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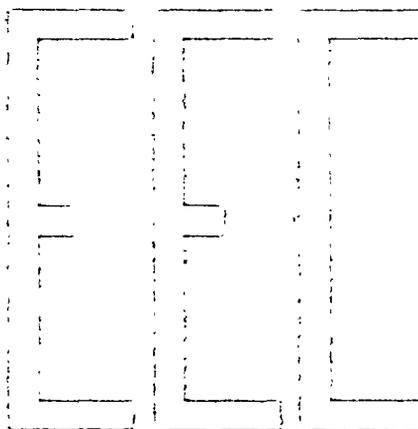
COMUNITÀ  
ECONOMICA EUROPEA

EUROPESE  
ECONOMISCHE GEMEENSCHAP

# BULLETIN

of the

EUROPEAN  
ECONOMIC  
COMMUNITY



BRUSSELS - SEPTEMBER/OCTOBER 1964

ISSUED MONTHLY

N° 9/10

SEVENTH YEAR



9/10-1964

# **BULLETIN**

of the European Economic Community

EXECUTIVE SECRETARIAT OF THE COMMISSION  
OF THE EUROPEAN ECONOMIC COMMUNITY



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# Introduction to the survey of social developments in the Community in 1963<sup>(1)</sup>

The social situation in the Community was marked once more in 1963 by continued tightness of the labour market and a strong tendency for money wages to rise, accompanied by an appreciable acceleration in the upward movement of prices. The picture was not of course the same everywhere, since in Germany wages, if not prices, rose less sharply than in 1962, but it was so of the other countries, particularly France and even more so Italy. While the workers' purchasing power again increased appreciably on the average, the increase was accompanied by a fall in the value of money, which assumed disturbing proportions in various countries.

Wages, of course, despite their predominant share in overall income, do not tell the whole story; there is the danger that with information on other classes of income being less accurate, or even non-existent, not only attention, but also the weight of any restrictive measures, may be concentrated on wages. However, there is no doubt that the pace with which industrial wages continued to mount largely helped to aggravate the inflationary pressure which was already evident the previous year, even though in the majority of cases wage rises were not reflected in industrial prices themselves, or only slightly so. On the one hand, the upward movement of wages, originating in sectors with rapidly increasing productivity, tended to spread to sectors where, for structural reasons, productivity cannot progress at the same rate, and this led to the granting of wage increases of a directly inflationary character. Furthermore a large proportion of the additional purchasing power thus created tended to be directed towards consumer goods sectors where production did not possess the necessary elasticity so that the imbalance of certain markets tended to become more marked. Other factors, no doubt, for instance an excessive increase in public spending in certain cases and psychological and even speculative factors, also contributed to the development of inflationary tendencies in the Community in 1963. But whatever the exact pattern, which varied from one country to another, these tendencies caused an overall rise in production costs which again greatly surpassed the increase in overall productivity, thus upsetting or threatening to upset the internal and external balance of the national economies.

In early 1964 the Commission felt impelled to express in no uncertain terms its concern at these developments, and urged the Governments of the Member States to press forward actively, and even intensify, their measures to combat the trend, even if by temporarily curbing expansion. In taking such action the Commission was doing no more than play its part in the Community obligations imposed by the provisions of the Treaty of Rome on policy relating to economic trends and the maintenance of general economic stability. But it was also conscious, in reacting against facile solutions and sounding a warning note against any complacency engendered by five years of boom conditions, that it was directly serving the cause of social progress which is the Community's mission. For if inflation is allowed to persist, it will be in the first place full employment that will sooner or later be compromised, owing to a decline in capacity for industrial investment coupled with a deterioration of external trade. Furthermore, those

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<sup>(1)</sup> Included in the Seventh General Report on the activities of the Community, in accordance with Article 122 of the Treaty.

inequalities, in the distribution of the fruits of expansion which any disorderly rise in wages and prices is bound to produce, will grow more serious — more often than not to the detriment of the less-privileged workers.

It should be understood that there is no intention here of challenging the independence of the two sides of industry in the matter of wages, nor of denying the legitimacy or even the utility, speaking generally, of wage increases sufficiently differentiated to compensate to a certain extent for the lack of uniformity in progress towards greater working efficiency. But it is not just — and experience shows us that this is an abuse which can imperil the general economic balance — that increased productivity in branches of industry which are in the vanguard of progress should benefit these branches exclusively, in the shape of higher wages and bigger profits, and that the share of such benefits available for equalizing wages in general should become ever smaller.

It is in the common interest, first of all, that such progress be reflected, to a certain degree, in lower prices benefiting consumers as a whole. What is more, social progress does not consist only of higher pay and less work, but also of a number of improvements which, without representing such a direct return for progress in the individual worker's productivity, are nevertheless useful on a broader view, and satisfy requirements which progressive societies cannot evade. These improvements, to mention the main fields, concern the extension of social security in its widest sense, development of general and vocational training, improvement of social capital to meet modern needs, above all in the less developed regions, and improvement of housing conditions where to a large extent they still depend on public aid. Now, it is obvious that potential social progress in subject to physical limits bound up with the growth of production, and that consequently too rapid a growth of individual wages can only hinder progress in the general interest and even compromise the productive investment on which in the long run all aspects of social progress depend. The inflationary tendencies which developed in the Member States in 1963 gave people a somewhat harsh reminder of these limits and of the need for compatibility imposed by them when short- and medium-term political choices must be made. Hence in April 1964 the Commission asked the Council to recommend to the Member States a stabilization policy to curb the trend of consumption temporarily and to reduce the pressure on the building sector without, however, sacrificing the priority which must be given to the construction of school buildings, hospitals and low-cost housing. Furthermore, the deterioration in the general business situation has only lent emphasis to the reasons that prompted the Commission to propose the adoption of a medium-term economic policy in the Community, by which the Member States' economic and social policies would be co-ordinated at European level and steered towards a more rational position ensuring improved general long-term equilibrium.

The pursuit of such a policy, as the Commission stressed in the introduction to its Seventh General Report, cannot fail to broaden the scope of Community social policy. First of all, it will help to clarify objectives in the matter of employment and incomes, spheres in which long-range action cannot be considered without prior determination of a certain number of quantitative references deriving from medium-term economic forecasts. It is sufficient to recall in this connection the problems involved in the Community's task of guiding the Member States in matters of vocational training and re-training, or again in Community-wide harmonization of working conditions and social security. It is self-evident that social policy cannot but gain in importance and

effectiveness when its main aims are fitted into the framework of an overall policy, because those who direct it will inevitably be entitled to share in defining this framework and will be able to influence it with an eye to their own cares and responsibilities. Thus can the necessary harmony be achieved at Community level between economic and social policy, which are only two angles on the same realities — the possible and the desirable — and between which, if it is desired to promote the “continuous and balanced expansion” referred to in Article 2 of the Treaty and to ensure the “accelerated raising of the standard of living” of which this continuity and balance are the necessary condition, it is indispensable that there should reign in future perfect functional harmony.

It is with these considerations in mind that the Commission hopes that the responsible authorities and interested circles will co-operate at all levels to realize these objectives; for its part, the Commission is endeavouring to further its co-operation with the Member States in this sphere and to associate with its efforts the organizations representing employers and workers at European level.

## Appointment of M. Guido Colonna di Paliano as a member and of M. Lionello Levi Sandri as a Vice-President of the EEC Commission

On 30 July 1964 the representatives of the Governments of the Member States unanimously agreed to the appointment of M. Guido Colonna di Paliano as a member of the Commission of the European Economic Community to replace M. Giuseppe Caron, who has resigned <sup>(1)</sup>. The appointment is for that portion of M. Caron's term of office still to run, i.e. until 9 January 1966. M. Guido Colonna di Paliano, who was born in Naples on 16 April 1908, is a Doctor of Law and entered the consular service in 1933. He was Secretary-General of the Italian delegation at the Marshall Plan negotiations (October 1947-March 1948), then Deputy Secretary-General of OEEC (10 May 1948-July 1956). He was appointed Deputy Director-General in the Italian Ministry of Foreign Affairs on 30 July 1956, and Ambassador to Norway on 9 December 1958. From 1962 to 1964 he was Deputy Secretary-General of NATO.

The representatives of the Governments of the Member States also appointed by unanimous agreement Professor Lionello Levi Sandri to be a Vice-President of the Commission for the period ending 9 January 1966.

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<sup>(1)</sup> See Bulletin 4-64, Chapter III.

# I. Towards a uniform commercial policy

## 1. Initial moves by the Community

The Council of Ministers has recently recognized the need for action to speed up the move towards uniformity in commercial policy. The first steps which reflect a common policy — agreements between the EEC and Iran and Israel, negotiations now at various stages between the EEC and other non-member countries, the Commission's mandate for the Kennedy round of negotiations, and the Community's participation in the World Conference on Trade and Development — show that the Community will no longer be able to escape the task of achieving uniformity in the commercial policies of the Member States.

Increased uniformity in this field has been the purpose of various decisions which have already been taken by the Community and which have produced concrete results; these cover:

- i) The insertion of an "EEC clause" in commercial agreements between Member States and non-member countries. This clause provides for the possibility of negotiating any amendments made necessary by the gradual establishment of the common commercial policy;
- ii) The procedure for consultations between the Member States and the Commission on commercial negotiations, and arrangements for a uniform period of validity for commercial agreements;
- iii) In the field of aid to exports, a consultation procedure worked out by the Group for the co-ordination of policy on credit insurance, guarantees and financial credits;
- iv) The accelerated alignment of national tariffs towards the common customs tariff;
- v) The adoption by the Council of the Action Programme relating to a common commercial policy.

## 2. Effect on the free movement of goods

Should there be a hitch in the full implementation of the common commercial policy, with the result that Member States made more and more frequent use of the safeguard clause of Article 115 and so hampered the free movement of goods within the Community, the Customs Union would not be fully realized.

By 1 January 1964, 91 cases had been recorded in which Article 115 — the article under which protective measures can be taken where a Member State experiences deflection of commercial traffic or economic difficulties on account of disparities between commercial policies — had been applied in trade with non-member countries. The fact that products originating in countries of the Eastern bloc and Japan figured in most of these cases demonstrates that priority should be given to action which will achieve uniformity in the commercial policy of Member States towards the non-member countries concerned. Proposals from the Commission on this subject are at present before the Council.

### 3. Programme of work

On 2 March 1964 the Commission submitted a number of proposals to the Council with a view to establishing a uniform commercial policy. These proposals form part of a programme of work for 1964 which covers all the decisions needed to complete the systematic advance towards uniformity of commercial policy between now and the end of the transitional period.

In the opinion of the Commission, further progress towards the uniform commercial policy can no longer be put off, and decisions in this matter must be taken now to prepare the change-over from the transitional period to the definitive application of the Treaty.

The Commission presented the programme of work orally at the Council session of 15 April 1964. The ministers of the Member States approved the broad outlines of the programme and in doing so stressed the need to introduce the common commercial policy as rapidly as possible. In this connection the Council agreed to examine at the earliest possible date the proposals to this effect already submitted by the Commission, and requested the latter to press ahead with the work on any other proposals that seemed necessary to ensure the smooth and balanced application of the common commercial policy.

Under the programme of work the Commission will make proposals to the Council by the end of 1964 in each field covered by the Action Programme for a common commercial policy approved by the Council on 25 September 1962; the aim of these proposals will be to fix the stages by which uniformity would be achieved and to create the instruments and procedures by which the future uniform commercial policy would be applied.

The plan covers the following fields:

1. The establishment of a uniform liberalization list
2. Community management of quotas
3. Trade relations with Japan
4. Relations with countries of the Eastern bloc
5. Measures to safeguard trade against abnormal practices on the part of non-member countries
6. Measures to assist and promote exports
7. Uniformity of export restrictions
8. The conversion of bilateral agreements into Community agreements.

Finally, it is considered essential to solve the problems of co-ordination posed by the outline agreements on credit guarantees and financing of exports concluded by the Member States with non-member countries. The work on this point is being done by the Group for the co-ordination of policy on credit insurance, guarantees and financial credits.

#### 4. Priorities

The Commission considers that three of the sectors listed in the programme for the establishment of a uniform commercial policy call for priority decisions. These are relations with Japan, relations with State-trading countries and measures for the protection of trade.

##### *a) Relations with Japan*

The Commission sees the normalization of trade relations with Japan as an important prerequisite for the success of the Kennedy round of negotiations. It considers that the foundations of a common commercial policy towards Japan should be laid in good time in order that the tariff reductions expected to result from the Kennedy round may be extended to trade with that country without endangering certain sectors of activity within the Community.

The Commission regards this as a particularly opportune moment to begin talks with Japan since the negative lists of the Member States have become more closely aligned during the last few years.

The policy of expanding trade with Japan by enlarging import quotas has been accompanied by the progressive liberalization of products still subject to restriction.

The appreciable progress which has been made in this field during the last two years can be seen from the following figures:

##### *Liberalization of trade with Japan in 1962 and in 1964*

(entire or partial tariff headings not so far liberalized)

	1962	1964
Germany (F.R.)	105	72
Benelux	96	71
France	500	176
Italy	410	152

The establishment of trade relations with Japan on a Community basis would considerably assist the inauguration of a uniform commercial policy of the Member States towards non-member countries, and could also serve as a model in negotiations with other countries with low production costs.

In June 1963 the Commission submitted to the Council a proposal which included a draft Council decision on the procedure to be adapted to achieve common action and a uniform commercial policy towards Japan. Under the terms of this draft the Community would initiate exploratory talks with the Japanese Government, during which the two parties would seek a commercial agreement which would be to their mutual advantage and would include:

i) A liberalization policy which would ensure that Japan and the Community should both enjoy the same advantages as the other Contracting Parties of GATT;

- ii) The safeguard clause provided for by the Council's Decision of 14 November 1962, for the benefit of the Community as a whole and of Japan;
- iii) An agreed list of a certain number of sensitive products and of the quantitative restrictions to which they would be subject.

This would create the conditions for liberalizing imports of industrial products at GATT level, and the application of internal safeguard clauses in the EEC would at the same time be limited.

In addition the Commission presented to the Council on 3 March 1964 a further communication regarding this proposal, taking account of the latest developments in this field.

#### b) Relations with State-trading countries

The Commission considers that it would be advisable to begin moving gradually towards uniformity in the commercial policies of the Member States towards these countries. An immediate transition to a common commercial policy towards the countries of the Eastern bloc would give rise to difficulties.

On 3 March 1964 the Commission therefore submitted to the Council a proposal to improve the consultation procedure laid down in the Council Decision of 9 October 1961 and employed mainly for negotiations between Member States and State-trading countries. The aim of this proposal is to adapt the consultation procedure to the new circumstances in such a way as to facilitate the gradual co-ordination of existing national trade agreements and their later conversion into Community agreements. It includes a draft Council decision with provisions relating to the content and conduct of consultations, their conclusion, and a procedure which would allow matters to be referred to the Council and objections to the conclusion of an agreement to be submitted to it.

But the Commission cannot confine itself to the procedural aspects of commercial policy, however important these may be. It is anxious that, as the third stage approaches, the fundamental problems of commercial policy should also be progressively unified. On 3 March 1964, therefore, the Commission also submitted to the Council a proposal for speeding up the inauguration of a common commercial policy towards State-trading countries.

This proposal includes a draft Council resolution fixing a time-table for the steps by which uniformity would be established in the Member States' commercial policies towards State-trading countries by the end of the transitional period.

In conformity with the Action Programme of 25 September 1962 a first stage would cover the adoption of regulations for Community management of the import system, there would be separate categories for:

- i) Products subject to strict quotas;
- ii) Liberalized products;
- iii) Other products, for the import of which special procedures will have to be fixed.

