the Convention.

Yaoundé Convention

European Development Fund

Use made of projects financed by the EDF

2341. On 30 December the Commission forwarded to the Council its report on the implementation and utilization of aid by the recipient Associated States, Countries and Territories in 1974. The report is centred on a study of a number of projects in the health sector, which is one of the areas given priority by the second Yaoundé Convention. It reviews twenty-four completed projects in the health field, of which sixteen were health infrastructure projects (construction of hospitals, health units, dispensaries.

Bull. EC 11-1975, point 2338. Bull. EC 7/8-1975, point 2345.

Point 2408.

other health establishments, etc.) and eight involved temporary operating aid (technical assistance, financing of operating costs). The projects examined concern the following countries: Cameroon, Dahomey, Madagascar, Mauritania, Niger, Somalia and Upper Volta. The total amount involved in these projects (30 million u.a.) represents 30% of total commitments for health projects from the resources of the three Funds (101 million u.a.).

Administration of financial and technical cooperation

2342. Also on 30 December the Commission presented to the Council its report on the administration of financial and technical cooperation in respect of the *Overseas Countries*, *Territories and Departments* in 1974.

New financing decisions

2343. Following the favourable opinion delivered by the EDF Committee, the Commission approved on 15 and 22 December 1975¹ nine new financing decisions involving a sum of 21 158 000 u.a. from the second and third EDFs. The decisions concern three projects financed by loans on special terms involving a total of 9 244 000 u.a., an advance of 1 450 000 u.a. for a trade promotion scheme and five projects to be financed by grants involving a total of 10 464 000 u.a.

Ivory Coast — Korhogo water supply: CFAF 270 million, or approximately 1 032 000 u.a. financed by a loan on special terms under the second EDF. The project concerns the improvement and extension of the system supplying drinking water to the town of Korhogo (population 40 000), an important centre in the country's northern region.

Senegal — Creation of a small-scale market-gardening area: CFAF 1 200 million, or approxima-

tely 4 593 000 u.a. (second and third EDFs) in the form of a loan on special terms. In May 1974 the Commission approved the financing by a loan on special terms of the project 'Development of large-scale market-gardening—Bud-Senegal'. The amount involved was 4 321 000 u.a. Because of financial difficulties the Government has modified the scheme and now proposes a project for the dissemination of market-gardening techniques among peasant farmers. The new project concerns an area of 180 h in the Cap Vert region. It replaces the initial project which is, therefore, cancelled.

Congo — Realignment of the Congo-Ocean Railway (CFCO): CFAF 1888 million, or 7230000 u.a. (third EDF), of which 50% will be financed by a loan on special terms and 50% by a grant. The Congo-Ocean Railway links the port of Pointe-Noire with the port of Brazzaville. Participation in the financing of this project involves the modernization of about 87 kilometres of existing track between the towns of Holle and Loubomo. This section, which was built in 1930, can no longer cope with the traffic using it (wood, manganese, fuel, cement, foodstuffs).

Benin (formerly Dahomey) — Construction and equipping of the Abomey provincial hospital: CFAF 665 million, or approximately 2 545 000 u.a. (third EDF). The purpose of the project is to improve the health infrastructure of the province of Zou by the construction in Abomey of a 232-bed provincial hospital to replace the existing 'ambulance', which will be transformed into a health centre. Technical assistance and training schemes are also planned.

Burundi — Repairing and asphalting National Highway 1: F Bu 167 million, or approximately 1870 000 u.a. (third EDF). The project concerns supplementary financing to complete National Highway 1 from Bujumbura (capital) to the Rwandese frontier. Financing was approved in 1971. The excess expenditure was incurred as a

Bull. EC 12-1975 77

¹ OJ C 2 of 6.1.1976.

result of technical adjustments which proved essential in the course of the work and the rise in prices.

Rwanda — Electricity infrastructure. Construction of transmission lines: RF 254.8 million, or approximately 2310000 u.a. (third EDF). This project also concerns supplementary financing made necessary by the general rise in prices to complete projects in the energy sector financed by the EDF in 1972 and 1973 and involving a total of 6454000 u.a. The works involved are the construction of the high-voltage line from Kigali to Kigoma, constituting the backbone of the Rwandese electricity network, and the construction of 126 km of lines forming the medium-voltage southern network and the 19 km medium-voltage line from Shagasha to Gisakura.

All ACP States

- Fixing an overall amount for the *review 'The Courier'* for the period 1 January to 30 June 1976: 90 000 u.a. (third EDF). This financing operation concerns the review 'The Courier', which appears every two months in French and English, with a total of around 30 000 copies. The review continues to provide a link with former scholarshipholders and trainees and provides ACP nationals with substantial information on the various aspects of the Yaoundé and Lomé Conventions.
- Fixing an overall amount for the *programme* of seminars from 1 January 1976: 30 000 u.a. (third EDF). The project concerns the financing of a programme of eight seminars in Europe and a number of briefing sessions in African universities or training establishments. These seminars are intended for nationals of the Associated States. Their aim is to provide information on the whole spectrum of relations existing in the context of the Association.
- Financing the programme of participation in international trade events during 1976: an advance of 1 450 000 u.a. (third EDF). The purpose of this

advance, which will be recovered from the fourth EDF after the entry into force of the new Convention, is to enable the Community trade promotion programme to continue. It will make it possible for all ACP States to take part in international fairs and specialized exhibitions during 1976.

With these financing decisions, commitments under the third EDF now total 852 409 000 u.a. for 323 financing decisions taken since this Fund began to operate.

Non-member countries

Industrialized countries

Japan

2344. The seventh round of high-level consultations between the Community and Japan took place in Brussels on 11 and 12 December. The discussions dealt with both international questions and bilateral matters.

The Commission delegation reiterated its concern regarding the Community's deficit in trade with Japan, which increased again from \$2 000 million in 1974 to \$2 200 million in 1975. In this context the delegation stressed the importance of the car sector: during the period January-September 1975 the Community imported 269 000 vehicles from Japan but supplied only 21 600 in return.

The Community had already stated its concern on this matter on 24 October 1975 when it approached the Japanese Government and requested in particular that it review its country's practices as regards roadworthiness tests on imported vehicles. Japan is prepared to tackle this problem

with an open mind. It was agreed at the talks that contacts would take place at expert level in order to find practical solutions to this question.

Developing countries in Asia and Latin America

Mexico

2345. The Joint Committee set up by the Agreement signed on 15 July 1975¹ between the European Economic Community and the United Mexican States held its first meeting in Brussels on 1 and 2 December 1975, one month after the entry into force of the agreement.

It adopted its rules of procedure and established its work programme, which comprises activities directly related to the trade arrangements and to economic and trade cooperation. It also decided to set up a subcommittee to examine the various points of this work programme with a view to:

- singling out the aspects on which the Joint Committee would be able to come to 'operational' conclusions;
- establishing—by reference to the various aspects of the situation in the Community and in Mexico—the priorities to be adopted in order to achieve the other items on the work programme so that at its next meeting the Joint Committee can organize its future work.

The second meeting of the Joint Committee will be held in Mexico during the second half of 1976.

Argentina

2346. The Joint Committee set up by the Trade Agreement signed on 8 November 1971 between the European Economic Community and the Argentine Republic held its annual meeting in Brussels on 4 December 1975.

With regard to the application of the agreement

the Argentine delegation stated that it hoped to see cooperation increased in the agricultural field, for instance in order to find solutions to the problems of Argentine exports to the Community. Contacts will take place at the beginning of 1976 between experts of the two parties in order to study these matters.

With regard to the pattern of trade the Argentine delegation showed its concern at the state of its country's trade balance with the Community and hoped that the Community would resume normal application of import arrangements in the beef and veal sector as soon as possible. For its part, the Community delegation pointed to the ways in which the safeguard clause had already been relaxed in respect of beef and veal and hoped that the market trend would permit progressive improvement of the situation as a result of concerted international action.

The Joint Committee also examined the possibility of increasing trade in industrial products through wider use by Argentina of the Community's generalized preferences scheme, for at present it makes no more than marginal use of it.

2347. The Trade Agreement between the Community and Argentina—which expired at the end of December 1975—was extended for a period of one year by means of an exchange of letters which took place on 19 December in Brussels.² It is planned to negotiate a new agreement and the exploratory phase of the negotiations should open in the early months of 1976.

Meeting between the Community and Latin American countries

2348. The second session of the sixth meeting between the European Communities and the Latin American countries which are members of the Special Committee on Latin American Coordination (CECLA) was held in Brussels on Friday

Bull. EC 6-1975, point 2351 and 7/8-1975, point 2358.

OJ L 330 of 24.12.1975.

12 December. This meeting, which took place at ambassadorial level, came under the procedures provided for by the joint declaration adopted on 18 June 1971.

The discussions dealt firstly with overall relations between industrialized and developing countries.

