

# Bulletin

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# **BULLETIN OF THE EUROPEAN COMMUNITIES**

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

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

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# contents

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## **PART ONE      SPECIAL FEATURES**

1. Greece: Completion of the accession negotiations—A ten-member Community for 1 January 1981 . . . . . 7
2. Tokyo Round: Outcome of the multilateral negotiations—Overall results. Negotiated agreements ready for initialling . . . . . 8
3. The Community and the European Convention on Human Rights—Commission Memorandum . . . . . 16
4. Competition policy: 1978 Report—Commission action on competition . . . . . 18

## **PART TWO      ACTIVITIES IN APRIL 1979**

1. Building the Community . . . . . 24
  - Economic and monetary policy . . . . . 24
  - Internal market and industrial affairs . . . . . 25
  - Customs union . . . . . 29
  - Competition . . . . . 29
  - Employment and social policy . . . . . 32
  - Environment and consumer protection . . . . . 35
  - Agriculture . . . . . 39
  - Fisheries . . . . . 43
  - Transport . . . . . 45
  - Energy . . . . . 47
  - Research and development, science and education . . . . . 48
  - Scientific and technical information and information management . . . . . 53

|  |     |
|--|-----|
| 2. Enlargement and external relations . . . . .          | 54  |
| — Accession negotiations . . . . .                       | 54  |
| — Bilateral relations with applicant countries . . . . . | 54  |
| — Commercial policy . . . . .                            | 55  |
| — Development policy . . . . .                           | 58  |
| — Law of the sea . . . . .                               | 62  |
| — International organizations . . . . .                  | 62  |
| — Relations with certain countries and regions . . . . . | 64  |
| — Political cooperation . . . . .                        | 69  |
| 3. Institutional and political matters . . . . .         | 70  |
| — Institutional developments - European policy . . . . . | 70  |
| — Institutions and organs of the Communities . . . . .   | 71  |
| • Parliament . . . . .                                   | 71  |
| • Council . . . . .                                      | 86  |
| • Commission . . . . .                                   | 88  |
| • Court of Justice . . . . .                             | 89  |
| • Court of Auditors . . . . .                            | 95  |
| • Economic and Social Committee . . . . .                | 95  |
| • European Investment Bank . . . . .                     | 101 |
| — Financing Community activities . . . . .               | 104 |

## **PART THREE      DOCUMENTATION**

|  |     |
|--|-----|
| 1. Units of account . . . . .                              | 110 |
| 2. Additional references in the Official Journal . . . . . | 114 |
| 3. Infringement procedures . . . . .                       | 118 |

Publications of the European Communities

## Supplements 1979

1/79 European Union — Annual reports for 1978

2/79 Accession of the Communities to the European Convention on Human Rights — Commission memorandum



**PART ONE**

**SPECIAL FEATURES**

**Standardized abbreviations for the designation of certain monetary units in the different languages of the Community:**

**BFR = Belgische frank / Franc belge**

**LFR = Franc luxembourgeois**

**DKR = Dansk krone**

**FF = Franc français**

**DM = Deutsche Mark**

**LIT = Lira italiana**

**HFL = Nederlandse gulden (Hollandse florijn)**

**UKL = Pound sterling**

**IRL = Irish pound**

**USD = United States dollar**



# 1. Greece: Completion of the accession negotiations

Accession of Greece

## A ten-member Community for 1 January 1981

1.1.1. On 1 January 1981 Greece will become the Community's tenth Member State. At a ministerial level conference held in Luxembourg on 3 April, the accession negotiations came to an end with agreement being reached on the outstanding issues. The accession treaty can now be signed shortly; the date chosen is 28 May, and the signing is to take place in Athens.

## The result of over two-and-a-half years of negotiations

1.1.2. The 3 April meeting constituted the culmination of a process which started on 12 January 1975, when Greece presented its application for membership.<sup>1</sup> In its Opinion, adopted on 28 January 1976,<sup>2</sup> the Commission recommended that the Community give a 'clear positive' answer to this request, and that accession negotiations accordingly be opened. On 9 February 1976 the Council gave its approval, and negotiations got under way on 27 July 1976<sup>3</sup> in Brussels, opening with a ministerial conference at which the parties agreed that the negotiations should proceed on the basis of Greece's acceptance of the *acquis communautaire*, subject to the necessary transitional adjustments.

Eleven ministerial-level sessions and twenty-four at deputy level (ambassadors) were required before the negotiations could be concluded.

Of particular importance was the tenth ministerial session, which took place in Brussels on 20 December 1978, as it enabled very substantial, indeed decisive progress to be

made on transitional measures, agriculture and social policy.<sup>4</sup>

The ministerial conference on 3 April lasted under an hour, but it had been preceded by extensive coordination between the Member States, and a considerable amount of preparation on the part of the Greek delegation and the Community. Mr Natali, Vice-President, and Commission staff were given special responsibility for working out solutions, with figures, to budgetary problems.

The ministerial meeting was followed on 6 April by a meeting at deputy level, as agreed by the ministers, the aim of which was to clarify a number of points and finalize certain texts, without in any way going back on the results of the ministerial meeting.

## Progress on all fronts

1.1.3. The main issues outstanding, which were resolved during the meetings of 3 and 6 April, concerned budgetary matters, certain social affairs questions, and the Community's external commitments.

With regard to budgetary matters and application of the own resources system, Greece's GNP/VAT budget contributions will be reimbursed in part over a five-year transitional period on a sliding scale (70% the first year, and 50%, 30%, 20% and 10% respectively thereafter). In addition, the measures agreed on in December for cotton, figs and raisins will take effect in the first marketing year following the date of accession. It was also

<sup>1</sup> Bull. EC 6-1975, points 1201 to 1212.

<sup>2</sup> Bull. EC 1-1976, points 1101 to 1111 and Supplement 2/76—Bull. EC.

<sup>3</sup> Bull. EC 7/8-1976, points 1201 to 1205.

<sup>4</sup> Bull. EC 12-1978, points 1.2.1 to 1.2.3.

## 2. Tokyo round: Outcome of the multilateral negotiations

decided to bring forward the first alignment of aid for olive-oil production from 1 November 1981 (the start of the first marketing year after accession) to 1 January of that year (the second alignment will still take place at the beginning of the second marketing year).

On the basis of a hypothetical 1979 budget, this would mean that Greece would be a net beneficiary to the tune of about 80 million EUA in its first year of membership.

The final problems remaining in the field of social affairs have now been resolved. Members of the family of a Greek worker employed in another Member State will be entitled to hold a job in that Member State, after an individual waiting period of three years up to 1 January 1984 and eighteen months up to 1 January 1986, after which there will be no more restrictions on them.<sup>1</sup> Greek workers employed in another Community country will also be entitled, three years after accession, to the same family allowances, in respect of children residing in Greece, as other Community workers.

At a press conference given on 4 April, Mr Natali expressed satisfaction with the terms of the agreement, which he described as equitable, and stressed that the arrangements for Greece's accession marked the beginning of a Community that pays greater attention to its Mediterranean dimension.

### Overall results. Negotiated agreements ready for initialling

1.2.1. Further progress was made on 12 April in Geneva towards the liberalization of international trade, when the texts of the agreements laboriously negotiated over the last six years were made available for initialling (by the delegations which were able to do so). These texts will then have to be ratified by each of the signatories.

The multilateral trade negotiations (MTN) in Geneva—which kicked off with the GATT (General Agreement on Tariffs and Trade) Ministerial Conference in September 1973 in Tokyo<sup>1</sup>—have been the most important to date.

As early as December 1971<sup>2</sup> the Community had expressed its political determination to undertake far-reaching trade negotiations with its partners in GATT (this was reaffirmed at the Paris Summit in October 1972<sup>3</sup>) and the Community's move was backed by certain other industrialized countries (United States and Japan). The recent negotiations went further than the six major tariff conferences organized under GATT since the General Agreement was signed in 1947.<sup>4</sup>

Not only was the number of participants appreciably higher—because many developing countries have now gained independence—but also—and this is important—the Tokyo Round has yielded results which go beyond the limited field of tariffs.

<sup>1</sup> Bull. EC 9-1973, points 1101 to 1106.

<sup>2</sup> Supplement 2/73 - Bull. EC, point 4.

<sup>3</sup> Bull. EC 10-1972, Chapter I: final declaration (external relations).

<sup>4</sup> Bull. EC 9-1973, points 1102 and 1103.

<sup>1</sup> Bull. EC 12-1978, point 1.2.3.

The final package of negotiated agreements of course includes cuts in industrial and agricultural tariffs; but besides this appreciable reduction in tariff barriers, the MTN have strengthened the GATT rules by drawing up a series of 'codes' in non-tariff fields, notably standards, customs valuation, public contracts, subsidies and countervailing duties, and anti-dumping duties.

These different aspects of the negotiations—together with various others concerning agriculture, developing countries and the safeguard clause—appeared in the Commission's communication to the Council dated April/May 1973 on the 'development of an overall approach in view of the coming multilateral negotiations'.<sup>1</sup> It was on the basis of this approach that the Council gave the Commission negotiating directives; and in the light of the results achieved, after many ups and downs, that the Council finally gave the Commission the go-ahead, at the beginning of April, to initial the negotiated agreements.

### From 1973 to 1979

1.2.2. These multilateral negotiations lasted much longer than had been planned at the Tokyo Ministerial Conference in September 1973. The ministers had hoped that they would be concluded in 1975, as can be seen from the last paragraph of the Declaration adopted at the end of the Conference.<sup>2</sup>

In fact they were only to get properly under way in February 1975,<sup>3</sup> after the approval by the United States Congress of the Trade Act,<sup>4</sup> which gave the United States Administration the necessary negotiating powers. Even after that date, progress was slower than planned; not until January 1978 did the negotiations enter a new 'substantive'<sup>5</sup> phase following a series of bilateral talks which had taken place

since the middle of 1977.<sup>6</sup> Following these meetings, on 17 January 1978 the Council adopted a position on the attitude to be taken by the Community in this new phase of negotiations; the Council specified the formulas or working hypotheses on which the Nine were ready to negotiate.<sup>5</sup> An unofficial meeting of delegations—including the three major ones (United States, Japan and the Community)—held in Geneva in January 1978<sup>7</sup> then marked the beginning of the substantive phase of the negotiations.

Further progress was recorded in July 1978 at the high-level unofficial consultations which sought to draw up a balance-sheet of results achieved and to identify the points of agreement and disagreement in the various fields covered, and possible bases for a solution.<sup>7</sup> An interim document—entitled 'Statement by several delegations on the current status of the Tokyo Round'—was issued on 13 July 1978 in Geneva<sup>7</sup> after ten days of intensive consultations.

In spite of the work done in Geneva, both within the specialized groups or subgroups, and at unofficial or informal bilateral meetings, further difficulties which had arisen in October 1978<sup>8</sup> made it necessary to hold a new series of high-level meetings the following month between the major negotiating partners.<sup>9</sup> These difficulties were due notably to the decision taken in October by the United States Congress to go into recess until

<sup>1</sup> Supplement 2/73 - Bull. EC.

<sup>2</sup> Bull. EC 9-1973, point 1106 (Section 11).

<sup>3</sup> Bull. EC 2-1975, point 2301.

<sup>4</sup> Bull. EC 12-1974, point 2301.

<sup>5</sup> Bull. EC 1-1978, points 1.1.1 to 1.1.8.

<sup>6</sup> Bull. EC 7/8-1977, points 2.2.16 and 2.2.17; 9-1977, point 2.2.6.

<sup>7</sup> Bull. EC 7/8-1978, points 1.2.1 to 1.2.3 and 3.5.1.

<sup>8</sup> Bull. EC 10-1978, points 2.2.8 to 2.2.10.

<sup>9</sup> Bull. EC 11-1978, point 2.2.8.

15 January 1979 without taking a decision on the extension of the powers vested in the Administration under the Trade Act to waive countervailing duties on imports receiving subsidies.<sup>1</sup> This decision—which looked like jeopardizing the conclusion of the MTN by the end of 1978, provoked sharp response from the Commission and the Council.<sup>2</sup> The Council made it quite clear in November—in spite of assurances given in Geneva by the head of the American delegation<sup>3</sup>—that as far as the Community was concerned, the negotiations could not be concluded until the United States Congress had voted to extend the waiver, thereby dispelling any uncertainty.<sup>3</sup>

In the latter part of 1978 and the first two months of 1979 the negotiations were pursued intensively, notably at bilateral level, with the United States and Japan.<sup>4</sup> The 'overall package' resulting from these discussions was examined by the Council which, at meetings in February and March,<sup>5</sup> stated that it was not able to give the overall approval sought by the Commission, and called on the Commission to obtain whatever improvements it could.

It was finally in April, after close cooperation on the spot with the representatives of the Member States, that the Council gave the Commission the go-ahead. Once the Council had taken this favourable line—and after the majority of the official negotiating subgroups had held their final meetings—all the texts negotiated at the multilateral trade negotiations were available for initialling by delegations able to do so. This operation was preceded by a meeting of the Trade Negotiations Committee (central body for the negotiations) during which the delegations of the industrialized countries expressed satisfaction with the results and the spirit in which they planned to enforce them.

At that meeting the Commission's Director-General for External Relations, as spokesman for the Community, stated that the successful outcome of the most ambitious trade negotiations since the war was a very significant event...—the significance to be found not only in the agreements, but also in the fact that they had been worked out against the background of the greatest world recession for forty years.

At the end of April seventeen participants in the negotiations (including the Community) had signed the *procès-verbal* authenticating the overall results and to which are annexed the different draft agreements. Most of the developing countries have asked for a period of reflection before signing.

### **Aims of the Community and the results achieved**

1.2.3. The favourable line taken by the Council in April on the overall results of the multilateral trade negotiations was greeted with satisfaction by the President and several members of the Commission. This satisfaction is obvious if the objectives which the Community had set itself are compared with the results achieved in Geneva, a comparison which the Commission representative made to the Council.

### **Statements by the President and the Members of the Commission**

1.2.4. In his statement, Mr Roy Jenkins, President of the Commission, said that the

<sup>1</sup> Bull. EC 10-1978, points 2.2.8 and 2.2.10.

<sup>2</sup> Bull. EC 10-1978, points 2.2.9 and 2.2.10.

<sup>3</sup> Bull. EC 11-1978, points 2.2.8 and 2.2.9.

<sup>4</sup> Bull. EC 12-1978, points 2.2.5 and 2.2.6; 1-1979, point 2.2.6.

<sup>5</sup> Bull. EC 2-1979, point 2.2.8 and 3-1979, point 2.2.7.

Council's approval of the final result of the MTN offered a real chance of a fairer and freer world trading system in the 1980s. The failure of negotiations, he believed, would have led to a wave of protectionism resulting in a major recession.

Mr Jenkins praised the example that the negotiations had given of the way in which the Community could work and act together in a spirit of mutual trust and cooperation. The Commission itself had great reason for satisfaction in that the final settlement was very much on the lines it had proposed.

For Mr Haferkamp, Vice-President of the Commission with special responsibility for external relations, the Community's achievement in the MTN has been two-fold. First, outlets for Community exporters in world markets will be increased and improved. Second, it has put an end to the two-tier system whereby the United States was not obliged to apply all the GATT rules in the same way as the other partners; for example, the material injury criterion for the application of countervailing duties on subsidized goods.

As regards tariff reductions, other than those in the civil aircraft sector, which constitutes a specific agreement, the United States' industrial tariffs will be reduced by about one-third. Japan's by about one quarter and the Community's external tariff from 9.8% to 7.5% (excluding imports which enter the Community at zero duties). Nevertheless a caveat remains regarding Japan. It has not been possible to strike a satisfactory balance between the Community and Japan within the framework of multilateral negotiations, and bilateral negotiations will continue in an attempt to correct the yawning trade gap between the two sides.

Mr Gundelach, Vice-President of the Commission with special responsibility for

agriculture, stressed that the acceptance by the EEC partners of the principles and mechanisms of the Community's common agricultural policy had brought an end to the 'trench warfare' and 'religious wars' that had so often characterized discussions of agriculture in the GATT in the past. Consultation procedures and mechanisms have been introduced which will serve to limit any technical or concrete problems that may arise. The Community's trading partners have recognized that it can grant export restitutions on its agricultural products, while for its part the Community has reaffirmed its acceptance of the principle contained in GATT that restitutions must not lead to an unfair expansion of its market share. This does not mean that the Community cannot look for new markets. However it signifies an awareness that no-one stands to gain from a 'rat-race' which raises subsidies to such a level that resources are squandered.

International agreement on meat and dairy products are included in the agricultural package. But regrettably it was not possible to overcome the differences between certain countries on a cereals agreement, despite the mediatory role the Community played during the negotiations.

On individual products the Community has achieved better access to various important markets including the United States, Canada and New Zealand for products such as cheese, cognac, whisky and biscuits, etc. In return the Community has made concessions on, for example, tobacco, rice, dairy products, meat, etc... However, these do not damage the principles or mechanisms of the common agricultural policy, and they are matched by adequate compensations for Community producers.

The special situation of developing countries has been taken into account throughout the

negotiations. The Community has already applied tariff cuts on imports of tropical products and no reciprocity will be asked of the developing countries for the further reductions.

Lastly, Mr Davignon, Member of the Commission responsible for customs union, internal market and industrial affairs, emphasized that negotiations on an issue of particular interest to the developing countries—the selective application of the safeguard clause—continue. Here the Community's aim is to get rules that fit into the GATT system. But, a misunderstanding on this issue must be swept aside: the Community does not want a new protectionist instrument. What it desires is that the safeguard clause should be applied in a manner agreed by all. According to Mr Davignon, the overall lesson to be learnt from the Tokyo Round is that the Community is an essential, indispensable and formidable partner in international negotiations, when that Community knows what it wants, clearly defines its objectives and enjoys the Council's consensus.

#### Community objectives: results achieved

1.2.5. The reactions of the President and the three other Commission members are based on an analysis of results achieved in Geneva, compared with the initial objectives. This analysis can be made for each of the principle fields covered by the MTN.

#### *Non-tariff measures*

1.2.6. In para-tariff and non-tariff matters, a field where the Tokyo Round has made substantial innovations compared with preceding conferences within GATT, the Community objectives, in those cases for which

multilateral solutions could be found, were to put an end to practices which are not in accordance with international rules (criterion of injury for the application of countervailing duties), or with international systems accepted by a majority of trading nations (customs valuation); it also aimed to seek, by means of *ad hoc* solutions, the elimination of specific practices prejudicial to Community exports (for example the wine gallon assessment in the United States).

As regards customs valuation, the objective was to achieve a truly joint system and through this to eliminate arbitrary national practices. The Customs Valuation Code, by drawing up a uniform system between the signatories based on that of the Brussels Convention on Valuation, achieved this objective and put an end to most of the practices which the Community had been criticizing (United States Final List, American systems of valuation including the American Selling Price, etc.). In return, in helping to draw up this Code the Community has modernized the system the Brussels Convention and harmonized even more its application by the Member States.

In the field of countervailing duties, the objective was to achieve an alignment of the regulations of certain countries on the GATT rules (Article VI: injury criterion). By accepting the Code on Subsidies and Countervailing Duties, the Community achieved this objective, and the United States for example undertook to introduce this criterion of injury into its legislation: the international disciplines in the field of industrial export subsidies (already forbidden by Article XVI of GATT) were improved and updated, while the Community's freedom of action in the matter of internal subsidies (regional ones for instance) will not be fundamentally affected; for agricultural export subsidies, the existing

text in Article XVI (3) was made clearer, but no really new points were introduced.

As regards procedures for government procurement, the aim was to have the Community's trading partners remove any discriminatory practices or legislation in favour of their domestic suppliers. The Agreement on Government Procurement is intended to strengthen the principle of non-discrimination and to eliminate the effects of the 'Buy American Act' as regards the procurement agencies covered by the Agreement. In return the Community has agreed to extend to foreign suppliers, to the same extent, the benefit of non-discrimination already established within the common market.

In the field of technical standards and regulations, the aim was more to introduce an international discipline based on a system of consultations in order to ensure that in future trade was not restricted by regulations. The Code on Technical Standards and Regulations has achieved this. It also includes commitments of direct and indirect reciprocity for access to markets and access to systems of certification which are acceptable from the point of view of the Community's interests.

### Tariffs

1.2.7. As regards tariffs, the Community's aim was to keep the Common Customs Tariff at a significant level and, at the same time, to obtain a reduction of tariffs from its main trading partners to increase the degree of harmonization. The results obtained seem to correspond to this aim in so far as:

(i) the final reduction will be moderate and will be implemented in two instalments, one, which has been firmly subscribed to, lasting five years, followed by a second, which is conditional and will be spread over three

years; a Council Decision will decide whether and how to pass from the first to the second on the basis of various economic, social and monetary factors;

(ii) most of the tariff 'peaks' of non-member countries, and particularly the United States, will be substantially reduced; the American tariff will then contain very few duties of more than 20% *ad valorem*. With the abolition of the American Selling Price system the transposition of the present effect of this system into *ad valorem* duties (a legitimate transposition) will be done with clarity and objectivity, and this will protect the market opportunities for Community products in the future.

### Safeguard clause

1.2.8. The Community's aim regarding the application of the safeguard clause (Article XIX of GATT) was to win acceptance for the possibility, in critical cases, of selective action; in an emergency, action of this kind would be able to be taken without prior consultation. While most of the industrialized countries agreed to the idea of selective action, they could accept the rules for applying it, and in particular the possibility of emergency action in critical circumstances, only if there was a formula providing for prior consultations to be engaged rapidly.

It was not possible at this stage to obtain the full consent of the developing countries, since they would agree, especially the more legalistic and strict among them (e.g. India, Pakistan, Korea), even in an emergency, only to *erga omnes* action or selective action with the authorization of a Committee of Signatories. The Chairman's *procès-verbal* expresses the hope that work on the safeguard clause will continue as a matter of urgency in order to reach an agreement before 15 July 1979.

### *Agriculture*

1.2.9. In view of the specific features of this sector, the Community's aim was, while defending the principles and the mechanisms of the common agricultural policy, to set up machinery for stabilizing the markets for essential products and to promote the export interests of the Community for certain products.

It is well known that a new international agreement on cereals could not be concluded because of differences of opinion between exporting and importing countries on a number of problems. The Geneva conference from 22 January to 14 February 1979 broke up without reaching a positive conclusion; it was adjourned indefinitely.<sup>1</sup> At a meeting in London from 19 to 22 March of the Conference responsible for drawing up the protocols extending the 1971 Agreement on wheat, it was decided that the Agreement should be extended for two years, from 1 July next, unless the negotiations which are at present suspended reopen and a new agreement is reached.<sup>2</sup>

However, an international arrangement was reached on dairy products, including minimum prices for skimmed-milk powder, whole milk powder, butter, butter oil and cheese. An international arrangement was also worked out for meat, consisting of machinery for mutual information, consultation and international cooperation.

### *Developing countries*

1.2.10. The Community's aim, as regards the developing countries, was to try to satisfy their requests wherever possible and appropriate, without encroaching too far on the

advantages enjoyed by the ACP countries. For instance, the Community made priority offers on tropical products<sup>3</sup> in response to requests made by the developing countries and implemented them without reciprocity on 1 January 1977.<sup>4</sup>

Since then, and in most of the fields covered by the negotiations, provisions have been made for special and differential treatment for developing countries—whether by means of tariff reductions (reductions which are greater or smaller than the formula, according to the product and the requests), non-tariff codes or multilateral agricultural arrangements.

### **From the initialling of the negotiated agreements to their implementation**

1.2.11. The texts of the agreements which are available for initialling by the countries taking part in the Tokyo Round will, after initialling, have to be submitted to the governments of the Contracting Parties for ratification, in accordance with the rules laid down by their respective national laws.

As most of the measures laid down in the negotiated agreements are in theory to come into force on 1 January 1980, the necessary ratification should therefore be carried out relatively quickly.

As far as the Community is concerned, Vice-President Haferkamp indicated in his statement at the end of the Council meeting on 5 and 6 April that he hoped that all the legal

<sup>1</sup> Bull. EC 2-1979, point 2.2.28.

<sup>2</sup> Bull. EC 3-1979, point 2.2.23.

<sup>3</sup> Bull. EC 10-1976, point 2304.

<sup>4</sup> Bull. EC 1-1977, point 2.2.7.



texts and tariffs could be submitted to the Council in time for it to take a decision in principle in October 1979. The Community hopes ratification procedures will progress similarly in the other major countries.

At the initialling of the texts of the agreements in Geneva on 12 April, the Director-General for External Relations, the Community's spokesman, stressed the following three points, which the Community feels are particularly important:

(i) domestic implementing legislation (where it is required) must translate faithfully and correctly the conditions negotiated at the multilateral trade negotiations;

(ii) the Community intends to implement the tariff reductions, for its part, in two instalments (the first lasting five years, the second three years); before proceeding to the second instalment, it will examine the economic, social and monetary situation and the progress made by the other parties in implementing the agreements concluded at the negotiations;

(iii) the Community will not introduce its own concessions until implementing legislation has been passed and parliamentary approval obtained, wherever necessary, by its major industrialized partners.

The Community has already approached the American authorities—in particular by means of contacts between Vice-President Haferkamp and Mr Strauss—to draw to their notice the great importance which the Community attaches to the need for the enacting laws of its major industrialized partners to reflect accurately and faithfully the essence of the different agreements and codes emerging from the MTN. This was prompted by rumours that the future American legislation implementing the code on subsidies would

not interpret correctly the idea of 'material injury' (*préjudice important*), which would be contrary to the stipulations of the recently negotiated Code and of the General Agreement.

# 3. The Community and the European Convention on Human Rights

Human rights

## Commission Memorandum

1.3.1. In April the Commission adopted a memorandum<sup>1</sup> on the accession of the European Communities to the Convention for the Protection of Human Rights and Fundamental Freedoms. This is the Convention which was drawn up within the Council of Europe, signed on 4 November 1950 and which came into force on 3 September 1953.

The memorandum was sent to the other Community institutions and to the Economic and Social Committee and the ECSC Consultative Committee. While concluding that the Community's accession to the Convention is clearly desirable for various reasons, the Commission considers it necessary, before setting in motion the appropriate institutional mechanisms, to encourage as profound a discussion as possible with all interested bodies on the basis of the memorandum.

### Why the Community should join

1.3.2. There are several reasons why the Community should accede to the European Convention on Human Rights (ECHR).

The authors of the three Treaties (ECSC, EEC, Euratom) did not compile a catalogue of fundamental rights peculiar to the Communities and consequently, 'de lege lata', the Community institutions are not formally bound by explicit provisions in that sphere. But from 1969 onwards the Court of Justice of the European Communities has underwritten the respect for fundamental rights, which it regards as an integral part of the general principles of law.

Yet, however satisfactory and worthy of approval the method developed by the Court

may be, it cannot bridge a gap in the legal order of the Communities, namely the impossibility of knowing in advance which are the liberties which may not be infringed by the Community institutions under any circumstances. It is in the nature of things that case law, which generates its effects only after the event, inevitably cannot fulfill the citizen's undeniable and legitimate demand: to see his rights established in advance.

The Commission can see that the ideal solution would be to supplement the Treaties with a catalogue of fundamental rights specially tailored to the exercise of those powers which have been conferred on the institutions under the Treaties. Yet because of the conflicting opinions which still divide the Member States, not on the substance, as a rule, but on the precise definition of economic and social rights, it is to be feared that this goal cannot be attained in the short or medium term. The Commission therefore feels that the Community should now subscribe to the fundamental rights enshrined in the ECHR and should do so all the more in that these rights, especially those in the Additional Protocols, are clearly related to Community activities.

The memorandum first describes how the ECHR works and how Community acts relate to the present legal context. As one of the reasons in favour of accession it mentions the Joint Declaration of the political institutions of 5 April 1977 on fundamental rights<sup>2</sup> and the European Council's Declaration of 8 April 1978 on democracy.<sup>3</sup>

<sup>1</sup> Supplement 2/79 — Bull. EC.

<sup>2</sup> OJ C 103 of 27.4.1977 and Bull. EC 3-1977, preliminary chapter.

<sup>3</sup> Bull. EC 3-1978, preliminary chapter (Declaration on democracy).

If respect for human rights is for a State an essential condition of membership of the Community, then, in the words of the memorandum, 'it is only logical to bind the Communities themselves to respect such rights'. This would clearly demonstrate that the Community does not merely make political declarations of intent but is determined to improve in real terms the protection of human rights. Finally, accession would reduce the risk of national courts using the absence of a written catalogue of fundamental rights as justification for reviewing acts of the Council or the Commission by reference to their national constitutions.

### Possible objections

1.3.3. Much of the memorandum is taken up with an analysis of the arguments against accession. The Commission acknowledges that, by reason of its text and origin alike, the ECHR is intended for participation only by sovereign States. But this would not rule out membership for an international organization which would be willing to have its legal acts examined under the conditions laid down in the Convention and would not profess to play an active part in monitoring the protection of human rights by the other contracting parties.

As regards the active right to refer cases in accordance with Articles 24 and 48 of the Convention, the Commission's view is that, considering its limited powers, the Community should use this means only when a violation by a non-member State is involved and if the fundamental right in question has a specific connection with the powers transferred to the Community.

The Commission argues that if the Community accedes to the Convention, the compe-

tence of the European Court of Human Rights should be recognized from the outset for all Community acts. While allowing an exception for a transitional period, the Commission also argues for the individual right of petition provided for in Article 25, without which accession would benefit only States which are not members of the Community. Any reservations should concern only specific problems connected with the structure of the Community.

Discussing the question of Community participation in the organs of the ECHR the memorandum emphasizes the Community's autonomy and its own legal personality *vis-à-vis* the States. The Commission's conclusion is that the Community should be represented in both the Commission of Human Rights and the Court of Human Rights. This would entail a derogation from Articles 20 and 30 of the ECHR, which stipulate that the Commission and the Court may not include more than one national from the same State.

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1.3.4. The Commission is aware of the considerable difficulties inherent in its idea of accession to the ECHR. So before putting detailed proposals to the Council, it feels it should initiate the widest possible political and legal discussion with all the authorities concerned.

# 4. Competition policy: 1978 Report

Competition Report

## Commission action on competition

1.4.1. As it does each year, the Commission approved its Competition Report in April and transmitted it to Parliament. This Eighth Competition Report<sup>1</sup>—published in conjunction with the Twelfth General Report—gives a detailed analysis of Commission policy on Community undertakings and State aids and takes stock of the development of concentration in the Community.

The introduction to the Report, which is reproduced below, retraces and sets out the main lines of the Commission's policy on competition.

1.4.2. To operate effectively, the common market is largely dependent on the setting-up of a large internal market in a Community with an outward-looking approach to the rest of the world. An extensive area in which economic activities may interact without purposeless constraints is a prerequisite for a developing economy; it is no longer reasonable to suppose that economic activity can expand within a confined space.

One of the basic objectives of the system of undistorted competition set up by means of the Community rules is to prevent the unity of the common market from being jeopardized by actions which have the effect of re-erecting the internal barriers that have been dismantled or of giving certain market operators an unfair advantage. The Commission must therefore enforce a competition policy that firmly opposes any attempts by firms to partition markets and any State aids that engender appreciable distortions of competition.

The Commission's administrative practice, supported by the Court of Justice in its judg-

ments, has made it possible gradually to introduce a body of rules governing fair conduct which give market operators an idea of how they must behave if equality of opportunity, freedom of access to business and freedom of choice are to be guaranteed within the common market. This has involved attacks against attempts by firms to ban exports or imports, to fix production or sales quotas, to partition markets, to abuse dominant positions by refusing to supply long-standing customers or to charge discriminatory or excessive prices. It has also meant that State monopolies of a commercial character have had to open their doors to intra-Community trade.

In its policy on State aids, the Commission, against a background of insufficient growth has maintained the course defined several years ago, and which rests on three basic principles.

It is willing to accept the new international division of labour and the new industrial structures that this implies and to make the necessary changeovers with due consideration for the human element, but at the same time ensuring that they do not degenerate to the point where outmoded products and processes are maintained simply in order to maintain artificial, insufficiently rewarding and precarious jobs, which must ultimately provoke harsh and unpleasant consequences.

The Commission must guard against the development of protectionist tendencies, both inside the Community and *vis-à-vis* the rest of the world. The unity of the Community market must be preserved if European industry is to regain its competitiveness, which had

<sup>1</sup> Eighth Report on Competition Policy, published in conjunction with the Twelfth General Report on the Activities of the European Communities.

already begun to decline well before the crisis. Conservation measures by the Member States to protect non-competitive firms or industries can only pass on the difficulties from one Member State to the others and thereby jeopardize the unity of the market.

The Community is a net industrial exporter and must remain so, if only because it has insufficient resources of raw materials, and so it can only lose by turning inwards upon itself. The reduction in the disposable funds of its purchasers and the retaliatory measures they applied would deprive the Community of markets that are quantitatively and qualitatively much more promising than its home markets and, failing the general acceptance of salary levels equivalent to those in certain under-developed countries, would lead to greater unemployment. Making the most of the new international division of labour implies accepting the corresponding constraints, through their effects may admittedly on occasion be regulated.

The third principle is to work for the solidarity on which the Community's interests rest by ensuring that the vagaries of fortune do not allow Community nationals to see their equality being eroded by aids which do not appear conclusively to be necessary, or the size of which appears to be out of proportion with the gravity of the problems in one Member State compared to the next.

These three principles form a common thread linking all the Commission's activities in 1978.

On the question of regional aids, the Commission redefined the principles of coordination governing such aid for the next three years. The new principles will provide a better means of avoiding outbidding between Member States for the sake of attracting investments, which are becoming rarer and

yet more essential to regional development, and of maintaining the necessary priorities for supporting the Community's less-favoured regions; the new principles set out ceilings for all Community regions based on the total amount of regional aid available.

On the question of sectoral aids, the Commission explained to the Council the policy it has followed so far and intends to follow in the future; this policy is based on the same principles outlined above. It emerged from the resulting exchange of views that the Member States had generally found the Commission's explanation encouraging.

The Council has also adopted the draft Fourth Directive on aids to shipbuilding. The worsening crisis has further reinforced the need for this Community discipline if shipbuilding plant is to be kept in working order and work on adapting the industry to the new conditions on the market is to be fairly distributed. The Commission has, within the framework of the new Directive, concentrated on keeping national aid levels down to the indispensable minimum and required that they be granted only on condition that they contribute to the necessary restructuring objectives.

The recession in the iron and steel industry has been so serious that the Commission has presented the Council with a draft decision based on Article 95 of the ECSC Treaty whereby Member States will be authorized to grant as much aid as they need to adapt the industry on condition, however, that these aids comply with rules to ensure that the practicalities and the purpose of the aid are in line with the Community's objectives.

As regards general aids, the Commission has restated its earlier views on aids to exports—technically prohibited in intra-Community trade; aids to undertakings in

difficulty—which may not exceed the minimum required to identify the exact nature of their problems and enable remedial measures to be introduced; and aids to employment—which may not be used to preserve outdated structures.

On the question of State monopolies of a commercial character, the Commission's activities have progressed to an extent where it looks as though any outstanding problems will be finally resolved by the end of next year.

Although the Community competition law operates by banning certain practices, the possibility of exemptions gives it a certain flexibility. The Commission has made ample use of these derogations to encourage desirable forms of cooperation between firms. Wherever possible, bans have been lifted for small undertakings in order to foster their activities and their development: for example, the Commission has recently specified the conditions in which Article 85 of the EEC Treaty does not apply to sub-contracting operations. With an eye to the interests of medium-sized undertakings in particular, the Commission is currently much occupied with the task of steering through a regulation giving a clear definition of the difficult relationship between competition law and industrial and commercial property rights. The Commission's object is to promote the transfer of technology through patent licensing agreements while at the same time ensuring that the rigid partitioning of markets in favour of those who exploit patents is rendered impossible. In the marketing field, the Commission's wish is to apply the rules of competition so as to ensure that brand names, guarantees and after-sales service do not become obstacles to the freedom of choice of the common market user or consumer. The Commission is also keeping a close eye on the system of exclusive

dealing agreements which enjoy a general exemption from the ban on restrictive practices and on selective dealing agreements, whether already authorized or merely notified, to ensure that they are not used as a means of partitioning markets. The fact that appreciable disparities in prices still exist is proof that trading patterns are still not as fluid as they might be.

The maintenance of effective competition is dependent upon the free movement of goods and services within the Community, but it may also be threatened by the danger of monopolization. It is of prime importance to the Community that it should have competitive structures capable of facing both the future and foreign competition. The Commission's studies on concentration have recently revealed that although the actual number of concentration operations may be falling off, the upper strata of many industries and sub-industries are increasingly marked by ever stronger and narrower oligopolies.

It is therefore regrettable that the Council has still not enacted the regulation which the Commission proposed in 1973 to bring in a more suitable means of control for monitoring major concentration operations. However, the Commission still has a watchful eye open for firms abusing their dominant position, and recent judgments of the Court of Justice have given it valuable support in this area. The Commission will not hesitate to apply Article 86 of the EEC Treaty to any concentration-producing transactions that might be considered abusive. It authorizes such transactions in the iron and steel industry under Article 66 of the ECSC Treaty provided that they do not, in the words of that Article, 'hinder effective competition'. Conscious of the practical significance of its decisions in individual cases, the Commission is developing step by step the main principles of

its policy on joint venture companies. When these cannot be considered as forms of concentration, even in part, between their parent companies, they are assessed as a form of industrial cooperation falling under Article 85 of the EEC Treaty. Even major transactions may, however, be authorized as long as the agreements setting them up are not unduly restrictive and as long as they do not eliminate competition in respect of a substantial part of the products in question. The Commission has recently taken its first decision banning a transaction on these grounds and defining the limits of permissible cooperation within a joint venture.

Individual cases involving competition law may raise other equally structural problems where demand for products manufactured in the Community shows a sharp and persistent downward trend, contrary to the expectations of forecasters and investors. The Commission is inclined to accept that under certain conditions agreements between firms aimed at reducing structural excess capacity may be authorized under Article 85(3), but only where the firms have not simultaneously, whether by agreement or concerted practice, fixed either prices or production or delivery quotas.