During a second stage, national systems would be progressively adapted to the rules and lists established at Community level.

During a third and final stage the Community import and export systems would be brought fully into effect.

In the opinion of the Commission, such co-ordination measures should make it possible to conclude long-term agreements with the State-trading countries. At present the validity of such agreements is limited in principle to 31 December 1965. The Commission's proposal includes a draft Council decision extending this time-limit to 31 December 1967 .

The Commission hopes that when the Council discusses the above proposal the main lines of the future common commercial policy towards State-trading countries will be brought out more clearly. There would then be a broad framework within which the search for specific solutions to the problems posed by harmonization could be carried on.

### c) Trade protection measures

The Action Programme for a common commercial policy which was approved by the Council on 25 September 1962, provides for the introduction of Community measures to deal with matters such as dumping and subsidies granted by non-member countries; these measures would be proposed by the Commission and would come into effect from a date to be fixed by the Council.

An initiative of this kind seemed to the Commission to be particularly desirable in view of the impending multilateral negotiations in GATT, for if these negotiations resulted in the reduction of tariffs there would be a danger that the markets of Member States might become much more sensitive to those imports from non-member countries which derived advantage from abnormal practices. With a view, therefore, to setting up machinery which would prevent non-member countries from taking arbitrary action to influence their trade with the Community, the Commission in November 1963 submitted to the Council a proposal laying down common principles and a Community procedure to safeguard EEC trade against abnormal practices on the part of non-member countries.

The Commission's proposal includes:

- i) A Community regulation which does not draw up a list of abnormal practices but gives, rather, a definition sufficiently elastic to cover any abnormal measures or practice which is abnormal either in its nature or in its effects; in this it follows the formulas used in the laws of Member States and non-member countries (for example the German Aussenwirtschaftsgesetz or the Trade Expansion Act of the United States);
- ii) Consultations held at the request of any Member State that has established the existence of abnormal practices, or on the initiative of the Commission. These consultations — approved in principle by the Council on 25 September 1962 (see under paragraph 3) — must take place before any defensive action is taken;
- iii) The possibility for one Member State to take appropriate measures at national level, if it is the only State affected by the practices notified. If the interests of several Member State are adversely affected, the Commission would propose to the Council safeguard measures to be taken at Community level.

In cases of emergency and on certain conditions, the Commission would itself be able to decide the measures to be adopted; reference to the Council would, however, still be possible.

Finally, the introduction of a Community procedure would have a steadying effect in trade relations between the EEC and non-member countries, and it could prevent a non-member country from taking steps that would tend to restrict its trade with the EEC.

## II. Activities of the Community

### ASSOCIATION OF GREECE

1. The 9th session of the EEC-Greece Council of Association took place in Brussels on 28 July 1964 under the chairmanship of M. George Melas, the Greek Minister of Trade and head of the Greek delegation. The Community delegation was led by M. Rolf Lahr, State Secretary in the Federal German Ministry of Foreign Affairs and current President of the EEC Council. The EEC Commission was represented by M. Rey, Chairman of the External Relations Group.

This session was devoted to the problem of harmonizing the agricultural policies of the Community and Greece. For the first time the Council of Association was discussing at ministerial level the major questions of principle posed by such harmonization. Each party expounded its point of view in considerable detail; certain differences of opinion remain.

After a discussion on means of expediting the work of those organs of the Association which deal with the harmonization of agricultural policies, the Council decided to instruct the Committee of Association to examine in a constructive spirit all aspects of the common agricultural policy brought up by either party (i.e. the trading and economic systems, financial arrangements, institutional problems, etc.).

The Council of Association agreed to hold another meeting at ministerial level in November 1964 to study the findings of the Committee of Association.

### ASSOCIATION OF TURKEY

#### Third meeting of the Interim Committee

2. The EEC-Turkey Interim Committee held its third meeting on 24 July.

The Committee approved the joint replies given by the Community and Turkey to questions put by the GATT Contracting Parties with a view to examination by GATT of the Ankara Agreement.

It also approved the movement certificate for goods that will benefit under the provisions of Article 2 of Protocol No. 1.

The Committee then turned to problems connected with the implementation of the Agreement, both as regards financial assistance and as regards the application of Article 5 of Protocol No. 1 in the matter of trade in relation to the probable date of entry into force of the Agreement.

#### Ratification

3. On 22 and 31 July respectively, Belgium and the Netherlands deposited instruments of ratification with the Councils' Secretariat. There is now only one country (Italy) that has not yet completed ratification of the Agreement.

## EXTERNAL RELATIONS

### The Community and GATT

#### Trade negotiations

4. The Trade Negotiations Committee held two meetings in July.

The meeting of 2 July was devoted to an examination of reports presented by various sub-committees. The Trade Negotiations Committee adopted the reports of the Sub-Committee on Non-tariff Barriers and the Sub-Committee on the Participation of Less-developed Countries.

The report containing the recommendations of the Sub-Committee for the Tariff Negotiating Plan clarified for the benefit of the Trade Negotiations Committee various technical points arising in the negotiation procedure, particularly as regards the presentation of the items included in the lists of exceptions, participation in the procedures of justification and confrontation required for these lists, binding of the results of tariff negotiations, and the stages by which customs duties are to be reduced.

At its second meeting on 13 July, the TNC continued its examination of these points so as to prepare the ground for the necessary decisions; a general discussion was also held on the state of the negotiations in the agricultural sector, which it was agreed should be pursued more energetically.

At the beginning of August the Commission, acting on behalf of the Community, informed GATT, as arranged, of the reference date and tariff levels for the implementation of the rules relating to linear cuts agreed upon in the course of the negotiations.

#### Non-tariff barriers

5. The Study Groups set up by the Sub-Committee on Non-tariff Barriers have held a series of meetings of a technical nature in order to examine various measures which the Governments suggest should be included in the negotiations. These Groups, and the dates of their meetings, are as follows:

- i) Group on Customs Valuation Methods, 15 July;
- ii) Group on Administrative and Technical Regulations, 16 July;
- iii) Group on Government Procurement Policies, 17 July;
- iv) Internal Taxes Group, 20 July;
- v) Quantitative Restrictions Group, 21 July.

#### EEC Council discussions

6. At its session of 28-30 July, the Council discussed in detail the position reached in the multilateral trade negotiations in GATT and in particular those concerning agricultural products. It noted that its directives of December 1963 would enable the Commission's delegates to continue negotiations, and it agreed to take up this matter again at its next meeting.

During this discussion, the Council also raised the question of adopting "fictitious price" for cereals; it will go into this problem further at forthcoming meetings.

## GATT Council

7. The GATT Council met on 6 July. It set up two working parties to examine the EEC-Turkey Association Agreement and the Association Convention between the EEC and the African States and Madagascar. A representative of Canada (Mr. Sakellaro-Poulo) was appointed Chairman of the first working party and a representative of Switzerland (M. Weitnauer) Chairman of the second. These working parties will meet during the last quarter of 1964.

### Common commercial policy

#### Relations with state-trading countries

8. At its session of 28-30 July 1964, the Council decided to extend until the end of 1965 Regulation No 3/63 <sup>(1)</sup> concerning trade with state-trading countries in products falling under Council Regulations Nos. 19 (cereals), 20 (pigmeat), 21 (eggs), 22 (poultrymeat). The Council also decided to make this regulation applicable to products covered by the regulations concerning rice, beef and veal and milk products.

This regulation instituted import controls operating by a system of "indicative amounts" for imports from state-trading countries of the products falling under the above agricultural regulations. The regulation also provides for a Community procedure if imports of a given product should exceed by more than 20% the average of imports in 1960 and 1961 and if the market of one or more Member State is threatened with serious disturbance likely to jeopardize the attainment of the agricultural objectives of the Treaty.

#### Relations with Austria

9. At its sessions of 7 July and 28-30 July, the Council took note of the Commission's report on its exploratory talks with the Austrian mission to the Communities. Wishing to resolve the difficulties arising for Austria because of its special relationship with the EEC countries, having regard to its neutrality, the Council instructed the Committee of Permanent Representatives to draw up, with the assistance of the Commission's representatives, a proposal for a directive that would enable negotiations to be opened.

#### Relations with Nigeria

10. On 14 July 1964, in accordance with its instructions <sup>(2)</sup>, the EEC Commission opened negotiations with a Nigerian delegation led by M. Dipcharima, the Federal Minister of Trade and Industry. The Commission delegation was headed by M. Rochereau. Representatives of the Member States were present as observers.

These negotiations follow the exploratory talks between the Commission and a delegation from Nigeria which took place from 21 to 28 November 1963.

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<sup>(1)</sup> See official gazette of the European Communities, No. 14, 29 January 1963.

<sup>(2)</sup> See Bulletin 7-64, Chap. III, sec. 7.

The Nigerian mission to the Communities had told the Commission, by a *note verbale* of 23 December 1963, that its Government would like to open negotiations with a view to an agreement between Nigeria and the Community on the basis of the second formula of the declaration of intention adopted by the Member State at Yaoundé <sup>(1)</sup>.

The first phase of the negotiations ended on 17 July 1964; they will be resumed in October.

## Relations with international organizations

### Organization for Economic Co-operation and Development (OECD)

11. In July OECD made its first detailed study of the results of the World Conference on Trade and Development. The Member States of OECD unanimously called for closer co-ordination of policy towards the developing countries. Several committees of OECD are endeavouring to harmonize points of view or even to work out a common attitude for the industrialized countries towards the developing countries. In particular, the Development Assistance Committee will make a special study of the problems of financial assistance raised at Geneva: the problems of financing clearing operations, the developing countries' alleged "deficit on the general balance of payments", and standards for adapting financial assistance to the growth potential of these countries.

In the middle of July OECD's Economic Policy Committee held a two-day session on commercial policy at which the Commission was represented. Without yet being in a position to make decisions of substance, all the countries agreed to aim at a thorough-going co-ordination of their position for the forthcoming discussions on commercial policy at the United Nations. Such co-ordination is all the more necessary because the developing countries now expect the industrialized countries to have a common approach. The real work of co-ordination will begin in September and will continue without interruption.

The Economic Policy Committee also discussed anti-dumping measures; in conjunction with the work being done simultaneously by GATT in the Kennedy round negotiations, it will try to bring about an international agreement on dumping practices.

Finally, it examined the consequences of government procurement policy in the United States.

The Economic and Development Review Committee examined the situation in Turkey and in France.

As regards the labour market, the OECD Council, after close study, made a recommendation to the Member States that they review their labour market policy and inform OECD of action taken. The Commission took part in all these studies.

### Western European Union (WEU)

12. The Council of Ministers of Western European Union met in Paris on 16 and 17 July under the chairmanship of M. Couve de Murville.

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<sup>(1)</sup> See official gazette of the European Communities, No. 181, 11 December 1963.

As at previous meetings, the Commission participated in the discussions on economic problems.

The ministers dealt with the following questions:

Relations between the EEC and the United Kingdom;

The results of the World Conference on Trade and Development;

Tariff negotiations in GATT (Kennedy round);

Development of the situation in EFTA.

The next meeting of the WEU Council of Ministers will take place in Bonn in November.

## United Nations Economic and Social Council

13. A representative of the Commission was present at the 37th session of the Economic and Social Council held in Geneva from 13 July to 15 August 1964. During this session the Council took note with satisfaction of the Final Act and the Report of the United Nations Conference on Trade and Development. It transmitted these to the General Assembly, proposing that in accordance with the Final Act the Governments should consider taking new steps to implement the Conference's recommendations in the sectors of their national and international programmes.

## Commodities

14. *International Coffee Council*: Representatives of the Commission were present as observed at the meeting of the International Coffee Council held in London from 28 July to 7 August 1964. On the essential problem of producer countries' export quotas, the Conference reached agreement on an export quota of 47.5 million sacks for the marketing year 1964-65. By a procedure already established, this can be increased by up to 1 million sacks.

The Council also adopted a sales promotion programme under which in the year 1964-65 producer Member States will pay a fixed amount on the basis of US \$0.15 per sack for the quotas of coffee exported. This will provide the sales promotion programme with a budget of approximately US \$5.3 million for the following year. Mexico and the countries of the Afro-Malagasy Coffee Organization had asked to be excepted from this provision with a view to obtaining an increase in export quotas, but this request was not granted.

## Missions of associated countries to the Community (July and August 1964)

15. The European Economic Community took note of the appointment of His Excellency M. Marcel Sandoungout as representative of the Republic of Gabon to the Community.

## Missions of non-member countries to the Community (July and August 1964)

16. On 23 July 1964 M. Olavi Murto, Ambassador and head of the Finnish mission to the Community, handed his letters of credence to M. Hallstein.

The European Economic Community gave its *agrément* to the appointment of His Excellency M. Jean-Claude Kernisan as the new head of the Haiti mission to the Community, of His Excellency M. Albano Nogueira as the new head of the Portuguese mission to the Community and of His Excellency M. Vincente I. Singian as head of the Philippine mission.

## ECONOMIC AND FINANCIAL AFFAIRS

### Short-term economic policy

Attention taken by Member States on the Council recommendation of 15 April 1964 for the restoration of the Community's internal and external balance

17. The Commission submitted to the Council an interim report concerning the action taken by Member States on the Council recommendation of 15 April 1964 <sup>(1)</sup> calling upon them to take the necessary steps to restore the Community's internal and external balance.

The report <sup>(2)</sup> was presented by M. Marjolin; he gave a preliminary list of the steps taken and some details of short-term economic developments especially as they appeared in the light of the stabilization measures taken.

M. Marjolin said that Governments had in fact given priority to the aim of economic stability over the other aims of economic policy, as had been recommended by the Council.

On the other hand, in most of the Member States the increase in public expenditure in 1964 would no doubt considerably exceed the rate of 5% considered desirable by the Council. It also seemed probable that in the majority of Member States the Council's recommendations on budgetary policy had not all been observed. However, as regards 1965, the Governments of most Member States had expressed the intention of not increasing their public expenditure by more than 5%.

Credit policy had generally been in line with the Council's recommendation, at least as regards restrictions imposed by the monetary authorities, but these had not always been observed by the parties concerned.

Little progress had been made in the field of incomes policy; nevertheless the recent economic trend had certain favourable aspects due to the policy of stabilization. There had been a more balanced development of trade both within the Community and non-member countries. The upward trend of prices had been somewhat less marked. On the other hand, unit costs of production had continued to rise appreciably in almost all the EEC countries; this M. Marjolin regarded as the black spot in his survey of the effects of the stabilization policy.

<sup>(1)</sup> See Bulletin No. 6-64, Chap. II, sec. 17.

<sup>(2)</sup> See supplement to this Bulletin.

The Council noted that the action begun within the Community was beginning to bear fruit; it stressed the need to continue the fight against inflation and confirmed its resolve to press for implementation of the recommendation. The discussion revealed that the Commission's concern regarding the level of production costs and an incomes policy were widely shared by the Council.

On the latter problem, the Council asked the Commission to intensify its efforts, and considered that in the final debate on the steps taken to implement the recommendation, which is to take place on 9 and 10 November 1964, it would be desirable to include a special section on incomes policy; the Ministers of Social Affairs would be invited to this debate.

The Council proposed to resume its examination of these problems at its session 9 - 10 November 1964, on the basis of the final report presented by the Commission.

### Short-term Economic Policy Committee

18. The Short-term Economic Policy Committee met in Paris on 17 July 1964 with M. Pérouse in the chair. It discussed the draft interim report on action taken by Member States to implement the Council's recommendation of 15 April 1964, which the Commission had referred to the Committee, in accordance with point 14 of that recommendation. The Committee approved in general the conclusions of the report, adding certain comments for consideration by the Commission in the final drafting. The report was subsequently transmitted to the Council for discussion at its session on 30 July 1964.