In this context the Latin American countries referred specifically to the seventh Special Session of the United Nations General Assembly, the Paris Conference on International Economic Cooperation and the establishment of an International Fund for Agricultural Development under the auspices of the FAO. They stressed that these events could bring a new impetus to the EEC-Latin American dialogue and make it more relevant and dynamic. The Head of the Community delegation particularly emphasized the spirit of dialogue and readiness for cooperation with which the Community intended to contribute towards this work and the objectives it had set itself in order to attain in particular a more just and more equitable economic order.

The two parties had a particularly frank and detailed discussion on the application of the Community's development cooperation policy, particularly as regards Latin American countries, which enabled them to clarify their respective positions on this subject. The discussions were chiefly concerned with the following problems raised by the Latin American countries: criteria for application of the policy, cooperation in regional integration, generalized preferences, trade cooperation, impact of the EEC's preferential arrangements on Latin American exports, Community policy on agricultural exports. The talks then dealt with certain problems raised by the Latin American countries regarding exports of beef and veal and bananas to the Community.

The representatives of the Latin American countries showed their concern at the measures taken by the Community—especially as regards meat—which affect countries that are its traditional suppliers. The Commission representative

stressed the world aspect of the crisis in this sector, recalled the efforts made by the Community to maintain trade flows and emphasized the need for cooperation on a world scale between exporting and importing countries.

At the end of their work the two parties noted that the dialogue between the Community and Latin America was a useful instrument for assessing, at political level, their respective positions on any problem of common interest. The Latin American countries hoped that this dialogue would be intensified, for instance with a view to convening a ministerial conference, which would be the start of a new phase in the cooperation begun in 1971.

A delegation from the Central American Common Market visits the Community

2349. Within the framework of technical assistance to regional integration between developing countries, representatives of the Central American Common Market—leading figures in the five Member States and a representative from the secretariat of the CACM—visited the Community institutions from 27 November to 18 December 1975.

They learned about the Community structure and the links between the institutions and between the institutions and the Member States.

The delegation had meetings with senior officals of the Commission and were also received by the Council, the Court of Justice, Parliament and the Economic and Social Committee.

State-trading countries

2350. On 18 December 1975¹ the Council adopted a decision fixing for 1976 the Member

¹ OJ L 332 of 29.12.1975.

Non-member countries

4. Institutions and organs of the Communities

States' autonomous quotas for imports from state-trading countries. Compared with the quotas opened by the Council decision of 27 March 1975 on autonomous arrangements, those adopted for the new year contain certain changes adapting them to the foreseeable economic situation on the Community market for 1976.

2351. The present version of the *list of products* annexed to the Council regulation of 19 December 1969² establishing *common rules for imports* from state-trading countries was published in the Official Journal of the Communities.³

2352. Under the Act of Accession—and by derogation from its regulation of 19 December 1969—the Council authorized the *United Kingdom* to maintain until the end of 1977 at the latest the quantitative restrictions applied by that country to imports of flaw or ramie yarn from state-trading countries because of the difficulties in the textile industry, which is directly concerned.⁴

Diplomatic Relations

2353. On 9 December 1975 the President of the Council and the President of the Commission received His Excellency Mr Eduardo Echeverria-Villafranca (Costa Rica), who presented his credentials as head of his country's mission to the European Communities (EEC, ECSC, EAEA),

The new Ambassador takes over from H.E. Mr Manuel Dobles, Sanchez, Head of the Costa Rican Mission to the European Economic Community, whose appointment ended on 31 August 1974.

1 OJ L 99 of 21.4.1975.

European Parliament

2401. The European Parliament, sitting in Strasbourg from 15 to 19 December, adopted the Community's general budget for 1976.

As Italy's term in the Chair of the Council drew to a close, the President, Mr Rumor assessed the Council's work over the last six months. He also reported on the outcome of the meeting of the European Council of Heads of Government in Rome on 1 and 2 December.

Other subjects in the part-session included: fixing the ECSC levy rate, the urgent debate on Chile, the debate on European defence policy, discussion of the EEC-Israel Agreement in the presence of a delegation from Israel and the Commission's oil report.¹

General budget for 1976 (16 and 18 December)

2402. By 121 votes to 3 with 5 abstentions, Parliament adopted, on 18 December, the Community's general budget for 1976. In this second phase of the budget procedure, the House confirmed amendments it had adopted in November involving a total of 102 900 301 u.a. In the initial phase of the procedure in November, Parliament called for amendments 321 460 285 u.a. and not confined itself to the margin of manoeuvre allotted to it under the Council interprets Treaty (which the 66 000 000 and Parliament as 78 000 000 u.a.).

The complete texts of the Resolutions passed by Parliament are reproduced in OJ C 7 of 12.1.1976 and the verbatim report is containable.

ned in OJ Annex No 197.

² OJL 19 of 26.1.1970.

³ OJ C 287 of 15.12.1975.

OJ C 291 of 19.12.1975.

 $^{^{\}rm I}$ This report was prepared from the German edition of the report on proceedings published by Parliament's Secretariat. The political group and nationality of members are indicated in bracket by the following abbreviations: C-D = Christian Democrats, S = Socialists, L = Liberals and Allies, C = European Conservatives, DEP = European Progressive Democrats, COM = Communists and Allies; B = Belgium, DK = Denmark, D = Federal Republic of Germany, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

With its first-phase amendments, the House wanted to persuade the Council to make the necessary changes to the draft in order to make the budget into a serviceable 'political instrument'.¹

But on 3 December, the Council dashed Parliament's hopes, increasing the draft budget by only 90 700 000 u.a.² It accepted only four amendments as they stood, six in a modified form and rejected the remaining thirty-one. Although it voted increases of only 102.9 million u.a. when it adopted the budget on 18 December, the House did win acceptance for the principle of an extension of its margin of manoevre and succeeded in getting the Council to accept the increases voted as the new rate of increase for 'non-compulsory' expenditure.

In the debate the rapporteur, Mr Cointat (DEP/F) was, generally speaking, pleased with the results of the 'trialogue' between the Council, Parliament and the Commission as part of the conciliation procedure on the budget, which had enabled the draft budget to be worked out. He said that the most important result was that the scope Parliament had for increasing appropriations was no longer questioned by anyone. It had also been shown that the present budgetary procedure, including the maximum rate of increase and determination of expenditure categories, on which Parliament within its 'margin of manoevre' had the final say, was scarcely practicable. He commended the Council's good will, which had allowed Parliament's desired amendments to be very carefully considered.

Despite the results from the procedure angle, which he described as 'encouraging' and which had prompted Parliament to finally adopt the budget, the House was not satisfied with the outcome in terms of figures. Mr Cointat confirmed the basic viewpoints: Parliament was asking for nothing more and nothing less than recognition in practice of its scope for increasing appropriations. For the near future the following issues had still to be clarified: handling of supplementary budgets, expanding the concept of commit-

ment authorizations, the structure of the budget and the inclusion of loans. Basically Parliament was insisting on amendments to the budgetary rules in the Treaties, the definitive introduction of the system of own resources, protection of budgetary principles and cooperation between the institutions.

The Council President, Mr Fabbri had to acknowledge that the present budgetary procedure was complicated and unclear. He put this down to the fact that we were still in a kind of experimental phase. He did not rule out improvements for the future, to which the President of the House, Mr Spénale, replied that they were urgently needed bearing in mind the direct elections.

For the Socialist Group, the Chairman of the Committee on Budgets, Mr Lange (S/D) pointed out that opinions differed in the overall assessment of the procedural aspects. His Group certainly endorsed the amendments but had also weighed the possibility of their being rejected. Feeling that radical differences of opinion still existed between Parliament and the Council, he proposed that for the future a preparatory 'trialogue' be initiated: before the budgetary procedure actually started, Parliament, the Council and the Commission should agree during May-June on the political form of the budget and voluntarily commit themselves by a public statement of their intentions. There should be no waiting until the direct elections to spell out Parliament's powers.

Mr Aigner (C-D/D) said that the budget was the most that could be achieved, the Council having been pushed to the limit. The difficulties still unresolved were rooted in the system. What were needed in future were majority decisions in the Council and a revision of budgetary rules. He said it was wrong to assume that the increase in Community expenditure had to be aligned on the increase in expenditure in the Member States. If there was to be gradual integration, it was normal

Point 2453.

Bull. EC 11-1975, points 2404 and 2467.

that national expenditure should decline and the Community budget increase. He stressed that the House had not encroached on the agricultural budget so as not to create the false impression that the common agricultural policy was not working.

Mr Bangemann (L/D) did not agree with this and urged that a more critical look be taken at the agricultural policy. Unlike Mr Lange, he felt that the idea of rejecting the budget was this year inappropriate, since this would run against the generally positive trend of development. For the future he called on the House to drum up the support of the Member States' Parliaments. Discussing the amendments, he felt that the appropriation for development aid was inadequate, since it served as a guide for Member States' bilateral efforts.