This summary of aspects of competition policy within the Community would not be complete without a reference to the important recent developments in national competition legislation in most Member States, and the renewed vigour with which the law has been applied. In each case, the national legislation has been brought more and more into line with the Community rules, and the theoretical danger of conflict between national law and Community law has been reduced accordingly—in fact the energetic and fruitful cooperation between the appropriate national authorities and the Commission has practi-

cally eliminated the danger of such conflicts. It would be fair to say that the practical implications of the Community's active competition policy have done much to encourage progress at national level. The means of maintaining effective competition throughout the Community have therefore been appreciably strengthened, thanks to the improved consistency between the various bodies of law and the way in which national and Community policies have converged on similar objectives.

One of the side-effects of these recent changes in national legislation has been to highlight situations existing at national level where it may be necessary to reconcile an acknowledged adherence to the principle of competition with industrial, social or regional policy objectives. The same problems may arise at European level. Each case must be considered on its own merits. This applies, for example, to the difficulties currently facing Europe's man-made fibres industry and iron and steel industry.

The Community was designed by the Treaty to be particularly outward-looking *vis-à-vis* the rest of the world. With an estimated 30% share in world trade, it is the world's major trading partner. The age-old international division of labour—raw materials/industrialized products—is progressively, and sometimes rapidly, being replaced by a new redistribution of activities as more and more developing countries become internationally competitive in an increasing range of manufactured products. Technological, industrial and commercial interdependence marches steadily on, even when economic difficulties are widespread.

It is particularly important for the Community, as a major importer and exporter, that an open system of world trade based on fair

competition should be fostered. The Commission has consistently made use of its powers that are directly applicable against firms to pursue the struggle against restrictive practices at international level.

Turning, then, to the external aspects of the Commission's work on competition, the first step was to establish that restrictive or abusive practices originating outside the Community are covered by the Community rules of competition where they have an appreciable effect within the common market. In doing so, the Commission has become one of the first anti-trust authorities to have applied effectively the theory of internal effect so as to impose penalties on foreign companies, especially multinationals and foreign signatories of voluntary restraint agreements. All firms wishing to operate inside the common market must respect its rules of fair conduct.

The Commission participates in the OECD's work on monitoring restrictive trading practices. Cooperation here is on a multilateral level, but the Commission also has regular bilateral contacts with the appropriate national authorities in the United States and Canada, and occasionally with the authorities in other non-member countries. In this context it should be borne in mind that the basic rules contained in the free-trade agreements between the Community and the EFTA countries to maintain efficient trading relations between the Community and each of the signatory countries are very similar to the principles on which the rules of competition in the EEC Treaty are based.

The United Nations Conference on Trade and Development (UNCTAD) is currently the scene of preparations for an important step towards a new economic world order. Once the aim of redefining international economic

relations has been achieved a set of universally recognized rules governing fair conduct will have to be brought into effect. Accordingly, the fifth Conference in Manila in May 1979 will deal with the problem of introducing an international code of conduct for the transfer of technology. In addition this Conference has been asked by the United Nations General Assembly to pass the resolutions necessary for the calling of a diplomatic conference to negotiate a body of principles and rules appropriate for the control of restrictive commercial practices that may harm international trade. The Commission is taking an active part in each of these tasks also.

All this activity on the part of international bodies designed to introduce fair conditions of competition has given an impetus to the strengthening that is necessary nationally, regionally and worldwide of the process of monitoring more closely the obstacles which firms erect to obstruct freedom of trade. The trend is a welcome one, especially since restrictions of all kinds, of public and private origin, have affected an increasing proportion of world trade since 1974.

The Commission looks to its competition policy to provide it with effective means of keeping the common market open to foreign trade, and thereby to safeguard the liberal nature of the Community's commercial policy. This latter policy provides a substantial buttress against the risk of a rising tide of world protectionism, from which the Community, as the world's major trading partner, would be the first to suffer.'





**PART TWO**

**ACTIVITIES  
IN APRIL 1979**

# 1. Building the Community

## Economic and monetary policy

### Economic and monetary union

#### *European Monetary System*

#### Applying the EMS

2.1.1. On 9 April the Commission established the detailed rules<sup>1</sup> for implementing the Council Regulation of 29 March<sup>2</sup> on the impact of the European Monetary System on the common agricultural policy, i.e. for introducing the ECU in this sector.

#### Interest rebates on certain structural loans

2.1.2. On 25 April Parliament also gave its opinion<sup>3</sup> on the proposal concerning interest rebates for certain loans with a structural objective, which the Commission sent to the Council on 12 February.<sup>4</sup>

#### *New Community facility*

2.1.3. On 25 April Parliament delivered its opinion<sup>5</sup> on the proposal for a Decision<sup>6</sup> applying the Council Decision of 16 October 1978<sup>7</sup>—on the new Community facility—empowering the Commission to contract loans for the purpose of promoting investment within the Community. Under this proposal a first tranche of borrowings equivalent to 500 million EUA is to be authorized to finance projects which are consistent with the general guidelines laid down by the Council.

## Economic situation

### Economic situation and outlook in the spring of 1979

2.1.4. The Commission has presented its analysis of the economic situation in the Community in the spring of 1979 and its macroeconomic forecast for 1979, both for the Community as a whole and for the individual Member States.

The main points can be summed up as follows:

(a) Since the Commission last assessed the general economic situation—in the autumn in its draft Annual Economic Report and in its Annual Economic Review 1978-79<sup>8</sup>—the upswing has strengthened.

(b) Helped by the economic policy measures introduced in implementation of the Council Decision of 26 July 1978 on concerted action, the economy has been recovering at a slightly more rapid rate than expected last autumn. Real gross domestic product grew by almost 3% in 1978 (as against a forecast of 2.6%).

(c) The Commission's forecasts for 1979 make allowance for the oil price rise decided by OPEC in December 1978 but not for the

<sup>1</sup> OJ L 89 of 9.4.1979.

<sup>2</sup> OJ L 84 of 4.4.1979; Bull. EC 3-1979, points 2.1.73 and 3.1.1 to 3.1.7.

<sup>3</sup> Point 2.3.6 and OJ C 127 of 21.5.1979.

<sup>4</sup> OJ C 65 of 9.3.1979 and Bull. EC 2-1979, point 2.1.3.

<sup>5</sup> Point 2.3.7 and OJ C 127 of 21.5.1979.

<sup>6</sup> OJ C 88 of 4.4.1979 and Bull. EC 3-1979, point 2.1.6.

<sup>7</sup> OJ L 298 of 25.10.1978 and Bull. EC 10-1978, point 2.1.10.

<sup>8</sup> Bull. EC 10-1978, points 2.1.5 to 2.1.9.

repercussions of the Iranian crisis or the further increase in oil prices decided in Geneva on 27 March. Prior to these events, growth in real gross domestic product in the Community in 1979 had been put at around 3.5%, and it was thought that this might be accompanied by a slight fall in the unemployment rate and stabilization in the rate of price increases but also by some deterioration in the balance of payments on current account.

### Monetary Committee

2.1.5. The Monetary Committee held its 250th meeting in Brussels on 26 April, with Mr van Ypersele in the chair. It dealt first with European monetary policy problems and then examined the economic and monetary situation in Ireland and the convergence of economic performances in the Member States. Lastly, it discussed international monetary problems in preparation for forthcoming international meetings.

## International market and industrial affairs

### Free movement of goods

#### *Removal of technical barriers to trade*

#### Industrial products

##### *Motor vehicles*

2.1.6. On 18 April the Commission approved three Directives<sup>1</sup> adapting earlier Council Directives to technical progress.

(i) The first concerns the adaptation of the Council Directive of 17 September 1974<sup>2</sup> relating to the external projections of motor vehicles; it establishes the technical requirements for luggage racks, ski racks and radio aerials, which can be checked before these are mounted on the vehicles. The introduction of EEC approval for these items, regarded as technical entities, will facilitate their free movement.

(ii) The second, which concerns the braking systems of certain categories of motor vehicles and their trailers, amends the Council Directive of 26 July 1971.<sup>3</sup> The present state of the art makes it possible to impose requirements which are stricter and better suited to actual trial conditions.

(iii) The third concerns adaptation of the Council Directive of 20 March 1970<sup>4</sup> relating to liquid fuel tanks and rear protection devices of motor vehicles and their trailers. Like the technical entities—external projections—the rear protection devices can now be approved separately from the vehicles. The new requirements will enhance safety and represent a distinct advance, particularly as the lower ground clearance of the rear protection device diminishes the risk of private cars or motorcycles underrunning commercial vehicles.

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2.1.7. On 27 April Parliament<sup>5</sup> gave its opinion on a number of Commission proposals concerning the approximation of Member States' laws on various industrial

<sup>1</sup> OJ L 128 of 26.5.1978.

<sup>2</sup> OJ L 266 of 2.10.1974.

<sup>3</sup> OJ L 202 of 6.9.1971.

<sup>4</sup> OJ L 76 of 6.4.1970.

<sup>5</sup> Point 2.3.19 and OJ C 127 of 21.5.1979.

products (tower cranes for building work,<sup>1</sup> wheeled agricultural and forestry tractors,<sup>1</sup> lawnmowers,<sup>1</sup> simple pressure vessels,<sup>2</sup> measuring instruments<sup>3</sup> and units of measurement<sup>4</sup>).

## Foodstuffs

### *Cocoa and chocolate products*

2.1.8. On 27 April the Commission<sup>5</sup> decided to propose to the Council a further amendment to its Directive of 23 July 1975<sup>6</sup> relating to the approximation of the laws of the Member States concerning cocoa and chocolate products intended for human consumption. The aim of the proposal is to authorize ammonium phosphatides to be used as emulsifiers where this involves no danger to human health and where the technological effects offer real advantages. The use of the three other substances authorized in cocoa and chocolate products until 20 June 1979 will be banned after that date.

### *Emulsifiers, stabilizers, thickeners and gelling agents*

2.1.9. On 18 April the Commission sent a proposal<sup>7</sup> to the Council to amend the Directive of 18 June 1974<sup>8</sup> on the approximation of the laws of the Member States concerning emulsifiers, stabilizers, thickeners and gelling agents which may be used in foodstuffs.

This proposal would include certain substances in Annex I to the basic Directive and amend Annex II. It would also authorize certain substances to continue to be used until 31 December 1984 so that more searching toxicological studies can be completed in order to confirm their harmlessness. The

Scientific Committee for Foodstuffs had issued a favourable opinion on this.

## Pharmaceuticals

2.1.10. At its meeting on 19 and 20 April the Committee for Proprietary Medicinal Products prepared the opinions which it is to deliver following the first two applications for marketing authorizations under the Community procedure. The Committee's opinion bears on the conformity of the products in question with the conditions laid down by the relevant Community Directives (in particular, harmlessness, therapeutic effect and quality).

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2.1.11. During the 26 April sitting Parliament<sup>9</sup> passed a resolution on the manufacture, distribution and consumption of pharmaceuticals.

## Legal structures

### Companies

2.1.12. At its meeting on 4 and 5 April the Economic and Social Committee<sup>10</sup> issued its Opinion on the proposal for an eighth Directive (conditions required for approval of per-

<sup>1</sup> Bull. EC 12-1978, point 2.1.8.

<sup>2</sup> Point 2.3.19 and OJ C 127 of 21.5.1979.

<sup>3</sup> Bull. EC 1-1979, point 2.1.14.

<sup>4</sup> Bull. EC 2-1979, point 2.1.11.

<sup>5</sup> OJ C 121 of 15.5.1979.

<sup>6</sup> OJ L 228 of 16.8.1973.

<sup>7</sup> OJ C 115 of 8.5.1979.

<sup>8</sup> OJ L 189 of 12.7.1974.

<sup>9</sup> Point 2.3.21 and OJ C 127 of 21.5.1979.

<sup>10</sup> Point 2.3.69.

sons responsible for carrying out statutory audits of the annual accounts of limited liability companies), which the Commission sent to the Council on 24 April 1978.<sup>1</sup>

### Economic and commercial law

**2.1.13.** During its sitting on 26 April Parliament<sup>2</sup> gave its opinion on the Commission's proposal concerning a Directive relating to the approximation of the laws, regulation and administrative provisions of the Member States in respect of liability for defective products.<sup>3</sup>

### Free movement of persons; freedom to provide services

#### *Abolition of restrictions*

#### Public health

**2.1.14.** The Committee of Senior Officials on Public Health, meeting on 24 and 25 April, considered the opinion delivered by the Advisory Committee on Medical Training in regard to specific training for general practitioners<sup>4</sup> and proposed various guidelines to the Commission departments for action to be taken in that field.

The Committee also considered the application of the Directives to ensure freedom of movement for nurses, which will take effect throughout the Community on 29 June 1979. The discussions on this matter revealed that certain delays may occur in some Member States in the application of the Directives though all in all no particular problems should arise.

Lastly, the Committee asked the Commission departments to continue gathering statistics on the numbers of practitioners. This will cover doctors, dentists and nurses and should be available early in 1980.

### Industry: restructuring and conversion

**2.1.15.** During the sitting on 26 April Parliament<sup>5</sup> gave its opinion on the Commission proposal for a Regulation on Community aid for industrial restructuring and conversion operations.<sup>6</sup>

#### Steel

#### Implementing the crisis plan

**2.1.16.** On 3 April the Commission adopted the principles for granting exception from adherence to minimum prices for certain deliveries of hot-rolled wide strip to processing undertakings and the criteria for setting the maximum limit of the difference between the minimum price and an authorized exemption price.

The principles derive from the Commission Decision of 29 December 1978 laying down minimum prices for hot-rolled wide strip, merchant bars and concrete reinforcing bars.<sup>7</sup>

<sup>1</sup> OJ C 112 of 13.5.1978 and Supplement 4/78—Bull. EC.

<sup>2</sup> Point 2.3.12 and OJ C 127 of 21.5.1979.

<sup>3</sup> OJ C 241 of 14.10.1976 and Supplement 11/76—Bull. EC.

<sup>4</sup> Bull. EC 3-1979, point 2.1.13.

<sup>5</sup> Point 2.3.10 and OJ C 127 of 21.5.1979.

<sup>6</sup> OJ C 272 of 16.11.1978 and Bull. EC 11-1978, point 2.1.11.

<sup>7</sup> OJ L 370 of 30.12.1978 and Bull. EC 12-1978, point 1.3.2.

2.1.17. Acting under the crisis plan the Commission decided on 9 April<sup>1</sup> to impose fines on certain Community undertakings which had not adhered to the minimum prices laid down by the Commission for certain steel products, as it had already done in May,<sup>2</sup> July, August<sup>3</sup> and October 1978<sup>4</sup> and in January 1978.<sup>5</sup>

The offenders are two German firms (Korf Industrie und Handel GmbH und Co Kg and Eisenwerk-Gesellschaft Maximilianshütte mbH), a French firm (Sacilor-Aciéries et Laminoirs de Lorraine) and an Italian works (Fenotti & Co SpA).

### OECD Steel Committee

2.1.18. The OECD Steel Committee met in Paris on 26 and 27 April. It reviewed the steel policies of the participating countries, in particular those of the European Community. It asked for further information on restructuring policies in order to give all the participants a comprehensive view of the situation.

### Industrial loans

2.1.19. Pursuant to Article 54 of the ECSC Treaty the Commission decided to grant a loan of Lit 90 000 million (about 79 million EUA) to Italsider, Genoa, towards financing the huge rationalization programme now under way at the Genova-Cornigliano steel-works. The programme provides basically for the replacement of the now obsolete OH shop with an OBM shop (2 converters, each of 250 tonnes), the installation of continuous slab casting and the addition of plant to allow greater value added output.

### Textiles

2.1.20. On 4 April<sup>6</sup> the Commission sent the Council a proposal for a Decision adopting a second three-year (1980-83) research and development programme for the European Community in the field of textiles and clothing. This programme follows on from the first technological programme which the Commission presented in September 1974<sup>7</sup> and the Council adopted in April 1975.<sup>8</sup>

It fits into the general guidelines for a textile and clothing industry policy which the Commission set out in a communication to the Council in July last year.<sup>9</sup>

The proposal is for a programme focusing on five areas of research and development covering various branches of activity;

- (i) garment physiology and construction;
- (ii) quality of knitted fabrics and knitwear articles;
- (iii) application of new spinning technologies in the wool industry;
- (iv) upgrading of linen;
- (v) pollution treatment and water recycling in textile finishing undertakings.

These various operations are justified in that the sector of the textiles and clothing industries is made up of a host of small and

<sup>1</sup> OJ C 103 of 25.4.1979.

<sup>2</sup> Bull. EC 5-1978, point 2.1.14.

<sup>3</sup> Bull. EC 7/8-1978, point 2.1.18.

<sup>4</sup> Bull. EC 10-1978, point 2.1.16.

<sup>5</sup> Bull. 1-1979, point 2.1.23.

<sup>6</sup> OJ C 111 of 4.5.1979.

<sup>7</sup> Bull. EC 9-1974, point 2229.

<sup>8</sup> Bull. EC 4-1975, point 2256 and OJ L 111 of 30.4.1975.

<sup>9</sup> Bull. EC 7/8-1978, point 2.1.22.

medium-sized companies which are not in a position by themselves to launch a wide-ranging technological programme. If it is to continue to contribute substantially to Community activity this sector must have the resources needed to make a constant effort to improve its techniques and renew its technology.

The Commission considers that such a programme should have financial resources of the order of 8 million EUA, with the textiles industry bearing a part. Eighteen laboratories in the Member States will be involved in the programme.

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2.1.21. At its sitting on 25 April Parliament<sup>1</sup> passed a resolution on Community participation in space research. On 27 April<sup>2</sup> it also passed a resolution on organ banks.<sup>3</sup>

## Customs union

### Common Customs Tariff

#### Nomenclature

2.1.22. On 5 April<sup>4</sup> the Commission adopted a Regulation amending the Common Customs Tariff as regards the nomenclature of hybrid maize intended for sowing.

The aim of this Regulation is to establish separate descriptions in the CCT Nomenclature for the different types of hybrid maize intended for sowing. This measure arises from the application of countervailing charges to imports of these products and the need to apply the charges in question correctly.

## Economic tariff matters

### Suspensions

2.1.23. On 9 April<sup>5</sup> the Council adopted a Regulation partially and temporarily suspending the customs duty for new potatoes falling within subheading 07.01 A II(a) of the CCT originating in Cyprus. Duty is fixed at 6% for the period up to 15 May.

## Competition

### Eighth Report on Competition Policy

2.1.24. The Commission has approved and transmitted to Parliament its Eighth Report on Competition Policy, published in conjunction with the Twelfth Annual Report on the Activities of the European Communities. As in previous years the Report outlines developments in Community competition policy during the past year, a brief analysis of which appears in the Introduction to the Report.<sup>6</sup>

### State aids

#### General schemes

#### Federal Republic of Germany

2.1.25. On 5 April the Commission decided not to raise any objections to the introduc-

<sup>1</sup> Point 2.3.22 and OJ C 127 of 21.5.1979.

<sup>2</sup> Point 2.3.14 and OJ C 127 of 21.5.1979.

<sup>3</sup> Bull. EC 1-1979, point 2.1.28.

<sup>4</sup> OJ L 86 of 6.4.1979.

<sup>5</sup> OJ L 92 of 11.4.1979.

<sup>6</sup> Points 1.4.1 and 1.4.2.

tion of a German scheme to finance part of industrial firms' wage costs for research and development workers.

This aid will take the form of a grant equal to 40% of the gross salaries paid by the firm to research and development staff if the salaries do not exceed DM 300 000 per annum. Aid will be reduced to 25% for the proportion of salary exceeding that figure. The maximum amount of aid payable annually to each firm is DM 400 000. To be eligible firms must not employ over 1 000 people or have a turnover of more than DM 150 million. A sum of DM 300 000 will be set aside to finance this scheme in 1979; equivalent sums are planned for the following four years.

After a thorough scrutiny the Commission decided not to oppose application of this scheme. It emphasized that its favourable view was based on the following assurances from the German Government:

- (i) this aid will not be combined with other aids for research and development projects, if they would have the effect of subsidizing salary costs;
- (ii) the planned assistance will be granted for only five years;
- (iii) within a period of two years the aid will be modulated to stimulate the creation of new jobs rather than the maintenance of existing jobs and in 1980 there will be a review to tighten the turnover and employees criteria for determining eligible firms;
- (iv) careful checks will be made to ensure that aid is used only for genuine research and development operations;
- (v) a report will be submitted to the Commission every year on applications of the aid, which will enable the Commission to check that there are no adverse effects on particular branches of industry.

In view of these assurances the Commission considered that this aid scheme qualified for exemption under Article 92(3) (c) of the EEC Treaty (aid intended to facilitate the development of certain activities).

### *Regional aids*

#### **France**

2.1.26. On 23 April the Commission took a position on the creation in France of a Special Industrial Adaptation Fund (FSAI). With the FF 3 000 million available under this new aid scheme the French authorities are planning to encourage the conversion of areas whose economies are heavily dependent on iron and steel or shipbuilding, by means of State grants and participatory loans (with interest rates comprising two elements, one fixed and one variable).

In view of the economic and social problems of the areas selected, the Commission decided not to oppose grants to firms which are contributing to the conversion of these areas; it did, however, insist that the French Government notify it of internal arrangements to ensure that FSAI grants do not combine with other regional aid in such a way as to exceed the maximum levels laid down in the 1979 coordination principles.<sup>1</sup> Furthermore, the FSAI is approved only until 31 December 1980.

The awarding, under the FSAI, of participatory State loans is a new feature of French regional development aid. So, before the loans are actually made, the Commission wishes to

<sup>1</sup> OJ C 31 of 3.2.1979; Bull. EC 11-1978, point 2.1.34.



hold discussions with the French authorities in order to ensure that the aid complies with the provisions of the EEC Treaty and the principles of coordination.

### *Industry aids*

#### France

2.1.27. The Commission decided not to oppose the French Government's plans to grant aid to producers of essence of lavender to contribute towards the financial outlay involved in constituting a buffer stock for that product. This action is in response to the need to replace existing lavender plants, which are degenerating, by new, hardier plants. The aid will take the form of a loan at the usual rate of the *Crédit agricole*, to be repaid after a year and covering 80% of the expenditure incurred. The total cost of the aid is FF 899 000.

Since French essence of lavender represents 95% of the Community's production and trade between the Member States is almost non-existent, the Commission considered that the aid was not caught by Article 92(1) of the EEC Treaty.

#### Ireland

2.1.28. On 9 April<sup>1</sup> the Commission decided to initiate the procedure of Article 93(2) of the EEC Treaty in respect of a subsidy of 5½ pence per 800 g loaf granted by the Irish Government to national bakeries in order to lower the retail price.

In 1975, when the Commission allowed this measure to be introduced, the product in

question did not appear to enter into trade between Ireland and the other Member States and since it was reserved exclusively to Irish bakeries there was no problem. A complaint addressed to the Commission has revealed that conditions on the market have changed, that there is now a trade in bread between the Republic of Ireland and Northern Ireland and that only the denial of aid to imports from Northern Ireland is preventing it from developing further.

The aid is thus now caught by Article 92(1) of the EEC Treaty, and it cannot benefit from exemption under Article 92(2) (a), which stipulates that aid of a social nature granted to individual consumers is compatible with the common market if it is granted 'without discrimination related to the origin of the products concerned'.

Moreover, the refusal by the Irish authorities to extend this facility to imported Community loaves appreciably alters its purpose and changes it into a protective aid for the Irish baking trade. This aid does not help to resolve the structural problems of that sector and cannot therefore qualify for exemption under Article 92(3) (c) in favour of 'aid to facilitate the development of certain economic activities or of certain economic areas, where such aid does not adversely affect trading conditions to an extent contrary to the common interest'.

In initiating this procedure the Community has left it to the Irish authorities to choose between two solutions: either to phase out the aid in question or extend the benefit to loaves imported from the other Member States.

<sup>1</sup> OJ C 109 of 2.5.1979.

**Aid for small businesses****Netherlands**

2.1.29. The Commission gave a favourable decision on a Dutch aid scheme for small businesses, which is intended to lighten the costs of research and development contracts which they award to third parties.

The subsidy, which will go to firms employing less than 200 people, may not exceed 30% of the cost of contracts or HFL 30 000 in each case. A total of HFL 2 million will be allocated to finance the scheme, which will run only until the end of the year.

The Commission considered that this scheme deserved the same favourable treatment it has given to other schemes to assist research and development<sup>1</sup> and that it could therefore be exempted under Article 92(3) (c) of the EEC Treaty.

**Employment and social policy****Employment**

2.1.30. Once again employment problems were to the fore. Preparations were made in April for various meetings to be held in May: the Council (social affairs), Senior Employment Officials and the Standing Committee on Employment. In particular, the Commission discussed work-sharing and the social repercussions of the iron and steel policy; it also prepared a document on the reduction of the qualitative mismatch between the supply of and demand for labour<sup>2</sup> and a communication to the Council on the improvement of

relations with the social partners in the context of the Tripartite Conferences.<sup>3</sup>

**Guidelines for labour market policy**

2.1.31. The theme of the document on the reduction of the qualitative mismatch between the demand for and supply of labour, tabled for the next meeting of the Standing Committee on Employment, constitutes one of the elements in the overall strategy presented by the Commission at the last Tripartite Conference<sup>4</sup> and accepted by the participants as a basis for future work.

Without claiming to deal exhaustively with the problems underlying qualitative mismatch on the labour market, the Commission proposes to focus discussions in the Committee on three essential questions:

(i) The importance to be attached to the problem of qualitative mismatch on the labour market. A rapid analysis, based on information given in the Annex, tends to show that the different factors of mismatch (mobility, qualifications, working conditions) have an unquestionable role in current unemployment, without however constituting its essential cause;

(ii) The contribution of policies acting on the labour market. The changes that have occurred in the past years in the economic situation and in the behaviour of undertakings and workers have increased the role of these policies which should be adjusted or reinforced. The document presents a number of precise recommendations on vocational guidance, initial and further training and the

<sup>1</sup> Bull. EC 11-1977, points 2.1.44 and 2.1.45; 3-1979, point 2.1.31.

<sup>2</sup> Point 2.1.31.

<sup>3</sup> Point 2.1.39.

<sup>4</sup> Bull. EC 11-1978, point 1.3.5.

role of public employment services or agencies;

(iii) The adjustment and improvement of working conditions. The Commission suggests that particular attention be paid to the adjustment and improvement of working conditions, with particular reference to the problems posed by the development of part-time or temporary work.

The conclusions to the document underline the need to reconcile requirements of flexibility for the economy with workers' aspirations. They suggest a number of Community initiatives, especially in regard to the development of a system to link work and training; the cooperation of public employment services on specific points such as technical assistance, staff training, data processing and lastly the improvement of information with respect to the labour market.

### Vocational training

2.1.32. The Advisory Committee on Vocational Training held a plenary meeting on 26 and 27 April. It examined and discussed a document prepared by the Commission relating to a Community initiative to link work and training for young people on the 'sandwich' model. The discussion in the Committee will enable the Commission to prepare a Community initiative in this area. Preparation of this document corresponds to the wishes expressed by the Council at its meeting in March 1979.<sup>1</sup>

### Free movement of workers

2.1.33. In connection with the programme for gradually implementing SEDOC (Euro-

pean system for the international clearing of vacancies and applications for employment), which was set up under Article 15 of the Regulation of 15 October 1968 on the free movement of workers,<sup>2</sup> the Commission organized two training seminars on 26 and 27 April for 120 officials from Italian regional and provincial employment services. At these seminars officials from sixteen new provinces who will participate in the pilot schemes were trained in SEDOC techniques. In all, the SEDOC experiment will soon extend to thirty provinces in Italy.

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2.1.34. On 24 April Parliament adopted an opinion<sup>3</sup> on the proposal for a Council Decision on setting up a second joint programme of exchanges of young workers within the Community.<sup>4</sup>

### European Social Fund

#### Fund Committee

2.1.35. On 5 April the Fund Committee held a plenary meeting. Discussions covered the guidelines for the management of the European Social Fund in 1980-82.

The guidelines, based on the economic and social situation of the Community, are

<sup>1</sup> Bull. EC 3-1979, point 1.1.5.

<sup>2</sup> OJ L 257 of 16.10.1968.

<sup>3</sup> Point 2.3.15 and OJ C 127 of 21.5.1979.

<sup>4</sup> OJ C 81 of 28.3.1979 and Bull. EC 3-1979, point 2.1.45.

intended to aid in the selection of Fund operations which would have the maximum effect with regard to employment problems.

## Social protection

### Social security for migrant workers

2.1.36. On 11 April the Commission forwarded to the Council a proposal amending the Regulations of 14 June 1971 and 21 March 1972 and their annexes<sup>1</sup> on the application of social security schemes to employed persons and their families moving within the Community.<sup>2</sup>

The aim of proposed amendments is to align these instruments with changes in Member States' legislation, and in particular recent structural changes introduced in the United Kingdom social security system. In particular, they are designed to update existing provisions; to provide for provisions to enable workers to meet the 'presence' and 'period of presence' conditions required under United Kingdom legislation for payment of the new child benefits; lastly, to lay down provisions to calculate the amount of any addition component of pensions that might be owed by the United Kingdom.

### European Social Budget

2.1.37. On 24 April Parliament passed a resolution<sup>3</sup> on the second European Social Budget (1976-80) which was presented to the Council by the Commission in July 1978.<sup>4</sup>

## Living and working conditions

### Housing

2.1.38. Under the first and second instalments of the eighth scheme of financial aid to low-cost housing for workers in the ECSC industries, the Commission has approved the following building projects:

*France* — coal industry: 38 dwellings in the Centre and Midi regions (FF 304 000);

*France* — iron and steel industry: 45 dwellings in the North (FF 555 000);

*Federal Republic of Germany* — coal industry: 80 dwellings in the Saar and the Cologne and Aachen regions (DM 840 000);

*Federal Republic of Germany* — iron and steel industry: 146 dwellings in Kreuztal-Eichen and the surrounding area (DM 914 000);

*Italy* — iron and steel industry: 45 dwellings at Cremona (LIT 600 000 000);

*Luxembourg* — iron and steel industry: 32 dwellings for frontier workers employed by ARBED and the MMRA — Rodange (FF 800 000);

*United Kingdom* — iron and steel industry: 19 dwellings in Cardiff (UKL 48 400);

*United Kingdom* — coal industry: 587 dwellings in the North-East, North Yorkshire and the West of England (UKL 500 000).

<sup>1</sup> OJ L 149 of 5.7.1971 and OJ L 74 of 27.3.1972.

<sup>2</sup> OJ C 115 of 8.5.1979.

<sup>3</sup> Point 2.3.16 and OJ C 127 of 21.5.1979.

<sup>4</sup> Bull. EC 7/8-1978, point 2.1.59.

### Industrial relations. Labour law

2.1.39. On 27 April the Commission forwarded to the Council a communication on the improvement of relations with the social partners in the context of the Tripartite Conferences. This communication was drawn up after consultation with the workers' and employers' representative organizations; it was called for by the European Council. At its meetings of 4 and 5 December 1978<sup>1</sup> and 9 and 10 March 1979<sup>2</sup> the European Council had requested the Council to study the proposals put forward by the two sides of industry for improving the working methods of the Tripartite Conference.

The communication sums up the positions adopted by the European Trades Union Confederation and the Union of Industries of the European Communities and notified to the Commission. It also contains Commission proposals with respect to the composition of the conference, organization of preparatory work and the actual work of the conference, in particular the preparation of the conclusions.

### Paul Finet Foundation

2.1.40. The Executive Committee of the Paul Finet foundation met on 27 April and examined 400 applications awarding financial aid totalling BFR 2 540 617 to 300 young persons whose fathers had been employed in ECSC industries and who died as a result of an industrial accident or occupational disease.

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2.1.41. On 27 April Parliament adopted a resolution on accidents at work.<sup>3</sup>

## Environment and consumer protection

### Environment

#### Environmental matters before the Council

2.1.42. The Council devoted most of its meeting on 9 April to the further development of the Community's environment policy. Taking as a basis a communication which it had requested from the Commission in December 1978<sup>4</sup> to assist it in its work, the Council held a general exchange of views on policy which has judged to be most constructive by those taking part. It resulted in lines of policy being worked out which will provide a better framework for the Commission's future work.

The Ministers' discussions focused on the four closely related topics covered in the Commission's communication, namely environmental impact assessments,<sup>5</sup> European conventions on the quality of life,<sup>6</sup> clean technologies<sup>7</sup> and waste management policy.<sup>8</sup>

The Council also raised the problems caused by the nuclear accident at the Harrisburg power station in the United States,<sup>9</sup> the mat-

<sup>1</sup> Bull. EC 12-1978, point 2.1.55.

<sup>2</sup> Bull. EC 3-1979, point 1.1.5.

<sup>3</sup> OJ C 127 of 21.5.1979.

<sup>4</sup> Bull. EC 12-1978, point 2.1.77.

<sup>5</sup> Point 2.1.57.

<sup>6</sup> Point 2.1.43.

<sup>7</sup> Point 2.1.44.

<sup>8</sup> Point 2.1.45.

<sup>9</sup> Point 2.1.46.

ter of protecting and making the best use of open spaces<sup>1</sup> (forests, soil, hillsides, water resources) based on two papers put up by the Italian Delegation, and the control of atmospheric pollution<sup>2</sup> (at the prompting of the Netherlands Delegation).

### *Preventing and reducing pollution and nuisances*

#### **European conventions on the quality of life**

2.1.43. At its meeting the Council considered experience so far with European conventions on the quality of life: coordinated programmes (combined with financial aids) agreed (and prospective) with industry for reducing pollution discharges on a definite time-scale.

The Council invited the Commission to go ahead with the first phase of a progressive and pragmatic scheme for the asbestos and fluorocarbons industries. This phase will include a survey of the factories in both sectors and their environmental impact, and the setting of common objectives combined with elements of support needed for reducing the pollution caused by these industries.

#### **Clean technologies**

2.1.44. The Council's attention was also directed to the development of clean technologies, i.e. ones which will limit polluting emissions, produce less waste and save natural resources. The Council asked the Commission to review and compare the Member States' relevant policies and to identify the most effective ways of supporting these efforts. It invited the Commission to

step up research efforts and improve the dissemination of information in this field.

#### **Waste management policy**

2.1.45. Here the problems involve a reduction in the volume of waste produced, limiting the nuisances resulting from waste disposal and the better use of waste as resources.

The Council took note of the Commission's initial work on this matter (particularly its comparison of action taken in the Member States) and requested the Commission to continue in specific sectors, particularly waste oil and beverage containers. It also called on the Commission to investigate the drafting of specifications for paper products with a view to prohibiting any use of certain contaminants.

#### **The accident at the Harrisburg nuclear plant**

2.1.46. The Commission informed the Council of its intention to send two experts to the site to assess the causes and consequences of the incident at the Three Mile Island power plant at Harrisburg. The Council agreed to examine the implications of this accident in the light of the information gathered by the Commission's and Member States' Fact-Finding teams. The Benelux countries may raise the matter of convening a joint Council meeting of energy and environment ministers to consider the consequences of the Harrisburg accident.

<sup>1</sup> Point 2.1.56.

<sup>2</sup> Point 2.1.48.

2.1.47. The accident at the Three Mile Island nuclear power plant on 28 March was also the subject of a statement made by Mr Natali, Vice-President of the Commission, to the European Parliament which, at the close of a debate on the subject,<sup>1</sup> adopted a resolution calling for a report from the Commission on the accident and its consequences for the Community's nuclear policy. The Economic and Social Committee, which met on 4 and 5 April, also sent the Council and the Commission a recommendation on the subject of this accident.

### Atmospheric pollution

2.1.48. The Council took note of the Netherlands Delegation's communication on combating atmospheric pollution, particularly sulphur dioxide emissions. The Commission supported the analysis of the situation put forward by the Government of the Netherlands.

2.1.49. At its annual session, held in Geneva from 27 March to 7 April and from 23 to 27 April, the United Nations Economic Commission for Europe decided to convene a high-level Pan-European conference on environmental matters in November 1979.<sup>2</sup> One item for the conference to decide on will be the conclusion of a convention on trans-frontier atmospheric pollution to which the Community as such will be a full party.

### Pollution of fresh water

2.1.50. The Commission was invited by the Water Research Centre at Medmenham to attend a conference on controlling river pollution held in Oxford from 9 to 11 April. The discussions covered various aspects of com-

bating pollution in fresh surface water. The Commission representative made a contribution on the Community approach to the control of water pollution.

### Pollution of the sea

2.1.51. At its meeting on 4 and 5 April the Economic and Social Committee<sup>3</sup> delivered an opinion on problems currently facing Community shipping policy covering various matters including maritime and coastal safety.

2.1.52. On 5 April seven countries, including five Member States of the Community, signed a joint declaration of intent relating to a European research project on the effect on benthic coastal fauna of discharging pollutants into the sea.<sup>4</sup>

### Chemicals

#### *Ecotoxicology*

2.1.53. A meeting of representatives of over one hundred European laboratories that had participated in Community intercalibration studies on ecotoxicology tests was held from 4 to 6 April under the chairmanship of the Commission. The tests were to assess the potential threat of a chemical substance to the environment. The aim of the operation was to study the quality of the results of tests for acute toxicity and degradability. The par-

<sup>1</sup> Point 2.3.18 and OJ C 127 of 21.5.1979.

<sup>2</sup> Point 2.2.33.

<sup>3</sup> Points 2.1.93 and 2.3.67.

<sup>4</sup> Point 2.1.103.

ticipants reached the conclusion that a great deal of effort was still required to improve the quality and comparability of certain tests.

### *Safeguarding the environment and natural resources*

#### **Protection of flora and fauna**

##### *Bird conservation — Directive adopted*

2.1.54. On 2 April<sup>1</sup> the Council formally adopted the Directive on wild birds, the substance of which it had approved at its meeting of 16 and 19 December 1978,<sup>2</sup> and a Resolution requesting the Member States to inform the Commission within two years of the protected areas that they intend to designate in pursuance of the Directive.