### Meeting of "business survey" experts

19. On the invitation of the Directorate-General for Economic and Financial Affairs, the group of experts on business surveys met in Brussels on 6 July 1964 to discuss current problems relating to the monthly business survey and the annual survey on investments. The group noted the progress that had been made since the survey was initiated among heads of firms in the Community. It also continued its study of ways and means of improving this method for the diagnosis and forecasting of short-term economic developments.

### Credit insurance policy

20. The Group for the co-ordination of policy on credit insurance, guarantees and financial credits held its 21st meeting on 1 July.

It reviewed the conclusions reached by the Sub-Group appointed to study the technical and financial aspects of the future role of the European Investment Bank in joint operations. These conclusions will be submitted to the Committee of Permanent Representatives which will study the political and institutional aspects of the problem.

The Group reached a satisfactory solution in the matter of sub-contracts for supplies, which had been under discussion for several months. In particular, agreement was reached on the financing of such contracts, the Member States having confirmed that there would be no discrimination in financing where supplies came from EEC countries.

## Energy problems

### Group of petroleum experts

21. The experts on petroleum problems met on 1 and 2 July. They finalized the report which they had prepared for the senior national officials responsible for the petroleum and natural gas sectors on questions arising from the new supplies of natural gas available to the Community <sup>(1)</sup>.

In addition they transmitted to the senior officials their annual reports on investment programmes in the petroleum industry within the Community and on imports from non-member countries of crude oil and petroleum products.

### Meeting of senior officials of the six Member States responsible for the petroleum and natural gas sectors

22. At their meeting on 27 July 1964 the senior officials studied the first report prepared by Commission staff on questions arising from the new supplies of natural gas available to the Community. They instructed the experts to make studies of the problems facing the Community and to suggest possible solutions.

They decided to exchange information annually on investment in means of transport for natural gas, and to undertake an inquiry into regulations applicable to the natural gas industry.

Two working parties of national experts were set up to study rules relating to the transport of gas by pipeline. The first working party will examine the technical aspects and safety regulations, and the second the economic problems.

In the matter of petroleum, the senior officials approved the annual reports submitted by the experts concerning the petroleum industry's investment programmes and on imports from non-member countries of crude oil and petroleum products. They agreed that these reports should be published by the Commission in the near future. They also held a preliminary discussion on the long-term security of petroleum supplies. This discussion will be continued at the next meeting.

### Economic impact of energy costs

23. At its meeting of 9 and 10 July, the panel of independent experts studying the economic significance of fuel prices made a preliminary study of the items to be included in a general report <sup>(2)</sup>. A co-ordinated document will be discussed at a meeting in the autumn.

### Committee of Governors of Central Banks in the Member States

24. The Committee of Governors of Central Banks in the Member States, set up by the Council's decision of 15 April 1964 <sup>(3)</sup> for the purpose of improving co-operation between the Six in monetary matters, held its inaugural meeting in Basel on 6 July, as arranged. The EEC Commission was represented by M. Marjolin, Vice-President.

<sup>(1)</sup> See Bulletin 7-64, sec. 19.

<sup>(2)</sup> See Bulletins 8-63, Chap. III, sec. 20; 12-63, Chap. III, sec. 16; 7-64, Chap. III, sec. 20.

<sup>(3)</sup> See Bulletin 6-64, Chap. II, sec. 19, and official gazette of the European Communities No. 77, 21 May 1964.

## Regional policy

### Reports of the working parties on problems of regional development in the EEC

25. The three working parties created by the Conference on Regional Economies (1) presented their reports as follows:

Working Party No. 1, Chairman: M. Langer, State Secretary at the Ministry of Economics (Federal Republic of Germany); report on methods and objectives of regional policy;

Working Party No. 2, Chairman: M. Persoons, Chairman of SOCOREC company (Belgium); report on the adaptation of declining industrial areas;

Working Party No. 3, Chairman: M. Bloch-Laine, Director-General of the Caisse des Dépôts et Consignations (France): report on instruments of regional policy in the Member States.

A summary of these reports will appear in the next Bulletin.

## Finance Ministers

26. The 19th meeting of the Finance Ministers of the Member States of the Commission took place in Amsterdam on 21 and 22 July 1964. The Commission was represented by M. Marjolin and M. von der Groeben.

The ministers discussed the economic situation within the Community and preparations for the annual assembly of the International Monetary Fund (Tokyo, September).

## INTERNAL MARKET

### Right of establishment and freedom to supply services

#### Three directives concerning industry and crafts

27. On 7 July 1964 the Council issued three directives proposed by the Commission (2). The first two cover large sectors of the manufacturing and craft industries, and the third self-employed activities in mining and quarrying. Member States must take steps to comply with the directives within six months of being notified of them and must inform the Commission forthwith of the measures they have adopted.

28. The first directive requires Member States to abolish restrictions which:

- a) Prevent the persons concerned from setting up in business in the host country or from supplying services there on the same terms and with the same rights as its nationals, or
- b) Result from any administrative practice whose effect is to discriminate between foreigners and nationals of the country concerned.

(1) December 1961.

(2) See official gazette No. 117, 23 July 1964 and Bulletin 6-63, Chap. III, sec. 15.

These measures will affect the following manufacturing industries within the European Community (classified as in the Nomenclature of Industries in the European Communities): textiles, footwear; other wearing apparel and bedding; wood and cork; paper and paper products; printing; publishing and allied industries; leather; rubber, plastics, man-made fibres and starch products; chemicals; petroleum products; non-metallic mineral products; ferrous and non-ferrous metals (manufacture and initial processing); metal products (except machinery and transport equipment); non-electrical machinery; electrical machinery, apparatus, appliances and supplies; transport equipment; miscellaneous manufacturing industries, and construction.

The Member States are to see that all beneficiaries of this directive are entitled to join professional and trade organizations on the same terms and with the same rights and duties as their own nationals.

The right of membership is to carry with it, in the case of establishment, the right to be elected or appointed to executive positions in the professional or trade organization. However, these positions may be reserved to nationals where the organization concerned participates, by virtue of some legislative or administrative provision, in the exercise of public authority <sup>(1)</sup>.

In Luxembourg, membership of the Chamber of Commerce or of the Chamber of Trade (*Chambre des Métiers*) does not imply the right to participate in the election of their administrative bodies.

Where the host Member State requires from its own nationals seeking permission to engage in any of these activities proof of good character and/or proof that they have never been declared bankrupt, that State must accept as sufficient proof from nationals of other Member States the submission of a certificate based on police record or, in the absence of that, of a similar document issued by the legal or administrative authorities in the home country attesting that these requirements are satisfied.

Where the home country does not issue a certificate stating that the person concerned has never been declared bankrupt, he may instead make an affidavit before some legal or administrative authority, a notary or the appropriate professional body in his home country.

Where the host Member State requires proof of financial standing, it must accept statements issued by the banks of the home country as equivalent to those issued by its own banks.

29. The second directive lays down transitional measures for the realization of freedom of establishment and freedom to supply services in craft industries.

Where a Member State makes the pursuit of a craft in the above industries subject to the possession of general, commercial or professional knowledge or skill, it must accept as sufficient proof of qualification the fact that the person concerned has actually been engaged in such work in another Member State;

- a) On his own account or in a managerial capacity for six consecutive years;
- b) On his own account or in a managerial capacity for three consecutive years, provided the beneficiary can prove that he has been trained for at least three years in the profession or occupation in question and can produce a certificate to this effect recognized by the State or by a competent professional organization;

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<sup>(1)</sup> This latter provision also appears in the proposals for directives submitted to the Council in July concerning real estate and the press (see below, sec. 31-32).

c) On his own account for three consecutive years, provided the beneficiary can prove that he has been in paid employment in the branch in question for five years at least;

d) In a managerial capacity for five consecutive years — at least three of them in a technical capacity with responsibility for at least one department in the business — provided he can prove that he has been trained for at least three years in the profession in question and can produce a certificate to this effect recognized by the State or a competent professional organization.

For the implementation of the above provisions, Member States which restrict pursuit of these crafts to persons possessing general commercial or professional knowledge or skill must, with the aid of the Commission, inform the other Member States of the main features of the work concerned (job description).

The authority designated for this purpose by the country of origin shall state what professional activity has actually been pursued by the person concerned and for how long. This statement is to be based on the job description supplied by the Member State in which the beneficiary wishes to carry on this activity either permanently or temporarily.

At the request of the person concerned, the host Member State shall give permission to carry on the activity in question where it corresponds in all essential points to the job description mentioned above and where any other conditions laid down in the regulations are fulfilled.

The directive lays down that, if any serious difficulties result from the application of the Council directive in Luxembourg, that Government may be authorized by the Commission — for a period and on conditions to be determined by the Commission — to suspend the application of the directive to one or more given activities.

Furthermore, where in a Member State engagement in any of these activities is not subject to the possession of general, commercial or professional knowledge or skill this State may, where the application of the Council directive has given rise to serious difficulties, ask the Commission for authorizations — for a limited period and for one or more specified occupations — to require nationals of other Member States wishing to engage in these occupations on its territory to produce evidence that they are qualified to pursue them in their home country.

The transitional measures provided for in this directive will remain in force until provisions have been enacted for the co-ordination of national regulations governing the pursuit of these activities.

30. The third directive relates to the extraction of minerals, solid, liquid or gaseous. This includes the exploitation of underground and opencast mines, quarries and oil wells, and all other operations necessary for dressing and beneficiating ores and other crude minerals, such as breaking, milling, washing, cleaning and grading, provided these are carried out by an enterprise whose main activity is mining or quarrying. These activities also include prospecting for minerals and preparing sites for mining, quarrying or drilling operations.

The directive also covers the sales activities of manufacturers who market their own products, either wholesale or retail. However, where self-employed activities in this field are not liberalized under other directives, these activities are restricted to sales in a single establishment in the producing country.

In accordance with the General Programmes, the directive does not apply to prospecting or drilling for oil and natural gas unless this is done by the holder of the concession.

Member States are required to remove restrictions which:

- a) Prevent the persons concerned from setting up in business in the host country or from supplying services there on the same terms and with the same rights as its nationals;
- b) Result from any administrative practice whose effect is to discriminate between foreigners and nationals of the country concerned;
- c) Exclude the persons concerned, by reason of regulations or practices, from the acquisition of concessions or licences and thereby subject them to limitations or to conditions applying to them alone;
- d) Exclude the persons concerned from holding office in professional or trade organizations.

The provisions concerning the requirement by the host Member State of proof of good character or of certificates stating that the persons concerned have never been declared bankrupt are the same as for the first directive.

#### Proposal for a directive on dealings in real estate and business services

31. On 24 July 1964 the Commission submitted to the Council a proposal for a directive concerning the introduction of freedom of establishment and freedom to supply services in a self-employed capacity in:

- a) Dealings in real estate (Group 640 ISIC) and
- b) Business services (Group 839 ISIC) <sup>(1)</sup>.

As regards dealings in real estate, the provisions of the directive will apply to self-employed persons engaged in the following activities; all dealings in real estate on the part of persons or companies who derive income from the ownership, possession, purchase, sale, lease or administration of real estate whether developed or undeveloped, and in particular from premises used industrially, commercially or for business and professional purposes or as dwellings, or from rights in such property, or from intermediary activities in dealings relating to these properties or rights.

As regards business services not elsewhere classified, the provisions of the present directive apply to the following branches: employment agencies, detective agencies and security services, advertising agencies and services, the organization of commercial events (fairs, exhibitions), services incidental to office work, consultant services for economic, financial and commercial questions, literary and artistic professions, valuers and interpreters.

The provisions do not apply to activities which are the subject of other directives concerning activities closely connected with dealings in real estate or business services; these are, for example, in the field of real estate, the activities of architects and financial institutions, farming, the hotel and catering trade or travel agencies, and, in the field of business services, the activities of banks, insurance companies, legal advisers, tax consultants or the press.

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(1) See supplement to this Bulletin.

Also excluded from the field of application of the directive are the activities of those who in each State exercise some aspect of public authority. This applies to labour exchanges, the organization of trade fairs and markets where this is reserved for public authorities, country watchmen and forest keepers. The directive requires Member States to abolish restrictions which:

- a) Prevent the persons concerned from setting up in business in the host country or from supplying services there on the same terms and with the same rights as its nationals;
- b) Result from any administrative practice whose effect is to discriminate between foreigners and nationals of the country concerned.

Among the restrictions to be removed are, for example, the requirement of a "professional card" or foreign trader's identity card, or the need to possess the nationality of the country in which one pursues one's activity.

The directive also provides that Member States shall ensure that the beneficiaries of the directive may join professional or trade organizations on the same terms and with the same rights and duties as nationals of the country concerned.

#### Proposal for a directive on activities connected with the press

32. On 6 July 1964 the Commission submitted to the Council a proposal for a directive <sup>(1)</sup> on procedure for introducing freedom of establishment and freedom to supply services in activities connected with the press. Member States must take the necessary steps to comply with this directive within six months of the date of its notification.

The provisions of the directive apply to self-employment: as free-lance journalist, as free-lance press photographer, in a news-gathering and reporting agency, as publisher of a newspaper or other periodical, or as a newspaper distributor.

The Member States are required to remove restrictions which:

- a) Prevent the persons concerned from setting up in business in the host country or from supplying services there on the same terms and with the same rights as its nationals;
- b) Result from any administrative practice whose effect is to discriminate between foreigners and nationals of the country concerned;
- c) Hamper the activities of companies because of the nationality of their members, the members of their managements or boards of directors, or their shareholders.

Where a Member State restricts the pursuit of any of the above activities to the holders of certain general or professional qualifications, that Member State shall accept as sufficient qualification proof that the person has lawfully pursued the activity in question, on his own account or in a managerial capacity, in another Member State for at least two years.

Where a Member State requires its nationals to be members of a professional association before they can engage in any of the activities referred to above, it must ensure that

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<sup>(1)</sup> See supplement to Bulletin 8-64.

the beneficiaries of this directive are entitled, should they wish to set up in that State, to join such professional associations with the same rights and duties as its own nationals.

The right of membership must include the right to be elected or appointed to executive positions in the association. However, such positions may be reserved to nationals where the association concerned participates, by virtue of some legislative or administrative provision, in the exercise of public authority.

Where a Member State requires its nationals to produce evidence of good character or professional integrity or a statement of their financial position before they can take up one of the above professions it must, in the case of nationals of another Member State, accept as sufficient proof the equivalent document required by that State.

## Customs matters

### Tariff quotas

33. On 2 July 1964 <sup>(1)</sup>, the Commission, acting under Protocol No. XV annexed to the List G Agreement, granted the following tariff quotas for imports from non-member countries for the period 1 July 1964 to 31 December 1964:

Tariff heading	Product	Country	Quantity in m.t.	Quota duty
78.01 A	Unwrought lead	Germany (FR)	27 000	nil
78.01 A	Unwrought lead (including 2 000 m.t. of unwrought "work lead" containing at least 0.03% by weight of silver, for refining)	Belgium	5 000	nil
78.01 A	Unwrought lead	Netherlands	11 500	nil
ex 79.01 A	Unwrought zinc containing at least 99.995% by weight of zinc	Germany (FR)	20 000	nil
79.01 A	Zinc spelter; unwrought zinc	Netherlands	5 000	nil

34. On 6 July 1964 <sup>(2)</sup>, the Commission granted to the Federal Republic of Germany, under Article 25(3) of the Treaty, a tariff quota of 10 500 m.t. for imports from non-member countries of the undermentioned fish for internal consumption, at the duties indicated:

Tariff heading	Product	Quota duty
ex 03.01 B I c	Cod, coalfish (pollack), haddock, Norwegian rosefish, fresh, chilled or frozen	nil
ex 03.01 B I c	Black halibut, fresh, chilled or frozen	2.2%

This quota is valid for the period 1 August to 31 December 1964.