The six-hour debate led to the following conclusions:

- (i) With the exception of the Communist Group, the Groups agreed unanimously to accept the outcome of the budget dialogue.
- (ii) The budgetary procedure of Article 203 of the EEC Treaty had not proved successful in practice and must therefore be changed.
- (iii) The budget was politically not what everyone wanted but was not as bad as had been feared.

In his concluding remarks, Mr Cointat did not, however, rule out the possibility of the 1977 budget being rejected, if a uniform basis of assessment for VAT—essential for the own resources system—was not established.

Mr Cheysson, Member of the Commission, said he was satisfied on the whole, since there had been a real political dialogue between the institutions. The House had won a victory, obtaining from the Council recognition of its role as one of the budgetary authorities, for the Council had come round from its original viewpoint. The new 'political dimension' in the budgetary dialogue was a noteworthy feature.

ECSC levy for 1976 (18 December)

2403. Parliament recommended the Commission to maintain the ECSC levy for 1976 at 0.29 %.

The rapporteur, Mr Bangemann (L/D), asked the Commission when determining the methods of payment to consider the difficult position of the companies concerned. The debate centred on whether or not further reliefs should be provided for the ECSC industries, support coming from the spokesmen for the Christian Democrats, the European Progressive Democrats and the Conservatives. The spokesmen for the Socialists and the Liberal and Allied Group rejected measures based on the 'watering-can principle', which is what they felt the Christian Democrats were proposing. The Resolution motion of the Committee on Budgets was passed by a majority in its original form.

Financial mechanism (16 December)

2404. The mechanism for correcting Member States' financial contributions to the Community budget, which the Commission² developed on the instructions of the European Council of Heads of Government meeting in Dublin³ is intended to reduce the financial contribution of countries in economic difficulties by means of a series of complex calculations.

In its Resolution the European Parliament notes that the Council had already taken a decision in principle on 10 and 11 March 1975 on the proposal before it and that this decision was an important factor in the negotiations which preceded the British referendum of 5 June 1975. Parliament considers, therefore, that there was no point in consulting it after the event on the proposal for a regulation and confines itself to taking

¹ Bull. EC 10-1975, point 2465, 12-1975, point 2454.

² JO C 201 of 3.9.1975.

³ Bull. EC 3-1975.

note of the proposal. Finally it affirms that it cannot accept that in future such decisions affecting certain fundamental financial provisions should be taken without Parliament's active participation.

State of the Community at the end of Italy's term in the Council Chair (17 December)

2405. Mr Battaglia, President of the Council and State Secretary in the Italian Foreign Ministry, described Italy's term as President as one in which tangible progress had been made. With Luxembourg about to take over the Chair on 1 January 1976, Mr Battaglia assessed the Council's work during Italy's term of office.

The Italian aim had been to give further impetus to the political drive of the Community by a strategy of limited but practical moves. Although nationalist interests had been vigorously defended, some success had also been achieved: in the institutional field there had been the decisions of the European Council meeting in Rome on 1 and 2 December on direct elections to Parliament from 1978 and on Customs Union, the Council decisions on the European Court of Auditors and Parliament's budgetary powers, the tripartite conference between the two sides of industry, the Commission and the ministers responsible for economic and social policy, and the cooperation between the Nine in international assemblies (CSCE, UN).

European personal documents

A debate followed on the Council statement and on an oral question by the DEP Group calling for the introduction of European personal documents such as identity papers, driving licences and family record books. During the debate the spokesmen for all the groups expressed their appreciation of the Council's activities to the outgoing President. The following were seen by all as areas for priority action, although views on the order of priority varied: combating unemployment, improving the dialogue at the social conference, the need for a Council decision on direct elections and strengthening the Parliament's powers and the consultations which had just begun on international economic cooperation (North-South Dialogue) in Paris. Other statements concerned agricultural policy, economic and monetary union and the passport union.

In conclusion Mr *Battaglia* described the question of passports raised by various Members as psychologically important but not politically decisive. In reply to specific and more detailed questions by delegates, he stressed that too much should not be asked of the Council. The EEC had clearly defined powers; anything more was 'wishful thinking'. He advised adopting a pragmatic attitude in political matters.

During the discussion Mr Gundelach, Member of the Commission, made a statement on the recent import measures taken by the United Kingdom which, he said, did not concern the EEC countries and did not involve quantitative restrictions. The Commission had informed the British Government that it considered these measures inappropriate.

European foreign policy and defence (15 December)

2406. Parliament adopted a Resolution, from which the Socialists and Communists abstained, on the connection between political cooperation between the Nine and a European defence policy. The House regretted the disparity between the progress made in harmonizing foreign policies of the Member States of the Community and the lack of progress in harmonizing defence policies.

It called upon the Governments of the Nine to examine means of achieving the objectives of rationalizing armaments production, logistics and military infrastructure in the context of political cooperation. An agency aimed at the joint manufacture of weapons would ensure a more rational distribution of arms expenditure.

The debate centred less on practical aspects than on the basic question of whether Parliament should have powers in defence matters. The rapporteur, Lord Gladwyn, (L/UK) did not think the question arose. He saw no reason why such matters should not be discussed publicly in Parliament. The spokesman for the Socialist Group, Mr de Freitas (S/UK) had no objections of principle but found that even now Parliament did not have enough time to deal with existing economic and social problems. Other assemblies existed for discussing defence questions.

Mr Klepsch (C-D/D) and Mr Krall (L/D) were in favour both of the content and the principle of the resolution. They thought the winter meeting of the NATO Council which was being held at that moment in Brussels was a good opportunity to make a signal statement and to point to the importance of close cooperation. Mr Kaspereit (DEP/F) felt that the question to answer was what kind of defence system was wanted for what kind of Europe. Mr Blumenfeld (C-D/D) regarded France's participation in the debate as a positive sign. Mr Fabbrine (COM/I) spoke of fleeing forwards. Vice-President, Mr Scarascia Mugnozza expressed the Commission's support for setting up a European arms agency.

Moving the Commission Delegation from Santiago (18 December)

2407. Parliament requested the Commission to reconsider the question of the location of the Commission Delegation for Latin America which was at present in Santiago. The House felt that the Office should be moved to another South

American capital if no fundamental change occurred in the situation in Chile in the foreseeable future. Parliament also noted with displeasure the continued violation of human and civil rights in Chile and expressed its solidarity with the Chilean people. The resolution was first tabled by the Socialist Group in July 1975. During the brief discussion, the spokesmen of all the groups approved the resolution. Mr Gundelach, Member of the Commission, promised that the Commission would take Parliament's position into consideration in its decision.

EEC-Israel Agreement (18 December)

2408. The rapporteur, Mr Patijn (S/NL) considered that the EEC-Israel Agreement¹ signed on 11 May 1975 should be viewed as a contribution to peace in the Middle East. Parliament called for the conclusion in due course of an additional protocol on economic and financial cooperation. It also recommended adopting a consistent policy towards all Mediterranean countries, hoping in particular for a rapid conclusion to the negotiations with the Maghreb countries and Malta and the early opening of negotiations with the Mashrek countries.

A delegation from the Israeli Parliament (Knesset), headed by the former Foreign Minister, Mr Abba Eban, attended the debate.

Behaviour of the oil companies (17 December)

2409. Mr Borschette, Member of the Commission, made a statement on the oil report. The comprehensive report presented by the Commission,² which the House will debate at a later partsession, contains a structural analysis of the Eu-

Bull. EC 5-1975, point 2334.

Point 2112.

ropean oil industry and an analysis of the oil crisis and its consequences and of relations between oil companies and the public authorities in the individual Member States. In its conclusions, the Commission points out that the companies had proved their efficiency during the crisis but that the problem of the relationship between responsibility and power also arises here. Mr Borschette called for a thoroughgoing dialogue between the companies, to which he attributed a technical role, and the Community, which should play the political role.

DRAGON project (17 December)

2410. On 17 December Parliament requested that the Community should continue with the Dragon high-temperature reactor project. The very animated discussion was sparked off by an oral question by Mr Hougardy (L/B) and a motion for a resolution tabled by the European Conservative Group. In an Agreement within OECD the Community has a 50.7% share in the reactor project, which dates back to 1969. The Agreement will expire on 31 March 1976 since the British Government had rejected another extension.

Speakers from various groups supported the request for at least a temporary extension of the project. Mr Flämig (S/D) called for follow-up projects. But Mr Brunner, on behalf of the Commission, expressed pessimism, because, regardless of the project's importance to research and industry, the difficulties involved were enormous, and virtually insurmountable.

Council

The European Council met for the third time in December.

Apart from this, the Council proper held nine meetings devoted to the budget, the environ-

ment, foreign affairs, education, transport, research, agriculture, the Community patent and social affairs.