##### *Protection of wild animals*

2.1.55. On 18 April the Commission sent to the Council a recommendation for a Decision authorizing the Commission to take part in the negotiation of a Convention on the conservation of migratory species of wild animals, prepared under the United Nations Environment Programme (UNEP). The Convention, which covers certain areas falling within the Community's jurisdiction, comprises a framework agreement providing for agreements between States in whose territory there are populations of endangered migratory species. These States would take concerted conservation and management measures appropriate to the species involved. The Convention will be concluded at a conference to be held in Bonn from 11 to 23 June.

#### **Soil, water and forests**

2.1.56. The Council took note of two memoranda from the Italian Delegation, one concerning soil protection, monitoring the stability of hillsides and the hydrogeological balance, the other the protection and improvement of the environment with particular regard to wooded and protected areas. The Commission indicated that it was making every effort to make its present work in this field part of an overall gradual approach. A number of coordinated studies and projects is already under way and, in so far as Italy's suggestions had not already been taken up, they could be efficiently integrated in one or other of these studies or projects.

#### *Improving the environment*

##### **Environmental impact assessments**

2.1.57. On the basis of a report from the Commission, the Council adopted three principles as a basis for impact studies, which relate to the repercussions of any given human activity on the environment. The principles are that studies should be made for big undertakings likely to have a major effect on the environment, that the party responsible for the undertaking should also be responsible for making the study and that studies should be suitably publicized.

The Council agreed that a more complete analysis of the present state of the environment, better forecasting of the effects of projects on the environment, clearer justifica-

<sup>1</sup> OJ L 103 of 25.4.1979.

<sup>2</sup> Bull. EC 12-1978, point 2.1.83.



tion of decisions on the projects in question and greater publicity for the necessary measures would make it easier to achieve the aims of impact studies. The Council took note of the Commission's intention<sup>1</sup> to put forward proposals which would be based on the principles and objectives which emerged during the discussion.

## Consumers

### *Consumer protection and information*

#### Misleading and unfair advertising

2.1.58. The Economic and Social Committee, meeting on 4 and 5 April, delivered an opinion on the proposal for a Council Directive relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading and unfair advertising, which was sent to the Council on 1 March 1978.<sup>1</sup>

#### Accidents involving the use of products

2.1.59. On 27 April Parliament delivered its opinion on the proposal sent to the Council on 5 October 1978 for a Decision introducing a Community system of information on accidents in which products are involved, outside the spheres of occupational activities and road traffic.<sup>2</sup>

#### *Consumers Consultative Committee*

2.1.60. At its plenary meeting on 24 April the Consumers Consultative Committee

(CCC) unanimously adopted an opinion on the preliminary draft for a second consumer policy programme prepared by the Commission.

This opinion expressed the CCC's approval of the programme's general aims and, in particular, its efforts to promote (as opposed merely to protection) consumer interests and its emphasis on prices and services.

## Agriculture

### Agricultural prices for 1979/80

2.1.61. Having failed to reach an overall decision in April on the Commission's proposals regarding farm prices for the 1979/80 marketing year, the Council confined itself to fixing the basic and buying-in prices for certain fruit and vegetables (cauliflowers, tomatoes, peaches and lemons) for periods ending on 30 June.

In March it had extended the marketing years for beef and veal and milk and milk products until the end of June and fixed the basic and buying-in prices for some products.<sup>3</sup>

2.1.62. The Economic and Social Committee, meeting in plenary session on 4 and 5 April, gave its opinion<sup>4</sup> on the proposals for

<sup>1</sup> OJ C 70 of 21.3.1978 and Bull. EC 2-1978, point 2.1.36.

<sup>2</sup> OJ C 252 of 24.10.1978 and Bull. EC 9-1978, point 2.1.42.

<sup>3</sup> Bull. EC 3-1979, point 2.1.72.

<sup>4</sup> Point 2.3.66.

agricultural prices and related measures presented by the Commission to the Council in February.<sup>1</sup>

### Measures in connection with the monetary situation

2.1.63. On 9 April<sup>2</sup> the Council, acting on a proposal from the Commission, altered the date of entry into force of the new representative rate for wine in Italy, the situation there being comparable with that in France, where the new green rate came into effect on 9 April. The first devaluation of the green lira thus came into effect on the same date.

2.1.64. On the basis of the Council Regulations introducing the ECU into the common agricultural policy and amending the representative rates,<sup>3</sup> on 9 April<sup>2</sup> the Commission laid down or amended the rules for the application of several Regulations which it had previously adopted, concerning:

- (i) the impact of the European Monetary System on the common agricultural policy;<sup>4</sup> this Regulation contains the green rates expressed in ECUs and certain transitional measures;
- (ii) the monetary compensatory amounts<sup>5</sup> to take account of the introduction of the ECU into the common agricultural policy and the fact that France and Ireland have joined the Member States with stable currencies;
- (iii) the rates applicable<sup>6</sup> in the agricultural sector for France, Ireland, Italy and the United Kingdom following of new exchange rates.

2.1.65. At its session on 4 and 5 April, the Economic and Social Committee also delivered its opinion<sup>7</sup> on the proposal for a Regu-

lation forwarded by the Commission to the Council on 14 February<sup>8</sup> amending the method of calculating compensatory amounts in the wine sector.

2.1.66. As it had indicated to the Council at the meeting on 29 and 30 March, the Commission has revised the method of calculating monetary compensatory amounts on certain products.<sup>9</sup>

The aim in the beef and veal sector was to reduce the current imbalance in trade between forequarters and unboned cuts by applying the same coefficient to both. As regards pigmeat, the monetary compensatory amounts had to be adjusted in line with the new coefficients adopted for calculating the levies.

In the milk and milk-products sector a detailed study has led to the conclusion that for the purpose of calculating monetary compensatory amounts it is possible to discount processing costs, with the exception of overheads relating to fresh milk, and that cheeses obtained exclusively from goats' or ewes' milk could be excluded from the list of products subject to monetary compensatory amounts.

As regards cereals, the change consists in adjusting the coefficients for calculating the monetary compensatory amounts applicable to maize groats and meal and other products

<sup>1</sup> Bull. EC 1-1979, points 1.1.1 to 1.1.6.

<sup>2</sup> OJ L 89 of 9.4.1979.

<sup>3</sup> Bull. EC 3-1979, points 2.1.73 and 2.1.74.

<sup>4</sup> OJ L 84 of 4.4.1979.

<sup>5</sup> OJ L 139 of 30.5.1975.

<sup>6</sup> OJ L 134 of 22.5.1978.

<sup>7</sup> Point 2.3.72.

<sup>8</sup> OJ C 55 of 1.3.1979 and Bull. EC 2-1979, point 2.1.56.

<sup>9</sup> OJ L 95 of 16.4.1979 and OJ L 99 of 21.4.1979.

processed from cereals so as to reflect more accurately the technical conditions of processing and the relationship between these products.

### Common organization of markets

2.1.67. The Commission presented two proposals to the Council relating to the fruit and vegetables sector: one on 3 April<sup>1</sup> extending until 31 May 1980 the suspension of the application of the contractual price to imports of fresh lemons originating in some Mediterranean countries; the other, forwarded on 5 April,<sup>1</sup> concerns amendments to the special measures for improving the production and marketing of citrus fruit.

On 27 April Parliament adopted an opinion<sup>2</sup> on the proposal forwarded by the Commission to the Council on 8 February<sup>3</sup> supplementing the Annex to the Regulation on the common organization of the market in fruit and vegetables.

2.1.68. On 4 April<sup>4</sup> the Commission adopted a Regulation on hops, adding Portugal to the list of non-member countries which have undertaken to abide by the rules governing the marketing of hops and hop products in the Community.

On 24 April the Commission also forwarded to the Council a report on the situation regarding the market in hops from the 1978 harvest, and a proposal fixing the amount of aid for hop producers in respect of that harvest.

2.1.69. In the milk products sector the Commission forwarded to the Council on 9

April a proposal suspending the use of inward processing arrangements for whey until 31 March 1980 because of the Community surplus of this product.

2.1.70. Special buying-in measures have been introduced in respect of beef<sup>5</sup> in three French departments where there have been outbreaks of foot-and-mouth disease; these measures are designed to support the market in view of the special circumstances. The meat must bear a distinctive marking, and the provisions will be applicable until 1 June. In the same sector, on 20 April<sup>6</sup> the Commission adopted a Regulation adjusting the prices for the sale to institutions and bodies of a social character of frozen beef held by the intervention agencies, bringing them in all Member States to 47% of the selling price on the internal market.

2.1.71. In April two measures concerning pigmeat were adopted. On 18 April the Council amended<sup>7</sup> one of the basic Regulations (as regards the standard amount for overheads used in calculating the sluicagate price for pig carcasses). It thus restored the protection of the Community market *vis-à-vis* imports from non-member countries by adapting the level of the sluicagate price to production costs in those countries.

On 11 April the Commission also adopted a Regulation<sup>8</sup> fixing revised coefficients for cal-

<sup>1</sup> OJ C 104 of 26.4.1979.

<sup>2</sup> OJ C 127 of 21.5.1979.

<sup>3</sup> OJ C 52 of 27.2.1979 and Bull. EC 2-1979, point 2.1.57.

<sup>4</sup> OJ L 85 of 5.4.1979.

<sup>5</sup> OJ L 87 of 7.4.1979.

<sup>6</sup> OJ L 102 of 25.4.1979.

<sup>7</sup> OJ L 99 of 21.4.1979.

<sup>8</sup> OJ L 95 of 16.4.1979.

culating the levies applicable to pigmeat products other than pig carcasses. This Regulation applies to calculation of the levy, sluicgate price and monetary compensatory amounts.

The economic significance of the two Regulations lies in the fact that they go some way towards offsetting the increase in external protection resulting from the rise in the sluicgate price and lead to a considerable saving as regards the grant of monetary compensatory amounts in intra-Community trade.

2.1.72. The Economic and Social Committee, at its session on 4 and 5 April, delivered its opinion<sup>1</sup> on the proposal forwarded by the Commission to the Council on 31 March 1978 on the common organization of the market in sheepmeat.<sup>2</sup>

### **European agricultural guidance and guarantee fund**

2.1.73. On 9 April the Commission adopted a decision on the applications for advances under the Directive on the programme to accelerate drainage operations in the less-favoured areas of the west of Ireland.<sup>3</sup> This decision lays down the rules under which Ireland may obtain advances from the EAGGF Guidance Section for financing these operations. This is the first time that such a facility has been available in connection with common measures financed by the Guidance Section to speed up as much as possible the improvement of structures in the Community's less-favoured areas.

### **Conditions of competition**

2.1.74. Under Articles 92 to 94 of the EEC Treaty the Commission decided not to raise objections in respect of the following measures:

- (i) the introduction in Ireland of a special levy for the financing of the Irish Livestock and Meat Board, which is responsible for the promotion and marketing of cattle, sheep and meat. The Commission insists that the commercial activities of this body be strictly in accordance with Community rules;
- (ii) the partial compensation of income losses suffered by wine-growers in Luxembourg as a result of the poor harvest caused by bad weather in summer 1978;
- (iii) a change in the United Kingdom in the existing arrangements for collecting a special levy for the Meat and Livestock Commission, which is responsible for the development of cattle, sheep and pig farming, the classification of carcasses and genetic improvement;
- (iv) aid in United Kingdom for further measures to combat plum pox by nursery owners who improve the health standards of their facilities and orchard owners who plant trees free from the virus;
- (v) an increase in the United Kingdom in the grants for farmers who employ apprentices and for associations of farmers who employ counsellors;
- (vi) in Luxembourg a draft Grand-Ducal Regulation granting an installation allowance to young farmers who take over the family farm or a farm whose previous owner has ceased farming;

<sup>1</sup> Point 2.3.70.

<sup>2</sup> OJ C 93 of 18.4.1978 and Bull. EC 3-1978, point 2.1.53.

<sup>3</sup> OJ L 206 of 29.7.1978.

(vii) in the Federal Republic of Germany (Schleswig-Holstein) a Directive on aid for the protection of the environment and forestry in the region.

## Approximation of legislation

### Veterinary legislation

2.1.75. On 6 April the Commission sent to the Council a proposal<sup>1</sup> for deferring the entry into force of certain provisions of the Directive of 21 December 1976<sup>2</sup> on health problems affecting intra-Community trade in meat products. Before the Directive entered into force, certain adjustments had to be made to the provisions of other Directives which are closely related on some points.

### Feedingstuffs

2.1.76. On 2 April the Council adopted a Directive<sup>3</sup> on the marketing of compound feedingstuffs. This Directive deals principally with the labelling of compound feedingstuffs to indicate their exact designation, the animal species for which the feed is intended and the percentage of each ingredient. At the same time the Council amended<sup>4</sup> the Directive of 23 November 1976<sup>5</sup> on the marketing of straight feedingstuffs, so that the two Directives can enter into force simultaneously on 1 January 1981.

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2.1.77. On 27 April Parliament delivered its opinion<sup>6</sup> on the proposals which the Commission forwarded to the Council in January regarding a Regulation introducing Community measures for the prevention of classical swine fever,<sup>6</sup> a Decision on a financial contribution from the Community to Spain

for the eradication of African swine fever<sup>7</sup> and a Decision on a financial contribution to the campaign against foot-and-mouth disease in south-east Europe.<sup>8</sup>

2.1.78. At its session on 4 and 5 April the Economic and Social Committee delivered an opinion<sup>9</sup> on the proposal for a Directive forwarded by the Commission to the Council on 23 January<sup>10</sup> concerning the protection of animals during international transport.

## Fisheries

### Conservation and management of resources

#### Internal resources

2.1.79. By its decision of 9 April,<sup>11</sup> the Council extended until 30 June at the latest the undertaking by Member States:

(i) to conduct their fishing activities taking into account the TACs (total allowable catches) submitted by the Commission to the

<sup>1</sup> OJ C 104 of 26.4.1979.

<sup>2</sup> OJ L 26 of 31.1.1977.

<sup>3</sup> OJ L 86 of 6.4.1979.

<sup>4</sup> OJ L 32 of 3.2.1977.

<sup>5</sup> OJ C 127 of 21.5.1979.

<sup>6</sup> OJ C 23 of 26.1.1979 and Bull. EC 1-1979, point 2.1.71.

<sup>7</sup> OJ C 44 of 17.2.1979 and Bull. EC 1-1979, point 2.1.71.

<sup>8</sup> OJ C 61 of 6.3.1979 and Bull. EC 1-1979, point 2.1.71.

<sup>9</sup> Point 2.3.75.

<sup>10</sup> OJ C 41 of 14.2.1979 and Bull. EC 1-1979, point 2.1.71.

<sup>11</sup> OJ L 93 of 12.4.1979.

Council for 1979 and the part of the TACs allocated to non-member countries;

(ii) to apply the same technical measures for the conservation and surveillance of fishery resources as they applied on 3 November 1976 and to adopt other measures in accordance with the criteria in Annex VI to the Council Resolution of 3 November 1976.<sup>1</sup>

The Council is aware of the urgent need for Community rules on mesh sizes and agreed to take a decision on this before 1 July in the context of a general agreement on the management and conservation policy for fishery resources. Eight delegations agreed to the Commission proposals concerning mesh sizes; the United Kingdom, however, considered that they were not sufficiently comprehensive to guarantee the conservation of resources. It felt, moreover, that they were linked to other questions still being discussed in the Council.

The Commission recalled that by virtue of Article 102 of the Act of Accession concerning the end of the transitional period, its authorization was necessary for any conservation measures taken by Member States.

2.1.80. In addition, on 20 April the Commission approved a United Kingdom measure to prohibit the landing of herring caught as by-catches.

### *External aspects*

2.1.81. The negotiations between the Republic of Senegal and the Commission for the conclusion of a fishing agreement were successfully completed on 30 April. The agreement, valid for two years with a tacit

renewal clause, will be submitted to the Council for approval.

This agreement is significant in that it is the first fishing agreement concluded by the Community with a developing country. It lays down the fishing arrangements valid between the Community as a whole and Senegal and will replace the bilateral agreements between Senegal and certain Member States.

The agreement specifies the number of Community fishing vessels and the conditions under which they may fish within Senegal's 200-mile zone. The Senegalese authorities will issue licences for this purpose against payment of a fee by the vessel owners. The latter will be under the obligation to land part or all of their catch at a Senegalese port. They will be required, within the limits set out in the agreement, to employ Senegalese fishermen.

The agreement provides for financial compensation by the Community, which is to be used for financing projects in Senegal connected chiefly with sea fishing. This is in addition to the financial assistance which Senegal receives under the Lomé Convention.

\*

2.1.82. Parliament delivered an opinion on 27 April<sup>2</sup> on a proposal for a Regulation<sup>3</sup> concluding a fishing agreement between the Canadian Government and the EEC. On the same date it adopted a Resolution<sup>2</sup> on fishing relations between the Community and Norway.

<sup>1</sup> Bull. EC 10-1976, points 1501 to 1505 and 12-1978, point 2.1.124.

<sup>2</sup> Point 2.3.28 and OJ C 127 of 21.5.1979.

<sup>3</sup> OJ C 274 of 18.11.1978.

## Markets and structures

### *Structural policy*

2.1.83. As regards State aid, the Commission decided on 5 April not to oppose the entry into force of two Danish measures concerning the renewal of subsidy arrangements for the temporary laying up of fishing vessels already agreed to by the Commission in 1978, and a State guarantee on loans contracted by processing industries in the fisheries sector.

## Transport

### Inland transport

#### *Operation of the market*

##### Access to the market

2.1.84. Parliament gave its opinion on 27 April<sup>1</sup> on the Commission proposal—which was sent to the Council on 1 February—for a Directive<sup>2</sup> on the own-account carriage of goods by road between Member States.

##### Transport rates and conditions

2.1.85. At its meeting on 12 June the Council called on the Commission to seek means of increasing carriers' interest in combined transport and surmounting present obstacles to its greater use. Taking a working paper as a basis, the Commission's departments are now consulting all the social and economic

interest groups involved, the aim being to determine the guiding principles and substance of new Community action. Two meetings, one on combined road/rail transport and the other on containers, were held in April.

### *Approximation of structures*

#### Taxation

2.1.86. The special group on the influence of taxation on the fuel consumption of cars<sup>3</sup> held another meeting on 9 April. It examined a draft report on the effects of existing taxation systems on the purchase and use of cars and the probable effects of various taxation strategies aimed at reducing fuel consumption.

#### Technical aspects

2.1.87. The issue of weights and dimensions of road vehicles was the subject of a meeting on 3 April between representatives of the Commission and the European Environmental Bureau. Views were exchanged on: vehicle construction aspects; the use and protection of infrastructures and areas of particular environmental importance; the reduction of nuisances caused by noise and pollution; and the possibilities of distributing goods between modes of transport.

<sup>1</sup> Point 2.3.20 and OJ C 127 of 21.5.1979.

<sup>2</sup> OJ C 41 of 14.2.1979 and Bull. EC 1-1979, point 2.1.77.

<sup>3</sup> Bull. EC 11-1978, point 2.1.103.

2.1.88. At its meeting on 4 and 5 April the Economic and Social Committee issued its opinion<sup>1</sup> on the Commission's draft recommendation to the Council on the ratification of the International Convention for Safe Containers.<sup>2</sup>

### Improvement of the railways' finances

2.1.89. Using a working paper as a basis, the Commission held a meeting with experts of the International Union of Railways' Group of Nine on 4 April to discuss problems relating to the railway undertakings achieving financial equilibrium as, pursuant to the Council Decision of 20 May 1975,<sup>3</sup> the Commission is due to submit proposals on this point by the end of 1979. This consultation will be followed by meetings with government experts and a number of bilateral discussions, all intended to lead to a preliminary draft regulation.

2.1.90. On 23 April, under the Council Decision of 20 May 1975<sup>3</sup> on the improvement of the situation of railway undertakings and the harmonization of rules governing financial relations between such undertakings and Member States, the Commission sent to the Council a report on long-term objectives and measures to be taken to promote partial or total integration of railway undertakings at Community level.

After brief summary of the background, the report first assesses the scope for integration in the long term and then leaves this aside, at least for the present, to opt instead for attempts at partial integration.

The second part of the report is devoted to an analysis of situations in which the common interests of the railways might lead to partial integration being contemplated. Within the

general context of the work on cooperation and other Commission actions, the report therefore proposes three studies on inter-urban passenger transport, combined road/rail transport and the carriage of new motor vehicles in order to throw more light on the advantages of integration in these areas. Another study is to be made to highlight the difficulties, particularly legal and economic, of achieving such objectives.

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2.1.91. At its meeting on 4 and 5 April the Economic and Social Committee issued its opinion<sup>1</sup> on the proposal, which the Commission sent to the Council in May 1978,<sup>4</sup> for amending the 1969 and 1970 Regulations concerning obligations inherent in the concept of a public service and on the granting of aids for transport by rail, road and inland waterway.

### Sea and air transport

2.1.92. In connection with the problems arising out of the Member States' accession to the United Nations Convention on a Code of Conduct for Liner Conferences,<sup>5</sup> Mr Burke, Member of the Commission, had discussions with the American authorities (in Washington from 4 to 6 April) and the Japanese authorities (in Tokyo from 16 to 19 April).

<sup>1</sup> Point 2.3.76.

<sup>2</sup> OJ C 44 of 17.2.1979 and Bull. EC 12-1978, point 2.1.137.

<sup>3</sup> OJ L 152 of 12.6.1975.

<sup>4</sup> OJ C 139 of 14.6.1978 and Bull. EC 5-1978, point 2.1.95.

<sup>5</sup> Bull. EC 2-1979, point 2.1.76.



2.1.93. At its meeting on 4 and 5 April the Economic and Social Committee, on its own initiative, issued an opinion<sup>1</sup> on the problems currently facing the Community in its maritime policy, particularly safety at sea, the spread of flags of convenience and discrimination against certain flags.

## Energy

### Formulating and implementing a Community energy policy

#### Saving energy and using it efficiently

2.1.94. At its meeting on 4 and 5 April the Economic and Social Committee delivered an opinion<sup>2</sup> on the proposals sent by the Commission to the Council on 3 August 1978<sup>3</sup> for Directives on the indication by labelling of the energy consumption of domestic appliances and on the application of that Directive to electric ovens.

### Sectoral problems

#### Hydrocarbons

2.1.95. At the Commission's initiative a symposium on new technologies for the prospection for and exploitation of natural gas and oil resources was held in Luxembourg from 18 to 20 April. The main topics covered at this symposium, which was attended by representatives of oil companies, leading industrial countries, developing countries and

the organizations of the oil exporting countries, were the results of the offshore industry's efforts and the particular problem of security.

#### Coal

2.1.96. After consulting the ECSC Consultative Committee,<sup>4</sup> on 19 April the Commission adopted the annual report on the Community coal market in 1978 and the forecasts for 1979.<sup>5</sup>

At around 287 million tonnes coal consumption was about the same in 1978 as in 1977, while consumption for electricity generation rose by about 5% to reach roughly 159 million t in 1978 as compared with 151 million t the previous year. Community coal production in 1978 was about 238 million t or some 1% lower than in 1977, the main features being a slight rise in production in the UK and slight drops elsewhere.

Price increases of Community coal have been moderate. However, as world market prices expressed in most Community currencies have been falling because of the weakening of the US dollar, the competitiveness of Community coal has been deteriorating considerably. Nevertheless, coal imports from third countries dropped by about 1.5% to 45 million t, of which over half was steam coal.

A modest increase in demand is expected for 1979, both by the steel industry and for electricity generation, while coal production for

<sup>1</sup> Point 2.3.67.

<sup>2</sup> Point 2.3.73.

<sup>3</sup> OJ C 212 of 6.9.1978 and Bull. EC 7/8-1978, point 2.1.114.

<sup>4</sup> Bull. EC 3-1979, point 2.3.75.

<sup>5</sup> OJ C 120 of 14.5.1979.

1979 is estimated to be about 2 million t above its 1978 level.

Coal imports from outside the Community could rise by about 5.5 million t in 1979, but may do so by less if the price problems inhibiting intra-Community trade in coal, particularly for electricity generation, can be alleviated.

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2.1.97. On 25 April Parliament adopted its opinion<sup>1</sup> on the draft Commission Decision, presented in October 1978,<sup>2</sup> on coke and coal for the Community's iron and steel industry.

### *Nuclear energy*

2.1.98. The accident in the Three Mile Island nuclear power station was the subject of a resolution<sup>3</sup> by Parliament and a recommendation by the Economic and Social Committee to the Council and Commission. On 9 April the Council agreed to undertake an examination of the implications of this accident on the basis of full information to be submitted by the Commission.

2.1.99. On 25 April Parliament adopted a resolution<sup>4</sup> on the operation of the Euratom inspection system with particular reference to the division of powers between the Commission, the governments of the Member States and the International Atomic Energy Agency as regards Euratom supervision of fissile materials.

### *Alternative energy sources*

2.1.100. On 9 April<sup>5</sup> the Council formally adopted the implementing regulations of

27 march<sup>6</sup> on the granting of financial aid to projects concerning the exploitation of geothermal and solar energy, and the gasification and liquefaction of solid fuels.

## Research and development, science and education

### **The technological risk: forecasting and evaluation in the Community**

2.1.101. In collaboration with the European Research and Development Committee (CERD) and under the ESIST programme (European Society and its interaction with science and technology),<sup>7</sup> the Commission held a seminar in Berlin on 2 and 3 April for some fifty European scientists. The aim of the seminar was to analyse public attitudes to scientific and technological risks and to study the decision-making procedures in scientific and technological policy.

At the opening session, the Commission's Director-General for Research, Science and Education presented a review and analysis of the problem of technological risk as it occurs in Europe: the socio-economic development of the Community depends and will continue to depend heavily on the discovery and application of new technologies which may be accompanied by not inconsiderable risk.

<sup>1</sup> Point 2.3.9 and OJ C 127 of 21.5.1979.

<sup>2</sup> Bull. EC 10-1978, point 2.1.120.

<sup>3</sup> Point 2.3.18 and OJ C 127 of 21.5.1979.

<sup>4</sup> Point 2.3.17 and OJ C 127 of 21.5.1979.

<sup>5</sup> OJ L 93 of 12.4.1979.

<sup>6</sup> Bull. EC 3-1979, point 2.1.22.

<sup>7</sup> Twelfth General Report, point 424.

These essential technologies must not and cannot be imposed on our society. It is therefore necessary to evaluate and monitor the objective risk inherent in all human activity and to ensure that any new technological development has the consensus of the majority. On the basis of the communications from the rapporteurs and of the documents prepared by the appropriate Commission departments on medical research, the environment and nuclear safety, the discussions brought to the fore some of the consequences to the Community of the general public's attitude to scientific and technological development.

A specialized working party including experts from the various Member States has now been given the task of drawing the conclusions from this conference and formulating for submission to the Commission suggestions concerning specific action that could be taken in the future at Community level.

## Science, research and development

### Scientific and Technical Research Committee

2.1.102. The Scientific and Technical Research Committee (CREST) devoted its meeting on 24 and 25 April to a comparison of national and Community policies on science and technology.

The Committee examined R & D problems and prospects common to the Member States, with special reference to the following points:

(i) the choice of priorities to be accorded to R & D activities undertaken in accordance with general objectives pursued in the Community;

(ii) the setting-up of structures and machinery suitable for rendering sectoral options compatible with the general objectives and for coordinating R & D activities;

(iii) the stimulation of industrial research and development;

(iv) the exploitation and optimum use of the results of R & D;

(v) the employment of research staff whose increasing age and lack of mobility are considered in some quarters to be a hindrance to the efficiency and creativity of R & D;

(vi) the participation of research workers and users of research results in the R & D decision-making process;

(vii) international cooperation.

Most of the Member State representatives on the Committee stressed the need for high-quality Community research concentrated on the areas defined by the Commission in its Communication to the Council of 30 June 1977<sup>1</sup> concerning the common policy on science and technology. Moreover, in view of the limited resources available it was necessary to strengthen the coordination of national and Community activities in these areas of common interest in order to increase the overall efficiency of R & D in the Community. CREST's role in this respect was considered by all to be a fundamental one.

In conclusion, the Committee agreed to report to the Council and the Commission on the various problems and prospects discussed, in preparation for the meeting of Ministers with responsibility for research which is due to be held in June.

<sup>1</sup> Supplement 3/77—Bull. EC.

**European scientific and technical cooperation**

*New project decision*

2.1.103. On 5 April representatives of seven European States, namely five Member States (the Federal Republic of Germany, Denmark, France, Ireland and the United Kingdom) and Sweden and Norway, signed a joint declaration of intent relating to the implementation under COST of a European research project on benthic coastal ecology (bottom-living animals). The Community, two other Member States (Belgium and the Netherlands) and two other non-member European States (Portugal and Spain) also intend to take part in the project as soon as the necessary procedures permit.

The main objective of the programme is to acquire a better understanding of and an ability to predict natural fluctuations in populations of benthic animal species with a view to detecting short-term and local changes brought about by man's interference with the ecosystem. This programme is the result of the growing concern aroused during the past ten years by the effect of human activities on coastal habitats, in particular as regards pollutant discharges into the sea.

**Fast Reactor Coordinating Committee**

2.1.104. At its meeting on 24 April the Fast Reactor Coordinating Committee delivered, for submission to the Council, a highly favourable opinion on the proposal for a multiannual (1979-83) research programme (indirect action) concerning codes and standards for fast breeder reactors (structural integrity of components), which the Commission transmitted to the Council in September 1978.<sup>1</sup>

The Committee recommended an extension of the cooperation agreement which had been entered into with the United States Nuclear Regulatory Commission (NRC) and the US Department of Energy (DOE) on comparative calculations relating to hypothetical accidents in fast reactors.

**Nuclear safety**

2.1.105. Acting in pursuance of the Council Resolution of 22 July 1975<sup>2</sup> on the technological problems of nuclear safety the Commission sent to the Council on 10 April the report on work done by its departments from January 1977 to June 1978. The report covers the progress made and conclusions reached by the Community working groups<sup>3</sup> in connection with the harmonization of safety codes, criteria, standards and regulations and with the coordination of safety research programmes as regards light-water reactors, fast reactors and fuel cycle installations. The report also mentions current work under the indirect-action programmes for the management and storage of radioactive waste<sup>4</sup> and plutonium recycling in light-water reactors.<sup>5</sup>

**Joint Research Centre**

**Construction of a test loop for reactor safety experiments in the ESSOR complex**

2.1.106. On 27 April the Commission and the Italian Government signed an additional

<sup>1</sup> OJ C 233 of 3.10.1978 and Bull. EC 9-1978, point 2.1.78.

<sup>2</sup> OJ C 185 of 14.8.1975.

<sup>3</sup> Twelfth General Report, point 398.

<sup>4</sup> OJ L 178 of 9.7.1975.

<sup>5</sup> OJ L 349 of 28.12.1974 and OJ L 291 of 17.10.1978.

contract for the continuation of construction work on the Super-Sara test loop in the context of the existing cooperation on the ESSOR reactor at the Ispra Establishment of the Joint Research Centre. The construction of this loop will be financed by the Italian Government and has been entrusted to the Harwell establishment of the United Kingdom Atomic Energy Authority (UKAEA).

The Super-Sara loop is intended for the in-pile simulation of abnormal situations in light-water reactors; the experiments planned are directed particularly towards the study of fuel behaviour under loss-of-coolant accident conditions in the reactor core. The use of this loop in a Community context is provided for in the Commission's proposal to the Council for a new JRC multiannual programme (1980-83).<sup>1</sup>

## Multiannual programmes

### Photovoltaic solar energy

2.1.107. Current work on the latest techniques for using solar energy by direct conversion of solar radiation into electricity via photovoltaic cells and the prospects for the development of these techniques were discussed at an international conference held by the Commission in Berlin from 23 to 26 April in cooperation with the Berlin Senate and the United States Institute for Electrical and Electronics Engineers.

The conference was attended by nearly 600 experts from 24 countries and was opened by Mr Brunner, Member of the Commission with responsibility for energy, research, science and education. Held in the context of the twice-yearly meetings on photovoltaic energy organized by the Commission, this

conference made it possible to assess the progress achieved since September 1977<sup>2</sup> in this field, which is the subject of a current Community research programme<sup>3</sup> and which is included in the proposal submitted in August 1978 for the period July 1979-June 1983.<sup>4</sup>

The conference revealed in particular that in the past five years prices of photovoltaic cells have fallen to a quarter of the original figure. It is expected that fresh price reductions will result from the research now being conducted throughout the world both in research institutions and by more than 200 firms (25 of which are situated in the Community), and that before the end of the century a large market will open up for this technology not only in the very sunny regions of the world but also for many applications in the Community.

During the ten years ahead, this Community market would focus chiefly on applications of photovoltaic cells in remote areas which are still without mains electricity, since the average investment cost for photovoltaic cells—today approximately 8 EUA per watt (as compared with approximately 1 EUA for nuclear power stations)—will fall only to about 2 EUA per watt in 1990. Nevertheless, there is general agreement in estimating that the total installed capacity of photovoltaic cells in the Community by that time will be more than 1 000 megawatts. It is expected that at the end of the century the investment costs for photovoltaic electricity generating units will have dropped to approximately 1 EUA per watt.

<sup>1</sup> Bull. EC 3-1979, point 1.5.3.

<sup>2</sup> Bull. EC 9-1977, point 2.1.78.

<sup>3</sup> OJ L 231 of 2.9.1975 and OJ L 10 of 13.1.1977.

<sup>4</sup> OJ C 228 of 26.9.1978 and Bull. EC 7/8-1978, point 2.1.121.

## Radiation protection

2.1.108. A review of the work done in the past year under 126 shared-cost research contracts in respect of 250 projects covered by the 1976-80 indirect-action programme on radiation protection was given in the recently published 1978 Annual Programme Report.

The research results, set out in some 600 publications or papers presented at some forty seminars or working sessions, contribute to a more precise evaluation of the radiation hazards and the biological and ecological consequences of the use of nuclear technologies, with a view to ensuring the best possible protection of man and his environment.

## Textiles and clothing

2.1.109. On 4 April the Commission presented to the Council a proposal for a Council decision adopting a second multiannual research and development programme in the field of textiles and clothing (indirect action).<sup>1</sup>

\*

2.1.110. At its plenary session on 4 and 5 April the Economic and Social Committee delivered its opinion<sup>2</sup> on the proposal for a research and training programme (1979-83) in the field of controlled thermonuclear fusion, which the Commission submitted in November 1978.<sup>3</sup>

## Education

### Joint study programmes

2.1.111. From 3 to 5 April the Commission organized a meeting at the University of Edinburgh bringing together all 86 directors of

joint study programmes between higher education establishments to which financial assistance has been granted by the Community in the context of the action programme in the field of education adopted on 9 February 1976.<sup>4</sup> Several representatives of organizations in the Member States concerned with exchanges between higher education institutions and the academic recognition of diplomas attended the meeting which was opened by Lord Briggs, Provost of Worcester College, Oxford.

The paper prepared by the Institute of Education of the European Cultural Foundation containing an analysis of the results of the initial period of application of the measures to assist the establishment of joint study programmes was examined at the meeting which provided an opportunity to review experience in the field and to develop guidelines for the future application of Community aid measures.

### Transition from education to working life

2.1.112. From 23 to 27 April the Commission organized a fourth seminar<sup>5</sup> in Amsterdam with a view to introducing a Community element into the pilot schemes that have been or are about to be adopted on the transition for young people from education to working life.<sup>6</sup> The seminar concentrated particularly on ways of preparing young people for the transition in the context of their over-all education.

<sup>1</sup> Point 2.1.20.

<sup>2</sup> Point 2.3.74.

<sup>3</sup> OJ C 299, 13.12.1978 and Bull. EC 11-1978, point 2.1.114.

<sup>4</sup> OJ C 38 of 19.2.1976.

<sup>5</sup> Bull. EC 3-1977, point 2.1.115.

<sup>6</sup> OJ C 308 of 30.12.1976.

## Scientific and technical information and information management

### *Dissemination of research results*

2.1.113. A round table discussion on scientific and technical education in the Community and an open day on the problems of the dissemination of scientific and technical information in general were held on 6 April in Luxembourg under the auspices of the Commission.

The aim of the round table discussion was to compare the policies adopted in the various member countries and in particular to assess to what extent the education syllabuses provide adequate preparation for students intending to go on to higher education. In spite of the distinct differences in the methods used—which derive from the particular teaching theories adopted in the various countries and from tradition—the discussions showed that there was a marked convergence of ideas on the main aims.

At the same time, the problem of the dissemination of research results, i.e., the means of communication in science and technology, was discussed at the open day organized on the same day in Luxembourg. The Commission has for some time been concerned with finding methods and encouraging or developing measures to ensure a wider diffusion of research results by the most appropriate channels.

Thus the meetings in Luxembourg will give substance to a project launched by the Commission some months ago concerned with the publication of 'Euroarticles'. These are articles on subjects of interest to the entire Com-

munity, which will appear simultaneously in five major high level non-specialist scientific periodicals in the Community, in the language of the periodical. The Commission, which continues to give active support to this project, will be responsible for translation of the articles. The readership of the five periodicals amounts to some 250 000. Following the round table discussion in Luxembourg on scientific and technical education, the periodicals involved in the 'Euroarticle' scheme will publish a summary of the proceedings of the debates which took place on this occasion.

### *Industrial and technological innovation*

2.1.114. In order to improve awareness of Community activities on R & D and to promote the application of certain inventions which have resulted from the research programmes in this area, the Commission took part in the 'INOVA '79' exhibition which was held in Paris from 2 to 7 April. The aim of the exhibition was to promote industrial innovation. The Commission also took stands at the Hanover Fair from 18 to 26 April to publicize Community achievements.