<sup>(1)</sup> See official gazette of the European Communities, No. 123, 30 July 1964.

<sup>(2)</sup> *ibid.*, No. 125, 4 August 1964.

35. On 7 July 1964 <sup>(1)</sup>, the Commission, acting under Article 25(3) and (4) of the Treaty, increased from 25 000 to 37 500 m.t. the tariff quota granted to Italy for 1964 for imports from non-member countries of tunny, fresh, chilled or frozen, for the fish-canning industry (see CCT heading ex 03.01 B I b).

36. On 28 July 1964 <sup>(2)</sup>, the Commission, acting under Article 25(3) of the Treaty, granted Italy a tariff quota at a duty of 1.8% for imports from non-member countries, for raising on its own territory, of 3 000 head of Schwyz, Simmental and Fribourg bulls, cows and heifers other than for slaughter (see CCT heading ex 01.02 A II).

Under the terms of the quota animals of the above breed must also satisfy the following conditions:

- i) bulls: pedigree certificate;
- ii) cows: pedigree certificate or certificate of registration in the herd-book attesting purity of breeding.

This quota is valid until 31 December 1964.

37. On 29 July 1964 <sup>(3)</sup>, the Commission, acting under Protocol No. XI annexed to the List G Agreement, increased

- i) from 3 000 to 5 600 m.t., and
- ii) from 250 to 430 m.t.

the tariff quotas granted to B.L.E.U. for imports from non-member countries of

- i) ferro-chromium (tariff heading 73.02 E I) and
- ii) ferro-molybdenum (tariff heading ex 73.02 H).

## Customs legislation

### Teaching aids

38. On 29 June 1964 the Commission addressed to the Member States a recommendation to facilitate exchanges in teaching aids within the Community <sup>(4)</sup>. Under the terms of this recommendation, teaching aids temporarily imported from one Member State to another to be used for educational purposes by public or private establishments approved by the customs authorities should benefit from customs arrangements for temporary admission. They are to be admitted free of all duties and taxes normally applicable and without the customs deposit usually required in such cases.

The time allowed before the goods imported must be re-exported will vary according to the needs of the establishment receiving them. The teaching aids to which this recommendation applies are the following:

- i) films, film strips, micro-films, slides;
- ii) wall pictures, scale models, diagrams, maps, plans and drawings, recordings;

<sup>(1)</sup> See official gazette of the European Communities, No. 123, 30 July 1964.

<sup>(2)</sup> *ibid.*, No. 136, 26 August 1964.

<sup>(3)</sup> *ibid.*, No. 112, 14 July 1964.

<sup>(4)</sup> *ibid.*, No., 123, 30 July 1964.

- iii) instruments, apparatus and models for demonstration purposes;
- iv) scientific instruments and apparatus of all kinds.

#### Application of Article 26 of the Treaty to manufactured tobacco (Benelux)

39. On 2 July 1964 the Commission authorized the Benelux countries to postpone raising their customs duties on manufactured tobacco towards those of the CCT. This decision, like previous decisions on the matter, was motivated by the special difficulties arising for the three Member States concerned as a result of their taxation system, whereby the total impost on manufactured tobacco is greatly increased when customs duties are raised. This derogation must end as soon as the harmonization of internal taxation, at present under consideration, is sufficiently far advanced.

#### Application of Article 226 of the Treaty to lead and zinc

40. On 8 August 1964 the Commission amended its decision of 20 December 1963 authorizing Italy to take safeguard measures, under Article 226 of the Treaty, for unwrought lead and zinc. It decided that Italy must henceforth impose on imports of lead waste and scrap from France a minimum duty of Lit. 22 per kg. This measure is intended to remedy the difficulties at present experienced by the French lead refining industry owing to heavy exports to Italy of this waste and scrap.

## COMPETITION

### Enforcement of rules governing competition

#### Proceedings in respect of agreements: present situation

41. At 31 March 1964 <sup>(1)</sup>, the Commission had taken action in 39 instances covering 137 individual cases.

In the last four months action has been taken in 17 further instances, covering altogether 42 individual cases (3 complaints and 39 notifications or applications for negative clearance). In eight instances the proceedings have to do with licensing agreements.

In five instances procedure has already been concluded; in three, the Commission granted negative clearance, in one the application for negative clearance was withdrawn, and in the other the agreement was terminated.

The breakdown, by branch of industry, of action so far taken in respect of agreements is as follows:

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<sup>(1)</sup> See Bulletin 6-64, Chap. II, sec. 27.

Branch of industry	Action taken (Collective or individual cases)		Individual cases covered			
	a) At 31.3.64 b) Procedure initiated since 31.3.64 c) Procedure concluded since 31.3.64	Procedure in progress at 31.8.64 (a + b - c)	Total	Notifications and applications	Complaints	Cases taken up ex officio
Chemical and pharmaceutical products	6 2 2 (1) (2)	6	11	10	1	—
Fertilizers	3 3 —	6	31	20	11	—
Plastics and rubber	2 1 1 (3)	2	5	5	—	—
Electronic equipment	4 1 —	5	25	20	4	1
Precision instruments and optics	4 1 1 (4)	4	13	9	4	—
Domestic appliances other than electrical	— 1 —	1	1	1	—	—
Motor vehicles	2 1 1 (5)	2	2	2	—	—
Machine tools and other machines	— 1 —	1	1	1	—	—
Tools and mechanical accessories	— 1 —	1	1	1	—	—

Building materials	2 1 —	3	13	13	—	—
Beverages	1 1 —	2	11	5	6	—
Textiles	2 1 —	3	4	2	2	—
Services	4 — —	4	15	14	1	—
Commerce	2 — —	2	17	17	—	—
Leather goods, shoes	1 — —	1	1	1	—	—
Paper, cardboard, graphic arts	4 1 —	5	11	10	1	—
Furniture, toys	— 1 —	1	1	1	—	—
Construction	2 — —	2	7	7	—	—
Total	39 (+) 17 (-) 5	51	170	139	30	1

(1) « Nicholas-Vitapro » — Decision in respect of application for negative clearance, official gazette of the European Communities, No 136, 26 August 1964 (see sec. 42 of this Bulletin).

(2) Agreement terminated.

(3) « Grosfillex-Fillistorf » — Decision on application for negative clearance, official gazette of the European Communities, No 58, 9 April 1964 (see Bulletin 6-64, Ch. II, sec. 28).

(4) Application withdrawn.

(5) « Bendix-Maertens and Straet » — Decision on application for negative clearance, official gazette of the European Communities, No 92, 10 June 1964 (see Bulletin 7-64, Ch. III, sec. 32).

## Decision under Article 2 of Regulation No. 17

42. The Commission of the EEC has issued negative clearance in respect of an exclusive dealing agreement between the French company Nicholas Frères, S.A. and the English company Vitapro Ltd. <sup>(1)</sup>. By this agreement Nicholas sold to Vitapro the part lying outside the Common Market of the Vitapointe concern manufacturing hairdressing products that it had acquired. Nicholas retained, however, for its own account, the assets of Vitapointe situated within the territory of the Common Market. The contract prohibits the buyers, Vitapro, from manufacturing or selling within the Common Market products bearing trade marks acquired as a result of the contract, and for the first five years other hairdressing products.

The Commission was able to grant negative clearance because, according to its information, the clauses of the contract having a bearing on the terms of competition in the Common Market gave it no grounds for action against the contract by virtue of the prohibition of cartels contained in Article 85 of the EEC Treaty. The obligation imposed on the English company not to make use, or allow the use, within the Common Market of the trade marks it has acquired merely prevents the products manufactured, after the division of the former Vitapointe concern, both by Nicholas and by Vitapro from being sold under the same trade marks within the territory of the Common Market, but does not split up the Common Market itself into different markets. The wider obligation on the English company not to put any hairdressing products of its own manufacture on the market in the Member States for the first five years will lapse as early as January 1966 and, moreover, does not affect purchased products and products manufactured under licence.

### State aids

#### General aid systems

43. The French Government has notified the Commission of the introduction of new arrangements for the granting to firms of certain tax reliefs designed to promote the expansion of business and internal structural improvements. At the same time the French Government has notified a draft decree concerning special aids to the decentralization of industries in the Paris area.

After close scrutiny, the Commission raised no objections to the measures in question, since their object is, on the one hand, to improve the procedure by which existing aids are granted, not changing their extent, and, on the other, to supplement the concessions already accorded to the Paris area in order to bring them into line with the new aid system introducing grants for industrial development and conversion.

#### Aids to certain sectors

44. *The German film industry:* On 9 June 1964, in accordance with Article 93(3) of the Treaty of Rome, the Federal Republic of Germany notified the Commission of a parliamentary Bill to introduce a system of aid to the German film industry. The Bill provides for a tax on cinema tickets at 5% of the price. The proceeds will

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<sup>(1)</sup> See official gazette of the European Communities, No. 136, 26 August 1964.

be used to assist feature films by a basic grant of DM 100 000 per film and additional grants, depending on the funds available, allotted to films in proportion to their box-takings. In addition, aid is to be provided for shorts and children's films, and for advertising German films abroad. As this will be an outline law, the Federal Republic will at a later date issue the necessary implementing regulations.

In order to help the Commission form its opinion, the Bill was discussed with Government experts of the Member States on 9 July 1964.

## Approximation of legislation

### Contracts for public works

45. On 28 July the Commission submitted to the Council of Ministers a proposal for the co-ordination of procedure in the award of public works contracts <sup>(1)</sup> in pursuance of Article 100 of the Treaty. Under this Article the Council, acting by unanimous vote on a proposal of the Commission, is to issue directives for the approximation of any legislative and administrative provisions of the Member States which directly affect the establishment or functioning of the Common Market.

The draft of the directive was put before the Council on 16 March 1964. The purpose of the new directive, as of the earlier one, is to liberalize public works contracts.

One class of restrictions at present in force consists of laws, regulations and administrative practices in the Member States which wholly or partly exclude persons in other Member States from tendering for or executing such contracts. The first directive proposed by the Commission is aimed at abolishing these provisions and practices.

The second type of restriction results from differences between the procedures for the award of public works contracts in the various Member States. Hence, in accordance with the General Programmes for the removal of restrictions on freedom of establishment and freedom to supply services, the second proposed directive lays down co-ordination measures intended to ensure that calls for tenders in this field are given publicity in all Community countries, that there shall be no discrimination in technical specifications, and that objective criteria shall be applied in judging the capacities of the persons tendering and the acceptability of their tenders.

The two directives are closely connected. "Public works contracts" therefore has the same meaning in both. But they differ in so far as public works contracts awarded by railways do not come within the scope of the second directive. In some member countries the railways are operated by private enterprise, in others by the State, and co-ordination of the provisions for award of contracts by railways is therefore to be the subject of a separate directive.

The present directive provides for the abolition of all discrimination in technical specifications. Such discrimination covers any technical requirement that has the effect of penalizing or excluding firms in other Member States that wish to compete for contracts. Further discriminatory measures include specifications indicating particular patents, types, categories, models or processes when such indication is not justified by the nature of the project concerned. The directive does not, however, cover discriminatory specifications for building materials in the general annexes to the contract. Prohibition of such specifications will be provided for in another directive, based on Article 33(7) of the Treaty.

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(1) See supplement to this Bulletin.

The directive lays down that a notice of public works contracts must be published in the official gazette of the European Communities. The notice must give all essential data. This will ensure that participants know in advance the exact grounds on which their tender may be accepted or rejected. The proposed rules for publication will at first apply to contracts worth more than 1 000 000 units of account. With effect from 1 January 1966 they will apply to contracts for more than 600 000 u.a., and from 1 January 1968 to contracts for more than 300 000 u.a.

All other provisions, in particular those introducing objective criteria for judging the capacities of the individuals tendering and the acceptability of their tenders, apply to contracts with a value of more than 60 000 u.a. The draft includes a list of possible exceptions in which contracts may be awarded without compliance with the terms of the directive.

Finally, arrangements are made for setting up an expert committee of officials from the Member States to advise the Commission on questions which arise as the directive is implemented.

46. The third session of the Working Party on the Approximation of Legislation on Public Supply Contracts was held in Brussels on 25 and 26 May last. The provisions for publicizing supply contracts were again discussed, the main point being the time-limit that should be allowed to the authorities awarding the contract. The idea was considered of publicizing contracts exceeding a certain value individually, and others below this limit at yearly or half-yearly intervals.

At the fourth session, which took place in Brussels on 6-7 July, the Working Party agreed on certain limits of value for the application of the rules on supply contracts (30 000 units of account for the common rules, excluding the stipulations concerning publication; for the latter, 125 000 units of account in 1966 and 1967, and 60 000 units of account from 1968).

The Working Party also agreed on cases where contracts may be awarded freely: when tenders are not forthcoming; when only one firm manufactures the product; on grounds of technical necessity; for works of art; in the case of contracts for surveys or research; in cases of urgency; when secrecy must be observed; for supplies delivered by a sub-contractor.

## SOCIAL AFFAIRS

### Survey of social developments in the Community in 1963

47. On 14 August the Commission transmitted to the European Parliament its seventh "Survey of social developments in the Community", which supplements its Seventh General Report on the Activities of the Community. The survey reviews developments in the course of 1963 in the following field: total population and working population, business trends, vocational training, social security, industrial health and safety, low-cost housing, family questions and social services.

The introduction is published in the editorial section of the present Bulletin and a brief account of the contents of the survey is given in the following pages.

*Total population and working population:* The population of the Community (excluding West Berlin) at 1 January 1964 was 177.3 million, an increase of 2 million on 1 January 1963. About 2/3 of this represented natural increase and 1/3 was accounted for by net immigration from non-member countries, which continued to

be substantial. The working population, estimated as an average over the year, rose to 72.8 million, an increase of 0.5 million on 1962. Expressed as a percentage of the total, it again declined somewhat to only 41%. A very large part of the increase in the working population was due to the immigration of workers from non-member countries.

*Employment:* The number of persons in employment in the Community, estimated as an average over the year, rose from 71.2 million (corrected figures) in 1962 to 71.7 million in 1963, an increase of 0.5 million or 0.7%. Thus the growth-rate of employment has in general continued to slacken.

Employment trends again differed widely according to sector. The numbers employed in agriculture continued to decrease, even more rapidly than in 1962, with a fall of over 650 000 for the Community as a whole. In the other sectors, where employment thus rose by 1 150 000, growth was unequal.

The near-stability of the unemployment level in relation to the previous year shows that, apart from Italy, a situation of maximum employment has been reached more or less everywhere. Indeed, in the greater part of the Community the demand for labour exceeded supply in almost all branches.

*Wages and working hours:* In 1963 the upward movement of wages in the majority of Member States was again faster than in the previous year. The only exceptions to this general trend were the Federal Republic of Germany and the Netherlands. In all Community countries steep wage increases meant that the gross income of wage-earners formed a larger part of the national income.

In 1963 minimum wages secured by collective agreement in Germany, Belgium and the Netherlands increased by an average of some 6 to 7%. In Italy negotiated wages were raised by an average of 15% between the end of 1962 and the end of 1963.

The movement of negotiated wages was outpaced in all Member States by that of actual earnings, largely owing to the tightness of the labour market. In 1963 by far the largest increase in hourly earnings (18%) was in Italy, where this had already been the case the previous year. The least advance was in the Federal Republic of Germany, where in the preceding years there had been particularly large wage increases.