European Council (Rome, 1 and 2 December)

2411. President: Mr Moro, Italian Prime Minister.

From the Commission: Mr Ortoli, President, Mr Haferkamp, Vice-President.

This meeting of the European Council was devoted mainly to the economic and monetary situation, the budget and financing of the Community, the election of the European Parliament by direct universal suffrage, the passport union and the Conference on International Economic Cooperation.¹

370th meeting — Budget (Brussels, 3 December 1975)

2412. President: Mr Fabbri, Deputy State Secretary, Italian Ministry of the Treasury.

From the Commission: Mr Ortoli, President; Mr Cheysson and Mr Brunner, members.

Meeting with the delegation from the European Parliament: Before holding its own discussions on the 1976 budget, the Council met a delegation from Parliament led by Mr Spénale, its President, the other members being Mr Lange, Chairman of the Committee on Budgets, Mr Cointat, rapporteur, Mr Aigner, Mr Betrand, Mr Kofoed, Mr Delmotte and Mr Deschamps. The Commission was also represented at the meeting.

The meeting provided the President and members of the Council with an opportunity to take note of the political views of the Parliamentary

 $^{^{1}}$ A detailed account of the Rome meeting is given in Bulletin 11-1975, points 1101 to 1107.

delegation on the draft third supplementary budget for 1975 to which the Council had agreed. As regards the amendments and proposed modifications to the draft budget for 1976, the Parliamentary delegation stressed the importance which it attached to a political discussion on guidelines for budget policy, in particular the options available in deciding on priorities and the progress made by the Community in introducing the own resources system.

The Council and the Parliamentary delegation went on to a frank and constructive dialogue on several basic points raised by the budgetary procedure and the 1976 budget, in particular as regards the maximum rate and the margin for manoevre available to Parliament as regards the increase in non-compulsory expenditure and the development of the overall budget volume.

The two sides welcomed the open-minded spirit of their meeting, for they were now closer to an understanding on the main points of budgetary policy and this augured well for the future.

1976 General Budget: In its subsequent discussions on the 1976 budget the Council bore in mind the concern expressed by the Parliamentary delegation and the main points of their discussion.

At the end of its debate the Council came to its decisions on Parliament's amendments and proposed modifications to the draft 1976 general budget.

As regards non-compulsory expenditure, the Council agreed to increase the figure given in the draft budget drawn up on 29 September by an overall amount of 90.7 million u.a. It proposed a number of modifications to the main amendments made by Parliament to the principal items of the draft budget, namely the proposal of 35 million u.a. for research, 35 million u.a. for the Social Fund and 20 million u.a. for financial cooperation with non-associated developing countries.

371st meeting — Environment (Brussels, 8 December)

2413. President: Mr Pedini, Italian Minister of Scientific Research.

From the Commission: Mr Scarascia Mugnozza, Vice-President.

Dangerous substances discharged into the aquatic environment: The Council agreed to the principle of a system based on emission standards while allowing for the possibility, as an exception, of using quality objectives in certain circumstances.¹

Protection of the Rhine against chemical pollution: The Council authorized the Commission to take part in the negotiations for the Convention on the protection of the Rhine against chemical pollution.²

The Council also adopted the directive on the quality of bathing water,³ a decision establishing a common procedure for the preparation and constant updating of an inventory of sources of information on the environment in the Community³ and a decision authorizing the Commission to participate in negotiations on an outline convention for protection of the Mediterranean against marine pollution.³

372nd meeting — Foreign Affairs (Brussels, 9 December)

2414. President: Mr Rumor, Italian Minister of Foreign Affairs.

From the Commission: Mr Ortoli, President, Mr Simonet, Vice-President, Mr Borschette, Mr Gundelach, Mr Cheysson, members.

Point 1502.

Point 1503.

³ Point 1504.

Election of the European Parliament: In the light of the conclusions reached by the European Council on 1 and 2 December, the Council continued its discussions on the election of the European Parliament by direct universal suffrage.

Discussion centred on the question of the distribution of seats: the principle of proportional representation and of minimum representation of the peoples of the Member States.

Passport Union: The Council instructed the Permanent Representatives Committee to continue finalizing provisions for the introduction of a uniform passport.

Conference on International Economic Cooperation: The Council prepared for the Conference on International Economic Cooperation and approved the Community's general position for the Conference.¹

Yugoslavia: The Council considered a suggestion from the Chair for the establishment of financial cooperation with Yugoslavia.

International Fund for Agricultural Development: The Council briefly discussed the Community's participation in the International Fund for Agricultural Development. It agreed to resume discussions at its next meeting.

Overall Mediterranean approach: The Council discussed relations with Malta,² the Mashrek countries,³ Greece⁴ and Portugal.

Relations with Canada: The Council briefly discussed the Commission's terms of reference for negotiating with Canada an outline agreement on trade and economic cooperation.

Protocol No 2 to the EFTA agreements: The Council discussed the possibility of adding other products from the Brussels Nomenclature to Protocol No 2 to the EFTA agreements.

373rd meeting — Education (Brussels, 10 December)

2415. President: Mr Malfatti, Italian Minister of Education.

From the Commission: Mr Brunner, member.

Action programme on education: The Council and the Ministers of Education meeting in the Council held a general debate on the present situation and the future possibilities for cooperation in education and decided to implement a Community action programme on education.⁵

374th meeting — Transport (Brussels, 10 and 11 December)

2416. President: Mr Martinelli, Italian Minister of Transport and Civil Aviation.

From the Commission: Mr Scarascia Mugnozza, Vice-President.

Bracket rates for the carriage of goods by road: The Council decided on a one-year extension of the Regulation on the introduction of a system of bracket rates for the carriage of goods by road between Member States.⁶

Adjustment of national schemes of taxation on commercial vehicles: The Council discussed the guidelines to be followed in adjusting national schemes of taxation on commercial vehicles.⁶

Points 1202 to 1204.

Point 2330.

Point 2329.

Point 2335.

⁵ Points 1101 to 1102.

Point 2283.

Community quota for the carriage of goods by road between Member States: The Council made no change to the provisions in force and extended them for one year.¹

Weights and dimensions of commercial road vehicles: The Council considered all the problems arising in connection with Community harmonization of the weights and dimensions of commercial road vehicles and with certain additional technical considerations.¹

Navigability certificates: The Council approved the directive on the reciprocal recognition of navigability certificates for inland waterway vessels.¹

Social harmonization: The Council examined in depth the various problems involved in adjusting Community legislation on the harmonization of social provisions in the field of road transport and, in particular, their adaptation for the implementation of the AETR in the Member States.¹

Community action on sea transport: At the initiative of the French Delegation, whose memorandum formed the basis of the discussion, the Council held an initial exchange of views on the development of Community action in the field of sea transport.

Temporary laying-up of vessels: On the basis of a Commission report the Council discussed a number of problems arising in the negotiation on the agreement for the implementation of regulations concerning the temporary laying-up of goods vessels on certain waterways.

The Permanent Representatives Committee was instructed to prepare a final agreement for approval at a forthcoming Council meeting.

The Council also noted the Commission's intention to submit a proposal shortly on the introduction of *summertime* to enable the Council to discuss the matter in due course and took formal note of a statement by the Belgian Delegation concerning the compulsory fitting of *rear fog lights* on new vehicles in Belgium.

375th meeting — Research (Brussels, 15 December)

2417. President: Mr Pedini, Italian Minister of Scientific Research.

From the Commission: Mr Brunner, member.

Objectives, priorities and resources for a common research and development policy: The Council held a policy debate on the objectives and priorities for the common science and technology policy, Community projects for achieving them and principles to be adopted for their implementation.²

Overall concept of the next multiannual JRC programme: The Council held an in-depth policy debate on the overall concept of the next multiannual JRC programme.²

Thermonuclear fusion: The Council examined in detail the problems arising in connection with the Commission proposal for a multiannual programme (1976-80) on controlled thermonuclear fusion and plasma physics, with particular reference to the Joint European Torus (JET).²

376th meeting — Agriculture (Brussels, 15 and 16 December)

2418. President: Mr Marcora, Italian Minister of Agriculture.

From the Commission: Mr Lardinois, member.

Agricultural price proposals for the 1976/77 marketing year: The Council took note of the Commission proposals for agricultural prices for the 1976/77 marketing year and announced its intention of

Point 2283.

² Point 2264.

deciding on the proposals at the earliest opportunity.1

Fisheries: The Council fixed the 1976 prices for fishery products.²

Mutton and lamb: The Council held a broad discussion on how to achieve the gradual establishment of a common organization of the market in mutton and lamb.