## 2. Enlargement and external relations

EC and applicant countries

### Accession negotiations

#### Greece

2.2.1. All outstanding questions were settled at the Ministerial Conference in Luxembourg on 3 April, which meant that the negotiations for Greece's accession to the Community could be brought to a conclusion.<sup>1</sup>

#### Portugal

2.2.2. At the third session of the negotiations at deputy level, held in Brussels on 4 April, the Community made known its position on ECSC relations and a preliminary reaction was forthcoming from the Portuguese delegation to the statement on external relations which the Community made last February.<sup>2</sup>

The Portuguese delegation was led for the first time by Mr Pires de Miranda, the new Chairman of the European Integration Committee, who was appointed in March following the resignation of Mr Constancio last January. Mr Pires de Miranda had talks at the Commission with Mr Jenkins and Mr Natali.

#### Spain

2.2.3. Mr Calvo Sotelo, Spanish Minister for Relations with the Communities, paid a visit to the Commission in Brussels on 27 April. He had talks with Mr Jenkins and Mr Natali.

The visit was made in the context of preparations for the accession negotiations with

Spain, which opened formally on 5 February and should get down to matters of substance next September.<sup>3</sup>

### Bilateral relations with applicant countries

#### Portugal

##### Proposals for the adjustment of the 1972 Agreement

2.2.4. On 11 April the Commission transmitted to the Council a communication accompanied by a recommendation concerning the negotiation of an agreement amending certain provisions of the Agreement between the Community and Portugal.

At January's meeting of the EEC-Portugal Joint Committee<sup>4</sup> the Portuguese delegation had tabled requests for the revision of certain provisions of the 1972 Agreement and of the Additional Protocol to the Agreement.

The Commission put recommendations to the Council for a brief to negotiate a supplementary protocol. The new provisions, which would enter into force on 1 January 1980, take into account Portugal's difficult economic situation, particularly as regards its trade balance, and also the highly advanced

<sup>1</sup> Points 1.1.1 to 1.1.3.

<sup>2</sup> Bull. EC 2-1979, point 2.2.4.

<sup>3</sup> Bull. EC 2-1979, points 1.2.1 to 1.2.4.

<sup>4</sup> Bull. EC 1-1979, point 2.2.4.



stage reached in the dismantling of its tariffs for Community products. The Commission consequently considers that the Community should go a long way towards complying with the requests made by the Portuguese Government.

### Emergency aid for disaster victims

2.2.5. On 11 April, as a result of the serious damage caused by the storms and floods in Portugal in February and March, the Commission decided to allocate 100 000 EUA in emergency aid for essential supplies.

This aid, granted from the appropriation for aid to disaster victims in non-Community countries, follows Mr Natali's recent talks with the Portuguese authorities, who pointed to the extensive infrastructure damage caused by the floods. This Commission aid operation will be implemented by Secours Catholique Français.

## Commercial policy

### GATT multilateral trade negotiations

#### Conclusion of the negotiations

2.2.6. After more than five years of difficult work, the multilateral trade negotiations are now in their final stage. At the close of the last meeting of the Trade Negotiations Committee on 11 April all the texts of the negotiated agreements were made available for initialling by the delegations.<sup>1</sup>

## Implementing the common commercial policy

### Import arrangements

#### Easing of restrictive measures

2.2.7. Under the Decision of 27 March 1975<sup>2</sup> on unilateral import arrangements in respect of State-trading countries, the Commission took the following measures to relax import restrictions:

*Italy-Poland:* exceptional opening of an additional import quota for bearings and an import quota for synthetic rubber.<sup>3</sup>

*United Kingdom-Hungary:* replacement of two quotas for ceramic products by a single quota;<sup>4</sup>

*Benelux-Bulgaria:* exceptional opening of an additional import quota for fibre building board, known as hardboard, unworked;<sup>5</sup>

*France-China:* exceptional opening of an additional import quota for receivers of radio broadcasts;<sup>6</sup>

*Italy-Bulgaria:* exceptional opening of an import quota for sole leather;<sup>7</sup>

*Italy-Czechoslovakia:* exceptional opening of an additional import quota for motor vehicles, parts and accessories;<sup>7</sup>

<sup>1</sup> Points 1.2.1 to 1.2.11.

<sup>2</sup> OJ L 99 of 21.4.1975.

<sup>3</sup> OJ C 102 of 24.4.1979.

<sup>4</sup> OJ C 106 of 27.4.1979.

<sup>5</sup> OJ C 115 of 8.5.1979.

<sup>6</sup> OJ C 110 of 3.5.1979.

<sup>7</sup> OJ C 116 of 9.5.1979.

*Ireland-Czechoslovakia:* opening of an import quota for mattress covers (textiles category 112);<sup>1</sup>

*Italy-Czechoslovakia:* exceptional opening of an additional import quota for tractors, parts and accessories.<sup>2</sup>

2.2.8. In addition, the Council decided on 2 April<sup>3</sup> to amend the quotas for imports into the Benelux countries of certain textiles products originating in Albania and Hungary.

#### **Anti-dumping procedures, Community surveillance and safeguard measures**

##### *Anti-dumping procedures*

2.2.9. The Commission decided to initiate anti-dumping/anti-subsidy procedures concerning imports of:

- (i) certain fishing nets and netting of polyamides originating in Norway;<sup>4</sup>
- (ii) certain electric motors originating in Bulgaria, Hungary, Poland, the German Democratic Republic, Romania, Czechoslovakia and the USSR;<sup>5</sup>
- (iii) certain new tyres originating in the German Democratic Republic, Romania, Czechoslovakia and Yugoslavia.<sup>6</sup>

2.2.10. On the other hand, the Commission terminated the procedures initiated in May 1978<sup>7</sup> for imports of polyamide and polyester high tenacity yarns originating in the United States.<sup>6</sup>

#### **Treaties and trade agreements: extension or tacit renewal**

2.2.11. By a Decision of 26 April,<sup>8</sup> the Council, acting on a proposal from the Com-

mission, authorized the extension or tacit renewal of certain trade agreements concluded between Member States and non-Community countries (second batch for 1979).

#### **Specific measures of commercial policy**

##### *Steel*

#### **Arrangements with non-member countries**

2.2.12. In accordance with the brief it received from the Council at its meeting on 18 and 19 December 1978,<sup>9</sup> the Commission resumed and concluded the negotiations for a 1979 extension of the 1978 arrangement on trade in steel products with Spain. The exchange of letters was signed on 11 April; its content is similar to that of the arrangements concluded with other countries.

The Commission accordingly rescinded on 20 April<sup>10</sup> the provisional anti-dumping duties on sheets and plates of iron and steel and angles, shapes and sections coming from and originating in Spain. These duties had been imposed pursuant to the recommendations of 9 and 27 February.<sup>11</sup> It will also suspend the

<sup>1</sup> OJ C 121 of 15.5.1979.

<sup>2</sup> OJ C 116 of 9.5.1979.

<sup>3</sup> OJ L 86 of 6.4.1979.

<sup>4</sup> OJ C 99 of 20.4.1979.

<sup>5</sup> OJ C 103 of 25.4.1979.

<sup>6</sup> OJ C 107 of 28.4.1979.

<sup>7</sup> OJ C 114 of 17.5.1978 and Bull. EC 5-1978, point 2.2.36.

<sup>8</sup> OJ L 111 of 4.5.1979.

<sup>9</sup> Bull. EC 12-1978, point 1.3.4.

<sup>10</sup> OJ L 99 of 21.4.1979.

<sup>11</sup> OJ L 37 of 13.2.1979, L 53 of 3.3.1979 and Bull. EC 2-1979, point 2.2.19.

anti-dumping procedures currently in progress for the other steel products coming from and originating in Spain. Moreover, as this arrangement has been concluded, the Commission has decided on an alignment ban for Community producers.

### Anti-dumping measures

2.2.13. In April the Commission decided to initiate an anti-dumping/anti-subsidy procedure for imports of steel flanges originating in Spain.<sup>1</sup>

2.2.14. On the other hand, it terminated the procedures in respect of:

- (i) graphite spheroidal pig iron originating in and coming from Brazil (excluding indirect imports);<sup>2</sup>
- (ii) alloy steel wire rod not further worked than hot-rolled or extruded originating in and coming from Spain (excluding indirect imports).<sup>1</sup>

2.2.15. Lastly, the Commission published recommendations abolishing provisional anti-dumping duties applying to:

- (i) imports of certain haematite pig iron originating in Brazil;<sup>3</sup>
- (ii) imports of certain steel products originating in and coming from Spain (excluding indirect imports).<sup>4</sup>

### Textiles

#### Negotiations

##### China

2.2.16. At its meeting on 2 and 3 April the Council discussed the results of the first

round of negotiations with China for the conclusion of a textiles agreement.<sup>5</sup>

During the second round of negotiations, on 19 and 20 April, the Community delegation tabled a preliminary offer reflecting the guidelines worked out by the Council. The two parties were unable to reach agreement on this basis and negotiations are to continue in an attempt to find a solution acceptable to both sides.

##### Bulgaria

2.2.17. Following the request of the People's Republic of Bulgaria for negotiations with the Community to conclude an agreement on trade in textiles, a number of exploratory talks and negotiations took place in Brussels in February<sup>6</sup> and March<sup>7</sup> and on 7 and 8 April. These negotiations culminated in an agreement which was initialled on 9 April. The agreement applies *de facto* from 1 January 1979 and expires on 31 December 1982.

### Agricultural products

2.2.18. Because of the special situation in the Community's apple sector (over 2 million tonnes of apples were in stock on 1 January), the Commission contacted the Southern Hemisphere countries which supply apples to ask for their cooperation over exports to the Community.

<sup>1</sup> OJ C 103 of 25.4.1979.

<sup>2</sup> OJ C 97 of 18.4.1979.

<sup>3</sup> OJ L 92 of 11.4.1979.

<sup>4</sup> Point 2.2.14.

<sup>5</sup> Bull. EC 3-1979, point 2.2.14.

<sup>6</sup> Bull. EC 2-1979, point 2.2.21.

<sup>7</sup> Bull. EC 3-1979, point 2.2.21.

After unofficial talks in March, South Africa, Argentina, Australia and New Zealand agreed to revise their projections for apple exports to the Community for 1979. In order to prevent uncontrolled imports disrupting the normal course of the marketing year and damaging the interests of those countries which have agreed to cooperate, the Commission decided on 5 April to introduce measures restricting imports of apples from other sources, with the exception of countries exporting negligible quantities to the Community.<sup>1</sup>

Imports of apples from the Southern Hemisphere countries this year will therefore probably be about 310 000 tonnes. This figure is close (a 5% reduction) to the average for imports from these sources over three years (327 000 tonnes).

## Development policy

2.2.19. At its meeting on 2 and 3 April the Council discussed the progress made in preparing the common stand to be taken by the Community and the Member States at UNCTAD V to be held in Manila from 7 May to 1 June. It welcomed the recent agreement in Geneva on the fundamental aspects of the Common Fund.<sup>2</sup> The Commission and the delegations also took the opportunity to lay stress on a number of topics which they hoped would be given special attention as the preparatory work continued.

The Council approved a set of preliminary guidelines which covered virtually all the items of substance on the agenda for the Manila Conference. It instructed the Permanent Representatives Committee to continue its work with a view to finalizing the com-

mon stand in time for the start of the Conference.

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2.2.20. On 26 April Parliament,<sup>3</sup> adopted a resolution on the preparation of the fifth United Nations Conference on Trade and Development.

2.2.21. The Preparatory Committee for the new international development strategy held its first meeting in New York from 2 to 12 April.<sup>4</sup>

## Commodities and world agreements

### Common Fund

2.2.22. On 30 April the Commission transmitted to the Council a communication on contribution to the first and second windows of the Common Fund.

The Community played a major role throughout the negotiations, notably as the originator of the compromises which led to the successful conclusions of the discussions.<sup>2</sup> It would therefore be logical and useful for the Community as such to participate in the Fund. With this in mind the Commission communication suggests a common approach to Community membership of the Fund, contributions to the financing of the first and second windows and the allocation and division among the Member States of the financial burden of the Minimum Equal Amounts.

<sup>1</sup> OJ L 86 of 6.4.1979.

<sup>2</sup> Bull. EC 3-1979, point 2.2.21.

<sup>3</sup> Point 2.3.25 and OJ C 127 of 21.5.1979.

<sup>4</sup> Point 2.2.32.

## Rubber

2.2.23. The second session of the Negotiating Conference for an international agreement on natural rubber, which opened in Geneva on 27 March,<sup>1</sup> ended on 12 April after achieving broad consensus on the basic economic components of the Agreement, set out in a compromise text presented by the Chairman of the Conference. This consensus encompasses virtually all producer countries and all the main consumers with the exception of the USSR and the other State-trading countries.

The main features of the new agreement should be as follows:

- (i) a buffer stock and 550 000 tonnes, comprising 400 000 tonnes for the normal stock and 150 000 tonnes for the contingency stock;
- (ii) a reference price of 210 Malay cents per kg;
- (iii) price bracket: 30% of the reference price for the non-intervention zone and 5% of the reference price for each of the zones where intervention is possible;
- (iv) reference price and price band: possibility of an adjustment of at least 5% every eighteen months and a further automatic revision of at least 3% whenever net changes in the stock reach 300 000 tonnes;
- (v) upper indicative price of 270 Malay cents per kg and lower indicative price of 150 Malay cents per kg: at these levels the entire buffer stock resources will be committed to maintain prices within the range. In addition, these price levels, which may be reviewed after each thirty-month period on the basis of certain economic criteria, may not be exceeded by the lower or upper limits of the price band when the reference price is reviewed;

(vi) financing of the buffer stock: the financial burden is to be shared equally by the producer and consumer countries. The normal stock is to be financed by direct contributions from the participants whereas the contingency stock may be financed by direct contributions or by loans secured by the stock itself or by government guarantees;

(vii) consultations between the Contracting Parties may be requested to discuss policies in the natural rubber sector which could affect supply or demand of this commodity.

The Conference also produced agreement on a number of items that still had to be settled by its administrative and economic committees. In particular, agreement was reached in principle on the method of calculating an indicative price for the market for compound rubber and on the composition of the stock.

Though general consensus was not achieved on the Chairman's compromise text, a significant step forward can be said to have been taken towards the conclusion of an international agreement on natural rubber since approximately 90% of world trade in this commodity is handled by the countries prepared to give their backing to the compromise text.

A third session of the Conference is to be held before August so that the participants can settle the last problems still outstanding and finalize the legal text for a draft agreement.

The Community and the Member States took part in this Conference. The Commission delegation played a very active part in efforts to achieve a compromise and it was largely due to its mediation between the producer

<sup>1</sup> Bull. EC 3-1979, point 2.2.24.

countries and the United States that some measure of agreement was reached on the Chairman's text.

## Tin

2.2.24. The Community and the Member States took part in the thirteenth Session of the International Tin Council, under the current fifth International Tin Agreement, held in London from 17 to 20 April. The Council reviewed the tin market situation on which supply and demand at the moment seem to be somewhat precariously balanced though the prospect of probable releases from the US strategic stockpile was strongly criticized by the producer countries as likely to disturb market stability and discourage investment and production.

During the Council Session a meeting of the Preparatory Committee for a new Sixth International Tin Agreement was held. Preliminary general views were expressed by producers and consumers regarding new features to be incorporated into the Agreement, reflecting the main areas to be covered by the United Nations Negotiating Conference on Tin scheduled for April 1980. The Preparatory Committee will present a draft agreement to the Tin Council by December 1979 for approval as the basic document for the Negotiating Conference.

## Hard fibres

2.2.25. The FAO Intergovernmental Working Group on Hard Fibres (sisal, coir and abaca) held its fourteenth meeting in Rome from 17 to 20 April.

For all three commodities discussion centred first on the market situation (production, consumption and trade) and medium-term prospects for the respective markets. Problems specific to each of the fibres were also discussed.

*Sisal* — The informal price arrangement (undertaking by the producer countries to keep fibre prices within the specified bracket) was extended, though the indicative price was increased from USD 500 to USD 575,<sup>1</sup> with an authorized variation of USD 50 above or below this level.

*Coir* — An exchange of views was held on the establishment of 'Coir International', an organization whose basic aim would be to boost demand for this fibre by means of research and development and market promotion efforts. All participants urged that this organization should be set up in the near future. However, the consumer countries, and the Community in particular, pointed to the need for India to resume normal coir fibre supplies, since the situation had been far from satisfactory in recent months.

*Abaca* — Last year an informal undertaking was given in respect of this fibre by the producer countries in agreeing to an indicative price. As the consumer countries had found the price increase demanded by the largest producer country (Philippines) unacceptable, it was agreed that this machinery should in principle remain applicable but that the price band should be temporarily suspended. In the event of the price remaining about the upper level of this band, further consultations would be held in a few months time to decide on a new indicative price.

<sup>1</sup> Per metric tonne East African U.G. fibre, cif Europe.

## Jute

2.2.26. The sixth preparatory meeting within UNCTAD on jute and jute products was held in Geneva from 23 to 27 April.

Discussions at earlier preparatory meetings—in particular the previous one<sup>1</sup>—had not achieved consensus. The producer countries (particularly Bangladesh and India) had urged that possible international action should be focused not only on improving the competitive position of jute and jute products, a point on which extensive agreement had been achieved, but also on stabilizing the market (an international jute and jute products stock). Sharp differences of opinion remained on this point, as the main industrialized consumer countries considered that there was no justification for such measures in the case in question and that all efforts should be concentrated on action to improve the competitive position of the natural product.

The latest preparatory meeting achieved significant progress towards the negotiation of an international agreement. Once the producers ceased to insist that the two aspects referred to above should receive entirely equal treatment work was able to make headway with emphasis being placed on the priority and urgency of making jute more competitive.

The participants therefore agreed that an international jute organization should be set up to conduct research and development, market promotion and cost reduction productions in order to enable jute to compete with synthetic substitutes.

Wide-ranging exchanges of views were also held on other aspects of the projected arrangement, such as the institutional aspect, financing problems and the criteria to be

respected by research and development, promotion and cost reduction programmes or projects with a view to their final approval.

## Food aid and emergency aid

### Emergency aid

2.2.27. On 4 April the Commission decided to grant USD 100 000 (75 000 EUA) in emergency aid to sections of the population of Yemen particularly hard hit by the recent fighting between North and South. This aid comes in response to a request addressed to the Community by the Catholic Relief Service, a non-governmental organization, for the purpose of providing relief supplies for the approximately 45 000 people who had fled from the combat area to the central part of the country.

2.2.28. On 10 April it also sent to the Council a communication on emergency food aid of 6 000 tonnes of cereals to Zambia. The cost of this operation is estimated at approximately 1 million EUA.

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2.2.29. On 27 April Parliament<sup>2</sup> gave its opinion on the Commission proposals concerning the food aid programmes for 1979.<sup>3</sup>

### Relations with non-governmental organizations

2.2.30. At 30 April the Commission had received for the 1979 financial year 69

<sup>1</sup> Bull. 7/8-1978, point 2.2.22.

<sup>2</sup> Point 2.3.29 and OJ C 127 of 21.5.1979.

<sup>3</sup> Bull. EC 3-1979, point 2.2.30.

applications for cofinancing projects in the developing countries, and representing 5 767 681 EUA. A total of 2 943 122 EUA had been committed for 33 projects.

## Law of the sea

2.2.31. The first part of the eighth session of the United Nations Conference on the Law of the Sea was held in Geneva from 19 March to 27 April.<sup>1</sup>

It produced a consensus on a number of still outstanding questions, in particular regarding the definition of the outer limit of the continental shelf and the responsibilities and duties of States in the fight against marine pollution. The main task of the second part, which will be to seek a consensus on the system for the second part, which will be held in New York from 16 July to 24 August, will be to seek a consensus on the system for the exploitation of the international seabed, an issue on which agreement was hardly brought any closer at Geneva.

## International organizations

### United Nations

#### *General Assembly*

#### **Preparatory Committee for the New International Development Strategy**

2.2.32. The Preparatory Committee for the New International Development Strategy

held its first meeting in New York from 2 to 13 April. The meeting was largely devoted to drawing up a preliminary draft preamble, conducting an initial examination of the aims and objects of the new strategy, and formulating a general framework. The general discussion, to which the Community as such contributed, revealed divergences between the different groups of countries on the broad definition of a development strategy, and disagreement amongst the developing countries themselves on the concept of differentiation.

In the light of these discussions, the Chairman of the Committee will be preparing a draft preamble on his own initiative, for examination at the meeting scheduled for June.

### *Economic and Social Council*

#### **Economic Commission for Europe**

2.2.33. The annual session of the UN Economic Commission for Europe was held in Geneva from 27 March to 7 April and from 23 to 27 April.

In addition to the usual survey of progress, discussion centred on matters relating to the environment, energy and trade, on all of which important decisions were adopted.

In particular, it was decided to hold a high-level meeting on the environment in Geneva from 13 to 16 November. Two papers finalized in the course of the past year will be formally adopted at the November meeting: a declaration of intent and recommendations on clean or waste-free technologies and the recycling and re-use of waste, and a convention and resolution on long-distance trans-frontier air pollution. The Community took

<sup>1</sup> Bull. EC 3-1979, point 2.2.38.



an active part in the preparation of these documents and is therefore pleased that it will be a full partner in the convention, to the implementation of which it intends to lend its full support.

In the field of energy, the decision was taken at the annual session to set up a new principal subsidiary body to be known as advisers to the Governments of the ECE countries on energy. The Community advocated the setting up of a permanent body but, because of the opposition from the State-trading countries, was obliged to agree that such a body should meet initially on an *ad hoc* basis. It approved the new body's mandate, which reflected the need for a broad exchange of information and ideas on energy in the region, in accordance with the ECE's general function. The Community intends to play an active part in the work of the new body with a view of improving knowledge of energy problems in general, particularly energy sources and government aims and policies in that regard.

Lastly, in the discussions on the region's economic and trade problems, the Commission representative pointed out the difficulties in the way of the structural changes needed in East-West trade. He stated that a resort to protectionism or autarky, whatever the form such policies might take, was no answer to the problems confronting us in the last quarter of the twentieth century. The Community continued to take the view that no effort should be spared to create a climate favourable to steady expansion of trade. In this context, questions of information and marketing took on added importance.

### ***United Nations Industrial Development Organization***

2.2.34. The second<sup>1</sup> UN Conference on the constitution of UNIDO as a specialized

agency took place in Vienna from 19 March to 8 April and ended with the adoption by consensus of the new constitution, which has opened for signature. Work on the drafting of this document, in which the Community participated in the capacity of observer, began in 1976<sup>2</sup> following the adoption of the Declaration and Plan of Action by the Second General Conference of UNIDO, which took place in Lima in March 1975. UNIDO will now become the UN's sixteenth specialized agency.

Under the new constitution, UNIDO will be able to devote up to 6% of its regular budget, made up of contributions collected from member countries, to technical assistance schemes, these having been financed hitherto by special contributions. The General Conference will normally meet every two years. An important role is given to the Board and the Programming and Budget Committee in preparing the Budget. Both these bodies are carefully balanced on a geographical basis, worked out in the course of laborious negotiations.

Observers at the UN General Assembly may apply for observer status with the new agency.

### ***Food and Agriculture Organization***

#### **World Food Security Committee**

2.2.35. The Committee on World Food Security held its fourth meeting in Rome from 5

<sup>1</sup> Bull. EC 3-1978, point 2.2.31.

<sup>2</sup> Bull. EC 1-1976, point 2319, 4-1976, point 2325 and 7/8-1976, point 2338.

to 11 April. The main object of the meeting was to examine the draft plan of action for world food security put forward by the Director-General of the FAO following the suspension of talks on a new International Wheat Agreement.

The new five-point plan stresses the urgent need to resume the talks and conclude them as quickly as possible, as a new arrangement is essential to an effective system of world food security, and proposes a number of measures designed to encourage the implementation of the principles set out in the international commitment on food security adopted in 1974, namely<sup>1</sup>

- (i) national reserve stocking policies for food grains;
- (ii) special criteria for the management and release of the stocks;
- (iii) special measures for low-income countries suffering from food shortages;
- (iv) special arrangements to encourage the setting up of national food security programmes in the developing countries;
- (v) schemes to encourage collective self-reliance among developing countries.

The plan of action has still to be submitted to the FAO Council and Conference.

### **Organization for economic cooperation and development**

#### **Steel Committee**

2.2.36. The OECD Steel Committee met in Paris on 26 and 27 April to study participant countries' steel policies.<sup>2</sup>

## **Relations with certain countries and regions**

### **Industrialized countries**

#### **United States**

2.2.37. Mr Giolitti, Member of the Commission with special responsibility for regional policy and coordination of financial instruments paid an official visit to the United States from 9 to 13 April. He had various meetings with government officials, Members of Congress, journalists and experts on regional economic problems.

His talks with Mr R. Hall, Assistant Secretary, Department of Commerce, Economic Development Administration, covered the Community's regional development plans and achievements and US policy in this field.

2.2.38. Mr Haferkamp reported to the Council at its meeting on 3 April on the results of his recent talks in Tokyo with the Japanese Government.<sup>3</sup>

The Council found that EEC-Japanese relations were still giving cause for concern, and noted that the Commission would be continuing consultations with the Japanese authorities, and intended to submit a full report in June.

2.2.39. On 27 April Parliament<sup>4</sup> adopted a resolution concerning the results of its delegation's visit to Japan in October 1978.

<sup>1</sup> Bull. EC 11-1974, point 1403.

<sup>2</sup> Point 2.1.18.

<sup>3</sup> Bull. EC 3-1979, point 2.2.47.

<sup>4</sup> Point 2.3.26 and OJ C 127 of 21.5.1979.

## Mediterranean countries

### Turkey

2.2.40. The EEC-Turkey Joint Parliamentary Committee met in Ankara from 8 to 11 April.<sup>1</sup> The Council was represented by Mr Bernard-Reymond, French Secretary of State for Foreign Affairs, and the Commission by Mr Haferkamp, Vice-President of the Commission with responsibility for external relations.

Discussion centred mainly on the state of relations within the Association, the reactivation and development of the Association,<sup>2</sup> and the enlargement of the Community, with particular reference to the impact of enlargement on the Association and on Turkey itself.

2.2.41. The Council, for its part, continued the exchange of views on the development of the Association with Turkey, which was initiated at its last meeting.<sup>3</sup>

In view of the importance the Council attaches to the Association links between the Community and Turkey, it invited the Permanent Representatives Committee to press ahead with its work on all the aspects of this dossier so that the Community position for the next meeting of the EEC-Turkey Association Council can be adopted.

### Malta

2.2.42. Exploratory talks were held on 6 April between a Maltese Delegation and the Commission on EEC/Malta relations, the talks will be continued in June.

### Yugoslavia

2.2.43. Mr Andov, member of the Yugoslav Government with responsibility for Community affairs, visited the Commission on 23 April. He talked to Mr Haferkamp and Mr Gundelach, Commission Vice-Presidents with responsibility for external relations and agricultural and fisheries.

There was lengthy discussion of the areas covered by the negotiating directives for a new agreement with Yugoslavia. The negotiations are due to open in June.

2.2.44. On 25 April the Commission decided to grant emergency aid to Yugoslavia following the earthquake which struck the province of Montenegro.

The aid, totalling 300 000 EUA, will be for the supply of building materials, prefabricated units, medical supplies and vehicles, etc. It will be administered by the League of Red Cross Societies.

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2.2.45. On 27 April Parliament<sup>4</sup> adopted a resolution on Community aid for earthquake victims in Yugoslavia.

### Maghreb and Mashreq

2.2.46. On 23 April the Commission took the following financing decisions under the comprehensive cooperation agreements linking the Community with the Maghreb and Mashreq countries:

<sup>1</sup> Bull. EC 10-1978, point 2.2.47.

<sup>2</sup> Bull. EC 2-1979, points 1.3.1 to 1.3.5.

<sup>3</sup> Bull. EC 3-1979, point 2.2.53.

<sup>4</sup> OJ C 127 of 21.5.1979.

*Tunisia:* Scientific cooperation scheme for the National University Centre for Scientific and Technical Documentation (CNUDS): 210 000 EUA;

*All Maghreb and Mashreq countries:* financing of a programme of participation in international trade events for 1979 and part of 1980: 350 000 EUA.

## Developing countries

### *ACP States and the OCT*

#### Negotiations for the renewal of the ACP-EEC Convention

2.2.47. The third round of ACP-EEC negotiations got under way at ACP ambassador and Commission level to lay the foundations for the ministerial conference to take place in Brussels on 24 and 25 May, scheduled to be the last of the series. The discussions are based on the conclusions of the ministerial conference held in Freeport,<sup>1</sup> and are increasingly focusing on the main outstanding issues and problems, while at the same time work is going ahead on the joint drafting of texts in areas where agreement has already been reached, at least as regards the broad outlines.

Both sides are now pressing ahead to define their negotiating stands on various major issues of particular importance on which no detailed position has as yet been taken. For the Community, these include in particular the system for minerals to parallel Stabex, mining and energy cooperation, investment promotion, access to EEC markets for new agricultural products, the extension of the list of agricultural products covered by Stabex,

various aspects of industrial and agricultural cooperation, and adjustments to the system of financial and technical cooperation.

#### Lomé Convention

##### *Application of the Convention to the OCT*

2.2.48. On 24 and 25 April the Commission was host to some 70 representatives from the overseas departments. In the course of their two day fact-finding trip, the visitors, who included local government representatives, were received by Mr Cheysson and Mr Giolitti, and discussed the common policies applicable to the French overseas departments; the Court has ruled (in Case 148/77) that since 1960 all EEC Treaty provisions and secondary legislation have been applicable in the overseas departments, subject to special measures adopted by the Council.<sup>2</sup>

##### *Trade cooperation*

2.2.49. In April, as part of the trade promotion programme for ACP products, the Commission, in conjunction with the ACP countries' foreign trade organizations, organized official ACP participation in three major international trade fairs—Milan, Paris and Brussels.

Twenty-seven stands were built for the three events, with participating ACP States presenting typical examples of their agricultural, mineral, craft and industrial products. Each stand had a trade information office, where the country's official representative could

<sup>1</sup> Bull. EC 3-1979, point 2.2.59.

<sup>2</sup> Bull. EC 10-1978, point 2.3.57.

receive European trade visitors interested in importing tropical products.

In addition, at the Milan and Paris fairs the African Groundnut Council, an intergovernmental organization representing six African countries which produce groundnuts and groundnut-based products, organized meetings with representatives of the oil industry, with the aim of boosting exports of groundnut products to the European markets.

## European Development Fund

### *New financing decisions*

2.2.50. In April the Commission took the following financing decisions:

*Fiji* — Airstrips: 750 000 EUA;

*Madagascar* — National Pharmaceutical Research Centre: 750 000 EUA;

*St Lucia* (Caribbean) — Land and water use unit: 162 000 EUA;

*All ACP States* — Supplementary financing for the 'ACP-EEC Courier' for 1979: 50 000 EUA;

*Ethiopia* — Geothermal exploration: 4 120 000 EUA;

*Benin* — Geological mapping and mineral prospecting study north of 11°N: 1 640 000 EUA;

*Upper Volta* — Electricity supply for six regional centres: 1 154 000 EUA;

*Guyana* — Improvement of milk plant, Georgetown: 126 500 EUA;

*Niger* — Building and equipping rural maternity units and dispensaries: 3 270 000 EUA;

*Sudan* — Higher secondary technical schools: 6 300 000 EUA;

*Fiji* — Rural roads on Viti Levu: 1 500 000 EUA;

*St Kitts-Nevis-Anguilla* (Caribbean) — Road repairs: 1 200 000 EUA;

*Fiji* — Exceptional aid: 1 200 000 EUA;

*Rwanda and Burundi* — Exceptional aid: 4 000 000 EUA;

*Somalia* — Mogadishu Pharmaceutical Institute: 6 000 000 EUA;

*Botswana* — Trade promotion project: 692 500 EUA;

*Senegal* — Building and equipping a theatre block at the main hospital in Dakar: 1 092 000 EUA;

*Ghana* — Exceptional aid: 300 000 EUA;

*Uganda* — Exceptional aid: 300 000 EUA.

\*

2.2.51. On 27 April Parliament' adopted a resolution on the need for emergency humanitarian aid for Uganda.

## Asia

### Members of the Association of South-East Asian Nations

2.2.52. The fifth meeting of the Commission-ASEAN Joint Study Group took place in Brussels on 9 and 10 April.<sup>2</sup> The agenda was based largely on the conclusions adopted at the EEC-ASEAN Ministerial Conference in November 1978, particularly with regard to strengthening cooperation between the two groups of countries<sup>3</sup> at all levels.

<sup>1</sup> OJ C 127 of 21.5.1979.

<sup>2</sup> Bull. EC 5-1978, point 2.2.65.

<sup>3</sup> Bull. EC 11-1978, points 1.4.1 to 1.4.5.

Among questions discussed in this context, particular mention should be made of the plans for the creation of a 'forum' designed to help industrialists on both sides deal with trade problems. The Study Group also looked at ways of improving investment protection and the Community programme of aid for trade promotion. It was also agreed to step up training schemes on the management and technical sides, and a third seminar on the transfer of technology is to be held in August in Pattaya, Thailand.

The Commission announced that it would finance a study on ways of carrying out scientific and technical cooperation. The two delegations also decided to explore the potential for cooperation in the field of energy. Finally, in the light of the forthcoming UNCTAD V, the two sides discussed matters relating to commodities of mutual interest, and the possible impact of the new EMS, the second enlargement of the Community and the renewal of the Lomé Convention.

## Southern Asia

### *Bangladesh*

2.2.53. Mr Ziaour Rahman, President of the People's Republic of Bangladesh, paid an official visit to Brussels on 27 April, and was received by Mr Roy Jenkins, President of the Commission, and Mr Haferkamp, Vice-President. President Rahman was accompanied by Professor M.S. Huq, Minister of Foreign Affairs, and Mr Saifur Rahman, Minister of Commerce. The two sides held an exchange of views on international issues affecting the development of the Third World, particularly in the context of UNCTAD V in Manila.

President Rahman and Mr Jenkins noted with satisfaction the steady development and diversification of trade between Bangladesh and the EEC, and stressed the desirability of the Community's continuing to support Bangladesh's efforts to increase its export earnings.

The Members of the Commission confirmed the Community's intention of taking account of Bangladesh's needs in drawing up its programmes for food aid and rural development assistance. President Rahman undertook for his part to see that in allocating aid, priority would be given to the poorest sections of the population. Mr Jenkins accepted President Rahman's invitation to pay a return visit to Bangladesh.

### *India*

2.2.54. On 6 April the Commission sent a communication to the Council recommending that negotiations be opened with India for a commercial and economic cooperation agreement to replace the current agreement, concluded in December 1973.<sup>1</sup>

The planned agreement would be along much the same lines as the existing one as regards trade cooperation. On a more general level, the two sides could agree to extend cooperation to all economic fields, including energy, raw materials, industrial development and science and technology. As the agreement would leave open the possibility of further development, the Joint Commission could be used to explore all practical possibilities for cooperation.

<sup>1</sup> OJ L 82 of 27.3.1974.

**Latin America****Central American Common Market**

2.2.55. A meeting was held on 4 April between a Commission Delegation and the Ambassadors of the member countries of the Central American Common Market (Costa Rica, Guatemala, Honduras, Nicaragua and El Salvador), plus the representative of SIECA (Permanent Secretariat of the General Treaty on Central American Economic Integration) in Geneva, at which the main cooperation instruments applied by the Community to Central America (technical and financial aid, trade promotion, GSP, regional integration aid, food aid, etc.) were examined. In the course of the talks both delegations agreed that in future the dialogue between the two regions should be placed on a more systematic and regular basis.

**Diplomatic relations**

2.2.56. On 2 April<sup>1</sup> the President of the Council and the President of the Commission received H.E. Dr Paul Farrugia, who presented his letters of credence in his capacity as Permanent Delegate and Head of the Mission of the Republic of Malta to the European Communities (EEC, ECSC, EAEC).

On the same day they received Their Excellencies Mr Japheth Gideon Kiti (Republic of Kenya), Mr Takaaki Kagawa (Japan) and Faruq Ahmad Choudhury (People's Republic of Bangladesh), who presented their letters of credence as their countries' Heads of Mission to the European Communities (EEC, ECSC, EAEC).

The new Ambassadors succeed Mr Joseph von Ferenczy (Malta), Mr Joseph Muliro

(Kenya), Mr Masahiro Nisibori (Japan) and Mr Abul Ehsan (Bangladesh), who have been appointed to other duties.

**Political cooperation**

2.2.57. On 26 April Parliament<sup>2</sup> adopted two resolutions, one on the signature of a Peace Treaty between Egypt and Israel and a Community contribution to a comprehensive peace settlement, and the other on the form, status, context and application of the Code of Conduct for Community companies with subsidiaries, branches or representation in South Africa.<sup>3</sup>

<sup>1</sup> OJ C 102 of 24.4.1979.

<sup>2</sup> Points 2.3.24 and 2.3.27 and OJ C 127 of 21.5.1979.

<sup>3</sup> Bull. EC 9-1977, point 2.2.4.

### 3. Institutional and political matters

#### International developments European policy

##### European judicial area

2.3.1. At an informal meeting in Paris on 23 April the Ministers of Justice of the Member States held further discussions on the details on an agreement to introduce a 'European judicial area'. One object of the proposal in question, which was made by the French delegation at the European Council meeting on 5 and 6 December 1977, would be to establish extradition procedures common to the nine Member States which would operate for criminal and serious political offences.

##### European Convention on Human Rights

2.3.2. The Commission has adopted a memorandum on the accession of the European Communities to the European Convention on Human Rights and Fundamental Freedoms concluded under the auspices of the Council of Europe.<sup>1</sup>

At its sitting on 27 April Parliament examined and adopted a report by Mr Scelba (C-D/I), presented on behalf of the Political Affairs Committee, on the Community's accession to this Convention. In the resolution which it adopted, Parliament came out in favour of Community accession and envisaged the establishment of a Committee of Experts with a view to drafting a European Charter of Civil Rights.