The cost of living in most Member States rose more steeply in 1963 than in 1962. Taken as an average over the year, the cost-of-living index went up by 2.1% in Belgium, 2.9% in Luxembourg, 3.1 % in the Federal Republic of Germany, 4.2% in the Netherlands, 4.8% in France and 7.5% in Italy.

The shortening of working hours did not continue in 1963.

*Vocational training:* The measures taken by the Member States in 1963 in the matter of vocational training showed a convergence towards the common objectives laid down in the general principles for a common vocational training policy.

Throughout the Community the tendency to broaden and intensify general education and vocational training was confirmed. Except in Italy, the number of apprentices training with firms is on the increase in all Community countries. Climbing the rungs of the promotion ladder and re-training for new jobs have been rendered easier in all member countries by special provisions aiming at social betterment.

*Social security:* A number of measures, of varying importance, were taken in 1963 to improve social security and extend its scope to new sections of the population. Of particular note are the adoption of new bodies of regulations on industrial injury

insurance in Germany and Italy, health insurance and industrial disease insurance in Belgium, the projects of the Luxembourg Government for old-age pensions, those of the Dutch Government for the introduction of incapacity insurance, and lastly the measures taken in France for old people — non-contributory allowances and sick benefits provided by the general social security scheme.

*Industrial health and safety:* During 1963 the Member States amended the rules applicable in many sectors. It is gratifying to note that these are sectors in which the Commission is undertaking preparatory work to harmonize regulations, such as building and public works, agriculture, industrial machinery, etc. This close collaboration seems to indicate that the Member States will draw up their new national codes in such a way that they may also serve as proposals for a uniform European system.

The survey also deals extensively with housing and family questions.

## Free movement of workers

### Implementation of Regulation No. 15

48. At the request of the Parliament, the Commission drew up two reports on the free movement of workers in the Community.

The first concerns the implementation of Regulation No. 15 and the Directive of 16 August 1961, which related to the first measures to allow the free movement of workers in the Community and have been replaced since 1 May 1964 by another regulation and directive making a further advance.

On 25 August 1964 the report was submitted to the Parliament, the Economic and Social Committee and the Council of Ministers; it was also distributed to the national employment services in the Member States and the workers' and employers' organizations. It gives an account of the ways in which the Community institutions, the Member States, and the administrative and advisory bodies established by the regulation itself have, in so far as each is concerned, taken a share in putting into effect the measures laid down by the regulation and directive, and points out the difficulties they have encountered.

The second report, also submitted on 25 August, is the second annual balance-sheet of clearing and placing activities in the EEC (1 October 1962 — 30 September 1963), which the European Co-ordinating Office has to draw up each year in pursuance of the regulation. It analyses the results achieved by the vacancy clearance machinery operating in the Community, examines how clearing activities could be improved, and lastly gives an account of how Article 43 of Regulation No. 15 has been applied. This article obliges the member countries to give preference in filling vacancies to the Community labour market.

## Uniform criteria

49. The Technical Committee's Working Party on uniform criteria met on 22 June 1964 to decide, in particular, how Article 29 of Regulation 38/64 should be applied in studying measures to give preference to nationals of Member States when filling vacancies in the Community. The members of the Working Party, while stressing the difficulties involved in drawing up long-term forecasts, agreed after a lengthy discussion that the employment services in the Member States should make approximate estimates of their manpower needs according to branch of industry and,

if possible, skills. This should be done early in the year to enable the Commission to draft the report which it must submit to the Council at that time. The Working Party also adopted definitions of the terms "offer of employment, application for employment and placement" and approved the specimen form for national quarterly reports proposed by the Commission's staff.

## European Social Fund

### Committee of the Social Fund

50. On 10 July 1964 the Committee of the European Social Fund held its second annual session in Brussels.

It approved the preliminary draft of the European Social Fund's budget for the 1965 financial year.

It also issued a number of formal opinions, some on applications for aid from the European Social Fund for retraining schemes in Belgium, Federal Germany, Italy and Luxembourg, and others on proposals to make additions to the list of public bodies referred to in Article 18 of the Social Fund Regulation.

51. The Working Parties on vocational training and on extending the Fund's sphere of competence set up by the European Social Fund's Committee met in Brussels on 22 June. The former examined and adopted a number of draft opinions relating to applications for grants of aid from the Fund for retraining schemes submitted by Belgium and Italy. The second Working Party was informed by a Commission representative of the problems involved in retraining self-employed agricultural workers and the broad lines of the plan for Community action. This plan, while based on Article 41 of the Treaty, is largely derived from the Social Fund Regulation. The Working Party then continued its work on the drafting of regulations designed to increase the effectiveness of action taken by the European Social Fund.

## Social Security

52. *Social security of migrant workers* (seamen): During its 56th session held in Brussels on 16 and 17 July 1964, the Administrative Committee for the social security of migrant workers held a preliminary exchange of views on the security of seamen, with a view to including them in the scope of the Council's regulations concerning the social security of migrant workers. A preliminary draft regulation will be prepared on the basis of the discussions which have been held and will be examined during the January 1965 session. The Administrative Committee expressed its approval of the amendments to certain provisions in Regulations Nos. 3 and 4 concerning medical care for members of the family not residing in the country where the head of family is employed and for pensioners.

53. *Definition of invalidity in the various legislations*: The Commission intends to examine the definitions of certain concepts applied in social security in order to see what divergences there may be between them and to consider possibilities of harmonization. A first meeting of government experts was held on 13 July to study the definition of invalidity. This subject was chosen because it is of topical interest in several countries and because of the amendments to be made to Regulations Nos. 3 and 4 concerning the social security of migrant workers. A questionnaire will be sent to the experts inquiring into a number of points arising in the definitions.

## The right to social security benefits

54. In response to the desire expressed by the Council at its 130th session on 21 April 1964, the Commission submitted on 7 July 1964 a proposed regulation to abolish the time-limit of six years set by Regulation No. 3 on the right of the migrant worker to benefits in kind under the sickness-maternity insurance scheme and to family allowances for members of his family not residing in the same country as himself. In its explanatory memorandum, the Commission stresses that while it is desirable on moral grounds for a family to be united in the country of employment after a certain lapse of time, it is nevertheless true that in numerous cases moving a family to a country where they are completely unfamiliar with the language and where the way of life is different raises serious problems, especially if the children already go to school or there are elderly members of the household.

### The Joint Advisory Committee on the social problems of paid agricultural workers

55. The Joint Advisory Committee on the social problems of paid agricultural workers met for the second time on 8 and 9 July. It discussed the first request for an opinion from the EEC Commission on the Commission's Action Programme and social policy in agriculture, with reference to the priorities and methods of approach to be adopted in taking practical measures. The Committee has instructed three ad hoc working parties to prepare draft opinions on certain questions of priority.

The Committee concluded its discussion on the first draft opinion on vocational training, which it adopted unanimously.

Discussion on draft opinions regarding working hours and wages will be continued at the Committee's third meeting to be held on 16 and 17 October.

## Housing

### Recommendation of the EEC Commission on housing for migrant workers

56. The Commission approved the draft of a recommendation to the Member States on housing for workers moving from one Community country to another. The recommendation was first referred to the European Parliament and the Economic and Social Committee.

During the last few years, with the economic expansion that has gone on in Europe, more and more workers have been taking jobs outside their own country. Whether they have virtually settled in the host country or have gone to work there only temporarily, in most of the countries concerned such immigration aggravates a housing problem which is already difficult enough.

The Council regulation on free movement of workers explicitly provides that people who are in regular employment in an EEC Member State other than their own shall enjoy the same rights and advantages as national workers as regards access to accommodation.

However, the *de facto* situation is still far from reflecting this *de jure* abolition of all discrimination. The recommendation is intended to improve the present state of affairs by new action on the part of the Member States, independently of the considerable efforts they already made.

The measures include supervision of the actual housing conditions of migrant workers, more precise assessment of the need for new dwellings for such workers and the funds necessary to build them, and provision of information to migrant workers on housing conditions in the host countries.

The Member States are urged to take action on the following lines: assessment of present and future needs and a financing programme, taking into account the numbers of migrant and intending migrant workers with their families; an appropriate financing programme; surveys of the actual housing conditions of migrant workers; improvement of housing conditions (list to be established of measures adopted to abolish discrimination and results achieved) financial co-operation to promote house-building; non-discriminatory application of ILO housing standards; information for workers.

## AGRICULTURE

### Common agricultural policy

#### Six implementing regulations on dairy products and rice

57. At the last meeting of the Council of Ministers before the summer vacation, held from 28 to 30 July 1964, further decisive progress was made with the common agricultural policy. The Council issued five implementing regulations relating to the common organization of markets in dairy products and one regulation for the rice market; this avoided the necessity of postponing once more the entry into operation of the new market organizations. By this decision, the regulations will come into force on 1 September 1964 for rice and on 1 November 1964 for dairy products and beef <sup>(1)</sup>. The decision was preceded by a three-day Council session from 14 to 16 July, during which virtual agreement was achieved on the outstanding points; to this end the Commission had submitted to the Council a number of compromise proposals which led to the agreement finally arrived at.

#### Preparation for the Kennedy round

58. The Council also studied, besides a number of more technical implementing measures concerning other fields of the common organization of markets, the attitude to be adopted on agricultural products by the Commission, acting on behalf of the Community, at the GATT trade negotiations (Kennedy round) in Geneva.

The Council approved a document, drawn up by the Commission and submitted to the other delegations in Geneva, containing the reply to a US memorandum on the system to be applied to agricultural products. The Council also considered the adoption of a "fictitious" price for cereals for the purpose of the negotiations; but no decision was reached and the point was held over.

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<sup>(1)</sup> See Bulletin No. 8-64, Chap. I, sec. 46.

## Common organization of agricultural markets

### *Cereals*

59. The principal development in this sphere has been the issue of new implementing regulations relating to the organization of the rice market.

On the Commission's proposal the Council has issued two such regulations; one, important from the political angle, applies to rice and broken rice from the associated African States and Madagascar and the overseas countries and territories. The special system of levy-free imports into the non-producer Member States from Madagascar will, by virtue of this regulation, be extended to imports of rice from Surinam <sup>(1)</sup>.

The other regulation, which relates to certain processed products <sup>(2)</sup>, lays down that the system of levies on rice flour, groats, meal and starch will not come into operation until 1 November 1964, at the same time as the levy system applicable to rice and broken rice.

60. The Commission, after consulting the Cereals Management Committee, has issued nine regulations:

i) Regulation No. 83/64/CEE of 6 July 1964 containing provisions to prevent deflection of trade in rice and broken rice <sup>(3)</sup>;

ii) Commission Regulation No. 84/64/CEE of 7 July 1964 fixing the standard amounts for husked rice and broken rice until 31 August 1965 <sup>(3)</sup>;

iii) Commission Regulation No. 100/64/CEE of 28 July 1964 relating to monthly increases in the target and intervention prices for rice up to 31 August 1965 <sup>(4)</sup>;

iv) Commission Regulation No. 101/64/CEE of 28 July 1964 relating to refunds on exports of rice and broken rice <sup>(5)</sup>;

v) Commission Regulation No. 102/64/CEE of 28 July 1964 relating to import and export licences for cereals, processed cereal products, rice, broken rice and processed rice products <sup>(5)</sup>;

vi) Commission Regulation No. 103/64/CEE of 4 August 1964 relating to the table of equivalence between rice-processing stages, milling costs and the value of by-products <sup>(5)</sup>;

vii) Commission Regulation No. 104/64/CEE of 4 August 1964 fixing the coefficients of equivalence between qualities of rice and the quality standards for which the threshold and intervention prices are fixed <sup>(5)</sup>;

viii) Commission Regulation No. 105/64/CEE of 4 August 1964 on a temporary abatement of the levy on husked rice imported into non-producer Member States <sup>(5)</sup>;

ix) Commission Regulation No. 106/64/CEE of 4 August 1964 relating to certain transitional measures applicable to trade in rice between non-producer Member States <sup>(5)</sup>.

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<sup>(1)</sup> Council Regulation No. 115/64/CEE of 30 July 1964, published in the official gazette of the European Communities, No. 130, 12 August 1964.

<sup>(2)</sup> Council Regulation No. 92/64/CEE of 16 July 1964, *ibid.*, No. 119, 27 July 1964.

<sup>(3)</sup> See official gazette of the European Communities, No. 111, 13 July 1964.

<sup>(4)</sup> *ibid.*, No. 126, 5 August 1964.

<sup>(5)</sup> *ibid.*, No. 126, 5 August 1964.

The regulation designed to prevent deflection of trade stipulates that rice grown in Community territory and traded between Member States must be accompanied by a movement-of-goods certificate (Form DD4). The standard amounts maintaining Community preference in rice imports are fixed at 0.20 u.a. per 100 kg. of husked rice and 0.14 u.a. per 100 kg. of broken rice. The regulation on refunds comes very close to the one on cereal refunds, and the regulation concerning import and export licences lays down a general system for all cereals and rice products, while maintaining the previous system applicable to cereals.

The regulation on the monthly increase in target and intervention prices fixes the amounts which are necessary to cover rice storage charges; they are to be added to the target and intervention prices in the two producer member countries during the marketing year.

### *Pigmeat*

61. By the regulation on the progressive establishment of a common organization of the pigmeat market (Regulation No. 20/62), the amounts of intra-Community levies applicable to pigs, pigmeat and pigmeat products must be revised each year. Variations in feed-grain prices have to be taken into account and the fixed component of the levy must be reduced by 2/15ths. A proposal to this effect was submitted by the Commission and adopted by the Council on 16 July: Council Regulation No. 90/64/CEE of 16 July 1964 fixing the intra-Community levies on pigs, pigmeat and pigmeat products <sup>(1)</sup>.

As a result of divergent trends in feed-grain prices in the Member States — for example, there was a relatively sharp increase in the Netherlands — the adjustments to the levies are very considerable in certain cases, as will be seen from the table at p. 48 (Table No. 1: Amount of intra-Community levies on slaughtered pigs) <sup>(2)</sup>.

The figures show in particular that levies on imports into Belgium from the Netherlands and into Luxembourg from the Netherlands and other countries have in some cases been reduced considerably.

The quarterly adjustment of levies and sluice-gate prices in respect of non-member countries coincided with the annual revision of the amounts of intra-Community levies. In accordance with the proposal of the Commission, Council Regulation No. 91/64/CEE of 16 July 1964 fixed the levies on imports of pigs, pigmeat and pigmeat products from non-member countries for the period 1 August to 30 September 1964 <sup>(3)</sup>. Once again the repercussions were considerable in certain cases since there were fairly sharp changes in Dutch prices for feed-grains. It will be remembered that levies on imports from non-member countries are made up of the intra-Community levy in respect of the Netherlands and components *b*) and *c*). Component *b*) is reduced by 1.3595 u.a. per 100 kg. in consequence of the approximation between ruling feed-grain prices in the Netherlands (barley, maize, oats, rye, wheat for animal feed, meslin) and world-market prices, which came about between 1 October 1963 and 1 March 1964; component *c*) (Community preference), on the other hand, is increased by 0.4867 u.a. to 2.0919 u.a. per 100 kg.

<sup>(1)</sup> See official gazette of the European Communities, No. 119, 27 July 1964.

<sup>(2)</sup> For other pigmeat products, see annex to Council Regulation No. 90/64/CEE (official gazette of the European Communities No. 119, 27 July 1964).

<sup>(3)</sup> See official gazette of the European Communities, No. 119, 27 July 1964.

Table 2: Levies on imports of pigmeat from non-member countries from 1 April to 30 September 1964 compares the levies applicable from 1 April 1964 to 31 July 1964 with those recently fixed and effective from 1 August 1964 to 30 September 1964.