Beef and veal: The Council approved the regulation opening, allocating and providing for the administration of the Communication of the Community tariff quota for frozen beef and veal.³

Agriculture in Luxembourg: The Council adopted a regulation on agriculture in the Grand Duchy of Luxembourg.⁴

Ankara Foot-and-Mouth Disease Institute: The Council decided to contribute to financing expenditure on new equipment for the Foot-and-Mouth Disease Institute in Ankara.⁵

The Council also discussed olive oil,6 wine and milk products.

377th meeting — Signing of the Convention on the Community Patent (Luxembourg, 15 December)

2419. President: Mr Cattanei, State Secretary, Italian Ministry of Foreign Affairs.

The representatives of the Member States meeting in the Council signed the Convention on the Community Patent.⁷

378th meeting — Social Affairs (Brussels, 18 December)

2420. President: Mr Toros, Italian Minister of Labour and Social Security.

From the Commission: Dr Hillery, Vice-President.

Migrant workers: The Council approved a resolu-

tion on a programme of action in favour of migrant workers and their families.8

It agreed to the regulation concerning the compilation of statistics on foreign labour⁸ and a regulation amending the provisions relating to the trade union rights of the workers covered by the regulation on freedom of movement of workers within the Community.⁸ It further held an initial discussion on the proposal for a directive concerning the education of children of migrant workers.⁸

Finally, it discussed the Commission proposal for standardization within the Community of the conditions governing the payment of family allowances to workers in respect of members of their families living in a Member State other than the country of employment.

It noted that in the present circumstances the system set up by the regulation of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community should be maintained.

Equal treatment for male and female workers: The Council approved the directive on the implementation of the principle of equal treatment for men and women workers.⁸

Social Fund: The Council agreed to the decision on continuing assistance from the European Social Fund for persons employed in the textile industry and the extension of such assistance to persons employed in the clothing industry.⁸

Point 1401 to 1409.

² Point 2242.

Point 2447.

Point 2457.

⁵ Point 2454.

⁶ Point 2244.

Points 1301 and 1302.

⁸ Point 2215.

It also took note of the third report on the activities of the new European Social Fund (1974).

General budget of the Communities for 1976: The Council noted that Parliament had that day approved an increase of 102 900 301 u.a. in the total non-compulsory expenditure in the 1976 budget as compared with the draft 1976 budget established in first reading by the Council and that Parliament had agreed to a new rate of increase in non-compulsory expenditure corresponding to this increase.

The Council therefore recorded its agreement, as provided by the Treaties, to a new rate representing an increase of 102 900 301 u.a.² in non-compulsory expenditure.

Commission

Activities

2421. The Commission held four meetings in December, which centred on the follow-up to the European Council meeting in Rome,³ the course of the budgetary procedure, various aspects of the common agricultural policy and the problems of the steel market.

Agricultural prices: The Commission finalized its agricultural price proposals for the 1976/77 marketing year.⁴ They are motivated by the concern to ensure that earnings in agriculture on modern farms should be comparable with earnings in other activities, the resolve to re-establish a single Community market and the need to stop the trend towards structural surpluses in certain sectors.

Import arrangements for beef and veal: Taking account of experience gained in running the EXIM system,⁵ the Commission decided to ease the special arrangements for beef and veal from 1 January 1976.

British import restrictions: The Commission examined the selective controls on imports applied or contemplated by the United Kingdom. It adopted a number of provisions to put these measures into a Community context and wherever possible replace them by a Regulation negotiated with the countries concerned.

Problems involving export credits and guarantees: The Commission considered the matter of export credits and guarantees and elucidated its ideas on a European Export Bank; it adopted a Recommendation for a Council Decision authorizing negotiations to be opened for a gentleman's agreement on export credit.

Behaviour of oil companies: The Commission approved a report on the behaviour of the oil companies in the Community during the period from October 1973 to March 1974. The report is the culmination of an investigation which was made under the Commission's powers with respect to the competition rules.⁶

Steel problems: The Commission took a number of Decisions on steel. One of them establishes a system of statistical surveillance of steel imports from non-Community countries. It officially adopted the forward programme for the first quarter of 1976, which had been endorsed by the ECSC Consultative Committee. The Commission also decided to apply the consultation procedure provided by the ECSC Treaty on the question of whether to introduce minimum prices for steel products within the common market. At the same time the Commission took a hard look at the employment problems in the steel industry.

Point 2215.

² Point 2453.

³ Bull. EC 11-1975, point 1104.

⁴ Point 1401-1409.

⁵ Point 2247.

⁶ Point 2122.

⁷ Point 2258.

Social Fund: The Commission adopted a third and fourth tranche of European Social Fund operations for 1975.

Social legislation relating to road transport: After the Council meeting of Transport Minister on 10 and 11 December, the Commission agreed to consult workers and employers officially before adopting its proposals for amending Council Regulation of 25 March 1969 on the harmonization of certain social legislation relating to road transport and to allow the three new Member States to delay for six months the application of this Regulation in its present form to their national transport².

Commission relations with employers' and workers' organizations

2422. In December the Commission organized a meeting with the EEC Group of Food, Tobacco and Hotel Industry Trade Unions on the subject of the food industry in the Community. A second meeting was held with the International Confederation of Executive Staffs on industrial change.

Court of Justice

New cases

Case 118/75 — Pubblico Ministero italiano v (1) Lynne Watson and (2) Alessandro Belmann

2423. In the context of a criminal case, the Pretura di Milano requested the Court of Justice to give a preliminary ruling on whether certain Italian provisions relating to foreigners (including Community nationals) were compatible with the principle of the free movement of persons, i.e., the requirement that foreigners residing in Italy report to the police and the requirement that Italian nationals providing accommodation for for-

eigners report the presence of the latter. The matters raised also refer to the European Convention on Human Rights.

Case 119/75 — Terrapin (Overseas) Ltd., Bletchley, Milton Keynes, v Terranova Industrie C.A. Kapferer & Co., Freihung/Opf.

2424. The Bundesgerichtshof requested the Court of Justice to give a preliminary ruling on whether it was compatible with the principle of the free movement of goods³ for an undertaking established in Member State A to prevent, by virtue of a trade mark owned in that country, the importation of similar products manufactured by another undertaking in Member State B where those products were covered in country B, quite legally, by a trade mark capable of being confused with that held by the undertaking in country A. The Bundesgerichtshof stated, in this connection, that there was no legal or economic relationship between the two undertakings and that their national trade marks had a separate origin.

Case 120/75 — Firma Walter J. Riemer, Hamburg, v Hauptzollamt Lübeck-West

2425. The Hamburg Finanzgericht requested the Court of Justice to give a preliminary ruling on whether tariffs could be charged on certain cranberries, as though they were fresh cranberries within the meaning of heading No 08 08 B of the Common Customs Tariff, if they had been frozen for a short period while being transported.

Case 121/75 — Firma Alra-Schallplatten-Zentrale, Herzogenrath, v Firma Alpha-Schallplatten-Trading GmbH & Co. KG, Erding

2426. The Court of Justice was requested by the Cologne Oberlandesgericht to give a prelim-

¹ Points 2220 and 2221.

Point 2287.

Articles 30 and 36 of the EEC Treaty.

inary ruling on whether the free movement of goods1 and the competition rules2 were infringed where a manufacturer of records used his copyright under national law³ to prevent the sale in the territory for which the copyright had been granted of similar products manufactured in another Member State in which no restrictions were placed on their sale.

Cases 122 and 123/75 — Official of the European Parliament v the European Parliament

2427. An official of the European Parliament brought two actions before the Court of Justice, one to annul his staff report, the other to annul a decision by the President of the European Parliament relating to an appointment as a result of promotion.

Case 124/75 — Council official v the Council

The Court was requested to annul a de-*2428*. cision instituting disciplinary action against the plaintiff.

Case 125/75 — Firma Milch-, Fett- und Eierkontor GmbH, Hamburg, v Hauptzollamt Hamburg-Jonas

The Hamburg Finanzgericht, in an action relating to the export of butter, bound in fact for Czechoslovakia, but sent first to Morocco, where it was unloaded, and then to Poland, merely in order to obtain a higher refund, requested the Court of Justice to give a preliminary ruling on whether merely transporting the goods via a country was sufficient to give rise to the right to receive a corresponding refund, even though the product was sold in another country.

Case 126/75 — Commission official v the Commission

2430. An official brought an action before the Court of Justice to annul the implied decision by

the Commission rejecting his request for reappointment after taking leave on personnal grounds.

Case 127/75 — Bobie Getränkevertrieb GmbH. Gelsenkirchen v Hauptzollamt Aachen- Nord

The Düsseldorf Finanzgericht asked the *2431*. Court of Justice for a preliminary ruling on whether the method of taxing beer imported into Germany during 1968 and 1969 was compatible with Article 95 of the EEC Treaty, taking account of the system of taxing German beer (on a scale according to the quantity of beer produced).