It also called on the Council and Commission, in close cooperation with Parliament:

- (a) to make immediate preparations for the accession of the European Community to the European Convention on Human Rights;
- (b) to enshrine the citizen's right of petition in the Community Treaties;

(c) to guarantee in the Treaties the individual's right of direct appeal to the Court of Justice of the European Community.

On behalf of their respective political groups, Mr Sieglerschmidt (S/D), Mr Luster (C-D/D), Mr Masullo (COM/I) and Mr Scott-Hopkins (C/UK) supported the resolution; Mr Scott-Hopkins emphasized, in particular, that the Convention would represent a political safeguard not only for the nine Member States but also for the countries seeking membership and would be proof that the Community is just as concerned with people as with economic matters.

Mr Christensen, a Danish member who is not attached to any of the groups, on the other hand, considered Community accession to the Convention to be totally unnecessary, its sole object being, in his opinion, to underline the supranational character of the Community.

Concluding the debate, Mr Davignon stressed the importance that the Commission attached to Parliament's efforts to strengthen in a concrete and practical fashion the rights of the citizens of the Community. He said that while citizens must be protected against abuse of authority by national institutions, it was equally important to provide protection against such abuse by new Community bodies. With the development of the European Community changes are made in the law and it is necessary, therefore, to ensure that citizens retain their rights and that the process of integration does not adversely affect such rights.

The Commission therefore fully support Community accession to the Convention. However, this is not a simple action because the Convention itself will first have to be amended to allow for the accession not only

<sup>1</sup> Points 1.3.1 to 1.3.4.



of the Member States but also of the Community. The Commission is also in favour of a catalogue of fundamental rights in the Community, while bearing in mind that the Council of Europe failed in its attempt to extend the Convention to cover new rights. With regard to private individuals' rights of petition and direct appeal, the Commission has no overwhelming objection, but feels it necessary first to determine the conditions and measure the consequences.

#### Establishment of an Administrative Tribunal of the European Communities

2.3.3. The Commission's proposal for a Regulation establishing an Administrative Tribunal of the European Communities<sup>1</sup> was the subject of a report to Parliament drawn up by Mr Cointat (*EPD/F*), on behalf of the Committee on Budgets.

The resolution contained in this report, which Parliament adopted, approved the proposal as an appropriate method of reducing the number of purely administrative cases examined by the Court of Justice. However, Parliament proposed certain amendments to the Commission's proposal as regards the right of appeal to have decisions of the Administrative Tribunal set aside and concerning the independence of the Tribunal. On the second point, Parliament considered that the best way of ensuring the independence of the Tribunal would be for its members to be appointed under the same conditions as those which apply to members of the Court of Justice. With regard to the right of appeal, Parliament could not accept that it be limited solely to points of law and insisted that the rights of all persons as provided for under Article 173 of the EEC Treaty should apply by analogy.

Among the speakers, Mr Krieg (*EPD/F*) questioned the value of such a Tribunal and

declared himself particularly opposed to the procedure envisaged. He considered, in the first place, that the Community had not the right to set up a court for which there was no provision in the Treaties; and secondly, he opposed what he termed a 'government of judges', the members of the Tribunal being appointed by other judges (members of the Court of Justice).

In his reply,<sup>2</sup> Mr Tugendhat argued at length in favour of the proposal, stressing that such a Tribunal could in no way be compared to an institution such as the Court of Justice.

## Institutions and organs of the Communities

### Parliament

#### *Part-session in Strasbourg from 23 to 27 April*

2.3.4. The April sittings<sup>3</sup> saw budgetary matters move into the foreground again as

<sup>1</sup> OJ C 225 of 22.9.1978; Bull. EC 7/8-1978, point 2.3.2.

<sup>2</sup> OJ Annex No 242.

<sup>3</sup> This report was prepared from 'Le point de la session' published by Parliament's Secretariat and from other material. The complete texts of the Resolutions passed by Parliament are reproduced in OJ C 127 of 21.5.1979 and the report of proceedings is contained in OJ Annex No 242.

The political group and nationality of members are indicated in brackets by the following abbreviations: C-D = Christian Democrats, S = Socialists, L = Liberals and Democrats, C = European Conservatives, EPD = 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.

Parliament and the Council finally settled their differences of recent months, in respect of the 1979 budget at least. Favourable opinions were given on the application of the scheme of interest rebates in connection with the EMS and on the proposal concerning the raising of loans intended to boost investments in the Community. Two other matters with budgetary and financial implications were also considered: the appropriations in the 'non-quota' section of the ERDF and the aid scheme for coal and coke for the steel industry. A broad debate was held on industrial restructuring and conversion. Several proposals relating to consumer protection were examined: liability for defective products and accidents due to products and the question of organ banks. On the social side the House considered the proposal on exchanges of young workers and the second European social budget. In the light of the accident on Three Mile Island nuclear matters were approached from the angle of inspecting fissile materials as laid down by the Euratom Treaty and of nuclear safety. Several debates also involved the Community's external relations: relations between the EEC and the United States, application of the code of conduct for Community firms with branches in South Africa, the peace treaty between Israel and Egypt, UNCTAD, relations with Japan and relations with Canada in respect of fishing. Other items on the agenda included Community participation in space research, application of competition rules in the pharmaceuticals industry, the food aid programme, technical barriers to trade and transport of goods by road. Lastly, Parliament adopted a resolution recommending the Community's accession to the European Convention on Human Rights<sup>1</sup> and another on establishing an Administrative Tribunal of the European Communities.<sup>2</sup>

**Preliminary draft  
of the first amending  
and supplementary budget for 1979**

(24 and 25 April)

2.3.5. By a very large majority Parliament adopted the preliminary draft of the first amending and supplementary budget for 1979 established by the Council.<sup>3</sup> In his report, which urged the House to support the compromise worked out by the Commission, Mr Bangemann (*L/D*) held that a supplementary budget was needed to cover the financing of interest rebates on loans under the EMS and of reimbursement measures in the United Kingdom. Thus, at least in so far as the 1979 procedure is concerned, Parliament put an end to its four-month argument with the Council. The accepted compromise gives Parliament for the most part satisfaction in respect of the appropriations for the ERDF and, in general terms, for regional policy.<sup>4</sup> Mr Bangemann was happy to note that since 2 April the Member States which had been contesting the validity of the 1979 budget had paid up their arrears. He also made it quite clear that Parliament would have preferred to agree with the Council on a common interpretation of Article 203 of the EEC Treaty. Unilateral interpretation by the Council might very well lead to the opposite of what was desired, creating a situation of greater insecurity to the extent that Parliament's rights were compromised.

Mr Bangemann went on to tell the House with regret why the Committee on Budgets had, by a large majority, decided not to table a number of amendments bearing in particu-

<sup>1</sup> Points 1.3.1 to 1.3.4.

<sup>2</sup> Point 2.3.3.

<sup>3</sup> Bull. EC 3-1979, point 2.3.84.

<sup>4</sup> Point 2.3.84 (Table 1).

lar on agricultural policy, the social sector and also on some increase in the staff of the Commission to enable it to start a number of priority operations. It was not a matter of opposition in principle but of confirming the existence of the 1979 budget as Parliament had adopted it. By approving further expenditure the House would run the risk of compromising its legal interpretation.

The Commission representative, Mr Tugendhat, was bitterly disappointed with the Committee's interpretation of this point and, unlike Parliament, felt that the interest rebates under the EMS ought to be classed as compulsory expenditure, since they were clearly the result of a Council decision—of a sort of 'contract' concluded between the Member States.

Parliament largely endorsed the caution line taken by Mr Bangemann, most speakers taking issue with the role played by the European Council whose actions had queered the pitch of normal Community decision-making procedures. Much comment was also made on the interpretation of the provisions of Article 203 of the EEC Treaty, which was proving more and more intractable both in regard to the procedural provisions and to the question of classing expenditure as compulsory or non-compulsory. Parliament finally adopted the resolution contained in Mr Bangemann's report.

### Loans with a structural objective (24 and 25 April)

2.3.6. In return for the participation of Ireland and Italy—less prosperous Member States—in the EMS, it has been decided to set up a system of subsidized loans for these two countries (200 million EUA per year for five years).

Though the report by Mr Notenboom (*C-D/NL*) on the Commission proposal,<sup>1</sup> presented on behalf of the Committee on Budgets, approved the principle of these subsidized loans, the resolution contained in the report and adopted by the House stated that 'the Community decision-making process applies in full to the European Council and that its 'resolution' of 4 and 5 December 1978 must therefore be considered as a guideline which the institutions will take as a basis in deciding freely in accordance with the conditions laid down by the Treaties'.

Moreover, the appropriations for the subsidies must, in Parliament's view, be of a non-compulsory nature and established annually by the budget. Lastly, the budgetary compensation provided for the United Kingdom, which is not participating in the European Monetary System, must be exceptional and temporary.

2.3.7. On 16 October 1978 the Council adopted a decision authorizing the Commission to raise loans to promote investments in the Community. This is the new lending and borrowing mechanism called the 'new Community facility'<sup>2</sup> (NCF).

Following the European Council's decision to grant interest subsidies to Italy and Ireland as part of their participation in the EMS<sup>3</sup> the Commission is proposing to launch an initial tranche of borrowings of 500 million EUA, pursuant to the above decision.

This proposal was considered in a report by Mr Spinelli (*COM/I*), which endorsed it in principle but pointed out that the question of incorporating NCF loans in the budget would

<sup>1</sup> OJ C 65 of 9.3.1979; Bull. EC 2-1979, point 2.1.3.

<sup>2</sup> OJ C 88 of 4.4.1979; Bull. EC 3-1979, point 2.1.6.

<sup>3</sup> Point 2.3.6.

have to be dealt with within the wider compass of the conciliation on the amended Financial Regulation, which is to take place before the end of April.

In his commentary Vice-President Ortoli emphasized the need to define clearcut guidelines and then to allow the Commission enough freedom to use the instruments at its command. The House adopted the resolution in Mr Spinelli's report.

#### **ERDF — Non-quota section** (24 April)

2.3.8. A series of oral questions put to the Commission by Mr Bangemann and others bore witness once again to Parliament's keen interest in regional policy. The questions bore mainly on the reserve entered under the 'non-quota' section of the Regional Fund, intended for specific operations to counter the adverse regional effects of Community policies.

Many speakers again regretted the inadequacy of the resources available to the ERDF, the reserve fixed unilaterally by the Council at 5% of ERDF appropriations being regarded as ridiculous. It was further argued that this reserve should be added to the appropriations set aside for aid to national projects instead of being deducted from them.

#### **Aid for coal and coke for the steel industry**

2.3.9. The Commission has presented a proposal for a Decision to increase the appropriations for financing the aid scheme for coal and coke for the iron and steel industry.<sup>1</sup>

The resolution contained in the report by Mr Ibrügger (S/D), which Parliament adopted,

commended the Commission's action but urged that these resources should come within the budget and not, as at present, under a special fund fed from three different sources: the iron and steel industry, the ECSC budget and the Member States. The House called once again for the customs revenues collected by the Member States on steel products to be transferred in full to the ECSC budget.

In his statement Mr Brunner emphasized that we had to get used to thinking long-term. Despite the modesty of the Community's efforts, the overall effect of action taken under the proposals relating to coal had been to secure a minimum of security on the market.

#### **Industrial restructuring and steel industry operations** (25 and 26 April)

2.3.10. Parliament devoted a major debate to Mr Spinelli's report, presented on behalf of the Economic and Monetary Affairs Committee, concerning the Commission's proposal relating to a Regulation on Community aid for industrial restructuring and conversion.<sup>2</sup> At the same time it considered the oral questions by Mr Klepsch (C-D/D) on the same subject and Mr Pintat (L/F) on steel industry operations.

In a preliminary statement Mr Davignon defended the Commission's proposal, which defines the criteria and methods for implementing Article 375 of the budget, empower-

<sup>1</sup> Bull. CE 10-1978, point 2.1.120.

<sup>2</sup> OJ C 272 of 16.11.1978; Bull. EC 11-1978, point 2.1.11.

ing the Commission to undertake structural operations for the benefit of certain sectors. Since the Community was determined to deploy a concerted policy, the Commission was proposing to acquire by means of a regulation the weapons needed to deal with the crisis.

In his report Mr Spinelli (*COM/I*) approved the main lines of the Commission's proposal. The House did not endorse the view of the Committee on Budgets, which had regarded as superfluous the outline Regulation planned in the Commission's proposal, and urged the Commission to implement the budget, under its responsibility, in accordance with Article 205 of the EEC Treaty. As Mr Pisani pointed out, on behalf of the Socialist Group, they must not sacrifice, for 'theological' reasons, the appropriations which could be swiftly utilized for industrial restructuring.

Tackling the question of steel, Mr Davignon reminded the House of the appreciable improvement in respect of price levels, exports and the balance between supply and demand. On the matter of job creation Mr Davignon spoke of the clash between the Commission and the Council, the Council having denied the Commission the 60 million EUA which it was asking for. The Commission intended to make this one of the priority lines of its action. Moreover, the question of discipline in national aid would be settled before the summer. Mr Davignon concluded to the effect that during the second half of 1979 the Commission would concentrate its efforts on showing how, by concerted action, to embark on dynamic, job-creating projects.

Though it maintained its position as to principle, the Committee on Budgets withdrew its amendments so as not to hinder the early allocation of appropriations. The House therefore adopted the resolution in Mr

Spinelli's report after putting in several amendments of a social nature.

### Action in favour of consumers

#### *Programmes*

(25 April)

2.3.11. Mrs Krouwel-Vlam (*S/NL*) and others asked the Council whether it ought to convene a Council meeting on consumer affairs in order to speed up developments in that field. They found that whilst the Commission was preparing the second action programme the bulk of the first programme had not yet been completed.

The President of the Council, Mr Bernard-Reymond, admitted that the first programme was running somewhat slowly in regard to both substance and procedure. Allowance should be made for the fact that the laws of the Member States varied widely in many areas (doorstep selling for example).

Mr Schijns (*C-D/B*), Mr Baas (*L/NL*), Lord Bethell (*C/UK*) and Mrs Squarcialupi (*COM/I*) stressed the need to boost Community action to support the consumer. Mr Schijns recommended, in particular, the design of a European label guaranteeing the quality of a product, while Mr Baas felt that the Council had no call to blame itself. Lord Bethell hoped that in the elected Parliament the Consumer Protection Committee would be consulted on a par with the Committee on Agriculture when the agricultural prices were fixed; the latter would have to arrange hearings on the problem of consumer prices. Mrs Squarcialupi contended that consumer policy should not be treated in isolation but in relation to other policies such as agricultural or industrial policy.

### *Liability for defective products* (26 April)

2.3.12. The proposal for a Directive presented by the Commission in 1976<sup>1</sup> concerning approximation of the laws of the Member States governing liability for defective products had provided much food for thought for Parliament's Legal Affairs Committee. At the present time the regulations applicable in the Member States show many variations, whether they are established on liability based on negligence (in force in Italy); on mitigated liability; presumption of negligence on the part of the manufacturer with the possibility of proof to the contrary (applicable in Denmark, the Netherlands, the United Kingdom, Ireland and the Federal Republic of Germany); or on strict liability with irrebuttable presumption (applicable in France, Belgium and Luxembourg).

Besides distortion of competition these differences lead to unequal—and very often inadequate—protection for Community consumers.

The report presented by Mr Calewaert (*S/B*) welcomed the proposal which would be beneficial to competition and the free movement of goods and to consumer protection as well. It suggested, however, a number of amendments tending, in the main, not to make the producer liable for a defective product if its defective nature could not have been known when the producer put it into circulation and if, when he had learned of the defect, he had immediately informed the public and taken the necessary action. The Commission was asked to examine within a period of five years whether it was advisable to set up a guarantee fund with a view to protecting consumers and producers against development risks.

Answering the criticisms made by most of the speakers, namely Mr Scott-Hopkins (*C/UK*), Mr de Gaay Fortman (*C-D/NL*), Mr Masullo (*COM/I*) and Mr Rivierez (*EPD/F*), against the legal basis of the proposal (Article 100 of the EEC Treaty), Mr Davignon maintained that his starting point had been economic and not social, his aim being to avoid any distortion of competition. The protection of the consumer moreover constituted one of the Community's objectives. Then referring to the comments of several members, notably Mr Granet (*L/F*), Mr Rivierez (*EPD/F*), Mr Riz (*C-D/I*) and Mr Masullo (*COM/I*), about the need to set up a guarantee fund to cover the 'risks of development', Mr Davignon contented that allowing for the risks of development by imposing the burden of proof on the producer was a sound compromise for the time being. The House adopted the resolution in Mr Calewaert's report.

### *Accidents involving products* (26 and 27 April)

2.3.13. The preliminary programme for a consumer protection and information policy adopted by the Council in 1975<sup>2</sup> lays down a number of principles and notably that products offered to the consumer must not be dangerous. Considering that not enough relevant information was presently available the Commission has proposed to introduce a Community information system on accidents involving products (excluding accidents at work and road accidents).<sup>3</sup>

<sup>1</sup> OJ C 241 of 14.10.1976; Supplement 11/1976—Bull. EC.

<sup>2</sup> Bull. EC 4-1975, points 1301 to 1304.

<sup>3</sup> OJ C 252 of 24.10.1978; Bull. EC 9-1978, point 2.1.42.

In the report which she compiled for the Committee on the Environment, Public Health and Consumer Protection, Mrs Cassanmagnago Cerretti (C-D/I) approved the proposal but urged the Commission to make a start right away on preparing directives, since the information system would not be working until 1982 and prompt action was needed: it was estimated that in the United Kingdom alone, for example, more than 5 000 people a year died as the result of accidents in the home.

Mr Davignon replied that the time required to install the system would not affect the continuing action on the Commission's work programme for the protection of the consumer.

#### *Organ banks*

(26 and 27 April)

2.3.14. Parliament had before it an own-initiative report on organ banks from Mrs Krouwel-Vlam (S/NL) on behalf of the Committee on the Environment, Public Health and Consumer Protection.<sup>1</sup> This matter is at best the subject of different provisions in the Community, where there is, in fact, a shortage of donors and organ banks.

The report, which Parliament adopted, asks the Commission to promote the coordination of organ banks and propose an optional Directive on arrangements for transplants and the methods of performing them.

The Commission representative, Mr Davignon, supported the idea but suggested that the situation be clarified by calling on the Member States to adopt the excellent resolution of the Council of Europe on this question.

#### Social policy

##### *Exchanges of young workers and youth policy*

(23 and 24 April)

2.3.15. The proposal for a second joint programme of exchanges of young workers<sup>2</sup> was considered in a report, which Parliament adopted, presented for the Committee on Social Affairs by Mrs Cassanmagnago Cerretti (C-D/I). In approving this programme the House hoped that it would be possible to remedy the shortcomings of the 1964 programme.

Answering on oral question from Mr Schreiber (S/D) and other members on progress made in implementing a youth policy, Mr Vredeling acknowledged that the first programme for exchanges of young workers had not yielded very satisfactory results, not many people having taken part. The Commission was today therefore proposing this second programme, which would provide financial aid from the Community. Concerning the Community's efforts to secure more active participation by young people in European integration, Mr Vredeling mentioned, in particular, the European Youth Forum, the programmes to combat poverty (particularly the study on the transition from school to working life) and the new operations of the Social Fund to promote the employment of young people: from now on 40% of the total appropriations was committed for activities involving young people under twenty-five. Lastly, the three standing committees set up by the Forum would enable it to make proposals for grants from the Social Fund.

<sup>1</sup> Bull. EC 1-1979, point 2.1.28.

<sup>2</sup> OJ C 82 of 28.3.1979; Bull. EC 3-1979, point 2.1.45.

### *European Social Budget* (23 and 24 April)

2.3.16. The Commission presented a European Social Budget for the second time:<sup>1</sup> the first, which covered the years 1970 to 1975, mainly had to do with Member States' expenditure in the social sector. In 1976 the Council asked the Commission to make this budget into a real instrument of social policy, by analysing the decisive factors influencing the trend of costs in that sector.

In his report, presented on behalf of the Committee on Social Affairs, Employment and Education, Mr Wawrzik (C-D/D) welcomed this second budget, noting, in particular, that it took account of Parliament's wishes to make it something more than a simple record of past activities.

The resolution contained in the report, which Parliament adopted, drew political conclusion from this budget, which it instructed its Committee to take into account future work:

- (i) 'a policy of individual asset formation for workers, including a share in production capital';
- (ii) 'a housing policy to facilitate home ownership';
- (iii) 'a family policy which guarantees even large families an adequate income';
- (iv) 'data demonstrating the unequal treatment of men and women in all areas of social security';
- (v) 'European legislation protecting the interests of war victims and war widows and the physically and mentally handicapped, particularly children';
- (vi) 'an old-age pension sufficient for the individual to maintain his accustomed standard of living'.

While welcoming these suggestions Mr Vredeling pointed out that on account of its budget the Commission would be faced with a difficult choice, particularly in regard to the studies to be made.

### **Nuclear energy**

#### *Inspection of fissile materials* (24 and 25 April)

2.3.17. At the suggestion of the Committee on Energy and Research an own-initiative report had been compiled by Mr Flämig (S/D) on the operation of the Euratom inspectorate with particular reference to the allocation of duties between the Commission, the Governments of the Member States and the IAEA in respect of the inspection of fissile materials.

The resolution in the report, which Parliament adopted, recognized 'the need for close cooperation between Euratom and the IAEA, and welcomes the appointment of a permanent Euratom representative in Vienna'. It also considered that 'the Community as such should become a party to the International Convention on the Physical Protection of Nuclear Materials'. It will be remembered that following a request for a preliminary ruling filed by Belgium, the Court of Justice stated in November 1978 that no Member State could be party to such a convention if the Community itself did not accede to it.

Differing from the Socialist, Christian-Democrat, Conservative and Communist Groups, which endorsed the rapporteur's view, the spokesman for the European Progressive Democrats, Mr Krieg (F), maintained that up to now the scope of the Euratom

<sup>1</sup> Bull. EC 7-8/1978, point 2.1.59.



Treaty had been very confined and that some of its clauses had become obsolete, particularly those concerning the importing of fissile materials and external relations. Yet the recent judgment by the Court of Justice tended to revalidate them, which would result in the paradox of promoting the 'negative aspects' (inspection, etc.) while neglecting the positive potential (creation of a nuclear industry). Mr Krieg felt that the Euratom Treaty must be amended since it no longer met current requirements. His final remark was to the effect that 'we are talking over the dead body of a treaty whose major clauses nobody was willing to apply or knew how to apply or was able to apply'.

Replying for the Commission, Mr Brunner emphasized that the concept of 'independent Europe' was meaningless if everybody refused to act accordingly and clung to the concept of the national State. You could not pick and choose out of the Treaty only the things which suited you politically. Mr Brunner dismissed as groundless the claim that the Treaty because it was twenty years old was out of date. It had enabled progress to be made in respect of the common market in fissile materials, research, the Community's position *vis-à-vis* non-member uranium-supplying countries (particularly the United States and Canada) and inspection. Pointing out that there were as many Euratom inspectors for Europe as there were in the Vienna Agency for the whole world, Mr Brunner concluded that the Euratom Treaty still had much to offer.

### *Nuclear safety*

(24 and 25 April)

2.3.18. Following the accident which occurred at the Three Mile Island nuclear power station in the United States, Mrs Walz

(C-D/D) and Mr Flämig (S/D) presented a proposal for a resolution on behalf of the Committee on Energy and Research asking the Commission to compile a report immediately on the causes and effects of the accident and present it to the House during the May sittings so that Parliament could study possible repercussions on the Community's nuclear programme.

Mr Flämig held that more stringent safety precautions were needed, since it was not possible to abandon the peaceful use of nuclear power.

All the political Groups supported Mrs Walz's draft resolution on the problems of nuclear safety as seen after the Harrisburg accident. The Conservatives, however, felt that the information published after the incident was mainly aimed at turning public opinion against the need to use nuclear energy.

Mr Natali told the House that the Commission would transmit the requested report as soon as it had gathered the necessary material.

### **Approximation of laws**

(27 April)

2.3.19. The Commission has transmitted a number of proposals for Directives on the approximation of Member States' laws concerning certain types of cranes and tractors, lawnmowers, certain types of pressure vessels, measuring instruments and units of measurement, etc.<sup>1</sup>

<sup>1</sup> OJ C 306 of 22.12.1978; OJ C 25 of 29.1.1979; OJ C 37 of 10.2.1979; OJ C 42 of 15.2.1979; OJ C 81 of 28.3.1979; OJ C 86 of 2.4.1979; Bull. EC 12-1978, point 2.1.8; Bull. EC 1-1979, point 2.1.14 and Bull. EC 2-1979, point 2.1.11.

Though it approved each of the proposals as such, Parliament criticized the Commission for not having adopted, under its own responsibility pursuant to Article 255 of the EEC Treaty, the technical adjustments based on outline directive.

Thus in his report Mr Nyborg (*EPD/DK*) deplored the slowness and inefficiency of the current procedure for the elimination of technical carriers to trade and reiterated Parliament's much repeated proposal that the procedure be simplified.

In his reply Mr Tugendhat indicated that to meet Parliament's wishes, in September the Commission would present a general paper which would discuss the elimination of technical barriers to trade and define priorities and methods all as part of the Community's overall industrial policy.

The House adopted the resolution in Mr Nyborg's report.

### Road freight haulage for own account

2.3.20. Parliament adopted the report compiled by Mr Jung (*L/D*) on behalf of the Committee on Regional Policy, Regional Planning and Transport on the Commission's proposal for a Directive on own-account carriage of goods by road between Member States (not subject to Community quotas like carriage for the account of others).<sup>1</sup>

The resolution contained in the report noted with satisfaction that the Commission was now proposing fully to liberalize the international own-account carriage of goods by road within the Community.

Parliament thus agreed with the proposed control measures and the penalties for any breach of the regulations, but felt, none the less, that there should be a reasonable degree

of uniformity where breaches and penalties were concerned, and with this in view, urged the Commission to issue an appropriate recommendation at an early date.

### Pharmaceuticals

(26 April)

2.3.21. Following a motion for a resolution tabled by the Socialist Group, Parliament had before it a report presented by Mr De Keersmaecker (*C-D/B*) on behalf of the Committee on Economic and Monetary Affairs concerning the manufacture, distribution and use of pharmaceutical preparations.

The report recorded that the Committee had not found any conclusive evidence that excessive profits were being made. But the resolution in the report noted the existence in certain categories of a 'substantial concentration of supply' and that 'where a structure of this nature obtains, the possibility of the rules of competition being infringed, for instance in the matter of price fixing, cannot be ruled out'. The Commission was therefore urged to make a careful investigation into the compatibility with the Treaty of the various national price control systems for pharmaceutical products, and to submit proposals for initiating consultations with national price bodies.

The Resolution also dealt with the means of achieving complete free trade in pharmaceuticals (mutual recognition of national licences or introduction of Community licences...)

The Commission representative, Mr Davignon, indicated that the Commission was in a position to act (Articles 85 and 86 of the EEC Treaty) and that it had in fact fought some

<sup>1</sup> OJ C 41 of 14.2.1979; Bull. EC 1-1979, point 2.1.77.

celebrated battles against huge companies. There had therefore been some action and some results. The Council, however, was fighting shy of the Commission's proposals on merger control.

On the matter of pricing, the pharmaceutical industry being a special case in that it involved public health and that, as a consequence, all the States found themselves obliged to concern themselves with it, it must continue to be particularly 'sound, dynamic and expansive'. But this did not mean that the Commission was not looking into the problems of pricing, transfers or the free movement of drugs. It would be presenting new proposals before 1980 after it had prompted broad discussion of the question.

### Space research (24 and 25 April)

2.3.22. In an own-initiative report compiled for the Committee on Energy and Research, Mr Ripamonti (*C-D/I*) emphasized the advantages which the Community could derive in the short term from space activities (telecommunications, observation of Earth, scientific research) and the value to industry of technological spin-offs from space programmes. These activities are now coordinated at European level under the European Space Agency, formed in 1978, to which, except for Luxembourg, all the Member States and Switzerland, Sweden and Spain belong.

The resolution in the report, which Parliament adopted, asked the Commission to consider space research activities 'within the framework of developing an overall Community policy for science and technology'—by coordinating the ESA's space research programmes with Community projects. It also recommended the Commission

to assist the ESA in drawing up a comprehensive programme to meet the likely requirements of the Member States for the next ten years. There is in fact a basic difference between the Agency and its forebears (ESRO: scientific satellites; ELDO: satellite launchers), since they had special purposes and the Agency has a general role.

The report was warmly welcomed by the representatives of the political Groups, Mrs Walz (*C-D/D*), Mr Flämig (*S/D*), Mr Normanon (*C/UK*) and Mr Veronesi (*COM/I*) who felt that Europe must be represented in the space race and highlighted the potential value to the Community of the commercial spin-offs from space technology.

Replying to the speakers Mr Brunner did not disguise the difficulties involved in implementing such a policy, whose short and medium-term advantages would not be commensurate with the investments required. To quote one example, a network of information satellites covering a single region was not a worthwhile proposition. 'Did we have the strength to carry through this policy?'

### External relations

#### *Relations with the United States* (25 April)

2.3.23. Following a visit by a delegation from Parliament to the United States as one of the regular contacts with Congress, Mr Zagari (*S/I*) and other members put several oral questions to the Commission, the Council and the Foreign Ministers meeting in political cooperation concerning firm moves which the Commission was ready to make at an early date in order to strengthen the Community's ability to speak with a single voice to the United States.

In reply, the Council President, Mr Bernard-Reymond, emphasized the value for two great trading bodies, each of which was the biggest supplier and customer of the other, of maintaining a constant and vibrant dialogue. He felt that the dialogue between the Community and the United States was extensive, varied and penetrating and that the Community was consistently speaking with a single voice. Nevertheless these contacts did not necessarily mean that the two always saw eye to eye; it was quite normal for the Community to wish to wield its own influence on the international scene.

For his part, Mr Haferkamp pointed to international monetary affairs and energy as areas where cooperation should be strengthened. He pointed out that continuous and constructive cooperation was now operating at all levels between the Community and the United States. Both he and Mr Bernard-Reymond also welcomed the acceptance by the United States of the common agricultural policy in the course of the Tokyo Round and applauded the progress made at the negotiations in respect of non-tariff barriers.

*Peace treaty between Israel and Egypt*  
(25 and 26 April)

2.3.24. Mr Blumenfeld (C-D/D) presented a resolution on behalf of the Political Affairs Committee on the signing of the peace treaty between Egypt and Israel and the Community's contribution to a general peace settlement. The resolution, which Parliament adopted, 'warmly welcomes' the signature of the treaty and congratulates the protagonists, sharing the hope expressed by the Foreign Ministers of the Nine that the peace which has just been established will soon take a practical form through the participation of all parties concerned.

The resolution urges the Council, the Commission and the Member States to intensify the existing links between the Community, Egypt and Israel, particularly on the basis of concrete proposals for industrial cooperation. Lastly, it emphasizes Parliament's desire to seek to make an effective contribution to the Community's efforts to assist in the achievement of a comprehensive settlement.

*UNCTAD V*  
(26 April)

2.3.25. With UNCTAD V about to open in Manila in May, Mr Deschamps (C-D/B) asked the Commission in an oral question on behalf of the Committee on Development and Cooperation about the preparations by the Community and the Member States for their participation in the Conference and about the political significance of the event in the context of the North-South Dialogue.

Mr Deschamps also presented a motion for a resolution, which Parliament adopted, in which he welcomed the progress achieved in March in respect of the common fund for commodities and hoped that the Member States would help to finance it and their contributions would be financed from the Community budget.

The resolution also appealed to all the Member States to write off a substantial part of the public debt of the poorest developing countries and to consider the contribution which the Community could make in this field by repaying the debts relating to certain loans. They were also requested to raise their net contribution to development aid to 0.7% of gross national product.

Parliament considered that the Community should adopt an open position on the ques-

tion of protectionism and provide for concertation in the event of serious disturbance of the market and that the Community and the Member States should launch a major campaign to inform the electorate concerning the problems involved in international division of labour.

In his reply Mr Davignon stressed that the success of the special relations which the Community had established with the ACP countries inspired hopes in other areas which should not be disappointed.

The elected Parliament would have an important part to play in getting the Community budget to pay for the financing of the common fund and the debts of the poorest developing countries. But the problem of indebtedness was not so straightforward: though these weak economies had to bear heavy burdens they should not be denied recourse to international financing by dismissing them as hopelessly insolvent. Mr Davignon added that there was no discrimination against developing countries as regards transfers of technology.

In January<sup>1</sup> the Commission had presented a comprehensive paper to the Council outlining the main issues for discussion in Manila. What mattered most was the determination to conduct a Community policy, for the worst thing would be to see the Member States adopt divergent stances on the substance of problems, thus jeopardizing the type of cooperation instituted between the Community and the developing countries.

#### *Relations with Japan* (27 April)

2.3.26. On behalf of the Committee on External Economic Relations, Mr Baas

(L/NL) introduced his report on the results of the visit by a Parliamentary delegation to Japan.

The rapporteur highlighted the immense problems which had always arisen between the Community and Japan: the deficit in the trade balance, the power of the Japanese commercial chains and the difficulties European companies had in setting up in Japan. But this was no reason for allowing feelings of animosity towards Japan to develop. There was plenty of scope for cooperation, particularly in agriculture and energy and in connection with aid for the Third World.

Having recognized the 'critical' importance to the world economy of a satisfactory conclusion to the multilateral negotiations in GATT, the resolution in the report adopted by Parliament emphasized that the House looked forward to regular informal exchanges between Parliament and the Japanese Diet on selected subjects of common concern. A two-way programme of visits by Japanese and Europeans was also warmly recommended.

#### *Code of conduct for Community companies operating in South Africa* (25 and 26 April)

2.3.27. Parliament devoted a lengthy debate to application of the code of conduct for Community companies with subsidiaries, branches or representation in South Africa.<sup>2</sup>

The report presented by Mr Lagorce (S/F) for the Committee on Development and Cooperation reiterated the condemnation of the policy of apartheid in South Africa and found it

<sup>1</sup> Bull. EC 1-1979, point 2.2.23.

<sup>2</sup> Bull. EC 9-1977, point 2.2.4.

illogical that the application of the code, which was the outcome of a Community decision and which despite its shortcomings could be an initial decisive factor in evolving a global strategy for eliminating apartheid, should be monitored by the individual Member States. All the problems surrounding the code of conduct should be transposed from the plane of political cooperation to that of the Council to allow cooperation between the Community institutions.

In practical terms, application of the code was clearly preferable to a strategy of a general or selective economic boycott of South Africa, which was not thought to be effective and which would inevitably mean serious handicaps for the non-white population.

Concluding his presentation Mr Lagorce pointed out that Community action in respect of South Africa was hamstrung by its dependence on that country for supplies of raw materials, most particularly uranium.

Answering the oral question put to the Foreign Ministers by Mr Patijn (*S/NL*), deputizing for Mr Fellermaier (*S/D*), asking which companies had honoured the obligation to furnish information imposed by the code, Mr Bernard-Reymond explained that the Member States could not assess the results until all the reports from the companies were to hand. He mentioned that the Member States had used various incentives to get companies to follow the recommendations of the code and that they intended to maintain their efforts of persuasion. As far as France was concerned, they called in the company heads concerned.

Having stated that the Commission's responsibilities were limited, Mr Cheysson made a positive appraisal of the code, basing his opinion on the fact that the other OECD countries, even the Scandinavian countries, had declined to adopt it. He reminded the

House that the Community had extensively supported the ACP countries which were victims of apartheid. This had happened when South Africa had put an economic stranglehold on Lesotho and again after the collapse of the world beef market, which severely hit Botswana. All told, this special assistance had amounted to 25 million EUA plus 40.5 million EUA in beef subsidies.

Mr Cheysson heavily underlined the fact that the code of conduct was only one aspect of an anti-apartheid policy. Did the Community have an African policy? The answer was no, if policy was taken to mean a caucus of kindling legal acts—for the Community was not a State. The answer was yes, if it meant establishing a political reality, by implementing development aid through projects decided on the sovereign authority of the countries concerned.

Speaking for the Christian-Democrat Group, Mr Vergeer (*NL*) said that his Group meant to brand those who, while condemning apartheid, hobnobbed with the governments which practised it. Every effort must be made to secure peaceful change in South Africa and to operate the well chosen device of the code of conduct. Mr Jung (*L/D*) found the code to be preferable to a boycott, which would hit first and foremost the black population. Lord Reay (*C/UK*) felt that they must recognize the Community's limited capacity for action in this field so as not to raise hopes which would then be dashed. In his view boycotting was unrealistic and would prompt South Africa to go into isolation instead of adapting and making changes to still the criticisms. Contact with South Africa must therefore continue.

Mr Sandri (*COMI*) believed that the code of conduct gave a tangible dimension to the problem so that declarations of intent could be given a miss. A general economic boycott

was not realistic. Moreover, it should be considered whether the trade unions might be enlisted in the surveillance and the application of the code. Mr Sandri further pointed out that companies were being asked to do what governments had neither the courage nor the political will to try.

Parliament adopted the resolution in the report.

### EEC-Canada Fishing Agreement

(27 April)

2.3.28. The Commission has proposed conclusion of an interim fishing agreement (until the end of December 1979) between the Community and Canada,<sup>1</sup> since Canada has recently decided that fishing quotas will henceforth be granted only to those countries with which such an agreement has been made.

The report compiled for the Committee on Agriculture by Mr Lemp (*S/D*) endorsed the proposal and urged the Council to reach an agreement quickly. The House adopted the resolution in the report.