Lastly, the Commission made the normal quarterly review of sluice-gate prices by Regulation No. 97/64/CEE of 27 July 1964, which adjusts and fixes sluice-gate prices for pigs, pigmeat and pigmeat products imported between 1 August and 30 September 1964 <sup>(1)</sup>. As a result of an increase of 0.1457 u.a. per 100 kg. in the ruling world-market prices of feed-grains (barley, oats and maize) which took place between 1 October 1963 and 31 March 1964, the uniform sluice-gate price for slaughtered pigs imported from non-member countries was raised by 0.8276 u.a. from 52.9317 u.a. to 53.7593 u.a. per 100 kg.

### *Eggs and poultry*

62. Likewise the annual adjustment of levies on imports of eggs and poultry from non-member countries and the quarterly revision of intra-Community levies on such products were carried out in the period under review. The Commission issued the following regulations:

i) Commission Regulation No. 95/64/CEE of 24 July 1964 fixing intra-Community levies on imports of poultry eggs in shell, live poultry not exceeding 185 grammes in weight and slaughtered poultry, from 1 August 1964 <sup>(1)</sup>;

ii) Commission Regulation No. 96/64/CEE of 24 July 1964 adjusting and fixing, for the months of August and September 1964, the sluice-gate prices for poultry eggs in shell and live and slaughtered poultry and fixing levies on imports from non-member countries of poultry eggs in shell, live poultry not exceeding 185 grammes in weight and slaughtered poultry <sup>(1)</sup>.

On account of the changes, in some cases appreciable, in the components affecting the amounts of levies, the rates of intra-Community levies on eggs and poultry from 1 August 1964 to 30 June 1965 are now those given in Table 3: Intra-Community levies on eggs, and Table 4: Intra-Community levies on slaughtered poultry (the preceding year's levies are given for comparison).

The new levies on imports from non-member countries between 1 August 1964 and 30 September 1964 are fixed by Commission Regulation No. 96 at the levels given in Table 5: Levies on imports of eggs and slaughtered poultry from non-member countries.

Following the movement in offer prices of shell eggs from non-member countries, the Commission reduced, by Regulation No. 85/64/CEE, the supplementary amount added to the levy from the present 0.20 u.a. per kg. to 0.15 u.a. per kg.

By Regulation No. 88/64/CEE <sup>(2)</sup>, the Council fixed the new intra-Community levies on slaughtered hens, chickens, and turkeys this extends the general arrangements for those Member States in which the fixed component of the levy is based on reference prices.

Council Regulation No. 89/64/CEE <sup>(3)</sup> raised the yield coefficient for slaughtered ducks from 67 to 70%. In consequence, the rates of levies and sluice-gate prices for this product are reduced.

<sup>(1)</sup> See official gazette of the European Communities, No. 122, 29 July 1964.

<sup>(2)</sup> *ibid.*, No. 112, 14 July 1964.

<sup>(3)</sup> *ibid.*, No. 119, 27 July 1964.

Lastly, by Regulation No. 95/64/CEE <sup>(1)</sup> the Commission reduced the amount of intra-Community levies, taking into account the CCT duties on poultry products where they are bound under GATT.

### *Beef*

63. To date it has been possible to issue the necessary regulations in accordance with the time-table for the application of rules on trade in cattle and beef, which will begin on 1 November 1964. In the period under review the Council has had only two decisions to take to allow for the special situation in Italy, where the prices of cattle and calves rose sharply; by its decisions of 16 July 1964 <sup>(2)</sup> and 30 July 1964 <sup>(3)</sup>, the Council authorized Italy to suspend, by virtue of Article 103 of the Treaty, the CCT duty until 30 September 1964.

### *Dairy produce*

64. Owing to the large number and variety of these products and the possibility of substitutes, the preliminary work to put into effect the organization of this market have proved extremely difficult from the technical angle. Furthermore, in this sphere it is often difficult to say how strong is the influence of national policies. Consequently it is in this sphere that implementing regulations have been latest in appearing. Nevertheless the Council approved in principle, and issued on 30 July 1964, five draft regulations submitted as a compromise by the Commission on 16 July. They are as follows:

i) Council Regulation No. 110/64/CEE of 30 July 1964 relating to criteria for fixing the standard amounts for certain milk products <sup>(4)</sup>.

The criteria set out in this regulation correspond to those already decided for the common organization of cereals markets;

ii) Council Regulation No. 111/64/CEE of 30 July 1964 establishing groups of products in the milk and milk products sector <sup>(4)</sup>.

The purpose of the regulation is to simplify the system of levies applicable to milk products. The products are divided into 13 groups, and pilot products have been designated. The regulation also fixes the components necessary for calculating the derived levy;

iii) Council Regulation No. 112/64/CEE of 30 July 1964 fixing the reference prices of certain milk products <sup>(4)</sup>.

In order to determine the threshold prices, this regulation fixes the reference prices for the pilot products and butter, Cheddar cheese and Tilsit cheese;

iv) Council Regulation No. 113/64/CEE of 30 July 1964 relating to certain derogatory measures concerning milk powder, butter, condensed milk and certain cheeses <sup>(4)</sup>.

This regulation enables account to be taken, with a certain differentiation, of the special situation in certain Member States as regards the products mentioned;

<sup>(1)</sup> See official gazette of the European Communities, No. 122, 29 July 1964.

<sup>(2)</sup> *ibid.*, No. 119, 27 July 1964.

<sup>(3)</sup> *ibid.*, No. 127, 7 August 1964.

<sup>(4)</sup> *ibid.*, No. 130, 12 August 1964.

v) Council Regulation No. 114/64/CEE of 30 July 1964 containing details for the application of compensatory amounts and the granting of subsidies in pursuances of Article 10 of Regulation No. 13/64/CEE <sup>(1)</sup>.

By this regulation, the Member States which grant aid affecting the prices of products are empowered, on exporting these products, to impose compensatory amounts on condition that they also grant a corresponding subsidy on imports of the same products.

*Fruit and vegetables: supplementary proposals*

65. On 24 July the Commission submitted a draft regulation to the Council to further the common policy on fruit and vegetables. Its main object is to stabilize the market, and it is supplementary to the measures already in force concerning common rules for competition and the removal of obstacles to trade among Member States.

The Commission hopes that by 1966 this will establish a single market in fruit and vegetables, open to the outside world but maintaining certain guarantees for Community farmers. The draft contains measures to promote the activities of growers' co-operatives and to reorganize the market, together with new provisions to standardize arrangements for importing from or exporting to non-member countries.

From 1 January 1966, Regulation No. 25 (financing of the common agricultural policy) is to be applied to the fruit and vegetable market. The various forms of market intervention will thus be financed in whole or in part.

*Organization of growers:* Measures to encourage the setting-up of growers co-operatives have been proposed. The main provisions may be summarized as follows:

- a) The Member States will give official approval to growers' co-operatives whose members are required to comply with certain rules on production and marketing;
- b) The Member States may promote the formation and facilitate the operation of approved co-operatives by defraying part of their operating costs, provided that this assistance is provisional and degressive so as gradually to place more financial responsibility on the growers;
- c) Recognition of the role of the co-operatives in market intervention, in particular a system of withdrawal prices.

For eight products (listed below), the withdrawal price may not exceed 60% of the guide price and may not be less than 120% of the minimum purchase price.

To finance these withdrawal operations, the approved co-operatives set up an intervention fund for each product; this will be included in their balance-sheets and maintained from contributions assessed on the quantities they offer for sale.

The European Agricultural Guidance and Guarantee Fund (EAGGF) is to contribute to these funds at a level above the minimum purchase price, while the Member States may make loans.

*Market intervention:* In order to prevent prices collapsing in the Community, the implementation of these measures should be accompanied by steps to reorganize the market applying throughout the Community. An intervention procedure is thus

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(1) See official gazette of the European Communities, No. 130. 12 August 1964.

prescribed for eight products (cauliflowers, tomatoes, oranges, tangerines, dessert grapes, peaches, and dessert apples and pears) which represent about 80% of the fruit and 35% of the vegetables grown in the Community.

Two sets of provisions are proposed:

1) The first may be applied by decision of the Commission when the market price is lower than 80% of the guide price for three days. These measures include:

a) A ban on marketing within the Community for a given period products subject to common quality standards of certain varieties, sizes or classes;

b) Subsidies to encourage processing of products that can no longer be absorbed by the market.

2) The others are automatically set in motion when the market price is less than 60% of the guide price for three days.

When this happens the intervention authorities are obliged to buy up, at the minimum purchase price, all Community products offered to them, provided they meet the common quality standards and have not been banned from the market. The products bought by the intervention authorities must be rendered unfit for human consumption.

These purchasing operations are to be suspended as soon as the market price has stood at or exceeded 60% of the guide price for three consecutive business days.

The market price, which is calculated each business day by the Commission, is equal to the arithmetic mean of daily prices on representative wholesale markets in the Community. The guide price, fixed annually by the Council, will be based on the average of prices over three seasons and will be set at an appropriate level to guide production.

The provisions concerning the safeguard clause will no longer apply to these products from 1 January 1966.

*Trade with non-member countries:* In general, all quantitative restrictions, or measures equivalent in effect, on imports from non-member countries are to be removed.

Provision is also made for safeguard measures in respect of imports from non-member countries permitting practices whereby products can be offered on Community markets at abnormally low prices; the Member States will be authorized to impose a counter-vailing charge on these products — the charge to be equal for all Member States.

Lastly, refunds based on price movements within the Community and on external markets that are important outlets for Community produce may be granted when these products are exported to non-member countries.

66. By Regulations Nos. 86 and 87/64/CEE <sup>(1)</sup>, the Commission amended the common quality standards for citrus fruits and onions in respect of sizing.

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(1) See official gazette of the European Communities, No. 116, 21 July 1964.

## *Wine*

67. The Commission submitted a proposal relating to the import quotas for 1964 to be fixed by the Federal Republic of Germany, France and Italy. According to this proposal wines in bottle will be liberalized; for other wines the 1963 quotas will apply, but there will be an increase for certain types within the overall quota.

## Financing of the common agricultural policy

68. 1 July 1964 was a notable occasion for the European Agricultural Guidance and Guarantee Fund (EAGGF); the projects of interested Member States were for the first time submitted to the Commission. They numbered 264, and the aid requested from the Guidance Section of the EAGGF in respect of the 1962/63 financial year totalled over 43 million u.a., a figure far higher than the funds available. This demonstrates the keen interest shown by the Community in the improvement of agricultural structures in the broad sense of the term. The schemes have a wide variety of objects such as consolidation of holdings, draining and irrigation, marketing centres for fruit and vegetables, grain silos, etc.

On 24 July the Commission adopted a regulation on details for the implementation of decisions to grant aid from the Guidance Section of the EAGGF <sup>(1)</sup>. On 3 July the Fund Committee had met for the second time and approved the draft, which concerns the phase from preliminary commitment up to payment of the beneficiary. The operational methods and procedure for this section of the Fund have now been established.

Another regulation, relating to requests for reimbursement submitted to the Guarantee Section of the EAGGF, was also issued by the Commission <sup>(1)</sup> on 24 July. The Fund Committee approved the draft and signified its agreement as to the particulars to be supplied annually to the EAGGF for the calculation of average refund rates on exports to non-member countries.

## Rules of competition

69. In July and August 1964 the Commission, in pursuance of Article 93(3) of the Treaty, gave rulings on various aids by Belgium, France, Italy and the Netherlands.

70. On 16 July 1964 the Commission adopted an addendum to the Council's communication of 24 June 1964 concerning the common level of cereal prices and freight rates for agricultural products. In this communication, the economic aspects of such transport were examined, particularly in respect of the agricultural products directly affected by the Commission's proposal on the approximation of cereal prices: cereals and derived products, pigmeat, eggs and poultry. Particular attention was paid to conditions in Federal Germany as compared with those in the other Member States. The addendum contains only technical details.

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<sup>(1)</sup> See official gazette of the European Communities, No. 126, 5 August 1964.

## Co-ordination of policies on agricultural structure

71. The sixth meeting of the Standing Committee on Structure, composed of representatives of the Member States, was held on 1 and 2 July 1964. The communications from the Member States required by Articles 5 and 7 of the Council Decision of 4 December 1962 <sup>(1)</sup> were studied in detail for the mutual information of the Member States and the Commission.

As it is charged with co-ordinating the Member States' policies on agricultural structure, the Commission had urged the Member States to fulfil punctiliously their obligation to transmit the drafts of any new laws and legislations concerning agricultural structure and their long-term plans and regional programmes. The Commission's staff are at present preparing a working document listing the laws and regulations made by the Member States since 4 December 1962, indicating the cases in which they have been submitted to the Commission at the draft stage.

In pursuance of Article 6 of the Council Decision of 4 December 1962, the Standing Committee on Structure was consulted on the Agricultural Development and Rationalization Fund in the Netherlands. The Commission pointed out in its formal opinion on the measures in question that they effectively helped to further the aims of the common agricultural policy as regards improving the competitive position of agriculture and the alleviation of social problems.

## Advisory Committee on structural improvements in agriculture

72. The Commission has created an Advisory Committee to deal with problems of agricultural structure policy. This Committee can be called upon by the Commission to advise on the implementation of Council Decision of 4 December 1962 concerning the co-ordination of agricultural structure policies and on all matters connected with the structural improvement policy for which provision is made in the Guidance Section of Regulation No. 17/64 (Regulation on conditions for aid from the EAGGF).

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<sup>(1)</sup> See official gazette of the European Communities, No. 136, 17 December 1962.

TABLE 1

*Intra-Community levies*Comparison between 1963/64 and 1964/65 <sup>(1)</sup>

Slaughtered pigs

*(in national currencies per 100 kg. net weight)*

		Imports from :					
		Germany (FR)		France		Italy	
		1963/64	1964/65	1963/64	1964/65	1963/64	1964/65
Into :							
Germany (FR)	DM			41.37	37.92	40.75	37.57
France	FF	0	0			8.48	8.48
Italy	Lit.	0	0	2 182	1 846		
Belgium	Bfrs	0	0	0	0	339.6	339.6
Luxembourg	Lfrs	151.7	128.3	484.7	410.2	599.8	566.8
Netherlands	Fl.	0	0	0	0	5.23	5.23
		Imports from :					
		Belgium		Luxembourg		Netherlands	
		1963/64	1964/65	1963/64	1964/65	1963/64	1964/65
Into :							
Germany (FR)	DM	65.65	56.12	6.39	5.82	80.02	63.21
France	FF	24.65	20.86	0	0	40.47	33.71
Italy	Lit.	5 574	4 716	0	0	7 759	6 396
Belgium	Bfrs			0	0	213.9	0
Luxembourg	Lfrs	1 102	907.5			1 187.3	784.5
Netherlands	Fl.	0	0	0			

<sup>(1)</sup> In both cases from 1 August to 31 July.