Cases 128 and 129/75 — Commission officials v the Commission

2432. The first action was to annul the implied decision by the Commission rejecting the claim by an official for the support of his superiors against an unjustified accusation lodged with his superiors by a third party. The second action was to annul a written warning to the plaintiff by his superior, on the ground that his superior was not empowered ratione personae to take disciplinary action, and for the removal of all documents relating to the matter from the plaintiff's personal file.

Case 130/75 — Council official v the Council

The Court was requested to annul the decision by the Council not to fix another date for the written stage of a competition.

^{§75, 78} and 85 of the German Law on Copyright. Article 36 of the EEC Treaty. Articles 85 and 86 of the EEC Treaty.

Judgments

Joined cases 40 to 48, 50, 54 to 56, 111, 113 and 114/73 — Coöperatieve Vereniging 'Suiker Unie' UA, Rotterdam, et al. v the Commission

2434. Sixteen undertakings representing the main producers and marketers of sugar in the Community had requested the Court of Justice to annul the Commission Decision¹ of 2 January 1973 relating to proceedings under Article 85 and 86 of the EEC Treaty (IV/26.918 – European sugar industry) and to reduce the fine imposed by the Commission on each of them.

In its Judgment of 16 December, the Court reaffirmed the findings in the contested Decision relating to the infringements by the undertakings concerned of the competition rules contained in the EEC Treaty, except as regards the Italian undertakings and a German undertaking. It therefore quashed the fines imposed on the latter undertakings, and substantially reduced the fines imposed on the other undertakings on the ground that the Commission, in determining the seriousness of the infringements, had not taken sufficient account of the fact that competition between undertakings was already restricted by the common organization of the market in sugar, which imposes a system of national production quotas.

Joined Cases 95 to 98/74, 15 and 100/75 — Union nationale des coopératives agricoles de céréales, Paris, et al. v (1) the Council and (2) the Commission

2435. Six French agricultural cooperatives or undertakings had lodged claims with the Court of Justice for compensation for the loss they claimed to have suffered as a result of the difference between the monetary compensatory amounts which they had received in respect of exports of cereals to third countries and the amounts which they should have received under

the Community rules in force when the export certificates were obtained.

In its Judgment of 10 December, the Court rejected the claims.

Case 31/75 — Commission official v the Commission

2436. In its judgment of 4 December the Court held that this action to annul the Commission decision preventing the plaintiff from being entered as a candidate in an internal competition was well founded.

Case 41/75 — Commission official v the Commission

2437. This action to retroactively annul the implementing provisions of Article 17 of Annex VII to the Staff Regulations relating to the transfer of a proportion of an official's emoluments from his place of employment was deleted from the Court record under a ruling given on 3 December.

Case 53/75 — Belgian State, represented by the Ministre des finances v (1) Mr J. Vandertaelen, Ixelles, and (2) Mr D. Maes, Beveren-Waas

2438. The Belgian Cour de cassation, deciding in a case relating to the tariff classification of ice cream (not including ice cream powder) and other ices, requested the Court of Justice to give a preliminary ruling on whether Regulation 495/69 on the classification of goods under subheadings 18.06 D II (c) and 21.07 F VII of the Common Customs Tariff² was applicable with regard to the ariff classification of the products referred to where imported before the entry into force of that Regulation. The Cour de cassation also requested clarification of the term 'ice cream (not including ice cream powder) and other ices' for the purpose of applying the tariff headings refer-

¹ OJ L 140 of 26.5.1073.

² OJ L 67 of 19.3.1969.

Court of Justice Court of Justice

red to above before the entry into force of that Regulation.

In its Judgment of 10 December, the Court held that for the purpose of applying subheading 18.06 B and 21.07 C of the Common Customs Tariff, the term 'ice cream (not including ice cream powder) and other ices' referred to products whose essential characteristic was a melting point of about 0°C, and that this term could not be applied to products with a fat content greater than 15%.

Case 57/75 — Mr F. Plaquent, Moers-Scherpenberg, v (1) Caisse primaire d'assurance maladie du Havre, Le Havre, and (2) Directeur régional de la sécurité sociale de Rouen, Rouen

2439. The French Cour de cassation had on 2 July 1975 requested the Court of Justice to give a preliminary ruling on the method of calculating a disability pension for a migrant worker who had been insured at different periods in Member States having different insurance systems.

In its Judgment of 9 December, the Court held that in a situation where an insured person had been subject to the law of two Member States in succession and where it was necessary to take into account periods when insurance contributions had been paid in one of those Member States for that insured person to acquire the right to a disability pension where he had not fulfilled the conditions in the other Member State for obtaining the right to an invalidity pension, and where the pension was calculated under the law of the latter State according to the average wage or contribution, irrespective of the period spent working in that country, a pension should be paid on a proportional basis after totalling all the periods when insurance contributions were paid, in accordance with the conditions laid down in Article 28(1)(b) of Regulation 3 relating to social security for migrant workers.1

Case 64/75 — Le Procureur général près la Cour

d'appel de Lyon with (1) Mr H. Monnessin, Charnay-lès Mâcon, and (2) Mr J.C. Chevalier, St-Etienne-lès-Cullières

2440. In a case relating to the adulteration of wine, the Cour d'appel de Lyon had requested the Court of Justice on 21 July 1975 to give a preliminary ruling on whether the methods for analysing wine laid down in Regulation 1539/71² applied in the fields of research and the prevention of fraud.

The Court reaffirmed its Judgments of 30 September 1975 and held in its Judgment of 9 December that a Member State could, as Community law stood and as a means of keeping check at national level, rely on a legal presumption based on the ratio between the alcohol and the dry extract as determined by the 100° method that excess alcohol had been added, provided that this presumption could be rebutted and that it was applied so as not to discriminate against wines originating in other Member States.

Case 93/75 — Mr J. Adlerblum, Paris, v Caisse nationale d'assurance vieillesse des travailleurs salariés, Paris

2441. In a case relating to the grant of old age pension increases in respect of a dependent spouse, the Commission de première instance du contentieux de la sécurité sociale de Paris had on 2 September 1975 requested the Court of Justice to give a preliminary ruling on whether the pension granted by the Federal Republic of Germany to the plaintiff's spouse as compensation for injury suffered as a result of persecution was in the nature of social assistance benefit.

In its Judgment of 17 December, the Court held that it had no jurisdiction in this matter.

OJ 30 of 16.12.1958.

² OJ L 163 of 21.7.1971.

Economic and Social Committee

2442. The 174th meeting of the ECSC Consultative Committee was held in Luxembourg on 12 December with Mr Capanna, Committee Chairman, in the chair; Mr Thompson, member of the Commission, attended the meeting.

Giving a general statement on the Commission's activities under the ECSC Treaty, Mr Thompson referred to the incomplete performance of certain long-term contracts between coal and steel firms in the Community concluded within the framework of the scheme of aids for coking coal. The coal producers (Mr Howard and Mr Gardent) reacted sharply, stating that if the Commission were to decide not to grant assistance in view of the incomplete performance of the contracts, it was the coal firms who would suffer and had indeed already suffered because contracts were not fulfilled. In other words, the Commission's decision would boil down to punishing the victims of the failure to execute an obligation owed to them. It was also pointed out that the current situation was harming not only the coal producers but also the miners themselves whose working hours had been cut.

The steel producers remarked that the steel industry was working at only 60% of capacity and that, if it had not fully complied with its long-term contractual obligations, this was due to circumstances beyond its control. The Committee finally decided to raise the matter again at its next ordinary meeting on 12 March. The Commission promised to provide the Committee with full details on the situation as regards performance of these contracts.

Mr Thompson then presented the forward programme for steel for the first quarter of 1976. He outlined the talks held within OECD and the bilateral talks with certain steel-producing countries as regards imports and the possibility of fixing floor prices. Turning to the deterioration in the financial situation of firms, Mr Thompson stated

that the Commission had decided to put before the Council and the Consultative Committee a proposal for minimum prices for steel products. The Committee would be meeting to discuss this in Luxembourg on 19 January.

Generally, those who spoke congratulated the Commission for its excellent work but the workers' representatives reproached the Commission for not contacting them although the steel producers had been consulted; they also felt that the Commission had overlooked the social implications of the crisis facing ECSC industries.

It should be noted that in the course of the discussion many speakers referred to possible retaliatory measures if the Community took excessive steps to reduce its steel imports. Nevertheless the Commission was supported in its cautious efforts to discourage non-member countries from flooding the Community market.

The Committee deferred the vote on a draft resolution on the employment situation in the iron and steel industry to its meeting on 19 January. It voted unanimously in favour of the draft opinion on the draft Commission decision concerning a Community framework for assistance to the coal mining industry in the Member States.

It also voted in favour of the grant of financial assistance to a number of technical and social research projects.

European Investment Bank

Loans issued

2443. The European Investment Bank has concluded a contract at Singapore for a US \$ 20 million bond issue on the Asian-dollar market.