### Food aid

(26 and 27 April)

2.3.29. Pending the amendment of the procedures which would enable the Commission itself, after consulting the Member States, to determine the distribution of aid, the Commission has presented proposals for the regulations to govern food aid in 1979.<sup>2</sup>

The report by Mr Broeks (*S/NL*) on behalf of the Committee on Development and Cooperation made the following main points concerning the proposals:

(i) it approved the Commission proposal to raise cereals aid to 1 135 000 tonnes (the 1979 budget contains appropriations for only 720 500 tonnes);

(ii) it urged the Commission to propose the supply of 200 000 tonnes of milk powder instead of 150 000 tonnes;

(iii) it approved the Commission's proposed distribution criteria, which would concentrate some 90% of the aid in the poorest countries;

(iv) it called for the creation of local disposal and distribution facilities to ensure that the food supplied actually reaches the neediest sections of the population;

(v) it considered that the existing checks on the use of financial resources for food aid, in particular transport costs, were inadequate;

(vi) it stressed once again that food aid can be effective only if its underlying principles and methods of control are embodied in a long-term development strategy and policy;

(vii) it repeated its request to the Council in future to enter into multiannual commitments for Community food aid so as to enable development programmes to be carried out using food aid;

(viii) it supported the view that food aid must be determined without reference to agricultural policy and in particular to agricultural surpluses.

The House endorsed these points in the resolution it adopted. Mr Davignon stated that he shared the views of the Committee on Development and Cooperation concerning the multiannual planning of food aid and the need to reinsert it into development policy.

<sup>1</sup> OJ C 81 of 28.3.1979; Bull. EC 3-1979, point 2.1.45.

<sup>2</sup> Bull. EC 3-1979, point 2.2.30.

Although the Commission had failed to convince the Council of this for 1979, it would continue to press for the amendment of the present procedure. It also shared Parliament's views about the management and control of food aid; it would step up its efforts to increase the effectiveness.

## Council

2.3.30. The Council held three meetings in April devoted to general matters, economic and financial affairs and the environment.

### 574th meeting — General Matters (Luxembourg, 2 and 3 April)

2.3.31. *President:* Mr François-Poncet, French Minister of Foreign Affairs.

*Commission:* Mr Jenkins, President; Mr Gundelach, Mr Haferkamp, Mr Natali, Vice-Presidents; Mr Cheysson, Mr Vouel, Mr Davignon, Members.

*Preparations for the Fifth United Nations Conference on Trade and Development:* The Council held a general exchange of views on progress made in preparing the common position of the Community and the Member States for UNCTAD V to be held in Manila from 7 May to 1 June.<sup>1</sup>

*Yugoslavia:* The Council discussed a number of points in connection with the resumption of negotiations with Yugoslavia. One of the major items was the volume of financial aid to be granted to Yugoslavia under the Financial Protocol to be concluded at the same time as the new Agreement.

*Turkey:* The Council continued the discussion begun at its last meeting concerning the development of the Association with Turkey.

Preparation of the Community's position for the next session of the Association Council will be actively pursued so that the Council can adopt it at the meeting on 8 May.

*Steel:* The Council took note of a statement by the Commission on its contacts with the United Kingdom and Italian Delegations regarding its draft Decision on specific aids for the steel industry, and of statements by a number of delegations and the Commission on the need to lay down Community rules governing aids. Contacts will continue with a view to resolving those problems still outstanding and the Council agreed to consider the matter again at a forthcoming meeting.

*Japan:* The Council heard a report from Mr Haferkamp on the outcome of his talks with the Japanese Government in Tokyo from 26 to 28 March. The Council noted that EEC-Japan relations remained a matter for concern and that the Commission would continue its consultations with the Japanese authorities. An overall report will be presented to the June meeting.

*Greece:* The Council prepared for the eleventh ministerial session of the negotiating conference on the accession of Greece, which was held on 3 April.<sup>2</sup>

*Textiles agreement with China:* On the basis of a Commission communication, the Council discussed the outcome of the first phase of negotiations with the People's Republic of China for the conclusion of a textiles agreement.

*ACP-EEC negotiations:* The Council took stock of progress in the negotiations for the new ACP-EEC Convention following the ministerial negotiating conference held in

<sup>1</sup> Point 2.2.19.

<sup>2</sup> Points 1.1.1 to 1.1.3.



Freeport, Bahamas from 22 to 24 March. In conclusion, the Council agreed on the arrangements to be made for the Community's internal work in preparation for the fourth ministerial negotiating conference scheduled for 24 and 25 May.<sup>1</sup>

*Cyprus:* The Council examined the arrangements for imports of new potatoes from Cyprus into the Community. Further work will be done with a view to reaching a rapid solution.

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*Environment:* The Council formally adopted the Directive on the conservation of wild birds.<sup>2</sup>

### 575th meeting — Economic and Financial Affairs

(Luxembourg, 2 April)

*2.3.32. President:* Mr François-Poncet, French Minister of Foreign Affairs.

*Commission:* Mr Jenkins, President; Mr Tugendhat, Member.

*Comprehensive budget review:* On the basis of a Commission communication the Council proceeded to make its annual comprehensive review of budgetary matters in the Community.<sup>3</sup>

*Financing:* The Council then held a detailed exchange of views on the financing of the Community budget on the basis of a Commission communication.<sup>4</sup>

### 576th meeting — Environment

(Luxembourg, 9 April)

*2.3.33. President:* Mr d'Ornano, French Minister for the Environment and the Quality of Life.

*Commission:* Mr Natali, Vice-President.

*Environment policy:* On the basis of a Commission communication the Council held a general discussion on the further development of the Community's environment policy.<sup>5</sup>

*Environmental impact:* The Council agreed on the importance of developing the impact study procedures which already exist or are being examined, in various forms in different Member States, as a preventive means of improving the environment.<sup>6</sup>

*Waste management:* The Council took note with interest of the initial work done by the Commission to assess the importance of the problem for the Community.<sup>7</sup>

*European Conventions on the quality of life:* After a discussion the Council invited the Commission to go ahead with the first phase of a progressive and pragmatic action for the asbestos and fluorocarbon industries.<sup>8</sup>

*Clean technologies:* The Council discussed the development of clean technologies at the end of which it requested the Commission to make an analysis and comparison of Member States' policies on research and development into clean technologies.<sup>9</sup>

*The Harrisburg nuclear accident:* Following a statement by the Commission the Council agreed to consider the implications of the Harrisburg accident in the light of fuller information to be submitted to it.<sup>10</sup>

<sup>1</sup> Point 2.2.47.

<sup>2</sup> Point 2.1.54.

<sup>3</sup> Point 2.3.85.

<sup>4</sup> Point 2.3.86.

<sup>5</sup> Point 2.1.42.

<sup>6</sup> Point 2.1.57.

<sup>7</sup> Point 2.1.45.

<sup>8</sup> Point 2.1.43.

<sup>9</sup> Point 2.1.44.

<sup>10</sup> Point 2.1.46.

*Fisheries policy:* Pending adoption of definitive Community measures the Council adopted a decision on fishing activities carried on in waters coming within the sovereignty or jurisdiction of the Member States.<sup>1</sup>

## Commission

### Activities

2.3.34. The Commission held three meetings in April. At the beginning of the month progress was further consolidated in a number of areas where important work has been under way over the last few months: the Council authorized the Commission to initial the texts which have come out of the multilateral trade negotiations within GATT; agreement was reached with Greece following the final ministerial negotiating session; progress was made in preparations for negotiations with Yugoslavia and towards reactivating the Association Agreement with Turkey. The Commission also concluded work on the following matters: the European Convention on Human Rights; relations with the two sides of industry; amendments to the Financial Regulation; relations with India; the Common Fund. Lastly the Commission began preparatory work on a number of projects relating in particular to social affairs and the implications of enlargement for relations with non-member countries. An initial report will be sent to the Council before the end of June.

*Convention on the Protection of Human Rights:* The Commission adopted a memorandum concerning the Community's accession to the Convention on the Protection of Human Rights and Fundamental Freedoms.<sup>2</sup>

*Social policy:* The Commission held a preliminary discussion on the communication on the economic and social implications of work-sharing, which it is to present to the next European Council meeting on 22 and 23 June in Strasbourg. The Commission agreed to present to the Council in May a preparatory document on the social and economic aspects of work-sharing. With regard to policy concerning the labour market and policy on working conditions the Commission considered a memorandum laying down guidelines for reducing qualitative mismatch between supply and demand for labour. The communication was transmitted to the Standing Committee on Employment as a Commission working paper.<sup>3</sup> The Commission held an initial discussion on the social aspects of the Community policy for restructuring in the steel industry. Also in the social field, the Commission adopted a communication to the Council on improving relations between the two sides of industry and the smoother running of tripartite conferences.<sup>4</sup>

*Financial Regulation:* The Commission adopted a proposed amendment to the Financial Regulation of 21 December 1977 applicable to the General Budget of the Communities.<sup>5</sup>

*Relations with India:* The Commission adopted a communication to the Council on negotiations for a new cooperation agreement to replace the 1973 Trade Cooperation Agreement.<sup>6</sup>

*Common Fund:* The Commission adopted a communication to the Council on the Com-

<sup>1</sup> Point 2.1.79.

<sup>2</sup> Points 1.3.1 to 1.3.4.

<sup>3</sup> Point 2.1.31.

<sup>4</sup> Point 2.1.39.

<sup>5</sup> Point 2.3.87.

<sup>6</sup> Point 2.2.54.

munity contribution to the financing arrangements known as the first and second windows of the Common Fund set up within UNCTAD.<sup>1</sup>

### Relations with workers' and employers' organizations

2.3.35. Several topics were dealt with in April at preliminary consultations with experts from the European Trade Union confederation: recent developments concerning energy and the impact on the European economy; second-generation migrant workers; and the employment of women and assistance that can be provided for them from the Social Fund. There was also a meeting of experts from the cable section of the European Metalworkers' Federation to exchange information about the economic, financial and social aspects of the cable-making industry.

## Court of Justice<sup>2</sup>

### New cases

*Case 50/79 — Commission v French Republic*

2.3.36. The Commission brought an action before the Court of Justice on 2 April for a declaration that, by refusing to take into account insurance periods completed in Algeria for the purpose of making social security payments, notably pensions, France has failed to fulfil its obligations under Articles 5, 48 and 51 of the EEC Treaty and under the Community rules relating to social security for migrant workers.<sup>3</sup>

*Cases 51/79 and 51/79R — R. Buttner et al v Commission*

2.3.37. Three Commission officials instituted proceedings before the Court of Justice on 2 April for a declaration that an audit report on the management of a data processing system drawn up by an outside firm, which allegedly contains defamatory statements concerning the applicants, is contrary to the Staff Regulations.

This action is accompanied by an application for interim measures prohibiting circulation of the report until the Court has delivered judgment on the substance of the case.<sup>4</sup>

*Case 52/79 — Procureur du roi v M. Debauve, Liège, et al*

2.3.38. The Liège Tribunal de première instance (Court of First Instance) requested the Court of Justice on 3 April to give a preliminary ruling on the interpretation of Articles 59 and 60 of the EEC Treaty in respect of the broadcasting of advertisements by cable television companies, having regard to the Court's judgments in Cases 155/73 (Sachi) and 33/74 (van Binsbergen).<sup>5</sup>

*Case 53/79 — Office national des pensions pour travailleurs salariés (ONPTS), Brussels v F. Damiani, La Louvière*

2.3.39. In a case concerning the payment with arrears of a retirement pension on a pro-

<sup>1</sup> Point 2.2.22.

<sup>2</sup> For more detailed information, see the texts published by the Court of Justice in the Official Journal and the European Court Reports.

<sup>3</sup> OJ L 112 of 5.5.1979.

<sup>4</sup> OJ C 126 of 19.5.1979.

<sup>5</sup> Bull. EC 4-1974, point 2448 and 12-1974, point 2443 and OJ C 126 of 19.5.1979.

visional basis, the Belgian Cour de cassation (Supreme Court of Appeal) asked the Court of Justice on 9 April for a preliminary ruling on the question whether the provisions of Article 45 (1) and (4) of Regulation (EEC) No 574/72<sup>1</sup> prevent the court before which the proceedings are brought from ordering the appropriate institution to pay interest fixed by the court as from the date on which legal proceedings were brought.<sup>2</sup>

*Case 54/79* — Firma Hako-Schuh D. Bahner, Augsburg v Hauptzollamt Frankfurt am Main-Ost

2.3.40. The Hessisches Finanzgericht (Finance Court, Hesse) requested the Court of Justice on 9 April to give a preliminary ruling on the interpretation of heading 64.02 of the Common Customs Tariff concerning footwear.<sup>2</sup>

*Case 55/79* — Commission v Ireland

2.3.41. The Commission brought an action before the Court of Justice on 9 April for a declaration that, by discriminating in respect of the period allowed for payment of excise duty between alcoholic beverages of Irish manufacture and imported beverages, Ireland has failed to fulfil its obligations under Articles 95 and 30 of the EEC Treaty.<sup>2</sup>

*Case 56/79* — S. Zelger, Munich v S. Salinitri, Mascali

2.3.42. The Bundesgerichtshof (Federal Court of Justice) requested the Court of Justice on 11 April to give an interpretation of Article 5 (1) and the first paragraph of Article 17 of the Convention on jurisdiction and enforcement of judgments in civil and commercial matters,<sup>3</sup> and, in particular, a prelimi-

nary ruling on the question whether an informal agreement concerning the place of performance of the obligation at issue constitutes an agreement founding jurisdiction or whether it must take the form laid down in the first paragraph of Article 17.<sup>2</sup>

*Case 57/79* — Commission v Kingdom of Belgium

*Case 58/79* — Commission v Grand Duchy of Luxembourg

2.3.43. The Commission brought two actions before the Court of Justice on 12 April for a declaration that, by charging dues for health checks on imports of fresh and prepared meat and meat products, the Member States in question have failed to fulfil their obligations under Article 9 of the EEC Treaty.<sup>2</sup>

*Case 59/79* — Fédération nationale des producteurs de vins de table et vins de pays, Paris v Commission

2.3.44. An action founded on failure to act was brought before the Court of Justice on 13 April for a declaration that, after giving notice to the parties concerned other than the Member States to submit their observations concerning a proposal by the regional government of Sicily to grant aid to cooperative wine cellars and after receiving the observations of the abovementioned federation, the Commission has failed to find such aid incompatible with Article 92 of the EEC Treaty.<sup>4</sup>

<sup>1</sup> OJ L 74 of 27.3.1972.

<sup>2</sup> OJ C 126 of 19.5.1979.

<sup>3</sup> OJ L 299 of 31.12.1972.

<sup>4</sup> OJ C 134 of 29.5.1979.

*Case 60/79* — Fédération nationale des producteurs de vins de table et vins de pays, Paris v Commission

2.3.45. The abovementioned French federation brought an action before the Court of Justice on 13 April to annul Regulation (EEC) No 130/79 on the granting of aid for concentrated grape must used in wine-making during the 1978/79 wine year<sup>1</sup> as being contrary to Article 85 of the EEC Treaty.<sup>2</sup>

*Case 61/79* — Amministrazione Finanziaria dello Stato v S.r.l. Denkavit Italiana

2.3.46. The Tribunale Civile e Penale di Milano (Civil and Criminal Court, Milan) asked the Court of Justice on 13 April for a preliminary ruling on the question whether a private individual may, pursuant to Articles 13(2) and 92 of the EEC Treaty, require the repayment of sums unduly paid by way of health inspection charges on imports of milk products following the abolition of charges having an effect equivalent to customs duties by operation of Community law but prior to the classification, by the Court of Justice, of such health inspection charges as charges having equivalent effect.<sup>2</sup>

*Case 62/79* — SA Cotidel, Brussels, *et al* v SA Ciné Vog Films, Schaerbeek, *et al*

2.3.47. In a case concerning television relay in Belgium of a French film received by way of a broadcast on German television, in respect of which a Belgian company had obtained sole distribution rights in Belgium, the Cour d'Appel de Bruxelles (Court of Appeal, Brussels) asked the Court of Justice on 17 April for a preliminary ruling on the question whether the scope of Article 59 of

the EEC Treaty also includes the provision of services between nationals established in the same Member State, the substance of which originates in another Member State and, if so, whether the grantor of the rights of performance of a film may prevent its rediffusion by a cable television network.<sup>2</sup>

*Case 63/79* — M. Boizard v Commission

*Case 64/79* — L. Biozard, *née* Herber v Commission

2.3.48. The widow and a child of a former Commission official instituted proceedings before the Court of Justice on 17 April to annul the Commission's Decision of 1 June 1978 to retain from their widow's and orphan's pension the sums they have obtained by way of damages from the third party who was responsible for the accident which caused Mr Boizard's death.<sup>2</sup>

*Case 65/79* — Criminal proceedings against R. Chatain, Villefranche-sur-Saône

2.3.49. The examining magistrate at the Tribunal de Grande Instance, Nanterre, asked the Court of Justice on 18 April for a number of preliminary rulings on the interpretation of Regulation (EEC) No 803/68 on the valuation of goods for customs purposes,<sup>3</sup> Regulation (EEC) No 375/69 on the declaration of particulars relating to the value of goods for customs purposes<sup>4</sup> and Regulation (EEC) No 1581/74 on the price reductions to be taken into account when

<sup>1</sup> OJ L 19 of 25.1.1979.

<sup>2</sup> OJ C 134 of 29.5.1979.

<sup>3</sup> OJ L 148 of 28.6.1976.

<sup>4</sup> OJ L 52 of 3.3.1969.

determining value for customs purposes,<sup>1</sup> and the Agreement between the EEC and Switzerland of 22 July 1972, and in particular on the question whether these measures allow the customs authorities of a Member State to reduce the value declared by the importer.<sup>2</sup>

*Case 66/79* — Amministrazione delle Finanze dello Stato v S.r.l. Meridionale Industria Salume

2.3.50. In a case concerning payment of an additional levy on imports of beef and veal, the Corte Suprema di Casazione (Supreme Court of Appeal) asked the Court of Justice on 20 April for a preliminary ruling on the question whether and to what extent a judgment of the Court (in the case in point, the judgment in Case 113/75,<sup>3</sup> which interprets the concept of 'day of importation') applies to situations arising prior to it. The Corte also wishes to know whether the fact that the parties concerned are empowered under national law to institute proceedings to recover or claim, on the basis of the interpretation provided by that judgment, amounts paid in error or amounts due but not collected is compatible with Community law.<sup>2</sup>

*Case 67/79* — W. Fellingner, Rehlingen v Bundesanstalt für Arbeit, Nuremberg

2.3.51. The Bundessozialgericht (Federal Social Court) requested the Court of Justice on 25 April to give a preliminary ruling on the interpretation of Article 68 of Regulation (EEC) No 1408/71 on social security<sup>4</sup> with regard to the method of calculating the unemployment benefit of a frontier worker.<sup>2</sup>

*Case 68/79* — Firma H. Just I/S v Ministeriet for Skatter og Afgifter

2.3.52. The Østre Landsret (Eastern Division of the High Court) asked the Court of Justice on 26 April for a number of preliminary rulings on the question whether the application of different rates of tax to 'aquavit and schnaps' on the one hand and 'other spirits' on the other is compatible with Article 95 of the EEC Treaty and, if not, whether it is possible for the applicant to claim reimbursement from the tax authorities of sums unduly paid, if necessary from the date of accession by Denmark to the European Communities.<sup>2</sup>

This case is similar in certain respects to Case 171/78.<sup>5</sup>

*Case 69/79* — W. Jordens-Vosters, Overpelt v Bestuur van de Bedrijfsvereniging voor de Leder- en Lederverwerkende Industrie, Tilburg

2.3.53. The Centrale Raad van Beroep (Court of last instance in social security matters) asked the Court of Justice on 27 April for a number of preliminary rulings on the interpretation of Article 4(1) (a), Article 19(1) and (2) and Article 28(1) of Regulation (EEC) No 1408/71 on social security,<sup>4</sup> in particular as regards the right of a person who has worked in a Member State and is entitled to invalidity benefits there to payment by the administering body of that State of that part of surgical and medical expenses which is not reimbursed by the administering body of another Member State which is the country of the person concerned.<sup>2</sup>

<sup>1</sup> OJ L 168 of 25.6.1974.

<sup>2</sup> OJ C 134 of 29.5.1979.

<sup>3</sup> Bull. EC 6-1976, point 2442.

<sup>4</sup> OJ L 149 of 5.7.1971.

<sup>5</sup> Bull. EC 7/8-1978, point 2.3.54 and OJ C 134 of 29.5.1979.

*Case 70/79 — F. Goldschmit v Commission*

2.3.54. An official of Luxembourg nationality posted to Luxembourg brought an action before the Court of Justice on 30 April to annul the Commission's decision refusing to grant him an expatriation allowance pursuant to Article 4(2) of Annex VII to the Staff Regulations of Officials, the legality of which he contests.<sup>1</sup>

*Case 71/79 — International Sales and Import Corporation B.V., Amsterdam v Commission*

2.3.55. A Dutch firm specializing in the importation and exportation of tobacco brought an action founded on failure to act before the Court of Justice on 30 April for a declaration that, despite a complaint by the applicant, the Commission has failed to institute against France the procedure provided for in Article 169 of the EEC Treaty in respect of the fixing of retail prices for tobacco.

This action is accompanied by an action for damages to compensate for the loss the applicant claims to have suffered as a result of the Commission's failure to act.<sup>1</sup>

**Judgments**

*Case 151/77 — Firma Peiser & Co. Kommanditgesellschaft, Norderstedt v Hauptzollamt Hamburg-Ericus*

*Case 11/78 — Italian Republic v Commission*

*Case 95/78 — SpA Dolciora v Amministrazione delle Finanze dello Stato*

*Case 157/78 — Trawigo GmbH & Co. KG, Würselen v Hauptzollamt Aachen-Nord*<sup>2</sup>

2.3.56 The Court held on 5 April, in a series of cases questioning the validity of Regulations (EEC) Nos 800/77 and 2657/77 fixing the compensatory amounts for certain confectionery products,<sup>3</sup> that the regulations in question were valid. The application made by the Italian Republic was therefore dismissed.<sup>4</sup>

*Case 157/77 — M. Gilbeau v Commission*

2.3.57. A Commission official brought an action against the Commission for the annulment of its decision not to appoint the applicant to a post of Assistant Translator.<sup>5</sup> In its judgment of 5 April<sup>6</sup> the Court dismissed this application as unfounded.

*Case 112/78 — D. Kobor v Commission*

2.3.58. A Commission official brought an action before the Court of Justice on 8 May 1978 to annul the decision of the selection board for an open competition refusing to admit the applicant to the said competition.<sup>6</sup> The Court annulled this decision on 5 April.<sup>4</sup>

*Case 116/78 — A. Bellintani and Others v Commission*

2.3.59. A number of Commission officials, former members of establishment staff at the

<sup>1</sup> OJ C 134 of 29.5.1979.

<sup>2</sup> Bull. EC 12-1977, point 2.3.44, 2-1978, point 2.3.30, 4-1978, point 2.3.37 and 7/8-1978, point 2.3.40 respectively.

<sup>3</sup> OJ L 97 of 21.4.1977 and L 308 of 1.12.1977.

<sup>4</sup> OJ C 122 of 16.5.1979.

<sup>5</sup> Bull. EC 12-1977, point 2.3.50.

<sup>6</sup> Bull. EC 5-1978, point 2.3.45.

Joint Research Centre in Ispra to whom the Commission offered contracts of employment in Category C, brought an action before the Court of Justice on 17 May 1978 for a declaration that the contract is illegal and must therefore be annulled and that the applicants should have been graded in Category B. They also questioned the validity of Regulation (EEC) No 2615/76 amending Regulation (EEC) No 259/68 as regards the conditions of employment of other servants of the European Communities.<sup>1</sup>

In its judgment of 5 April<sup>2</sup> the Court dismissed the applications as unfounded.

*Case 117/78 — W. Orlandi v Commission*

2.3.60. A Commission official brought an action before the Court of Justice on 19 May 1978 to annul the decision of a selection board for a competition rejecting his application on the ground that his certificates and diplomas do not conform to the required qualifications.<sup>3</sup>

The Court annulled the decision on 5 April.<sup>2</sup>

*Case 148/78 — Criminal proceedings against T. Ratti*

2.3.61. In the course of criminal proceedings instituted against a manufacturer of solvents for failure to observe rules laid down under Italian law relating to the packaging and labelling of solvents and varnishes, the Milan Pretura Penale referred a number of questions to the Court of Justice on 21 June 1978 for a preliminary ruling. These relate to the direct applicability of Directives 73/173/EEC and 77/728/EEC on the approximation of the Member States' laws, regula-

tions and administrative provisions relating to the classification, packaging and labelling of dangerous preparations (solvents)<sup>4</sup> and of paints, varnishes, printing-inks, adhesives and similar products,<sup>5</sup> whether the Member States could adopt measures which were more restrictive than those provided for in the directives and whether the measures constituted obstacles to the free movement of goods.<sup>6</sup>

In its judgment of 5 April the Court held that after the expiry of the period fixed for the implementation of a directive, a Member State may not apply its domestic law, which has not yet been adapted in compliance with the directive, to a person who has complied with the requirements of the directive. A further consequence of Directive 73/173/EEC is that a Member State may not adopt measures which are more restrictive than those laid down and that national provisions going beyond those laid down in that directive are compatible with Community law only if they have been adopted in accordance with Article 9 of the directive. Directive 77/728/EEC cannot give rise, with respect to any individual who has complied with the provisions of the directive before the expiry of the adaptation period prescribed to any effect capable of being taken into consideration by national courts.<sup>2</sup>

<sup>1</sup> OJ L 299 of 29.10.1976 and Bull. EC 5-1978, point 2.3.49.

<sup>2</sup> OJ C 122 of 16.5.1979.

<sup>3</sup> Bull. EC 5-1978, point 2.3.50.

<sup>4</sup> OJ L 189 of 11.7.1973.

<sup>5</sup> OJ L 303 of 28.11.1977.

<sup>6</sup> Bull. EC 6-1978, point 2.3.55.



*Case 176/78 — Schaap, Amsterdam v Bestuur van de Bedrijfsvereniging voor Bank- en Verzekeringswezen, Groothandel en Vrije Beroepen*

2.3.62. In the course of proceedings which had already given rise to a reference for a preliminary ruling (Case 98/77) concerning the rules on the overlapping of invalidity pensions, in which the Court gave judgment on 14 March 1978<sup>1</sup>, the Centrale raad van Beroep made a further reference to the Court of Justice on 17 August 1978 for a ruling on the scope of Article 46 of Regulation (EEC) No 574/72<sup>2</sup> laying down detailed rules for the application of Regulation (EEC) No 1408/71 on social security schemes.<sup>3</sup>

In its judgment of 5 April the Court held that Article 46(2) of Regulation (EEC) No 574/72 must be applied to all cases coming under Article 46(3) of Regulation (EEC) No 1408/71 so that, for the purpose of the application of that paragraph, the competent institution cannot take account of benefits corresponding to periods completed under voluntary or optional insurance.<sup>4</sup>

*Joined Cases 220 and 221/78 — Azienda Laminazione Acciaio, SpA and Azienda Laminazione Ferro, SpA v Commission*

2.3.63. By decisions of 30 May 1978 the Commission imposed a fine on the above undertakings for infringements of Article 61 of the ECSC Treaty, Decision 962/77/ECSC fixing minimum prices for certain concrete reinforcement bars,<sup>5</sup> and Decision 14/64/ECSC on business books and accounting documents which undertakings must produce for inspection by officials or agents of the High Authority carrying out checks or verifications as regards prices.<sup>6</sup>

The two applications for the annulment of these decisions were dismissed on 5 April as inadmissible on the grounds that they were lodged out of time.<sup>4</sup>

### Court of Auditors

2.3.64. In accordance with Article 12 of the Statutes of the Joint European Torus (JET) Joint Undertaking<sup>7</sup> the Court of Auditors approved the annual accounts and balance sheet of the JET project at its meeting on 19 April. The Court also examined the measures relating to the sale at a reduced price of butter for direct consumption in the Community under the Council Regulation of 28 October 1977<sup>8</sup> (Christmas butter operation). The Court has made its comments to the Commission.

### Economic and Social Committee

#### *167th plenary session*

2.3.65. The Economic and Social Committee held its 167th plenary session in Brussels on 4 and 5 April with Mrs Baduel Glorioso, the Committee Chairman, in the chair; Mr Gundelach, Vice-President of the Commission, addressed the Committee during the debate on the agricultural price proposals.

<sup>1</sup> Bull. EC 3-1978, point 2.3.47.

<sup>2</sup> OJ L 74 of 27.3.1972.

<sup>3</sup> OJ L 149 of 5.7.1971 and Bull. EC 7/8-1978, point 2.3.58.

<sup>4</sup> OJ C 122 of 16.5.1979.

<sup>5</sup> OJ L 114 of 5.5.1977.

<sup>6</sup> OJ L 120 of 28.7.1964 and Bull. EC 10-1978, point 2.3.39.

<sup>7</sup> OJ L 151 of 7.6.1978.

<sup>8</sup> OJ L 277 of 29.10.1977.

## Opinions

### *Agricultural prices*

2.3.66. At the end of a lively debate the Committee adopted—with very many amendments—by 48 votes for, 23 against and 13 abstentions, its opinion on the proposals for 1979/80 farm prices and related measures.<sup>1</sup>

Taking the floor Mr Gundelach emphasized the need to uphold the common agricultural policy and, above all, to give it complete credibility. He exposed as unrealistic any alignment of Community farm prices on those of the world market and stressed the need for action in respect of products for which there is no adequate market in the Community. The Commission was therefore proposing, as a warning, to make no increase in prices expressed in units of account. By 1981 or 1982 it would be too late to take the necessary steps, which must therefore be taken at once. So, despite the opinion to the contrary from the rapporteur to the Committee, the Commission was sticking to its proposal.

On the matter of farmers' incomes, the Committee, in its opinion, was unable to either confirm or disprove the Commission's claim that farming incomes had grown faster than those in other sectors of the economy.

In regard to the level of the proposed prices and bearing in mind the lack of balance on some major agricultural markets, the Committee proposed that the prices in units of account of products where such imbalances existed should remain unchanged. But it would ask the Commission to see whether moderate price increases for other products might not be justified.

To maintain income growth, the Committee felt that long-term measures should be set in

motion for products where it was impossible to raise prices.

In view of the Council's decision concerning the dismantling of new monetary compensatory amounts, the Committee considers it possible to accept the dismantling of existing amounts over a period of four years, as proposed by the Commission. Negative amounts, however, could be dismantled more quickly. Furthermore, if the dismantling of positive amounts were to lead to a drop in farm prices in money terms, the Committee thinks that measures should be framed and adopted by the Community authorities for offsetting the adverse effects on farming incomes.

By a very small majority (35 votes to 33, with 6 abstentions) the Committee adopted an amendment approving the Commission's proposals on the coresponsibility levy, since there were no other effective measures to reduce dairy surpluses rapidly.

On the question of how the levy should be applied, the Committee asked the Commission to consider introducing a scheme geared to individual producers' contributions to surpluses.

The Committee reserves the right to make a detailed examination of structural issues when it discusses the structural policy proposals which the Commission has just submitted to the Council. However, it stressed that the Community must put more money into structural policy and bring in structural policy instruments which will:

- (i) make for a greater degree of balance between Community regions;
- (ii) underpin underprivileged areas more intensively;

<sup>1</sup> Bull. EC 1-1979, points 1.1.1 to 1.1.6.

(iii) more effectively assist the producers who are experiencing the greatest difficulties.

### *Shipping*

2.3.67. By 81 votes for, 2 against and 15 abstentions, the Committee adopted an own-initiative opinion on problems currently facing Community shipping policy, particularly maritime safety, the growing importance of the new shipping nations, the development of flags of convenience and the discrimination against certain flags.

To cope with the present difficulties facing shipping companies and workers in the shipping industry and to counter the dangers to the environment from shipping disasters, the Committee urged the adoption of Community legal instruments which would have to be based on the international maritime safety conventions reinforced by Community provisions with the main purpose of harmonizing working conditions on board European ships. Lastly, to ensure that Community rules were applied the Committee would like to see a control and inspection body established in the ports and territorial waters of the Community.

### *Misleading advertising*

2.3.68. The Committee adopted by 76 votes for, 2 against and 39 abstentions, its opinion on the proposal for a Directive on misleading and unfair advertising.<sup>1</sup>

The Committee approved the aims and general rationale of the Directive and urged the Commission to examine the other aspects of publicity in general which can assume forms prejudicial to the freedom of the consumer.

Regarding the comparative advertising provided for in the proposed Directive, the Committee proposes a trial period of five years. At the end of that period a final decision should be taken on the advisability of permitting this form of advertising.

Concerning the reversal of the burden of proof; the Committee observes that this exception to general legal principles does not constitute a legal innovation, as there are sources of law in the Member States which place the burden of proof on the defence, particularly where the defendant is in a better position to provide this.

Accordingly, the Committee gives its support to the proposed reversal of the burden of proof. It is aware that this will protect, not only the consumer and the public at large, but also competitors whose advertising is fair. The Committee emphasizes that the reversal of the burden of proof must only apply to genuine, and, hence, objective, statements by the advertiser.

The Committee also acknowledges that the self-regulatory bodies dealing with advertising in certain Member States have played a useful role up to now. The Committee nevertheless approves the provision whereby all persons or organizations involved would have the right to institute legal proceedings. Although self-regulatory bodies might be authorized to settle disputes between advertisers, legal action is still the most appropriate way of defending the interests of consumers and the general public.

Finally, the Committee considers that it would be advisable to allow the Member States twenty-four months rather than eighteen to comply with the Directive, since the

<sup>1</sup> OJ C 70 of 21.3.1978; Bull. EC 2-1978, point 2.1.36.

measures necessary to implement the Directive may necessitate a major recasting of legislation in some Member States.

#### *Audits of annual accounts of limited liability companies*

2.3.69. The Committee unanimously adopted its opinion on the proposal for an eighth Directive concerning the approval of persons responsible for carrying out statutory audits of the annual accounts of limited liability companies.<sup>1</sup>

The Committee points out that the obligation on limited liability companies to have their annual accounts audited by independent, qualified persons is a protection for shareholders and third parties. It welcomes the high level of the requirements laid down by Articles 4 and 5 of the draft Directive with respect to the qualifications of auditors. The Committee considers this to be absolutely vital, since auditors must have a high level of theoretical knowledge and practical competence if statutory audits of limited liability companies are to provide real protection. The Committee therefore accepts the principle that statutory audits may be carried out only by persons who have 'passed an examination of professional competence at graduate or an equivalent level of training'.

#### *Sheepmeat*

2.3.70. In an opinion adopted by 48 votes for, seven against and one abstention, the Committee regretted that the Commission was unable to submit any definite proposals for a common organization of the market in sheepmeat<sup>2</sup> before the end of the transitional period accorded to the three new Member States. It believes that the current production

shortfall in relation to consumption will increase further with enlargement and it therefore points to the need to encourage sheep production, particularly in those regions where it is the main farming activity. The Committee also feels that the continued operation of national market rules creates distortions and is incompatible with the common agricultural policy and the Treaty. Nevertheless, no organization of the market should encourage a standardization of quality, an alignment on the most mediocre quality, or even a move towards more industrialized forms of breeding and greater integration with the animal feed industries.

The Committee thinks that common organization of the market should ensure:

- (i) application of the principle of Community preference;
- (ii) a common frontier *vis-à-vis* non-member countries;
- (iii) a common market management;
- (iv) a common price policy;
- (v) introduction of a policy for modernization of production structures;
- (vi) a reasonable price policy from the consumer's angle.

The Committee, while recognizing the difficulty experienced by the Commission in making its proposals, wishes to express its reservations about certain important aspects of the proposed Regulation. It thinks in particular that:

- (i) the Commission should draw up a proposal for unbinding the GATT-bound tariff on sheepmeat imported from non-member countries;

<sup>1</sup> OJ C 112 of 13.5.1978; Bull. EC 4-1978, point 2.1.8 and Supplement 4/78—Bull. EC.

<sup>2</sup> OJ C 93 of 18.4.1978, Bull. EC 3-1978, point 2.1.53.

(ii) the necessary price guarantee to producers must be implemented by direct premium payments and these must form a continuing part of the market organization;

(iii) provision must be made for a period of transition to the full common market and for special measures to facilitate harmonization;

(iv) expenditure under the Directive should be treated as quite distinct from the budget of the market regulation;

(v) provision should be made for refunds on Community exports of live sheep and fresh or chilled sheepmeat.

The Committee also believes that consideration should be given to the introduction of specific Community measures (e.g. a production aid) for the benefit of the wool sector. Finally, it considers that all provisions of the future market organization should also apply to goats.

#### *Common organization of the wine market*

2.3.71. The Committee adopted by a large majority with one vote against and twelve abstentions its opinion on the Commission proposal concerning fruit juices. But it made its approval in respect of British and Irish wines subject to the following conditions:

(i) proposals to be submitted by the Commission on the production, labelling and presentation of liqueur wines, aromatized wines and all the alcoholic drinks falling within heading 22.07 of the CCT.

(ii) reappraisal (once the proposals under (i) above have been adopted) of the question of aid for the purchase of Community musts and concentrated musts which are intended for the manufacture of British and Irish wines against a background of market transparency and uniform terms of competition for all

these drinks, particularly as regards labelling presentation and access to raw materials.

#### *Monetary compensatory amounts — Wine*

2.3.72. The Committee delivered an opinion unanimously approving the Commission proposal to amend the Regulation concerning the calculation of monetary compensatory amounts in the wine sector.<sup>1</sup>

The Committee did, however, ask the Commission to examine the trends in table wine prices in the Community and see to it that the fall in prices that should result from the present proposal being applied in wine-importing Member States is passed on to the consumer.

Furthermore, in so far as the implementation of the new system has negative effects on producers' incomes—especially in the countries whose currencies are revalued—the Committee invited the Commission to propose measures to the Council to counteract or moderate such effects.

#### *Energy consumption of domestic appliances*

2.3.73. Unanimous support for the Commission's initiative came from the Committee's opinion on the proposals for the Directives on the indication by labelling of the energy consumption of domestic appliances and on the application of that Directive<sup>2</sup> to electric ovens.