TABLE 2

*Levies on imports of pigmeat from non-member countries**(per 100 kg. net weight)*

Country	Germany (FR) DM		Belgium Bfrs		France FF	
	1-4/31-7- 1964	1-8/30-9- 1964	1-4/31-7- 1964	1-8/30-9- 1964	1-4/31-7- 1964	1-8/30-9- 1964
Amount of levies	112.14	91.84	615.40	357.90	80.12	69.04
Country	Italy Lit.		Luxembourg Lfrs		Netherlands Fl.	
	1-4/31-7- 1964	1-8/30-9- 1964	1-4/31-7- 1964	1-8/30-9- 1964	1-4/31-7- 1964	1-8/30-9- 1964
Amount of levies	12 577	10 869	1 588.8	1 142.4	29.07	25.91

TABLE 3

*Intra-Community levies*Comparison between 1963/64 <sup>(1)</sup> and 1964/65 <sup>(2)</sup>

Eggs

*(in national currencies per 100 kg.)*

		Imports from :					
		Germany (FR)		France		Italy	
		1963/64	1964/65	1963/64	1964/65	1963/64	1964/65
Into :							
Germany (FR)	DM			0.36	0.31	0.54	0.46
France	FF	0.33	0.28			0.48	0.41
Italy	Lit.	15	13	15	13		
Belgium	Bfrs	1.18	1.00	1.18	1.00	3.58	3.29
Luxembourg	Lfrs	1.18	1.00	1.18	1.00	5.00	4.48
Netherlands	Fl.	0.09	0.07	0.09	0.07	0.15	0.14
		Imports from :					
		Belgium		Luxembourg		Netherlands	
		1963/64	1964/65	1963/64	1964/65	1963/64	1964/65
Into :							
Germany (FR)	DM	0.32	0.27	0.21	0.17	0.46	0.32
France	FF	0.33	0.28	0.33	0.28	0.37	0.29
Italy	Lit.	15	13	15	13	15	13
Belgium	Bfrs			1.18	1.00	2.33	1.00
Luxembourg	Lfrs	1.18	1.00			3.30	1.00
Netherlands	Fl.	0.09	0.07	0.09	0.07		

<sup>(1)</sup> 1963/64 = 1 November 1963 - 31 July 1964.<sup>(2)</sup> 1964/65 = 1 August 1964 - 31 March 1965.

TABLE 4

*Intra-Community levies*Comparison between 1963/64 <sup>(1)</sup> and 1964/65 <sup>(2)</sup>

Slaughtered poultry

*(in national currencies per 100 kg.)*

		Imports from :					
		Germany (FR)		France		Italy	
		1963/64	1964/65	1963/64	1964/65	1963/64	1964/65
Into :							
Germany (FR)	DM			0.46	0.41	0.63	0.57
France	FF	0.44	0.37			0.60	0.52
Italy	Lit.	24	20	24	20		
Belgium	Bfrs	2.68	2.26	2.68	2.26	4.65	4.22
Luxembourg	Lfrs	2.68	2.26	2.26	2.26	4.65	3.56
Netherlands	Fl.	0.19	0.16	0.16	0.16	0.26	0.23

		Imports from :					
		Belgium		Luxembourg		Netherlands	
		1963/64	1964/65	1963/64	1964/65	1963/64	1964/65
Into :							
Germany (FR)	DM	0.47	0.41	0.47	0.41	0.57	0.37
France	FF	0.44	0.37	0.44	0.31	0.51	0.41
Italy	Lit.	24	20	24	20	24	20
Belgium	Bfrs			0	0	0	0
Luxembourg	Lfrs	0	0			0.91	0
Netherlands	Fl.	0	0	0	0		

(1) 1963/64 = 1 August 1963 - 31 July 1964.

(2) 1964/65 = 1 August 1964 - 31 July 1965.

TABLE 5

*Levies on imports of eggs and slaughtered  
poultry from non-member countries*

(Per kg.)

Country	Germany (FR) DM		Belgium Bfrs		France FF	
	1-4/31-7- 1964	1-8/30-9- 1964	1-4/31-7- 1964	1-8/30-9- 1964	1-4/31-7- 1964	1-8/30-9- 1964
Levy on slaughtered poultry	0.87	0.88	6.75	6.80	1.13	1.02
Levy on poultry eggs	0.81	0.77	5.83	5.57	0.80	0.67
Country	Italy Lit.		Luxembourg Lfrs		Netherlands Fl.	
	1-4/31-7- 1964	1-8/30-9- 1964	1-4/31-7- 1964	1-8/30-9- 1964	1-4/31-7- 1964	1-8/30-9- 1964
Levy on slaughtered poultry	63	64	6.75	6.80	0.43	0.42
Levy on poultry eggs	60	54	6.50	5.69	0.35	0.32

## TRANSPORT

### European Parliament

73. On 6 July 1964 the Transport Committee of the European Parliament held a preliminary exchange of views with the EEC Commission on:

- i) A proposed Council regulation concerning the abolition of double taxation in international transport;
- ii) A proposed Council regulation concerning the introduction of common rules for international passenger transport by road;
- iii) An EEC Commission report on the common transport policy in the sphere of transport infrastructure investment and a proposed Council decision relating to Community action in that sphere.

The Committee will resume consideration of these matters at its next meeting, arranged for 10 October 1964. It will also draft a formal opinion on the Commission's proposal for a Council regulation applying the rules of competition to transport by rail, road and inland waterway.

### Consultative Committee on Transport (Art. 83)

74. As part of the programme of work established by the Commission, the Transport Committee continued to study certain problems involved in applying the rate-bracket system. A draft opinion is being prepared on a number of points, in particular price formation for transport between Member States, criteria governing the admissibility of special contracts, the function of forwarding agents and intermediaries, and the hiring of vehicles.

The Committee will render the opinion requested by the Commission in the course of its meetings arranged for 21-22 October and 12-13 November 1964.

### Inter-Executive Working Party on Transport

75. The Inter-Executive Working Party on Transport met on 20 July in Luxembourg. The meeting was attended by M. Coppé, Vice-President of the High Authority and M. Lambert Schaus, President of the Commission's Transport Group. It examined the progress made in giving effect to ECSC Recommendation No. 1/61 (publication of transport rates and conditions) and the action taken by the Council of Ministers following the EEC Commission's report concerning difficulties in the movement of goods by rail across the Italian frontier.

Finally the working party discussed the competitive rates fixed by the Federal German railways for EEC and ECSC metal products and rates to meet potential competition in view of the proposed Saar-Palatinate Canal.

### Admission to the road haulage market

76. On 30 June and 1 July 1964 a meeting was held in Brussels by representatives of the Commission and experts from the Member States in order to begin a study of objective conditions for admission to the road haulage market.

A survey was made of the *de facto* situation in the Member States and a preliminary exchange of views took place on the harmonization of national regulations.

### Preparatory work for the introduction of rate brackets

77. In preparation for the introduction of the rate-bracket system laid down by the proposed tariff regulation now submitted to the Council <sup>(1)</sup>, the Commission set up a group of government and private experts to examine certain problems arising in road haulage between Member States.

At the first meeting of the group, which took place on 24 July 1964 in Brussels, the experts decided, without committing the Member States as to the position they might adopt on the main issues in the Council, to draw up uniform basic rules applicable to road haulage rates. The work will be continued at meetings in October and November.

### Implementation of Articles 79 and 80 of the Treaty

78. On 8 July 1964 the Commission examined the Italian application of 19 June 1964 for an extension of the authorization of Tariff No. 251-A of the Italian State Railways and granted an extension until 31 December 1965.

### Joint action to abolish special rates for exports

79. Agreement has been reached between the six member countries on this matter since Italy consented to abolish its Tariff No. 251 <sup>(2)</sup> and replace it by a new tariff which had been submitted to the Commission for approval.

### Censuses and sampling surveys on the use of transport infrastructure

80. In accordance with Article 3 of the Council's Decision of 22 June 1964 relating to a survey on infrastructure costs in rail, road and inland waterway transport <sup>(3)</sup>, the Commission, on 10 July 1964, took a decision on road traffic censuses to be carried out in 1965.

In pursuance of this decision which had received the unanimous approval of the Member States when referred to them by the Commission on 30 June 1964, the Member States will undertake in 1965 traffic censuses on roads outside built-up areas. Such censuses must be planned to determine, for each class of road mentioned in the decision, the annual vehicle-kilometres for each class of vehicle listed in the annex. The decision in fact constitutes official Community approval of the recommendations of the Inland Transport Committee of the Economic Commission for Europe, which are not binding on the Governments to which they are addressed.

Data on the use of infrastructures not covered by the decision, i.e. roads in built-up areas, railways and inland waterways, will be collected in 1966, which will be the base year for the survey of infrastructure costs, in accordance with another decision to be taken by the Commission by 30 April 1965.

<sup>(1)</sup> See Bulletin No. 6-63, Chap. I.

<sup>(2)</sup> Tariff No. 251 was a general export rate for all products and countries. Tariff No. 251-A applies only to exports of fruit and vegetables.

<sup>(3)</sup> No. 64/389/CEE, official gazette of the European Communities, No. 102, 29 June 1964.

## ASSOCIATION OF AFRICAN STATES AND MADAGASCAR <sup>(1)</sup>

### First meeting of the Association Council

81. The Association Council held its first session on Wednesday 8 July 1964 at the Palais des Congrès in Brussels, with M. Kurt Schmücker, Federal German Minister for Economic Affairs and current President of the EEC Council, in the chair.

M. Daniel Cabou, the Senegalese Minister of Commerce, Industry and Crafts, represented the associated African States and Madagascar in his capacity as President of the Co-ordinating Council of the associated States, which held its inaugural meeting in Brussels on 6 July 1964.

After addresses by M. Schmücker, M. Hallstein, President of the EEC Commission, and M. Cabou <sup>(2)</sup>, the Association Council heard a report submitted by Ambassador Mamadou Toure, Mauritanian representative to the EEC and chairman at the sixth meeting of the Interim Committee, concerning the work done by the Committee at its six meetings held between 19 November 1963 and 19 June 1964.

The Association Council then adopted the greater part of its rules of procedure and instructed the Association Committee to reconsider some points on which agreement had not been reached.

The Council also approved the Association Committee's rules of procedures, which had been adopted at the Committee's first meeting on 19 June 1964.

In order to ensure the continuity of co-operation necessary for the smooth working of the Association, the Council, decided, on a proposal of the Interim Committee, to delegate some of its powers to the Association Committee.

On the basis of a draft by the Interim Committee and in pursuance of Article 12 of the Convention, the Association Council took a decision relating to information and consultation procedure for commercial policy measures that may be taken by the Contracting Parties.

Under the terms of this decision, the Association Council must be informed by the Community of any such measure contemplated by the Community or a Member State which might be damaging to the interests of one or more associated countries. Likewise, the Council must be informed by any associated State of any contemplated measure of commercial policy which might affect the interests of the Community or of one or more Member States.

As a general rule such information on measures referred to in Article 12 of the Convention must be furnished prior to any decision.

After such information has been supplied, and at the request of the Community or an associated State, consultations will be held in the Association Council on the measures adopted or contemplated by a contracting party.

The Association Council proceeded to constitute the *Court of Arbitration*, appointing the following: President, M. Andreas Mathias Donner, President of the Court of Justice of the European Communities; members nominated by the EEC Council and deputies: M. Walter Strauss, Judge in the Court of Justice of the European Commu-

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<sup>(1)</sup> It has been decided to change the previous title of "Overseas Development". As the Association Convention has now come into force, all the Community's activities connected with it will be gathered under the new heading.

<sup>(2)</sup> Extracts from these speeches follow on a later page.

nities; Deputy: M. Charles Léon Hammes, Judge in the Court of Justice of the European Communities; Member: M. Robert Lecourt, Judge in the Court of Justice of the European Communities; Deputy: M. Alberto Trabucchi, Judge in the Court of Justice of the European Communities; members nominated by the associated States and deputies: Member: M. Jusufu Jama Ali, Professor (Somalia); Deputy: M. Fulgence Seminega, President of the Rwandi Supreme Court; Member: M. Mamadou Toure, Ambassador (Mauritania), former Secretary-General of the CCTA (Commission for Technical Co-operation in Africa); Deputy: M. Joseph Pouabou, President of the Supreme Court (Brazzaville).

As the Statute of the Court of Arbitration must be approved, on the proposal of the Court itself, within three months, the Council has delegated to the Association Committee the power to approve the statute.

The Council also instructed the Association Committee to establish a definition of the concept of "goods originating in ..."; in accordance with Protocol No. 3 annexed to the Convention, this must be done at the latest by 1 January 1965.

The matter will be referred to the Association Council either in writing or at an extraordinary session if the Association Committee has not reached agreement.

The Council then discussed measures to resolve the difficulties caused by the belated entry into force of the Convention, especially in connection with the first annual instalment of aids to production. The associated States concerned urged that the Community should release the first instalment as quickly as possible so that they might not be handicapped in the great efforts they were making. The Community assured them that it intended to do everything possible to accelerate the examination and adoption of five-year plans.

The associated States also asked the Community to study the problems arising for some of them from the severe fall in the prices they obtained for their staple products.

Lastly, the Community gave the Council an account of the discussions it was holding with certain developing countries.

The Association Council decided to hold its next ordinary session in March 1965.

The Representatives of the associated African States and Madagascar were: Burundi: M. Nsengiyumva, Minister of Economic Affairs and Finance; Cameroon: M. Kanga, Minister of Finance, Planning and National Equipment; Central African Republic: M. Guerillot, Ambassador and Representative to the EEC; Congo (Brazzaville): M. Kaya, Minister of Planning, Public Works and Transport; Congo (Leopoldville): M. Mbeka, Ambassador and Representative to the EEC; Ivory Coast: M. Saller, Minister of Finance, Economic Affairs and Planning; Dahomey: M. Poisson, Ambassador and Representative to the EEC; Gabon, M. Anguille, Minister of the National Economy; Upper Volta: M. Yameogo, Minister of the National Economy; Madagascar: M. Rabemananjara, Minister of State for the National Economy; Mali: M. Kone, Minister of State for Planning; Mauritania: M. Alpha Ba, Minister of Finance, Labour and Economic Affairs; Niger: M. Courme Barcougne, Minister of Finance and Economic Affairs; Rwanda: M. Kayibanda, President of Rwanda; Senegal: M. Daniel Cabou, Minister of Commerce, Industry and Crafts; Somalia: M. Ali Omar Scego, Minister of Justice; Chad: M. Abdoulaye Lamana, Minister of Economic Affairs and Transport; Togo: M. Georges Apedo-Amah, Minister of Foreign Affairs.

The representatives of the EEC Member States were: Belgium: M. Paul-Henri Spaak, Deputy Prime Minister and Minister for Foreign Affairs and M. Henri Fayat, Deputy Foreign Minister; Germany FR: M. Kurt Schmücker, Minister of Economic Affairs,

M. Rolf Lahr and M. Neef, State Secretaries; France: M. Triboulet, Minister of Co-operation; Italy: M. Venturini, Ambassador and Permanent Representative to the EEC; Luxembourg: M. Borschette, Ambassador and Permanent Representative to the EEC; Netherlands: M. De Block, State Secretary for Foreign Affairs.

The EEC Commission was represented by its President, M. Hallstein and by M. Rochereau.

*Extracts from the address by M. Schmücker, President of the Council*

“When our Association Convention was signed at Yaoundé a year ago, M. Luns, the then President of the Council, spoke of a new historical dimension. This was a particularly happy way of defining the significance of the Convention. M. Luns’ expression sums up aptly what has been in preparation for several decades and is assuming more and more concrete form, becoming decisive for the destiny of our peoples. I am happy, in opening this first session of the Association Council, to be able to lay the first stone of the building which in future will protect the great family born of two mutually dependent continents.

[...]

The fact that a Community composed of six European States and eighteen African States has found this common ground must be considered a notable success. This fact will also greatly influence our joint efforts in this Council. Not only must we apply the letter of the Convention and discuss tariff, trade and finance matters, but also we must be mindful of the human aspect which has played a decisive role in the birth of our Association.

[...]

Our aim is first of all to create, for millions of persons, living conditions in keeping with our age.

[...]

Willingness and ability to help others are not sufficient in themselves. There must also be close co-operation, as the African leaders are quite right in urging continually. It is for the Western world to show its understanding not only of the economic problems but also of the social and human problems of the developing countries.

[...]

Underlying our action in the Association Council will be a resolve to help build a new Africa. This historic task we wish to undertake in a spirit of mutual comprehension and trust.”