Carrying a coupon of 9%, payable annually, and with a life of six years, the bonds are offered to the public at an issue price of 993/4%. The

yield, calculated on the total lifetime of the bonds, is 9.05%.

Redemption will be at par at term.

Application has been made to list the issue on the Singapore and Hong Kong stock exchanges.

Loans granted

Denmark

2444. A global loan equivalent to Dkr 9.85 million (1.4 million units of account) has been provided by the European Investment Bank to help finance small and medium-sized industrial ventures in the less developed regions of Denmark.

The loan has been granted for 8 years at an interest rate of 1 1/2% to Finansierungsinstituttet for Industri og Håndværk A/S, a medium and long-term credit institution, which will select the projects to be financed in agreement with the EIB. Priority will be given to ventures which promise to create extra employment opportunities.

France

2445. A loan equivalent to FF 155.7 million (29.7 million units of account) has been granted by the Bank for the improvement of the telecommunications network in Brittany.

It will help finance various works in the region, costing some FF 52 million, which will permit the number of subscribers to be increased from 260 000 to more than 370 000. More than 40 large and medium-sized telephone exchanges will be expanded, the urgan cabling systems extended, and there will also be facilities to connect over 500 new telex subscribers.

The loan has been granted for a period of 8 years at an interest rate of 9 1/2 % to the Caisse Nationale des Télécommunications in Paris, which will

make the funds available to the Administration des Postes et Télécommunications (PTT).

United Kingdom

2446. The European Investment Bank has granted a new loan to the British Steel Corporation equivalent to £17.5 million (31 million units of account).

It will help finance the installation of three new coating lines at the BSC's Coatings Complex at Shotton, North Wales.

The loan is granted for 10 years at an interest rate of 9 1/2 % and it raises to almost £67 million the total of EIB finance provided for the Corporation's investment schemes in the past two years.

After allowing for the closure of the older lines, the project will create 475 extra jobs, and through its contribution towards the efficiency of the Coatings Complex as a whole it will help to stabilize employment there at an eventual figure of around 6 000 jobs.

2447. The bank has also granted two loans, each equivalent to £10 million (17.7 million units of account), to help finance the erection of 162 miles of power transmission lines in Scotland.

The loans have been granted for 8 years at an interest rate of 9 1/2% to the South of Scotland Electricity Board (SSEB) and the North of Scotland Hydro-Electric Board (NOSHEB) and they bring to £146.6 million the total amount provided by the EIB for energy projects in the United Kingdom since the country joined the EEC. The bulk of this sum, £116 million, has been directed towards projects situated in or of direct benefit to Scotland.

One of the new loans will be used for 85 km of high-voltage power lines to connect with the existing main transmission system, a new thermal

power station now being built by the SSEB at Inverkip on the Firth of Clyde.

The other loan concerns 85 km of high-voltage power lines to similarly connect with the main transmission network another new thermal power station which is being built by NOSHEB at Peterhead north of Aberdeen, and also to reinforce the supply system to Aberdeen.

2448. The Bank has granted a loan equivalent to £6.3 million (11.2 million units of account) to the British Railways Board. The terms are 8 years with an interest rate of 9 1/2%.

The loan will help to finance construction of 2 050 special wagons for British Rail's streamlined 'Merry-Go-Round' coal-hauling operation, which involves fully-fitted trains each carrying about 1 000 tons of coal direct from the mines to the power stations and back again in an almost continuous cycle.

Each train has about 30 wagons designed for rapid, overhead loading at the collieries and for automatic discharging at the power stations.

After initial investment in the special rolling stock, the 'Merry-Go-Round' system involves lower transport, handling and storage costs, which in turn are reflected in the costs of electricity generating: coal is by far the larges single source of electricity generating power in the United Kingdom.

2449. A loan equivalent to £1 million (1.8 million units of account) has been provided for conversion and expansion of the British Olivetti typewriter factory in Glasgow, Scotland.

The loan has been granted for five years at an interest rate of 9 1/2% to Olivetti International S.A. Luxembourg (a holding company for the affiliated companies of the Olivetti group outside Italy) which will pass on the funds to the British subsidiary.

The Glasgow factory has been in operation since 1948, producing standard mechanical typewriters.

The project which the EIB is helping to finance is to cost about £7 1/2 million and will permit production of portable electric typewriters, most of which will go for export. This portable electric typewriter is replacing a similar model produced until now at the Olivetti factory in Barcelona.

2450. The Bank has granted a loan equivalent to £16,9 million (29.9 million units of account) to the Shetland Islands Council to help finance the construction of an oil tanker harbour at Sullom Voe, a deep sea inlet on Mainland, the largest of the islands. The terms are 10 years with an interest rate of 9.1/2%.

North Sea crude oil from the group of fields linked by the Brent pipeline system and from the Ninian field about 90 miles north-east of Shetland will be carried by two submarine pipelines to Sullom Voe where, after stabilization, it will be loaded into tankers for shipping to refineries in the United Kingdom and on the Continent.

The project is expected to cost about £50 million.

The first oil is expected to be shipped out in 1977 and the following year the harbour should be fully operational. In 1982 it is anticipated that a minimum of 65 million tons of oil will pass through Sullom Voe, which represents some 50% of the UK's anticipated needs at that time and around 10% of the EEC's likely consumption.

This will make a major impact on both the United Kingdom and EEC balance of payments and aid the Community's efforts to reduce its dependence on hydrocarbon imports.

The venture will also help to improve the employment situation in Shetland, one of the most remote and least industrially developed areas of the Community, whose prosperity in the past has been closely linked to the fortunes of agriculture and fishing, and to the knitwear industry. The Council are planning for the possibility that up to 1 000 jobs will be directly or indirectly related to the project.

Netherlands Antilles

2451. The Commission of the European Communities and the European Investment Bank have concluded a contract with the Netherlands Antilles for the granting of a loan on special conditions equivalent to 4 380 000 units of account (approx. 9 460 000 Netherlands Antilles Florins) which will be used for extension of the airport at Curação. The EIB, entrusted with management of the loan, is acting as agent of the European Economic Community.

The works to be carried out at the airport will enable it to accommodate large capacity aircraft with maximum safety. The project forms part of a development programme which also makes provision for enlarging the airport terminal and for the installation of an instrument landing system.

The loan is drawn from the resources of the Second and Thrid European Development Funds (EDF) and the terms are 30 years (including a 10year grace period) with an interest rate of 3%.

A grant of 1 020 000 u.a. (2 200 000 NAFI) has been made for the same project from the Third European Development Fund.

Financing Community activities

Third Amending and Supplementary Budget for 1975

2457. As the Council did not alter the amendment adopted by Parliament on 13 November,1 the President of the Parliament was able on 3 December to record the final adoption of the third amending and supplementary budget for the 1975 financial year.

General Budget of the Communities for 1976

2453. December was a month of intensive activity in connection with the budget. Apart from the European Council meeting in Rome on 1 and 2 December, where particular attention was paid to budgetary problems,2 the last month of the year saw the final stages of the budgetary procedure.

The open and constructive dialogue between the two institutions which exercise the budgetary authority continued on 3 December with a meeting between the Council and a Parliamentary delegation, the Commission being represented. Following this exchange of views—and going some way to meet the concern expressed by Parliament—the Council proceeded to a second reading of the draft budget for 1976; the Council stated its position on the proposed modifications and the amendments voted by Parliament in Novem-

In respect of non-compulsory expenditure the Council agreed to provide additional finance. Granting a further 90.7 million u.a., it approved in part Parliament's amendments to the main items of the draft budget, particularly those covering the Social Fund, research, and financial cooperation with the non-associated developing countries.

On the other hand, under the heading of compulsory expenditure, the Council did not accept Parliament's proposed modifications increasing the appropriations for food aid by approximately 120 million u.a.

During its December part-session⁴ on 16 December Parliament re-examined the draft budget as modified by the Council, and took the final vote on the amendments and the budget as a whole on 18 December. It approved amendments involving a total of 102.9 million u.a. The same day the Council agreed, by a qualified majority, to this increase. With this joint decision the fifth

Bull. EC 9-1975, point 2460 and 11-1975, point 2466.
 Bull. EC 11-1975, point 1104.

Bull. EC 11-1975, point 2467.

⁴ Point 2402.

Table 5. Breakdown of Community expenditure by area

(in million u.a.)