The Committee considers that the provision of energy-consumption data by means of labelling as proposed in the Directive is just

<sup>1</sup> OJ C 55 of 1.3.1979; Bull. EC 2-1979, point 2.1.56.

<sup>2</sup> OJ C 212 of 6.2.1978; Bull. EC 7/8-1978, points 2.1.114 and 2.1.71.

one facet of the general information which should be provided for the consumer. It refers to its previous stands on the need for full information for the consumer, and, in the present case, to the need for information relating to all the relevant characteristics of the appliances in question.

It also feels that consideration should be given to the possibility of eventually including within the scope of the Directive other high energy consuming appliances such as electric fires and storage heaters provided that there are proven methods for measuring their efficiency and they account for a considerable proportion of energy consumption.

While noting that agreement has been reached between experts at the Council to the effect that the Directive should be optional, the Committee considers that the labelling provisions should be mandatory and not optional. Only if they are mandatory can there be any hope that a sufficient number of firms will comply with the regulations to effect the 1% energy saving envisaged.

The Committee considers that the Member States could be given twenty-one months, rather than two years, to comply with the Directive.

### *Research and Development — Fusion*

2.3.74. By 86 votes for, one against and five abstentions, the Committee adopted an opinion approving the research and training programme (1979-83) in the field of controlled nuclear fusion.<sup>1</sup>

The Committee notes that thermonuclear fusion offers a long-term, but still uncertain, possibility of meeting a significant proportion of the Community's energy requirements in the next century. The technology is complex

and requires a major research effort involving considerable cost. However, given the potential importance to the Community, the Committee believes that the fusion research work must be pursued. The Community must remain in a position to make a significant contribution internationally, if it is itself to benefit from international information exchange.

The Committee agrees with the concentration of Community work on 'magnetic confinement' technology (i.e. Tokamak systems of which JET is an example). However, it notes that recent progress has been made with a different technology, 'inertial confinement', and calls for appropriate attention to developments in this field.

The Committee is pleased that the programme will already tackle some of the important future technological problems in developing a fusion reactor (tritium, materials technology, etc.). Even if it is assumed that fusion can have significant safety and environmental advantages over nuclear fission, the Committee believes that the problems associated with fusion must be discussed openly as of now to prevent any distrust from the outset.

### *Transport of animals*

2.3.75. The Committee unanimously adopted an opinion approving the Commission's proposal relating to the protection of animals during international transport.<sup>2</sup> But the Commission was urged to ensure that the areas of responsibility of those in charge of

<sup>1</sup> OJ C 299 of 13.12.1978; Bull. EC 11-1978, point 2.1.114.

<sup>2</sup> OJ C 41 of 14.12.1979; Bull. EC 1-1979, point 2.1.71.

the welfare of animals throughout the entire period of their transit are defined clearly and more precisely. The Committee considered that more scientific data was required on all aspects of animal transportation and asked the Commission to give urgent consideration to this.

\*

2.3.76. Under the procedure without debate two other opinions approving Commission proposals were also adopted unanimously. These concerned the proposal for amending the Regulation on action by Member States concerning the obligations inherent in the concept of a public service<sup>1</sup> in the field of transport and the draft Council Regulation on the ratification of the International Convention for Safe Containers.<sup>2</sup>

## European Investment Bank

### Loans granted

#### *United Kingdom*

2.3.77. A loan equivalent to UKL 5.9 million (8.7 million EUA) has been granted by the European Investment Bank to the Lothian Regional Council for road, water supply and drainage schemes needed for further development of Livingston New Town, Lothian Region, Scotland.

The loan is for fifteen years at 9.5% and will cover about 50% of the expected cost, put at close to UKL 12 million.

Livingston—one of five 'New Towns' in Scotland built as economic growth centres and to take population overspill from congested city areas—first began to be developed in the

early sixties; today its population is about 35 000 and nearly 10 000 jobs have been attracted to the town.

Including this loan, the Bank has provided over UKL 400 million for industrial and infrastructure development in and/or directly benefiting Scotland (not counting a further UKL 56 million for development of offshore oil and gas fields) since the United Kingdom's accession to the Community in 1973. The total for the UK comes to UKL 1 360 million. The Lothian Regional Council has already borrowed a total of UKL 33.5 million for various water supply, sewerage and sewage disposal schemes.

2.3.78. The European Investment Bank has granted a loan equivalent to UKL 12 million (18.4 million EUA) to help finance construction of the Monkland motorway through Glasgow plus improvements to water supply, sewerage and sewage disposal systems in Glasgow and the southern part of the Strathclyde Region. The loan has been made to Strathclyde Regional Council for fifteen years at an interest rate of 9.45%.

Monkland motorway, the east-west artery in the main road network linking the city with the rest of Scotland and the south, will give key industrial areas direct motorway access to services such as container depots, docks and Glasgow Airport. The EIB is helping to finance construction of the final stretch (3.6 km/2.25 miles) which is just before the interchange with the M8 to Edinburgh and the M74/A74 to London.

The loan is also going towards major water supply and drainage schemes necessary for

<sup>1</sup> OJ C 139 of 14.6.1978; Bull. EC 5-1978, point 2.1.95.

<sup>2</sup> OJ C 44 of 17.2.1979; Bull. EC 12-1978, point 2.1.137.

planned industrial development in North Ayrshire, the Hunterston peninsula and Irvine New Town, plus the reconstruction and extension of sewage treatment works, which will provide up-to-date effluent facilities to meet the demands of modern industry in Glasgow.

These works, which are expected to cost more than UKL 100 million, will aid the economic recovery of areas which in recent years have been hit by a substantial increase in unemployment caused by the decline of traditional industries such as steel, shipbuilding and heavy engineering. Furthermore, the schemes involve significant environmental benefits: reduction of traffic congestion in central Glasgow and treatment to modern standards of effluent discharged into rivers.

2.3.79. A loan equivalent to UKL 2.7 million (4.1 million EUA) has been granted by the European Investment Bank for modernization of the George Outram & Company Ltd printing works in Glasgow (publishers of the Glasgow Herald and Evening Times newspapers).

The loan—granted to the parent company, Scottish and Universal Investments Ltd, for five years at 8.65%—will help to meet the cost (estimated at about UKL 11 million) of moving out of existing old and inconvenient premises to a modern building and also the replacement of obsolete machinery. The move will raise the productivity of the concern, on which depend well over 1 000 jobs.

### *Belgium*

2.3.80. The European Investment Bank has put up loan finance for the equivalent of BFR 100 million (2.5 million EUA) towards a factory for turning out self-adhesive products for industrial applications at Turnhout.

The loan has been made available for ten years and has been given over to Société Nationale de Crédit à l'Industrie (SNCI) which will on-lend the funds to the firm promoting the project, SA Fasson Belgique.

The total investment cost of this project has been put at BFR 300 million and 70% of this is being financed through SNCI loan funds of BFR 220 million, almost half of which has been supplied by the EIB. The presence of industries in difficulties is the main reason why unemployment is running at a high level in the Turnhout district (11.6%), compared with the rate for the country as a whole (8.6%). In offering something like 130 new jobs the Fasson Belgique factory will help industrial conversion in the region.

### *Algeria-Italy*

2.3.81. The European Investment Bank has granted a loan equivalent to LIT 40 000 million (35.2 million EUA) towards financing the first Italian section of the Algeria-Italy gasline. This 245 km section, including 15 km to be laid under water in the Straits of Messina, will link Gagliano (Sicily) with Sant'Eufemia (Calabria). When completed, the gasline will run over 1 900 km from the Algerian/Tunisian frontier to Bologna in Northern Italy. The EIB provided initial finance of LIT 60 000 million for this project in 1978.

The latest loan, for a term of fifteen years with interest payable at 9.15% has, like the previous operation, been made available to ENI (Ente Nazionale Idrocarburi) for on-lending to SNAM SpA, the group subsidiary responsible for carrying out the works.

The two EIB loans combined (LIT 100 000 million) represent 38% of the cost of the first section of the gasline, estimated at LIT



266 000 million. On the basis of current projections, the programme for constructing the entire Italian end of the gasline will involve a capital outlay of some LIT 1 600 000 million between 1978 and 1984.

At the end of 1977, ENI/SNAM concluded an agreement with Sonatrach, the Algerian gas producing organization, for the annual supply of more than 12 000 million m<sup>3</sup> of natural gas over 25 years, to offset the shortfall in Italian gas production which has not met domestic demand since 1971. The pipeline is scheduled to begin transmitting gas towards end-1981, reaching maximum throughput by the end of 1984 when it will provide, chiefly to the Mezzogiorno (Sicily in particular), close on one third of Italy's gas supplies.

### *Ghana-Ivory Coast*

2.3.82. Under the terms of the Lomé Convention, the European Investment Bank has lent 12 million EUA to help to finance the interconnection of the Ghana and Ivory Coast power networks. The amount has been provided in two loans of 6 million EUA, each for fifteen years at 6.15%, taking into account a 3% subsidy paid from the Community's European Development Fund.

The borrowers are: in Ghana, the Volta River Authority — VRA (a public body responsible for exploiting the river's resources, in particular the Akosambo dam/hydroelectric station, plus linked transmission network); in the Ivory Coast, Energie Electrique de Côte-d'Ivoire, 78% State-owned, which is responsible for electricity production, transmission and distribution throughout the country.

The project which the EIB is helping to finance is concerned mainly with the erection of a 215 km high-tension line which should

come into operation at the end of 1981 at a cost, including ancillary equipment, estimated at about 28 million EUA.

This will interconnect the two networks, helping Ghana, with its huge Volta hydroelectric potential, and the Ivory Coast, equipped with a major thermal power station and several hydroelectric plants, to make the best economic use of their combined resources.

Calling for economic cooperation of regional importance for West and Central Africa, the project could become in due course the base for a much wider system of interconnections, taking in Togo and Benin (both grids already linked to Ghana), Liberia and also Upper Volta, where studies are already being carried out to this effect. The African Development Bank is also providing finance for the project.

### *Ivory Coast*

2.3.83. Under the terms of the Lomé Convention, the European Investment Bank has granted a loan worth 4.6 million EUA for expanding latex-processing capacities in the Ivory Coast.

The funds have been advanced to Société Africaine de Plantations d'Hévéas (SAPH) for a term of twelve years at a rate of interest reduced to 5.95% through the provision of a 3% interest subsidy paid from the Community's European Development Fund.

SAPH (more than 60% State-owned) is the main instrument for developing rubber cultivation in the Ivory Coast. Its estates cover some 14 000 hectares, expected to rise to over 16 600 ha by the end of 1980. In addition it manages various other plantations and processing facilities on behalf of the State. In

1978 it exported over 15 000 tonnes of rubber, 90% to Europe.

According to its investment plans in both the agricultural and the industrial sectors over the next four years, involving a total outlay of around 28 million EUA, SAPH should raise its annual production to over 30 000 tonnes of rubber, creating about 400 extra jobs.

The EIB loan is for industrial investment which will help to raise daily latex-processing capacity by some 38.5 tonnes by expanding a factory at Bongo and setting up two new plants at Ousrou and Rapides Grah. The Caisse Centrale de Coopération Economique (France), the Deutsche Entwicklungsgesellschaft, the Commonwealth Development Corporation (United Kingdom) and the Banque Nationale de Développement Agricole are helping to finance the plantations.

## Financing Community activities

### Budgets

#### *General budget*

#### **First supplementary and amending budget for 1979**

2.3.84. On 25 April Parliament adopted the first supplementary and amending budget for 1979.<sup>1</sup> Parliament accepted unchanged the sums decided upon by the Council on 22 March.<sup>2</sup> The new appropriations, broken down by sector, are set out in Table 1.

The difference of opinion between certain Member States, the Commission and Parliament on the status of the Budget adopted on 15 December 1978 has consequently been resolved. All the Member States as well as Parliament and the Commission agreed that Parliament's decision of 25 April makes the 1979 Budget, as amended, enforceable in full.

### **Comprehensive review of the Community's budgetary problems**

2.3.85. In Luxembourg on 2 April the joint Council meeting of Foreign Ministers and Finance Ministers had an interesting exchange of views on the Commission communication concerning the comprehensive review of the Community's budgetary problems.<sup>3</sup>

A certain degree of consensus emerged on the priorities which the Communication set. Whilst almost all delegations wanted the growth of spending on agriculture contained, opinions differed substantially on the extent and nature of the action required. Opinions also differed over the redistributive function of the Budget, with some delegations fearing that the specific objectives of existing policies would be changed. All delegations, however, were prepared to accept that the general budget should be better adapted to present-day priorities and to the objective of achieving greater convergence in the Community. To most delegations, redistribution should be achieved by way of expenditure rather than via resources, and by means of policies aimed at financing specific actions rather than by straight transfers.

<sup>1</sup> Point 2.3.5 and OJ L 124 of 21.5.1979.

<sup>2</sup> Bull. EC 3-1979, point 2.3.84.

<sup>3</sup> Bull. EC 3-1979, points 2.3.3 and 2.3.4.

Table 1 — First supplementary and amending budget for 1979 — Summary by sector

(in EUA)

|  | 1979 budget                    |        |                             |        | First supplementary and amending budget for 1979 |                             | New sums                       |        |                             |        |
|--|--------------------------------|--------|-----------------------------|--------|--|-----------------------------|--------------------------------|--------|-----------------------------|--------|
|  | Total approps. for commitments | %      | Total approps. for payments | %      | Total approps. for commitments                   | Total approps. for payments | Total approps. for commitments | %      | Total approps. for payments | %      |
|  | 1                              |        | 2                           |        | 3  | 4                           | 5 (1 + 3)                      |        | 6 (2 + 4)                   |        |
| <b>COMMISSION</b>                        |                                |        |                             |        |  |                             |                                |        |                             |        |
| <i>Intervention appropriations</i>       |                                |        |                             |        |  |                             |                                |        |                             |        |
| Agriculture                              | 10 225 139 000                 | 70.15  | 10 063 129 000              | 74.57  | —  | —                           | 10 225 139 000                 | 69.72  | 10 063 129 000              | 73.53  |
| Social                                   | 794 062 000                    | 5.45   | 551 877 000                 | 4.09   | —  | —                           | 794 062 000                    | 5.41   | 551 877 000                 | 4.03   |
| Regional                                 | 1 100 000 000                  | 7.55   | 553 000 000                 | 4.10   | + 45 000 000                                     | + 146 000 000               | 1 145 000 000                  | 7.81   | 699 000 000                 | 5.11   |
| Research, energy, industry and transport | 259 273 375                    | 1.78   | 288 048 330                 | 2.13   | —  | —                           | 259 273 375                    | 1.77   | 288 048 330                 | 2.10   |
| Development cooperation                  | 647 435 900                    | 4.44   | 497 535 900                 | 3.69   | —  | —                           | 647 435 900                    | 4.41   | 497 535 900                 | 3.64   |
| Other                                    | token entry                    | —      | token entry                 | —      | —  | —                           | token entry                    | —      | token entry                 | —      |
|  | 13 025 910 275                 | 89.36  | 11 953 590 230              | 88.58  | + 45 000 000                                     | + 146 000 000               | 13 070 910 275                 | 89.12  | 12 099 590 230              | 88.41  |
| <i>Administrative appropriations</i>     |                                |        |                             |        |  |                             |                                |        |                             |        |
| Staff                                    | 409 563 400                    | 2.81   | 409 563 400                 | 3.04   | —  | —                           | 409 563 400                    | 2.79   | 409 563 400                 | 2.99   |
| Administration                           | 118 955 540                    | 0.82   | 118 955 540                 | 0.88   | —  | —                           | 118 955 540                    | 0.81   | 118 955 540                 | 0.87   |
| Information                              | 9 960 500                      | 0.07   | 9 960 500                   | 0.07   | —  | —                           | 9 960 500                      | 0.07   | 9 960 500                   | 0.07   |
| Aids and subsidies                       | 46 128 000                     | 0.32   | 46 128 000                  | 0.34   | —  | —                           | 46 128 000                     | 0.31   | 46 128 000                  | 0.34   |
|  | 584 607 440                    | 4.01   | 584 607 440                 | 4.33   | —  | —                           | 584 607 440                    | 3.99   | 584 607 440                 | 4.27   |
| <i>Reserve</i>                           |                                |        |                             |        |  |                             |                                |        |                             |        |
| Chapter 100                              | 20 000 000                     | 0.14   | 10 000 000                  | 0.07   | —  | —                           | 20 000 000                     | 0.14   | 10 000 000                  | 0.07   |
| Chapter 101                              | 5 000 000                      | 0.03   | 5 000 000                   | 0.04   | —  | —                           | 5 000 000                      | 0.03   | 5 000 000                   | 0.04   |
| Chapter 102                              | token entry                    | —      | token entry                 | —      | —  | —                           | token entry                    | —      | token entry                 | —      |
| Chapter 103                              | —                              | —      | —                           | —      | —  | —                           | —                              | —      | —                           | —      |
| <i>Repayments to Member States</i>       | 691 850 000                    | 4.75   | 691 850 000                 | 5.13   | + 45 373 000                                     | + 45 373 000                | 737 223 000                    | 5.03   | 737 223 000                 | 5.39   |
| Commission total                         | 14 327 367 715                 | 98.29  | 13 245 047 670              | 98.15  | + 90 373 000                                     | + 191 373 000               | 14 417 740 715                 | 98.30  | 13 436 420 670              | 98.18  |
| <b>OTHER INSTITUTIONS</b>                | 249 306 205                    | 1.71   | 249 306 205                 | 1.85   | —  | —                           | 249 306 205                    | 1.70   | 249 306 205                 | 1.82   |
| Grand total                              | 14 576 673 920                 | 100.00 | 13 494 353 875              | 100.00 | + 90 373 000                                     | + 191 373 000               | 14 667 046 920                 | 100.00 | 13 685 726 875              | 100.00 |

**Own resources***Financing the Community budget: the way ahead*

2.3.86. At the same meeting the joint Council examined the Commission's Communication entitled, 'Financing the Community budget: the way ahead'<sup>1</sup>—a paper closely linked with the comprehensive review in that it stresses the need to think urgently about creating new budgetary resources.

Several delegations were in favour of slowing down the rate of increase in expenditure in order to ensure that existing resources did not fall short from 1982. In the same context, however, there was a majority in favour of increasing the Community's share of VAT should it become unavoidable to seek additional revenue. Most delegations were against the idea of introducing a redistributive (progressive) element into own resources.

At the meeting of 24 April, Mr Bernard-Reymond, the President of the Council, briefed Parliament's Committee on Budgets on the main points of the exchange of views on the above communications at the joint Council meeting. A brief discussion followed.

**Amendment of the Financial Regulation**

2.3.87. On 11 April the Commission adopted a proposal for a Regulation amending the Financial Regulation of 21 December 1977<sup>2</sup> applicable to the general budget of the European Communities. The proposed amendments cover the elimination of the extra accounting period allowed for the EAGGF (an important exception to the Community's general budgetary system as it

allows the effective annual closing of the accounts to be postponed to 31 March) and would serve to simplify and clarify accounting. The amendment also proposes a more logical rearrangement of the deadlines for rendering and checking the accounts.

The proposal was sent to the President of the Council on 23 April and to the President of Parliament on 25 April.

**Financial operations***ECSC***Loans raised**

2.3.88. The Commission raised the following loans in April:

- (i) a DM 150 million bond issue underwritten by a consortium of German banks. The bonds carry interest of 7%, payable annually, and have a term of twelve years. They were issued at par. Application has been made for listing on the Frankfurt, Berlin, Dusseldorf, Hamburg and Munich stock exchanges;
- (ii) various private placings, for ten years, totalling 22.19 million EUA.

**Loans granted***Loans paid*

2.3.89. Under Articles 54 and 56 of the ECSC Treaty, the Commission paid out loans totalling 91.7 million EUA in December.

<sup>1</sup> Supplement 8/78 — Bull. EC.

<sup>2</sup> OJ L 356 of 31.12.1977.

**Industrial loans**

Industrial loans amounting to 78.1 million EUA were made to six undertakings to finance the following programmes:

*Coal Industry*

Rationalization and modernization of collieries

National Coal Board, London

- Derbyshire (Shirebrook colliery)
- West Midlands (Rawdon and Donisthorpe collieries)
- North Yorkshire (Ackton Hall colliery)
- South Yorkshire (Silverwood, Brodsworth, Treeton, South Kirkby collieries; Kingswood open-cast mine)
- Nottinghamshire (Ollerton, Bentinck, Bevercotes, Silverhill collieries)
- Cumbria (Maryport colliery)
- Staffordshire (Silverdale colliery)
- Lancashire (Bold colliery)
- West Glamorgan (Treforgan colliery)

Power station

- Charbonnages de France (Houillères du Bassin de Lorraine), Paris (Carling power station)

*Steel industry*

Rationalization of pig-iron and steel production

- ARBED SA, Luxembourg, (Esch-Belval, Differdange and Schiffange works)

- Société Lorraine de Laminage Continu SA (SOLLAC), Paris (Sérémange works)

- Acciaierie di Piombino SpA, Piombino/Livorno

Rationalization of section production

- Acciaierie del Tirreno SpA, Messina (Milazzo works)

**Conversion loans**

Conversion loans (Article 56 of the ECSC Treaty) paid out in April amounted to 13.6 million EUA. The loans were granted to the following undertakings:

*France — Lorraine*

Banque populaire de Lorraine, Metz (for small and medium-sized firms)

*Luxembourg*

- Villeroy & Boch SARL, Luxembourg

*United Kingdom*

West Yorkshire

- Thyssen (Great Britain) Ltd, Llanelli (South Kirkby works)

Dyfed

- Thyssen (Great Britain) Ltd, Llanelli

Mid-Glamorgan

- Rockwool Ltd, Bridgend (Wern Tarw works, near Bridgend)

Gwent

Girling Midland Ross Air Actuation Ltd, Birmingham (Tafarnaubach works, Ebbw Vale)

## Financing Community activities

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### *Euratom*

#### Loans raised

2.3.90. The Commission raised the following loans in April:

(i) a bond issue of BFR 1 500 million underwritten by a consortium of Belgian banks. The bonds bear interest at 8.75%, payable annually, and have a term of eight years. The bonds were issued at 99.50% of their nominal value. Application has been made for listing on the Brussels and Antwerp stock exchanges.

(ii) various private placings in French francs and Swiss francs, for a term of six years, totalling 23.44 million EUA.



**PART THREE**  
**DOCUMENTATION**

# 1. Units of account

## European unit of account

### ECU and European unit of account

3.1.1. Two areas of Community activity have so far remained outside the scope of application of the EUA: the operations of the European Monetary Cooperation Fund, which were expressed in EMUA, a unit of account based on the central rates of the snake currencies, and the common agricultural policy, which used 'representative rates', whose equivalents in national currencies were fixed by decision of the Council.

The entry into force of the European Monetary System on 13 March 1979<sup>1</sup> made it possible to introduce the ECU — a monetary unit having the same definition as the EUA — for the operations of the European Monetary Cooperation Fund (EMCF) the same day and for the common agricultural policy on 9 April.

The ECU/EUA is now used in all areas of Community activity without exceptions; the Community has thus returned to using a single unit of account after a period of several years during which units of account of very different natures had existed side by side.

### Gradual introduction of the EUA

3.1.2. Since it was devised in 1975, the EUA has been phased into use in the various areas of Community activity:

1975 ACP-EEC Lomé Convention (Council Decision of 21 April 1975);<sup>2</sup> balance sheet of the European Investment Bank (Decisions of the Board of Governors dated 18 March 1975 and 10 November 1977);

1976 ECSC operational budget (Commission Decision of 18 December 1975);<sup>3</sup>

1978 General Budget of the Communities (Financial Regulation of 21 December 1977);<sup>4</sup>

1979 1 January — establishment of the EMS (Council Regulation of 18 December 1978) (ECU);<sup>5</sup> customs matters (Council Regulation of 23 November 1978);<sup>6</sup> European Monetary Cooperation Fund (Council Regulation of 18 December 1978);<sup>7</sup> 9 April — provisional introduction, for three months, into the common agricultural policy (ECU) (Council Regulation of 29 March 1979).<sup>7</sup>

The EUA may also be used in the fields of banking and commerce, and various banks offer arrangements for deposits denominated in EUA. By way of example, Table 1 shows the rates obtaining in Brussels last month for large deposits.

<sup>1</sup> Bull. EC 2-1979, preliminary chapter.

<sup>2</sup> OJ L 104 of 24.4.1975.

<sup>3</sup> OJ L 327 of 19.12.1975.

<sup>4</sup> OJ L 356 of 31.12.1977.

<sup>5</sup> OJ L 379 of 30.12.1978.

<sup>6</sup> OJ L 333 of 30.11.1978.

<sup>7</sup> OJ L 84 of 4.4.1979.

Table 1 — Annual interest rates on bank deposits denominated in EUA

|           | 30 March    | 17 April    | 27 April    |
|-----------|-------------|-------------|-------------|
| 1 month   | 7.20 - 8.20 | 7.43 - 8.43 | 7.67 - 8.67 |
| 3 months  | 7.33 - 8.33 | 7.75 - 8.75 | 7.93 - 8.93 |
| 6 months  | 7.59 - 8.59 | 8.00 - 9.00 | 8.31 - 9.31 |
| 12 months | 7.87 - 8.87 | 8.25 - 9.25 | 8.56 - 9.56 |

Rates obtaining in Brussels



**Definition**

3.1.3. The ECU is identical with the EUA, though, unlike the EUA, it provides for a revision clause enabling changes to be made to its composition. It is a 'basket' unit made up of specific amounts of Member States' currencies, determined mainly by reference to the size of each Member State's economy.

The ECU, like the EUA, is made up of the following amounts: BFR 3.66, LFR 0.14, HFL 0.286, DKR 0.217, DM 0.828, LIT 109, FF 1.15, UKL 0.0885, IRL 0.00759.

**Calculation and publication**

3.1.4. The equivalent of the ECU/EUA in any currency is equal to the sum of the equivalents of the amounts making up the unit.

It is calculated each day<sup>1</sup> on the basis of representative rates for each Community currency against the dollar, which is used simply as a common reference for expressing exchange rates. The exchange rates are established on each exchange market at 2.30 p.m. by the relevant central bank; on the basis of these rates, the Commission establishes an ECU/EUA equivalent in the Community currencies and in the other major currencies.

These equivalents are published each day in the Official Journal of the European Communities ('C' edition) and may also be obtained from the Commission by telex (automatic answering service); they are also reported by the main European press agencies and are published in many newspapers (Table 2).

<sup>1</sup> See notice on the calculation of the equivalents of the ECU/EUA published by the Commission and OJ C 69 of 13.3.1979.

Table 2 — Values in national currencies of one European unit of account

| National currency                  | 30 March <sup>1</sup> | 17 April <sup>2</sup> | 27 April <sup>3</sup> |
|------------------------------------|-----------------------|-----------------------|-----------------------|
| Belgian franc and Luxembourg franc | 39.9434               | 40.2304               | 40.1541               |
| German mark                        | 2.52529               | 2.53742               | 2.52472               |
| Dutch guilder                      | 2.72291               | 2.75014               | 2.73685               |
| Pound sterling                     | 0.653132              | 0.637548              | 0.650673              |
| Danish krone                       | 7.01814               | 7.06560               | 7.05281               |
| French franc                       | 5.80903               | 5.82769               | 5.80611               |
| Italian lira                       | 1 135.45              | 1 124.76              | 1 128.49              |
| Irish pound                        | 0.656495              | 0.662041              | 0.661717              |
| United States dollar               | 1.35172               | 1.33037               | 1.33336               |
| Swiss franc                        | 2.28820               | 2.29941               | 2.28564               |
| Spanish peseta                     | 92.3835               | 91.2235               | 88.0284               |
| Swedish krona                      | 5.90662               | 5.85430               | 5.86638               |
| Norwegian krone                    | 6.90325               | 6.86405               | 6.87947               |
| Canadian dollar                    | 1.56773               | 1.52194               | 1.52496               |
| Portuguese escudo                  | 65.2476               | 64.9487               | 65.2013               |
| Austrian schilling                 | 18.5118               | 18.6252               | 18.5470               |
| Finnish mark                       | 5.37783               | 5.33578               | 5.35611               |
| Japanese yen                       | 283.456               | 290.287               | 292.872               |

<sup>1</sup> OJ C 84 of 31.3.1979.

<sup>2</sup> OJ C 97 of 18.4.1979.

<sup>3</sup> OJ C 107 of 28.4.1979.

Each month, the Commission also calculates, for its own purposes, the equivalent of the EUA in about 100 currencies.

### ECU-related central rates

3.1.5. Table 3 shows the ECU-related central rates which have been in force since 13 March 1979; the percentages are based on these central rates.

These central rates are applied within the EMS. The rates were used, firstly, to establish fluctuation limits (of plus or minus 2.25%) for each participating currency, with intervention being compulsory when these limits have been reached. The central rates are also used to calculate the divergence indicator, whose role is to show the movement of the exchange rate of an EMS currency in relation to the average of the other currencies, represented by the ECU.

Table 3 — *Central rates and corresponding weight of the currencies in the ECU*

| National currency                  | ECU-related central rates | Weight of the currencies in the ECU (as %) |
|------------------------------------|---------------------------|--|
| Belgium franc and Luxembourg franc | 39.4582                   | 9.63                                       |
| Dutch guilder                      | 2.72077                   | 10.51                                      |
| Danish krone                       | 7.08592                   | 3.06                                       |
| German mark                        | 2.51064                   | 32.98                                      |
| Italian lira                       | 1 148.15                  | 9.50                                       |
| French franc                       | 5.79831                   | 19.83                                      |
| Pound sterling <sup>1</sup>        | (0.663247)                | 13.34                                      |
| Irish pound                        | 0.662638                  | 1.15                                       |

<sup>1</sup> The rate given for the pound sterling is not a central rate, but a rate established purely as a guide on 12 March 1979.

### Use of ECU/EUA rates

3.1.6. The ECU-related central rates are not at present used for any purpose other than their reference role in determining the divergence indicator within the EMS and in calculating the monetary compensatory amounts under the common agricultural policy.

In contrast to earlier units of account, which were linked to parities or central rates, the ECU/EUA is established on the basis of daily exchange rates, and it is on the basis of these daily equivalents that

all the transactions of the sectors using this unit of account are carried out, including settlements between central banks within the EMCF. Common agricultural policy activities, however, are based on the central rates, and the activities of some sectors, which apply the EUA simply as a point of reference for administrative purposes, use a rate which is generally valid for one year.

### 'Green' rates

3.1.7. Agricultural prices will in future be fixed in ECU if the provisional decision to use this unit

Units of account

Units of account

of account is made definitive; however, the ECU equivalent in national currencies ('green rates')

will, like the earlier representative rates, continue to be fixed by the Council (Table 4).

Table 4 — Conversion rates into national currencies for the unit of account used in connection with the common agricultural policy

| National currency                  | April 1979  |  |
|------------------------------------|---|--|
|                                    | from 1 to 8 April 1979  | from 9 April 1979  |
|                                    | u.a.  | Ecu  |
| Belgian franc and Luxembourg franc | 49.3486   | 40.8193  |
| Danish krone                       | 8.56656   | 7.08592  |
| German mark                        | 3.40238   | 2.81432  |
| French franc                       | $\left\{ \begin{array}{l} 6.45761^1 \\ 6.22514^2 \end{array} \right.$ | $\left\{ \begin{array}{l} 5.71259^1 \\ 5.42697^2 \\ 5.14920^3 \end{array} \right.$ |
| Irish pound                        | 0.786912  | 0.652840   |
| Italian lira                       | 1 154.00  | $\left\{ \begin{array}{l} 1 005.00^4 \\ 954.545^2 \end{array} \right.$             |
| Dutch guilder                      | 3.40270   | 2.81459  |
| Pound sterling                     | 0.634204  | $\left\{ \begin{array}{l} 0.552199^3 \\ 0.524590^2 \end{array} \right.$            |

<sup>1</sup> For pigmeat.

<sup>2</sup> For other products.

<sup>3</sup> For sugar, isoglucose and cereals.

<sup>4</sup> For milk and milk products, beef and veal, pigmeat and wine.

<sup>5</sup> For milk and milk products, beef and veal, pigmeat, sugar and isoglucose.

## 2. Additional references in the Official Journal

### Additional references in the Official Journal

3.2.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

#### **Bull. EC 2-1978**

##### *Point 2.3.59*

###### **Economic and Social Committee**

Opinion on the employee participation and company structure in the European Economic Community, prepared by the sub-committee on the Commission's green paper

OJ C 94, 10.4.1979.

#### **Bull. EC 7/8-1978**

##### *Point 2.1.124*

Cooperation within the COST framework

Procedures for cooperation within the COST framework

OJ C 100, 21.4.1979

#### **Bull. EC 10-1978**

##### *Point 2.3.71*

###### **Economic and Social Committee**

Opinion on the proposal for a Council Regulation on the development of an agricultural advisory service in Italy

OJ C 105, 26.4.1979

##### *Point 2.3.72*

###### **Economic and Social Committee**

Opinion on the proposal for a Council Regulation on the abolition of postal charges for the presentation to customs of consignments of goods from another Member State which are relieved of internal taxes payable at importation

Opinion on the proposal for a Council Regulation amending Regulation (EEC) No 1544/69 on the tariff treatment applicable to goods contained in travellers' personal luggage

Opinion on the:

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

(ii) proposal for a second Council Directive amending Directive 74/651/EEC on the tax reliefs to be allowed on the importation of goods in small consignments of a non-commercial character within the Community

(iii) amendment to the proposal for a Council Directive on the exemption from taxes on importation of small consignments from third countries of goods of a non-commercial nature (submitted by the Commission to the Council in accordance with the second paragraph of Article 149 of the EEC Treaty)

OJ C 105, 26.4.1979

##### *Point 2.3.73*

###### **Economic and Social Committee**

Opinion on the proposal for a Council Decision on the memorandum of understanding of 2 March 1978 between certain maritime authorities on the maintenance of standards on merchant ships

Opinion on the proposal for a Council Regulation providing for an aid for degerming maize

OJ C 105 of 26.4.1979

*Point 2.3.74*

**Economic and Social Committee**

Opinion on the proposal for a Council Regulation amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States

OJ C 105 of 26.4.1979

**Bull. EC 11-1978**

*Point 2.1.83*

Proposal for a Council Directive amending Directive 64/432/EEC in respect of enzootic leucosis among cattle

OJ C 86 of 2.4.1979

*Point 2.3.63*

**Economic and Social Committee**

Opinion on the proposal for a Council Regulation establishing a European monetary system

OJ C 105 of 26.4.1979

*Point 2.3.64*

**Economic and Social Committee**

Opinion on the annual report on the economic situation in the Community in 1978 with an Annex dealing with the economic situation in the Federal Republic of Germany

OJ C 105 of 26.4.1979

*Point 2.3.65*

**Economic and Social Committee**

Opinion on the proposal for a Council Directive on the approximation of the laws of the Member

Bull. EC 4-1979

States concerning the protection of employees in the event of the insolvency of their employer

OJ C 105 of 26.4.1979

*Point 2.3.66*

**Economic and Social Committee**

Opinion on the proposals by the Commission concerning the Community's generalized tariff preferences scheme for 1979

OJ C 105 of 26.4.1979

*Point 2.3.67*

**Economic and Social Committee**

Opinion on the proposal for a Council Directive amending Directive 75/130/EEC on the establishment of common rules for certain types of combined road/rail carriage of goods between Member States

OJ C 105 of 26.4.1979

*Point 2.3.68*

**Economic and Social Committee**

Opinion on the proposal for a Council Directive amending for the 14th time Directive 64/54/EEC on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption

OJ C 105 of 26.4.1979

*Point 2.3.69*

**Economic and Social Committee**

Opinion on the proposal for a Council Decision adopting a second research and development programme of the European Economic Community in the sector of medical and public health research consisting of five multiannual concerted projects

OJ C 105 of 26.4.1979

*Point 2.3.70*

**Economic and Social Committee**

Opinion on the communication from the Commission to the Council on the action programme (1979 to 1985) for the progressive establishment of balance on the market in wine  
OJ C 105 of 26.4.1979

*Point 2.3.71*

**Economic and Social Committee**

Opinion on the proposal for a Council Decision adopting a programme concerning the decommissioning of nuclear power plants  
OJ C 105 of 26.4.1979

*Point 2.3.72*

**Economic and Social Committee**

Opinion on the proposal for a Council Decision adopting a research programme for the European Atomic Energy Community on safety in thermal water reactors  
OJ C 105 of 26.4.1979

*Point 2.3.73*

**Economic and Social Committee**

Opinion on Greece's application for membership of the Community  
OJ C 105 of 26.4.1979

**Bull. EC 12-1978**

*Point 2.1.8*

Proposal for a Council Directive on the approximation of the laws of the Member States relating to noise emitted by lawn mowers  
OJ C 86 of 2.4.1979

**Bull. EC 1-1979**

*Point 2.1.15*

Commission Directive of 30 January 1979 on the second adaptation to technical progress of Council Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances  
OJ L 88 of 7.4.1979

**Bull. EC 2-1979**

*Point 2.1.92*

Proposal for a Council Decision for a research and training programme for the European Atomic Energy Community on the plutonium cycle and its safety  
OJ C 100 of 21.4.1979

*Point 2.3.51*

Judgment of the Court (Second Chamber) of 21 February 1979 in Case 113/78 (reference for a preliminary ruling made by the College van Beroep voor het Bedrijfsleven): N. J. C. Schouten BV, Giessen v Hoofdprodukschap voor Akkerbouwprodukten  
OJ C 87 of 3.4.1979

*Point 2.3.53*

Judgment of the Court of 20 February 1979 in Case 120/78 (reference for a preliminary ruling made by the Hessisches Finanzgericht): Rewe-Zentral AG, Cologne v Bundesmonopolverwaltung für Branntwein  
OJ C 87 of 3.4.1979

*Point 2.3.55*

Judgment of the Court of 20 February 1979 in Case 122/78 (reference for a preliminary ruling made by the Tribunal Administratif, Paris): SA Buitoni v Fonds d'Orientation et de Régularisation des Marchés Agricoles  
OJ C 87 of 3.4.1979

*Point 2.3.57*

Judgment of the Court of 22 February 1979 in Case 133/78 (reference for a preliminary ruling made by the Bundesgerichtshof): Henri Gourdain, Paris v Franz Nadler, Wetzlar  
OJ C 87 of 3.4.1979

*Point 2.3.59*

Judgment of the Court of 21 February 1979 in Case 138/78 (reference for a preliminary ruling made by the Finanzgericht Hamburg): Hans-Markus Stölting Tankenrader Berg, v Hauptzollamt Hamburg-Jonas  
OJ C 87 of 3.4.1979

*Point 2.3.60*

Judgment of the Court of 22 February 1979 in Case 144/78 (reference for a preliminary ruling made by the Landessozialgericht Baden-Württemberg): Renzo Tinelli v Berufsgenossenschaft der Chemischen Industrie  
OJ C 87 of 3.4.1979

*Point 2.3.61*

Judgment of the Court of 22 February 1979 in Case 163/78: Commission of the European Communities v Italian Republic  
OJ C 87 of 3.4.1979

**Bull. EC 3-1979**

*Point 2.3.76*

Resolution of the Consultative Committee of the European Coal and Steel Community on the social consequences of the iron and steel policy  
OJ C 106 of 27.4.1979

# 3. Infringement procedures

## Reasoned opinions

3.3.1. In April the Commission issued reasoned opinions in seven cases, five concerning the free movement of goods and two on the free movement of persons.

### *Free movement of goods*

Four reasoned opinions were issued in respect of barriers to the imports of certain products, which infringe Article 30 of the EEC Treaty. The products involved are woollen and fine hair fabrics and carded yarns (France); wool combings and narrow woven fabrics of wool (Italy); textiles coming from other Member States and originating in non-member countries (Denmark); Italian tights (Germany);

The fifth opinion concerns circulars addressed to the public authorities urging them to buy national products in connection with textiles, clothing and footwear (United Kingdom).

### *Free movement of persons*

Discrimination based on nationality in respect of various job vacancies on the Belgian national railways (Belgium);

Obstacles to the freedom of movement for doctors by requiring evidence of language ability as a prior condition for full admission to the practice of medicine (United Kingdom).

## Closure of procedures

3.3.2. The Commission decided to close the procedure initiated against Ireland<sup>1</sup> in respect of the non-application of twenty-three directives relating to motor vehicles.

## *Proceedings before the Court of Justice*

3.3.3. The Commission laid four new cases before the Court of Justice: Case 50/79 (France)<sup>2</sup>, Case 55/79 (Ireland)<sup>3</sup>, Case 57/79 (Belgium and Luxembourg)<sup>4</sup>.

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<sup>1</sup> Bull. EC 6-1978, point 3.3.1.

<sup>2</sup> Point 2.3.46.

<sup>3</sup> Point 2.3.41.

<sup>4</sup> Point 2.3.43.



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## Sommaire – Sommario – Inhoud

### Tidsskrifter / Zeitschriften / Periodicals / Périodiques / Periodici / Tijdschriften

### Enkeltudgivelser / Einzelveröffentlichungen / Non-periodicals / Isolés / Non periodici / Eenmalig

|           |   |    |    |
|-----------|---|----|----|
| <b>1</b>  | Generelt / Allgemeines / General / Généralités / Generalità / Algemeen .....  | 7  | 13 |
| <b>2</b>  | Politiske og institutionelle aspekter / Politische und institutionelle Aspekte / Political and institutional aspects / Aspects politiques et institutionnels / Aspetti politici e istituzionali / Politieke en institutionele aspecten .....                          | 7  | 14 |
| <b>3</b>  | Fællesskabsret / Gemeinschaftsrecht / Community law / Droit communautaire / Diritto comunitario / Communautair recht .....  | 8  | 14 |
| <b>4</b>  | Forbindelser med tredjelande – Udenrigshandel / Auswärtige Beziehungen – Außenhandel / External relations – Foreign trade / Relations extérieures – Commerce extérieur / Relazioni esterne – Commercio estero / Buitenlandse betrekkingen – Buitenlandse handel ..... | 8  | 15 |
| <b>5</b>  | Konkurrence og det interne marked / Wettbewerb und Binnenmarkt / Competition and internal market / Concurrence et marché intérieur / Concorrenza e mercato interno / Concurrentie en binnenlandse markt .....   | 9  | 15 |
| <b>6</b>  | Økonomiske, monetære og finansielle spørgsmål / Wirtschaft, Währung und Finanzen / Economic, monetary and financial affairs / Économie, monnaie et finances / Economia, moneta e finanza / Economie, geldwezen en financiën .....                                     | 9  | 15 |
| <b>7</b>  | Sociale spørgsmål / Soziale Angelegenheiten / Social affairs / Affaires sociales / Affari sociali / Sociale zaken .....   | 10 | 17 |
| <b>8</b>  | Industri / Industrie / Industry / Industrie / Industria / Industrie .....   | 10 | 18 |
| <b>9</b>  | Energi / Energie / Energy / Énergie / Energia / Energie .....   | 10 | 19 |
| <b>10</b> | Transport / Verkehr / Transport / Transports / Trasporti / Vervoer .....  | 10 | 19 |
| <b>11</b> | Landbrugspolitik / Landwirtschaft / Agriculture / Politique agricole / Agricoltura / Landbouw .....   | 10 | 20 |
| <b>12</b> | Regionalpolitik / Regionalpolitik / Regional policy / Politique régionale / Politica regionale / Regionale politiek .....   | 11 | 23 |
| <b>13</b> | Udvikling og samarbejde / Entwicklung und Zusammenarbeit / Development and cooperation / Développement et coopération / Sviluppo e cooperazione / Ontwikkeling en samenwerking .....  | 11 | 23 |
| <b>14</b> | Videnskab og teknologi / Wissenschaft und Technologie / Science and technology / Science et technologie / Scienza e tecnologia / Wetenschap en technologie .....  | 11 | 23 |
| <b>15</b> | Miljø og livskvalitet / Umwelt und Lebensqualität / Environment and quality of life / Environnement et qualité de la vie / Ambiente e qualità della vita / Milieu en kwaliteit van het leven .....  | 11 | 24 |
| <b>16</b> | Undervisning / Bildungswesen / Education / Éducation / Educazione / Opvoeding .....   | 11 | 24 |
| <b>17</b> | Statistik / Statistiken / Statistics / Statistiques / Statistiche / Statistiek .....  | 12 | 24 |
| <b>18</b> | Almene informationspublikationer / Allgemeine Informationsschriften / Popular publications / Publications de large vulgarisation / Pubblicazioni ad ampia divulgazione / Publikaties voor breed publiek .....   | 12 | 29 |
| <b>19</b> | Diverse / Verschiedenes / Miscellaneous / Divers / Vari / Diversen .....  | 12 | 31 |

# Enkeltudgivelser – Einzelveröffentlichungen Non-periodicals – Isolés – Non periodici – Eenmalig

1

DOMSTOLEN - GERICHTSHOF - COURT OF JUSTICE  
COUR DE JUSTICE - CORTE DI GIUSTIZIA - HOF VAN JUSTITIE

DX-28-79-067-DA-C ISBN 92-829-0019-3  
**Oversigt over arbejdet ved De europæiske Fælles-  
skabers Domstol i 1978.**  
Luxembourg 1979. Gratis

DX-28-79-067-DE-C ISBN 92-829-0020-7  
**Überblick über die Tätigkeit des Gerichtshofes der  
Europäischen Gemeinschaften im Jahr 1978.**  
Luxembourg 1979. Gratis

DX-28-79-067-EN-C ISBN 92-829-0021-5  
**Synopsis of the work of the Court of Justice of the  
European Communities in 1978.**  
Luxembourg 1979. Gratis

DX-28-79-067-FR-C ISBN 92-829-0022-3  
**Aperçu des travaux de la Cour de justice des Commu-  
nautés européennes en 1978.**  
Luxembourg 1979. Gratuit

DX-28-79-067-IT-C ISBN 92-829-0023-1  
**Compendio dell'attività della Corte di giustizia delle  
Comunità europee nel 1978.**  
Lussemburgo 1979. Gratuito

DX-28-79-067-NL-C ISBN 92-829-0024-X  
**Overzicht van de werkzaamheden van het Hof van  
Justitie van de Europese Gemeenschappen in 1978.**  
Luxembourg 1979. 60 p.  
(DA. DE. EN. FR. IT. NL) Gratis

DET ØKONOMISKE OG SOCIALE UDVALG - WIRTSCHAFTS-  
UND SOZIALAUSSCHUSS - ECONOMIC AND SOCIAL COM-  
MITTEE - COMITÉ ÉCONOMIQUE ET SOCIAL - COMITATO  
ECONOMICO E SOCIALE - ECONOMISCH EN SOCIAAL COMITÉ

EX-25-78-542-DA-C ISBN 92-830-0013-7  
**Årsberetning 1978.** Bruxelles – Januar 1979.  
1979. 105 p. Gratis

EX-25-78-542-DE-C ISBN 92-830-0014-5  
**Jahresbericht 1978.** Brüssel – Januar 1979.  
1979. 113 p. Gratis

EX-25-78-542-EN-C ISBN 92-830-0015-3  
**Annual Report 1978.** Brussels – January 1979.  
1979. 103 p. Gratis

EX-25-78-542-FR-C ISBN 92-830-0016-1  
**Rapport annuel 1978.** Bruxelles – Janvier 1979.  
1979. 113 p. Gratuit

EX-25-78-542-IT-C ISBN 92-830-0017-X  
**Relazione annuale 1978.** Bruxelles – Gennaio 1979.  
1979. 113 p. Gratuito

EX-25-78-542-NL-C ISBN 92-830-0018-8  
**Jaarverslag 1978.** Brussel – Januari 1979.  
1979. 115 p.  
(DA. DE. EN. FR. IT. NL) Gratis

2

EUROPA-PARLAMENTET - EUROPÄISCHES PARLAMENT  
EUROPEAN PARLIAMENT - PARLEMENT EUROPÉEN  
PARLAMENTO EUROPEO - EUROPEES PARLEMENT

PE 57.047  
**Nationale valglove om direkte valg. Lovtekster ved-  
taget af Belgiens, Italiens, Luxembourgs og Neder-  
landenes regeringer.** Marts 1979.  
1979. 68 p. Gratis

**Die einzelstaatlichen Wahlgesetze für die Direkt-  
wahlen. Wortlaut der von den Parlamenten Belgiens,  
Italiens, Luxemburgs und der Niederlande verab-  
schiedeten Wahlgesetze.** März 1979.  
1979. 54 p. Gratis

**National electoral Laws on Direct Elections. Texts of  
Laws adopted by the Parliaments of Belgium, Italy,  
Luxembourg and the Netherlands.** March 1979.  
1979. 70 p. Gratis

**Lois électorales nationales relatives aux élections di-  
rectes. Texte des lois adoptées par les Parlements de  
Belgique, d'Italie, du Luxembourg et des Pays-Bas.**  
Mars 1979.  
1979. 63 p. Gratuit

**Leggi elettorali nazionali per l'elezione a suffragio  
universale diretto del Parlamento europeo. Testi delle  
leggi ratificate dai Parlamenti del Belgio, dell'Italia,  
del Lussemburgo e dei Paesi Bassi.** Marzo 1979.  
1979. 44 p. Gratuito

**Nationale kieswetten voor de rechtstreekse verkiezin-  
gen. Door de Parlementen van België, Italië, Luxemburg  
en Nederland aangenomen wetsteksten.** Maart 1979.  
1979. 51 p.  
(DA. DE. EN. FR. IT. NL) Gratis

PE 57.767

**Europa-b vægelsens manifest om almindelige direkte valg til Europa-Parlamentet.**

Marts 1979.

Gratis

**Manifest der Europ ischen Bewegung zur allgemeinen Direktwahl des Europ ischen Parlaments.**

M rz 1979.

Gratis

**Manifesto of the European Movement on elections to the European Parliament by direct universal suffrage.**

March 1979.

Gratis

**Manifeste du Mouvement europ en sur les  lections du Parlement europ en au suffrage universel direct.**

Mars 1979.

Gratuit

**Manifesto del Movimento europeo sulle elezioni del Parlamento europeo a suffragio universale diretto.**

Marzo 1979.

Gratuito

**Manifest van de Europese Beweging over de algemene rechtstreekse verkiezing van het Europese Parlement.**

Maart 1979.

1979. 6 p.

(DA.DE.EN.FR.IT.NL)

Gratis

**Europe Today.** State of European Integration, 3rd edition. 30 April 1978.

1979. (Loose-leaf edition). (EN).

BFR 900 DKR 158,40 DM 58 FF 130

LIT 24 600 HFL 62,60 UKL 14.40 USD 28

### 3

KOMMISSIONEN - KOMMISSION - COMMISSION  
COMMISSION - COMMISSIONE - COMMISSIE

CB-25-78-671-DA-C

ISBN 92-825-0854-4

**F ellesskabsretten.** Uddrag af »Tolvte Almindelige Beretning om De europ iske F ellesskabers Virksomhed i 1978«. (S ertryk).

1979. 36 p.

CB-25-78-671-DE-C

ISBN 92-825-0855-2

**Das Gemeinschaftsrecht.** Auszug aus dem Zw lfsten Gesamtbericht  ber die T tigkeit der Europ ischen Gemeinschaften 1978. (Sonderdruck).

1979. 39 p.

CB-25-78-671-EN-C

ISBN 92-825-0856-0

**Community law.** Extract from the 'Twelfth General Report on the Activities of the European Communities in 1978'. (Offprint).

1979. 35 p.

CB-25-78-671-FR-C

ISBN 92-825-0857-9

**Le droit communautaire.** Extrait du «Douzi me Rapport g n ral sur l'activit  des Communaut s europ ennes en 1978». (tir    part).

1979. 36 p.

CB-25-78-671-IT-C

ISBN 92-825-0858-7

**Il diritto comunitario.** Estratto della «Dodicesima Relazione generale sull'attivit  delle Comunit  europee nel 1978». (tiratura a parte).

1979. 39 p.

CB-25-78-671-NL-C

ISBN 92-825-0859-5

**Het communautair recht.** Uittreksel uit het „Twaalfde Algemeen Verslag over de werkzaamheden van de Europese Gemeenschappen in 1978". (Overdruk).

1979. 36 p.

(DA.DE.EN.FR.IT.NL)

BFR 65 DKR 11,50 DM 4 FF 9,50

LIT 1 850 HFL 4,50 UKL 1 USD 2.20

\*) CB-AK-79-016-EN-C

ISSN 0378-4428

**Bibliography on economic, monetary and financial matters.**

Documentation bulletin No B/16. January 1979.

1979. 300 pp. (EN. FR)

BFR 45 DKR 7,90 DM 2,85 FF 6,50

LIT 1 200 HFL 3,10 UKL 0.75 USD 1.45

### 4

R DET - RAT - COUNCIL - CONSEIL - CONSIGLIO - RAAD

**Avrupa ekonomik Toplulugu – T rkiye Ortakligi.**

Raporlar Ortaklik Konseyinin Ortaklik Parlamento Komisyonuna sundugu yillik faaliyet raporu.

13. – 1.1.1977 – 31.12.1977.

1979. 220 p.

(DA.DE.EN.FR.IT.NL.Turc)

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KOMMISSIONEN - KOMMISSION - COMMISSION  
COMMISSION - COMMISSIONE - COMMISSIE

CB-25-78-493-6A-C

**Liste des bureaux de douane comp tents pour les op rations de transit communautaire.** 10<sup>e</sup> mise   jour, 1.3.1979.

1979. pag. diff. (Mult.)

BFR 225 DKR 40 DM 14,50 FF 32

LIT 6 100 HFL 15,50 UKL 3.80 USD 7.50

\*) CC-AB-78-009-DE-C

**Kooperationsabkommen EWG– gypten.**

Europa information: Entwicklung. Mai 1978.

1979. 46 p.

Gratis

\*) CC-AB-78-009-FR-C

**Accord de coop ration CEE– gypte.**

Europe information: D veloppement. Mai 1978.

1979. 50 p. (DE.FR)

Gratuit

\*) CC-NA-79-D01-DE-C

**Die Europ ische Gemeinschaft und die Textilabkommen.**

Europa information: Entwicklung.

1979. 66 p.

Gratis



\*) CC-NA-79-D01-FR-C

**La Communauté européenne et les accords textiles.**  
Europe information: Développement.  
1979. 60 p. (DE.FR)

Gratuit

## 5

KOMMISSIONEN - KOMMISSION - COMMISSION  
COMMISSION - COMMISSIONE - COMMISSIE

CB-25-78-550-DE-C

**Erläuterungen zum Zolltarif der Europäischen Gemeinschaften.** 13. Berichtigung. 1.1.1979.

CB-25-78-550-EN-C

**Explanatory notes to the Customs Tariff of the European Communities.** 13th Amending supplement. 1.1.1979.

CB-25-78-550-FR-C

**Notes explicatives du Tarif douanier des Communautés européennes.** 13<sup>e</sup> mise à jour. 1.1.1979.

CB-25-78-550-IT-C

**Note esplicativa della tariffa doganale delle Comunità europee.** 13<sup>o</sup> aggiornamento. 1.1.1979.

CB-25-78-550-NL-C

**Toelichtingen op het douanetarief voor de Europese Gemeenschappen.** 13e wijzigingsblad. 1.1.1979. 1979. feuillets modificatifs (DE.EN.FR.IT.NL)

BFR 130 DKR 23 DM 8,25 FF 19  
LIT 3 700 HFL 8,90 UKL 2.20 USD 4.40

CB-25-78-687-DA-C

ISBN 92-825-0860-9

**Ottende Beretning om Konkurrencepolitikken.** (Beretning udgivet i tilslutning til »Tolvte Almindelige Beretning om De europæiske Fællesskabers Virksomhed«). April 1979. 1979. 267 p.

CB-25-78-687-DE-C

ISBN 92-825-0861-7

**Achter Bericht über die Wettbewerbspolitik.** (Im Zusammenhang mit dem „Zwölften Gesamtbericht über die Tätigkeit der Europäischen Gemeinschaften“ veröffentlichter Bericht). April 1979. 1979. 280 p.

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ISBN 92-825-0862-5

**Eighth Report on Competition Policy.** (Published in conjunction with the 'Twelfth General Report on the Activities of the European Communities'). April 1979. 1979. 255 p.

CB-25-78-687-FR-C

ISBN 92-825-0863-3

**Huitième Rapport sur la politique de concurrence.** (Rapport publié en relation avec le «Douzième Rapport général sur l'activité des Communautés européennes»). Avril 1979. 1979. 273 p.

CB-25-78-687-IT-C

ISBN 92-825-0864-1

**Ottava Relazione sulla politica di concorrenza.** (Relazione pubblicata in connessione con la «Dodicesima Relazione generale sull'attività delle Comunità europee»). Aprile 1979. 1979. 275 p.

CB-25-78-687-NL-C

ISBN 92-825-0865-X

**Achtste verslag over het mededingingsbeleid.** (Gepubliceerd in samenhang met het „Twaalfde Algemeen Verslag over de werkzaamheden van de Europese Gemeenschappen“). April 1979. 1979. 264 p.

(DA.DE.EN.FR.IT.NL)

BFR 340 DKR 60 DM 21,50 FF 49,50  
LIT 9 600 HFL 23,40 UKL 5.70 USD 11.40

\*) CB-NU-78-015-EN-C

ISBN 92-825-0633-9

**A study of the evolution of concentration and prices in the food and beverages industries for Denmark.** I — Food product market analyses, II — Beverages industry, III — Price surveys.

Studies: Evolution of concentration and competition series No 15. July 1978.

1979. 270 p. (EN).

BFR 330 DKR 58 DM 21 FF 46,50  
LIT 8 800 HFL 23 UKL 5.50 USD 11

\*) CB-NU-78-A24-EN-C

ISBN 92-825-0899-4

**A study of the concentration, prices and mark-ups in the distribution of food products.** Volume 1: General approach and methodology for the analysis of price structures. By Remo Linda.

Studies: Evolution of concentration and competition series No A24. December 1978.

1979. 283 p. (EN).

BFR 275 DKR 48,40 DM 17,40 FF 40  
LIT 7 800 HFL 18,90 UKL 4.70 USD 9.20

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\*) CB-AK-79-016-EN-C

ISSN 0378-4428

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1979. 300 p. (EN.FR)

BFR 45 DKR 7,90 DM 2,85 FF 6,50  
LIT 1 200 HFL 3,10 UKL 0.75 USD 1.45

\*) CB-NC-79-001-DA-C

ISBN 92-825-0700-9

**Det europæiske Fællesskabs budget.**

Europæisk dokumentation: Periodisk 1/79. September 1978.

1979. 37 p.

\*) CB-NC-79-001-DE-C

ISBN 92-825-0701-7

**Der Haushalt der Europäischen Gemeinschaft.** Zweite Ausgabe.

Dokumentation: Zeitschrift 1/79. September 1978.

1979. 38 p.

\*) CB-NC-79-001-EN-C ISBN 92-825-0702-5  
**The European Community's budget.** Second edition.  
 European documentation: Periodical 1/79. September  
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 1979. 37 p.

\*) CB-NC-79-001-FR-C ISBN 92-825-0703-3  
**Le Budget de la Communauté européenne.** Deuxième  
 édition.  
 Documentation européenne: Périodique 1/79. Septem-  
 bre 1978.  
 1979. 38 p.

\*) CB-NC-79-001-IT-C ISBN 92-825-0704-1  
**Bilancio della Comunità europea.** Seconda edizione.  
 Documentazione europea: Periodico 1/79. Settembre  
 1978.  
 1979. 37 p.

\*) CB-NC-79-001-NL-C ISBN 92-825-0705-X  
**De begroting van de Europese Gemeenschap.** Tweede  
 uitgave.  
 Europese documentatie: Tijdschrift 1/79. September  
 1978.  
 1979. 38 p.  
 (DA,DE,EN,FR,IT,NL)  
 BFR 30 DKR 5,30 DM 1,90 FF 4,40  
 LIT 900 HFL 2,05 UKL 0.50

\*) CB-NC-79-003-DE-C ISBN 92-825-0953-2  
**Europäische Wirtschafts- und Währungsunion.**  
 Europäische Dokumentation: Zeitschrift 3/79. Februar  
 1979.  
 1979. 33 p.  
 (DA,DE,EN,FR,IT,NL)  
 BFR 30 DKR 5,30 DM 1,90 FF 4,40  
 LIT 900 HFL 2,05 UKL 0.50

## 7

KOMMISSIONEN - KOMMISSION - COMMISSION  
 COMMISSION - COMMISSIONE - COMMISSIE

CA-25-78-324-6A-C ISBN 92-825-0698-3  
**Befolkningsstatistik 1977.** Oktober 1978.  
**Bevölkerungsstatistik 1977.** Oktober 1978.  
**Demographic statistics 1977.** October 1978.  
**Statistiques démographiques 1977.** Octobre 1978.  
**Statistische demografiche 1977.** Ottobre 1978.  
**Bevolkingsstatistiek 1977.** Oktober 1978.  
 1979. 134 p.  
 (DA/DE/EN/FR/IT/NL).  
 BFR 350 DKR 51 DM 19,50 FF 41  
 LIT 7 200 HFL 20,50 UKL 4.80 USD 8.30

## 8

KOMMISSIONEN - KOMMISSION - COMMISSION  
 COMMISSION - COMMISSIONE - COMMISSIE

CB-24-77-067-DA-C ISBN 92-825-0194-9  
**EKSF's prisregler for jern- og stålprodukter.** Situati-  
 onen den 1. maj 1977.  
 1979. 140 p.

CB-24-77-067-DE-C ISBN 92-825-0195-7  
**Die EGKS-Preisvorschriften für Eisen- und Stahler-  
 zeugnisse.** Stand am 1. Mai 1977.  
 1979. 136 p.

CB-24-77-067-IT-C ISBN 92-825-0198-1  
**Le regole di prezzi CECA per i prodotti del ferro e  
 dell'acciaio.** Situazione al 1° maggio 1977.  
 1979. 136 p.  
 (DA,DE,EN,FR,IT,NL)  
 BFR 750 DKR 131 DM 47,60 FF 106  
 LIT 20 000 HFL 51,70 UKL 12.30 USD 24

## 9

Intet offentliggjort / Keine Veröffentlichung /  
 No publications / Pas de parution /  
 Nessuna pubblicazione / Niets verschenen

## 10

Intet offentliggjort / Keine Veröffentlichung /  
 No publications / Pas de parution /  
 Nessuna pubblicazione / Niets verschenen

## 11

KOMMISSIONEN - KOMMISSION - COMMISSION  
 COMMISSION - COMMISSIONE - COMMISSIE

CA-25-78-041-4A-C ISBN 92-825-0832-3  
**Preise für Obst, Gemüse und Kartoffeln 1976-1977.**  
 Januar 1979.

**Prices of fruit, vegetables and potatoes 1976-1977.**  
 January 1979.

**Prix des fruits, légumes et pommes de terre 1976-  
 1977.** Janvier 1979.

**Prezzi di frutta, ortaggi e patate 1976-1977.** Gennaio  
 1979.  
 1979. 127 p. (DE/EN/FR/IT)  
 BFR 200 DKR 35 DM 12,70 FF 29  
 LIT 5 700 HFL 13,70 UKL 3.40 USD 6.70

CA-25-78-316-4A-C ISBN 92-825-0830-7  
**Animalsk produktion 1968-1977.** Januar 1979.  
**Tiererzeugung 1968-1977.** Januar 1979.  
**Animal production 1968-1977.** January 1979.  
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**Produzione animale 1968-1977.** Gennaio 1979.  
**Dierlijke produktie 1968-1977.** Januari 1979.  
 1979. 94 p. (DE/EN/FR/IT)  
 BFR 400 DKR 70,50 DM 25,50 FF 58  
 LIT 11 300 HFL 27,50 UKL 6.75 USD 13.50

CA-25-78-477-6A-C ISBN 92-825-0721-1  
**Forsyningsbalancer 1975-1977.** December 1978.  
**Versorgungsbilanzen 1975-1977.** Dezember 1978.  
**Supply balance sheets 1975-1977.** December 1978.  
**Bilans d'approvisionnement 1975-1977.** Décembre 1978.

**Bilanci d'approvvigionamento 1975-1977.** Dicembre 1978.

**Voorzieningsbalansen 1975-1977.** December 1978.  
 1979. 299 p.

(DA/DE/EN/FR/IT/NL)

BFR 500 DKR 88 DM 31,35 FF 72,75  
 LIT 14 100 HFL 34,30 UKL 8.50 USD 16.70

\*) CB-NA-78-046-EN-C ISBN 92-825-0385-2

**Cereals and meat in Eastern Europe - Production, consumption and trade.** Section II: Tables.

Information on Agriculture No 46. April 1978.

1979. 100 p. (DE,EN)

BFR 110 DKR 19,40 DM 7 FF 16  
 LIT 3 000 HFL 7,60 UKL 1.80 USD 3.50

CA-NG-78-020-FR-C ISBN 92-825-0171-X

**Landbrugsstatistiske studier - 20.** 1978.

**Agrarstatistické Studien - 20.** 1978.

**Agricultural statistical studies - 20.** 1978.

**Études de statistique agricole - 20.** 1978.

**Studi di statistica agraria - 20.** 1978.

**Landbouwstatistische studies - 20.** 1978.

1979. 178 p. (DE,EN,FR)

BFR 300 DKR 53 DM 19,40 FF 43,20  
 LIT 8 200 HFL 21 UKL 5 USD 9.50

CA-NG-78-021-DE-C ISBN 92-825-0534-0

CA-NG-78-021-EN-C ISBN 92-825-0535-9

CA-NG-78-021-FR-C ISBN 92-825-0536-7

**Landbrugsstatistiske studier - 21.** 1978.

**Agrarstatistische Studien - 21.** 1978.

**Agricultural statistical studies - 21.** 1978.

**Études de statistique agricole - 21.** 1978.

**Studi di statistica agraria - 21.** 1978.

**Landbouwstatistische studies - 21.** 1978.

1979. DE 78 p., EN 82 p., FR 75 p. (DE,EN,FR)

BFR 300 DKR 53 DM 19,40 FF 43,20  
 LIT 8 200 HFL 21 UKL 5 USD 9.50

## 12

KOMMISSIONEN - KOMMISSION - COMMISSION  
 COMMISSION - COMMISSIONE - COMMISSIE

\*) CB-NS-78-006-IT-C ISBN 92-825-0246-5

**Programma di sviluppo regionale Mezzogiorno 1977-1980.**

Programmi: serie politica regionale n. 6. Aprile 1978.

1979. 358 p. (DE,EN,FR,IT).

BFR 380 DKR 66,40 DM 24 FF 53,60  
 LIT 10 000 HFL 26,20 UKL 6.20 USD 12.40

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\*) CB-NX-78-002-FR-C ISBN 92-825-0920-6

**Europe - Tiers monde: le dossier de l'interdépendance.** Dossier: Série développement n° 2. Février 1979.

1979. 122 p.

(DA. DE. EN. FR. IT. NL).

BFR 120 DKR 21 DM 7,60 FF 17,50  
 LIT 3 400 HFL 8,30 UKL 2 USD 4

\*) CC-AB-78-009-DE-C

**Kooperationsabkommen EWG-Ägypten.**

Europa information: Entwicklung. Mai 1978.

1979. 46 p.

Gratis

\*) CC-AB-78-009-FR-C

**Accord de coopération CEE-Égypte.**

Europe information: Développement. Mai 1978.

1979. 50 p. (DE. FR)

Gratuit

\*) CC-NA-79-DO1-DE-C

**Die Europäische Gemeinschaft und die Textilabkommen.**

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## 14

Intet offentliggjort / Keine Veröffentlichung /

No publications / Pas de parution /

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## 15

KOMMISSIONEN - KOMMISSION - COMMISSION  
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\*) CC-AA-78-003-DA-C ISBN 92-825-0666-5

**Forbrugeren i Det europæiske Fællesskab.**

Europæisk dokumentation: Periodisk 1978/3. Oktober 1978.

1979. 29 p.

(DA. DE. EN. FR. IT. NL).

BFR 20 DKR 3,10 DM 1,40 FF 2,50  
 LIT 340 HFL 1,40 UKL 0.25

## 16

KOMMISSIONEN - KOMMISSION - COMMISSION  
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\*) CB-NQ-78-007-EN-C ISBN 92-825-0884-6

**Joint programmes of study. An instrument of European cooperation in higher education.**

Studies: Education series No 7. July 1978.

1979. 198 p.

(DA,DE,EN,FR,IT,NL)

BFR 200 DKR 35,20 DM 12,70 FF 29  
 LIT. 5 650 HFL 13,70 UKL 3.40 USD 6.70

## 17

KOMMISSIONEN - KOMMISSION - COMMISSION  
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CA-25-78-041-4A-C ISBN 92-825-0832-3  
**Preise für Obst, Gemüse und Kartoffeln 1976-1977.**  
Januar 1979.

**Prices of fruit, vegetables and potatoes 1976-1977.**  
January 1979.

**Prix des fruits, légumes et pommes de terre 1976-1977.**  
Janvier 1979.

**Prezzi di frutta, ortaggi e patate 1976-1977.** Gennaio  
1979.

1979. 127 p. (DE/EN/FR/IT)  
BFR 200 DKR 35 DM 12,70 FF 29  
LIT 5 700 HFL 13,70 UKL 3.40 USD 6.70

CA-25-78-316-4A-C ISBN 92-825-0830-7

**Animalsk produktion 1968-1977.** Januar 1979.

**Tiererzeugung 1968-1977.** Januar 1979.

**Animal production 1968-1977.** January 1979.

**Production animale 1968-1977.** Janvier 1979.

**Produzione animale 1968-1977.** Gennaio 1979.

**Dierlijke produktie 1968-1977.** Januari 1979.

1979. 94 p. (DE/EN/FR/IT)

BFR 400 DKR 70,50 DM 25,50 FF 58  
LIT 11 300 HFL 27,50 UKL 6.75 USD 13.50

CA-25-78-324-6A-C ISBN 92-825-0698-3

**Befolkningsstatistik 1977.** Oktober 1978.

**Bevölkerungsstatistik 1977.** Oktober 1978.

**Demographic statistics 1977.** October 1978.

**Statistiques démographiques 1977.** Octobre 1978.

**Statistiche demografiche 1977.** Ottobre 1978.

**Bevolkingsstatistiek 1977.** Oktober 1978.

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(DA/DE/EN/FR/IT/NL)

BFR 350 DKR 51 DM 19,50 FF 41  
LIT 7 200 HFL 20,50 UKL 4.80 USD 8.30

CA-25-78-477-6A-C ISBN 92-825-0721-1

**Forsyningsbalancer 1975-1977.** December 1978.

**Versorgungsbilanzen 1975-1977.** Dezember 1978.

**Supply balance sheets 1975-1977.** December 1978.

**Bilans d'approvisionnement 1975-1977.** Décembre  
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**Bilanci d'approvvigionamento 1975-1977.** Dicembre  
1978.

**Voorzieningsbalansen 1975-1977.** December 1978.

1979. 299 p.

(DA/DE/EN/FR/IT/NL)

BFR 500 DKR 88 DM 31,35 FF 72,75  
LIT 14 100 HFL 34,30 UKL 8.50 USD 16.70

CA-NG-78-020-FR-C ISBN 92-825-0171-X

**Landbrugsstatistiske studier - 20.** 1978.

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**Agricultural statistical studies - 20.** 1978.

**Études de statistique agricole - 20.** 1978.

**Studi di statistica agraria - 20.** 1978.

**Landbouwstatistische studies - 20.** 1978.

1979. 178 p. (DE.EN.FR).

BFR 300 DKR 53 DM 19,40 FF 43,20  
LIT 8 200 HFL 21 UKL 5 USD 9.50

CA-NG-78-021-DE-C ISBN 92-825-0534-0

CA-NG-78-021-EN-C ISBN 92-825-0535-9

CA-NG-78-021-FR-C ISBN 92-825-0536-7

**Landbrugsstatistiske studier - 21.** 1978.

**Agrarstatistische Studien - 21.** 1978.

**Agricultural statistical studies - 21.** 1978.

**Études de statistique agricole - 21.** 1978.

**Studi di statistica agraria - 21.** 1978.

**Landbouwstatistische studies - 21.** 1978.

1979. DE 78 p., EN 82 p., FR 75 p. (DE.EN.FR)

BFR 300 DKR 53 DM 19,40 FF 43,20

LIT 8 200 HFL 21 UKL 5 USD 9.50

## 18

KOMMISSIONEN - KOMMISSION - COMMISSION  
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**Beknopt ABC van de Europese Gemeenschappen.**

Europa in 't kort. Maart 1979.

Den Haag.

1979. 26 p. (NL).

Gratis

**Overzicht Europese verkiezingen.** April 1979.

Den Haag.

1979. 15 p. (NL).

Gratis

**Vragen en antwoorden over de Europese Commissie.**

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1979. 10 p. (NL).

Gratis

## 19

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**Systematisk katalog over accessionerne i 1976-1977.**

Gratis

**Systematischer Katalog der Bücher 1976-1977.**

Gratis

**Systematic catalogue of books 1976-1977.**

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Gratuit

**Catalogo sistematico dei libri 1976-1977.**

Gratuito

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Gratis

Bibliothèque Luxembourg.

1979. 212 p. (Mult.)

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## 7

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## 9

**Månedsbulletin – Kul**  
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**Bulletin mensuel – Charbon**  
**Bollettino mensile – Carbone**  
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## 10

**Månedsoversigt over transport**  
**Monatsübersichten des Verkehrs**  
**Monthly tables of transport**  
**Tableaux mensuels des transports**  
**Tabella mensili dei trasporti**  
**Maandgegevens van het vervoer**

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## 11

**Vegetabilsk produktion**  
**Pflanzliche Erzeugung**  
**Crop production**  
**Production végétale**  
**Produzione vegetale**  
**Plantaardige produktie**

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**Statistiche mensili della carne**  
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**Statistiche mensili del latte**  
**Maandelijkse statistieken van melk**

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**Statistiques mensuelles des œufs**  
**Statistiche mensili delle uova**  
**Maandelijkse statistieken van eieren**

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**Prix de vente de produits animaux**  
**Prezzi di vendita dei prodotti animali**  
**Verkoopprijzen van dierlijke producten**

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**Verkaufspreise pflanzlicher Produkte**  
**Selling prices of vegetable products**  
**Prix de vente de produits végétaux**  
**Prezzi di vendita dei prodotti vegetali**  
**Verkoopprijzen van plantaardige producten**

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**Purchase prices of the means of production**  
**Prix d'achat des moyens de production**  
**Prezzi d'acquisto dei mezzi di produzione**  
**Aankooprijzen van de produktiemiddelen**

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**Agrarmärkte - Serie Preise: Tierische Produkte**  
**Agricultural Markets - Series Prices: Livestock Products**  
**Marchés agricoles - Série Prix: Produits animaux**  
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**Nota rapida – Produzione vegetale**  
**Spedbericht – Plantaardige produktie**

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**Schnellbericht – Agrarpreise**  
**Rapid information – Agricultural prices**  
**Note rapide – Prix agricoles**  
**Nota rapida – Prezzi agricoli**  
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Gratis / Gratuit / Gratuito

## 12

**Intet offentliggjort / Keine Veröffentlichung / No publications /**  
**Pas de parution / Nessuna pubblicazione / Niets verschenen**

## 13

**EC Trade with the: ACP States –**  
**South Mediterranean States**  
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**Les Etats de la Méditerranée sud**

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## 14

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# 16

Ekspresinformation – Undervisning og uddannelse  
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Note rapide – Education et formation  
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# 17

|   |                |
|---|----------------|
| Eurostatistik – Data til konjunkturanalyse                  | ISSN 0379-1408 |
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## ◆ 18

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