					_				(,	n million u.a.
Areas	Appropriations for 1975	%	Preliminary draft budget for 1976	%	% change 1976 on 1975 column 3	Draft budget for 1976 established by Council on 29.9.75	%	Budget as adopted by Parliament on 18.12.75	%	% change 1976 on 1975 column 8
	1	2	3	4	5	6	7	8	9	10
							_			
I. Commission										
A. Operating Appropriations 1 — Staff 2 — Admin. expenditure 3 — Information	204.1 64.1 6.3	3.26 1.02 0.10	249.8 80.5 6.8	3.10 1.00 0.08	+ 22.40 + 25.48 + 8.41	241.7 78.2 6.3	3.24 1.04 0.08	242.9 78.3 6.3	3.21 1.03 0.08	+ 19.01 + 22.05 + 0.63
4 — Aids and subsidies	16.8	0.10	36.0	0.08	+114.29	34.3	0.08	34.3	0.46	+104.17
	291.3	4.65	373.1	4.63	+ 28.08	360.5	4.83	361.8	4.78	+ 24.20
 B. Intervention appropriations 1 — Agriculture 2 — Social 3 — Regional 4 — Research, technology 	4 570.3 375.5 150	72.91 5.99 2.39	5 493.2 516.6 450	68.06 6.40 5.58	+ 20.19 + 37.00 +200.00	5 490.5 412.6 300.–	73.48 5.52 4.01	5 493 452.6 300	72.50 5.97 43.96	+ 20.19 + 20.53 +200.00
and energy 5 — Cooperation and development	130.9 252.8	2.094.03	249.– 419.2	3.08 5.19	+ 92.19 + 65.00	135.7	1.82 2.87	172.3 237.2	3.13	+ 31.64
	5 479.5	87.41	7 128.–	88.31	+ 30.08	6 553.5	87.70	6 655.1	87.83	+ 21.45
C. Contingency reserve	3	0.05	5	0.06	+ 66.64	3	0.04	3	0.04	_
D. Repayments to Member States	393.1	6.27	437.4	5.42	+ 11.28	427.4	5.72	429.2	5.66	+ 9.18
Commission Total	6 166.9	98.38	7 943.5	98.42	+ 28.81	7 344.4	98.29	7 449.1	98.31	+ 20.79
II. Other institutions	101.4	1.62	127.7	1.58	+ 25.92	127.9	1.71	127.8	1.69	+ 26.00
Grand total	6 268.3	100	8 071.2	100	+ 28.76	7 472.3	100	7 576.9	100	+ 20.88

subparagraph of Article 203(8) of the EEC Treaty was applied for the first time.

The President of the Parliament was thus able to declare that the budget for 1976 had been finally adopted.

The course of the budgetary procedure was marked by a spirit of collaboration between the institutions, the relevant provisions being interpreted flexibly.

Table 5 gives, under the main heading, the breakdown of Community expenditure: it compares the 1975 and 1976 budgets and also the main stages of the budgetary procedure which has just been completed.

ECSC levy rates and operating budget

On 18 December the European Parliament, which was consulted by the Commission pursuant to the ECSC Treaty, pronounced² in favour of retaining the ECSC levy rate at 0.29 %. On 22 December the Commission decided to retain this rate for 1976.3

Making due allowance for the other resources expected to accrue (interest on deposits and funds not lent, cancellation of commitments which will not now be implemented, etc.) it seems likely as a result of this decision, that the requirements will be covered; these requirements total 106 million u.a. as follows:

Administrative expenditure	18 million u.a.
Aid to research	42 million u.a.
Aid to retraining	25 million u.a.
Interest rate subsidies for loans	
for investment and conversion	15 million u.a.
Aid to coking coal	6 million u.a.

ECSC loans

In December 1975 the Commission completed the following loan operations:

- various private placings in Swiss francs totalling SF 100 million:
- a private placing of Lit. 30 000 million. This loan is for ten years and carries an interest rate of 10%:
- a private placing of DM 60 million. This loan is for five years and carries an interest rate of
- a \$125 million bond issue on the American capital market. This loan was underwritten by a syndicate of American banks and carries an interest rate of 87/8%. It is for five years and was issued at par:
- a DM 150 million bond issue. This loan was underwritten by a syndicate of German banks and carries an interest rate of 8 %. It is for seven years and was issued at 99 %.

These issues brought the total of loans contracted by the ECSC since its inception to the equivalent of 2 654 million u.a. on 31 December.

Financial control

2456. Following the two reports by the Special Committee of Inquiry on the milk products sector4 and the olive oil and oilseeds sector,5 the Council adopted a Resolution on 16 December⁶ on stricter preventive and punitive measures against irregularities in the calls made on the funds of the common agricultural policy. In the first part of the Resolution the Council requests the Member States, within their sphere of authority, to implement the relevant conclusions and

^{1 &#}x27;Where, in exceptional cases, the Assembly, the Council or the Commission considers that the activities of the Communities require that the rate determined according to the procedure laid down in this paragraph should be exceeded, another rate may be fixed by agreement between the Council, acting by a qualified majority, and the Assembly, acting by a majority of its members and three fifths of the votes cast." Point 2403.

OJ L 333 of 30.12.1975.

Bull. EC 10-1974, point 2459.
 Bull. EC 2-1975, point 2475.

OJ C 298 of 30.12.1975.

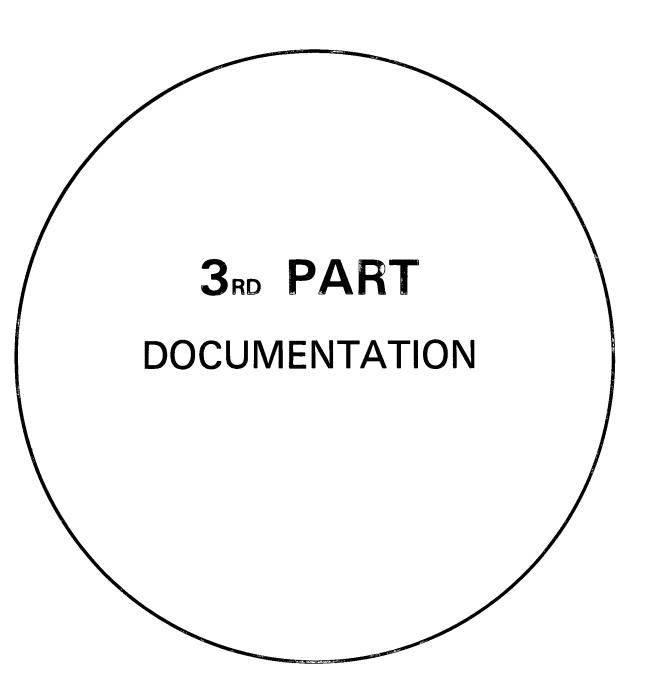
Financing Community activities

recommendations of the Committee of Inquiry and to inform the Commission of the measures taken. The Commission is invited, in its own sphere of authority, to put forward proposals which should, in particular, ensure improved drafting of the implementing legislation and to inform the Council thereof.

In the second part, the Council stresses the will of the Community institutions to improve the Community rules in order to ensure that no financial aid is given to any sham operations or to operations that run counter to the aims of the Community rules. It also stresses the opportunity for improving cooperation between the various authorities responsible for administering Community funds.

The Council also hopes that the work of the Special Committee of Inquiry will be continued in greater depth. The Committee will therefore continue by examining first the beef and veal sector, and then the wine sector.

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In dänischer Sprache
In Danish
Langue danoise
Lingua danese
Deens

D

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In deutscher Sprache
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Udtalelser fra Det økonomiske og sociale Udvalg, Det europæiske økonomiske Fællesskab og Det europæiske Atomenergifællesskab (maj - juni - juli 1975). November 1975.

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Europæisk integration og parlamenternes fremtid i Europa. Symposium udarliejdet i Luxembourg 2,-3. maj 1974. Oktober 1975.

1975. 356 s. (DK.D.E.F.I.NL)

FB 350.-

Europese integratie en de toekomst van de parlementen in Europa. Symposium gehouden te Luxemburg, 2-3 mei 1974. Oktober 1975.

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7005/a (4)

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Recueil de recherches « Acier ». EUR 5305 (1 Vol.)

1975. 130 p. (F) FB 275,-

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Progress report of coal research encouraged by the Community, 1972. European Coal and Steel Community.

Coal Research Reports. Issue No 58. 1974.

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Energiestatistiek. Jaarboek.
1969-1973. 1974.
(1975). 297 p. (DK/D/E/F/I/NL)

FB 250,-

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Verkehr - Nachrichtenübermittlung - Reiseverkehr. Jahrbuch

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(1975). 118 p. (DK/NL.D/I.E/F)

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(1975). 367 p. (DK/D/E/F/I/NL)

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National accounts - ESA. Yearbook

Comptes nationaux - SEC. Annuaire Conti nazionali - SEC. Annuario Nationale rekeningen - ESER. Jaarboek. N° 2/1974.

(1975). 409 p. (DK/D/E/F/I/NL)

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National accounts - ESA. Aggregates Comptes nationaux - SEC. Agrégats. 1960-1974. N° 1/1975. 1975. 99 p. (E/F-D/I)

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(1975). 116 p. (DK/D/E/F/I/NL)

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(1975). 854 p. (Mult.)

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