*Extracts from the address by Professor Walter Hallstein, President of the Commission*

“... The interim period lasted longer than we had originally expected. Certain measures agreed upon will consequently take effect later than had been envisaged in the negotiations. If, despite this delay, we have been able to avoid lasting ill-effects it is thanks to close collaboration, understanding and breadth of vision on all sides.

[...]

For us the future has already begun!

Painting a picture of the future may seem a rash undertaking in our fast moving age; nevertheless we have a clear idea of how our Association will develop.

The Yaoundé Convention — in spirit and letter — prolongs for a further five years the partnership between the EEC and the eighteen associated States founded some years back. By then the EEC will have practically completed its task of welding the six member countries into one large Common Market — each member of which is endowed with its own spiritual and political heritage and individual economic structure. The Economic Community will be one of the largest markets in the world and at the same time one of the most diversified.

Our partners, who represent a large part of the economic potential of Africa and Madagascar, each State occupying its due place in the history, culture and economy of the African continent, will continue to find in Europe, with its manifold needs and possibilities for common action, a useful, nay, indispensable, complement.

[...]

The associated States will continue to co-operate in the drawing together of the African continent. The activities of the continental organizations in Africa already bear eloquent witness to this. The open character of the Yaoundé Convention caters for such mutual needs. That some non-associated African States have requested negotiations confirms that with this Convention we are on the right track; it is with satisfaction, therefore, that we take note of such requests. They prove, furthermore, that the Association is a substantial contribution to the reorganization and development of world trade, freed of all obstacles..."

*Extracts from address by M. Daniel Cabou, President of the Co-ordinating Council of the associated States*

"... This first meeting of the Association Council is an event of such importance for our common future that it is with some emotion that we play our part as witnesses, and not passive witnesses.

The common structure we are building at this moment constitutes the appearance in international affairs of a new form of relationship that offers a wide range of possibilities, essential for the development of the countries we represent.

With high hopes we have decided to co-operate in this creation — new in spirit, means and aims — the motive force of which is solidarity.

But the hopes raised, the prospects opened up by the Association, do not blind us to the fact that, as a counterpart to development aid, heavy obligations are laid upon us.

We fully realize that these obligations can be summed up in one word: work. Work and more intense economic activity are needed to attain our common aims. Furthermore, we are certain that our European partners will encourage our efforts by bringing to our problems and difficulties, which as you know are serious but not insurmountable, the understanding and support indispensable for the pursuit of economic and social progress, which is the object of our common striving.

[...]

For our part, we are resolved to afford the Association every chance of survival and development, convinced as we are that our joint efforts will ensure joint success, and persuaded as we are that Europe, like us, is anxious to promote the harmonious

development of our economies; in the same way we ourselves seek only to contribute to more stable relations between countries so that, thanks to economic progress, social peace — the basis of any peace — will find its surest support in our Association.”

### Representatives of the AASM

82. The Gabon Government designated Ambassador Marcel Sandoungout as Representative to the EEC in succession to Ambassador Georges Damas. The EEC's *agrément* is dated 20 July 1964.

### Scholarships, training periods and seminars

83. The Commission has made final arrangements for the scholarship programme for the 1964/65 academic year.

In July three missions were sent from the EEC Commission to the following associated States: Senegal, Mali, Mauritania, Upper Volta, Ivory Coast, Togo, Dahomey, Cameroon, Chad, Central African Republic, Gabon, Congo (Brazzaville), Congo (Leopoldville), Madagascar and Somalia. Their object was to make arrangements, in co-operation with the government departments concerned, for the 1964/65 scholarship programme. Contacts were also made with a view to taking advantage of the possibilities offered by educational establishments in the associated States and to examine their requirements in the matter of staff and teaching material.

The Commission's staff examined the results so far received of studies made by scholarship-holders in the 1963/64 academic year and arranged for those who had finished their training to return to their countries.

Further candidates are now being selected from among those proposed by the associated States.

84. In July and August three seminars were organized for some 125 Africans, after the five seminars in June which had been attended by 250 Africans, 50 of whom were English-speaking.

For the first time a seminar was arranged by the Belgian Co-operation and Development Agency on the training-ship "Monthouet", taking Belgian Government in-service trainees back to the Congo. A Commission official took part in the seminar and lectured on the development of the Community.

85. The period of in-service training for nationals of the associated African States and Madagascar came to an end on 15 July. There had been a study visit to Germany in June.

### European Development Fund

86. July 1964 saw the beginning of operations by the second European Development Fund. Some decisions had still to be taken regarding the first Fund.

## First Fund

87. The proposed financing of six social projects was approved by the EEC Commission:

*Senegal:* Continued operations, financed by the Fund since 1961, to develop rice cultivation in Casamence. The total commitment 130 million Frs. CFA (about 527 000 units of account). The project includes surveys and plans for two areas to be developed in the Niassa and Guidel marshes (about 3 200 ha.) and the establishment and operation for two years of two experimental irrigation schemes at Médina and Diéba (about 40 ha.).

*Ivory Coast:* Construction and equipment of a public health institute at Abidjan with a commitment of 430 million Frs. CFA (about 1 742 000 units of account).

*Central African Republic:* (Three projects) *a)* Establishment of an inter-State school at Bangui, capital of the Central African Republic, providing standard training for all customs officers in lower grades in the Equatorial Customs Union and Cameroon. It will have accommodation for 40 resident students; the cost is estimated at 66 million Frs. CFA (about 267 000 units of account); *b)* Construction of an agricultural college at Bambari with accommodation for 120 boarders and offering 4-year training courses. The cost is estimated at 250 million Frs. CFA (about 1 013 000 units of account); *c)* Construction of six new social centres and the equipment of four others now under construction; estimated cost 39 million Frs. CFA (about 158 000 units of account).

*Comoro Islands:* Extension and modernization of the health unit at Mitsamiouli, dispensary, 30-bed general ward, accommodation for a doctor and a male nurse, etc.; estimated cost 37 500 000 Frs. CFA (about 152 000 units of account).

88. *Niger:* During the same month the Commission approved an increase in the appropriation for a social project in this country. The new appropriation will cover the construction of three general colleges with boarding establishments in the district of Tillabery, Filingue and Birni N'konni; additional commitment: 1 276 000 units of account (about 315 million Frs. CFA).

89. In July 1964 a financing agreement was signed with Somalia concerning a social project to cost 1 357 000 units of account.

## Second Fund

90. On 29 July 1964 the EEC Commission took six financing decisions to a total of nearly 8 830 000 units of account; these are the first measures of aid under the new European Development Fund.

These decisions, which were taken after the unanimous approval of the EDF Committee at its meeting of 16 July, concerned the following operations:

*a)* Fixing of the first annual instalment under the programme of aid to production in Cameroon: 665 100 000 Frs. CFA, equivalent to 2 694 000 u.a. This is the first practical application of the provisions of the Yaoundé Convention, which, as is well known, has brought about important innovations in the sphere of aids to agricultural production.

# EUROPEAN DEVELOPMENT FUND

Financing approved at 21 August 1964

*(in thousand units of account)*

Country or territory	Number of projects	Amount
Congo (Leopoldville)	14	14 631
Rwanda	10	4 844
Burundi	13	4 753
Total	37	24 228
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Algeria (incl. Sahara)	9	20 427
Cameroon	26	44 497
Central African Republic	27	15 663
Comoro Islands	7	2 788
Congo (Brazzaville)	17	18 702
Ivory Coast	19	35 129
French Somaliland	2	1 367
Dahomey	18	18 658
Gabon	14	13 336
Guadeloupe	5	5 331
French Guiana	1	2 005
Upper Volta	12	26 434
Madagascar	40	53 528
Mali	25	33 009
Martinique	4	6 749
Mauritania	11	12 539
Niger	6	26 007
New Caledonia	5	1 560
Polynesia	1	2 474
Réunion	5	7 516
Saint-Pierre-et-Miquelon	1	3 545
Senegal	21	37 564
Chad	18	28 197
Togo	18	13 995
Group of States	3	7 891
Total	315	438 911
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Somalia	5	6 825
New Guinea	4	7 458
Surinam	4	11 194
Total	8	18 652
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Grand total	365	488 616

b) Appropriation of 3 million u.a. to finance surveys relating to the presentation and execution of projects submitted to the Commission under the second EDF. Technical assistance in connection with investment schemes will become more general practice. Within the limits of the appropriation, the Commission is empowered to conclude with firms of consulting engineers and individual consultants contracts for the surveys necessary to make the Fund's aid fully effective.

c) Financing for the four months from June to September 1964 of the 200 extra scholarships authorized by the Council under transitional arrangements; a little over 217 000 u.a.

d) Fixing of an overall amount to finance the training programme for the 1964/65 academic year: 700 scholarships may be granted from the EDF to the value of 2 700 000 u.a. These 700 scholarships will be in addition to the 300 which will continue to be financed each year, as in the past, out of the Commission's ordinary budget.

e) Fixing of an overall amount to finance the programme of in-service training for 1964/65: Bfrs. 2 825 000, equivalent to just over 56 000 u.a. Such training in the service of the Commission is given each year to twenty or so nationals of overseas countries and territories associated with the EEC.

f) Fixing of an overall amount to finance a programme of seminars for 1964/65 and for the publication of the "Courrier de l'Association", which is a bulletin addressed to former in-service scholarship-holders and participants in seminars, just over Bfrs. 8 million, equivalent to 160 000 u.a.

As can be seen, the first financing decisions taken by the Commission, only two months after the entry into force of the Yaoundé Convention, already point to the widening and diversification of aid measures by the new EDF: they cover technical assistance linked with investment and general technical co-operation as well as aids to production.

## First meeting of the Fund Committee

91. The EEC Commission convened the first meeting of the new EDF Committee on 16 July. The Committee advises on all schemes and programmes which the Fund is asked to finance.

The Committee is composed of representatives of the six Member States and is presided over by the Director-General for Overseas Development in the EEC Commission. Representatives of the European Investment Bank also attend the Committee meetings.

At this first meeting the Committee examined the following six proposals:

a) First annual instalment of aid to production in Cameroon;

b) Appropriation to finance surveys relating to presentation and execution to projects submitted under the second EDF;

c) Financing for the four months from June to September 1964 of the 200 extra scholarships authorized by the Council under transitional arrangements;

d) Financing of a programme for 700 scholarships for 1964/65;

e) Financing of a programme of in-service training for 1964/65;

f) Financing of a programme of seminars for 1964/65.

The Committee heard a report from the Commission on the balance-sheet of the first Fund, the results obtained, the matters dealt with and the difficulties encountered.

### Development of trade

92. On the entry into force on 1 June 1964 of the Yaoundé Convention, the Commission requested the Governments of the various associated States concerned to speed up the preparation of their programmes of aid to production and diversification. In July and August, Niger, the Central African Republic, Dahomey and Chad complied with this request and their programmes are now being studied.

As the Yaoundé Convention imposed new rules for customs duties and quotas, considerable aid had to be granted to governments requesting it. Aid missions have visited in turn Senegal, Ivory Coast, Upper Volta, Chad, the Central African Republic, Cameroon, Gabon, Mauritania and Madagascar.

## ADMINISTRATIVE AFFAIRS

### Staff movements

93. M. de Vries has been appointed Director for Monetary Matters in the Directorate-General for Economic and Financial Affairs.

M. Fresi has been appointed head of the division on "Relations with Council of Europe, WEU, OECD, EFTA — UK, Denmark, Ireland" in the Directorate for "Western Europe — Membership and Association" of the Directorate-General for External Relations.

M. Le Tallec has been appointed Legal Adviser in the Legal Service (EEC).

### III. Institutions and organs

#### A. THE COUNCIL

##### 139th session -

The 139th session of the Council was held on 7 July 1964. The following matters were dealt with:

*Freedom of establishment and services:* The Council issued three directives: two concerning most activities in the manufacturing and craft industries, with the relevant transitional measures, and the third on self-employed activities in mining and quarrying <sup>(1)</sup>. They will take effect six months after notification (see Chapter II, sec. 27-30).

*Export credit insurance:* The Council approved several suggestions for improving consultation procedure in the fields of export credit insurance, guarantees and financial credits (procedure established on 15 May 1962). It adopted further suggestions for harmonizing current practices regarding the percentages and ceilings for the automatic incorporation of the sub-contracted parts of non-national origin in the guarantee granted to the main contractor.

*External relations:* The Council heard a report by the Commission on the results of its exploratory talks with the Austrian mission in Brussels and decided to hold a preliminary discussion on 29 and 30 July 1964 on Austria's application for association (see Chapter II, sec. 6).

The Council also received a statement by the Commission on the situation of the multilateral trade negotiations at GATT.

*Agricultural policy:* The Council extended for a year (until 30 June 1965) the agreement on quality wheat concluded with the United States and Canada following the 1960/61 tariff conference.

*Information policy:* The Councils held a debate on the Communities' information policy. They decided to set up an information office in Montevideo and to step up the information services provided by the Member States' embassies in the associated countries and non-member countries.

*Budget matters:* The Council heard a statement by the President of the Commission summing up the Commission's programme of activities for 1965 and preparing for the debate on the budget. The Council requested the Committee of Permanent Representatives to examine the Commission's suggestions on budgetary procedure.

The EEC and EAEC Councils acceded to the Commissions' request for authorization of the supplementary five-twelfths (Article 204 of the Treaty).

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<sup>(1)</sup> See official gazette of the European Communities, No. 117, 23 July 1964.

## 140th session

The 140th session of the Council was held from 14 to 16 July 1964 and dealt with agricultural matters. After long discussion the following proposed regulations were adopted in principle:

*Proposed regulations implementing Regulation No. 13/64/CEE (milk and milk products) and the system applicable to rice and broken rice originating in the AASM and OCT:*

- a) Proposed regulation establishing groups of products in the milk and milk products sector;
- b) Proposed regulation fixing the reference prices of certain milk products;
- c) Proposed implementing regulation concerning compensatory amounts and the granting of subsidies in pursuance of Article 10 of Regulation No. 13/64/CEE;
- d) Proposed regulation concerning criteria for fixing the standard amounts for certain milk products;
- e) Proposed regulations:
  - i) Concerning the system applicable to rice and broken rice originating in the associated African States and Madagascar and the overseas countries and territories;
  - ii) Providing for derogatory measures regarding imports into the overseas departments of the French Republic of rice and broken rice originating in the associated African States and Madagascar and the overseas countries and territories.

In pursuance of the Council decision of 30 June 1964 the rice regulation will take effect on 1 September 1964 and the milk and beef regulations on 1 November 1964.

The Council further adopted the following regulations in the Community languages:

Regulation fixing the amounts of intra-Community levies on pigs, pigmeat and pigmeat products imported between 1 August 1964 and 30 June 1965;

Regulation fixing the amounts of levies on pigs, pigmeat and pigmeat products imported from non-member countries between 1 August and 30 September 1964;

Regulation fixing, in the case provided for in Article 3(2) of Council Regulation No. 22, the amounts of intra-Community levies on slaughtered hens, chickens and turkeys;

Regulation amending the annex to Council Regulation No. 19;

Regulation derogating from certain provisions of Council Regulation No. 16/64/CEE;

Regulation amending the quantity of feed-grain required to produce 1 kilogramme of slaughtered duck and amending the sluice-gate price for slaughtered ducks.

Lastly, the Council authorized the Italian Government to suspend the CCT duties applicable to live animals of the bovine species (of domestic species: other) not exceeding 340 kilogrammes in weight (tariff heading ex 01.02 A II) (see Chapter II, Agriculture).

The 141st session of the Council was held from 28 to 30 July 1964. The following matters were dealt with:

*Agricultural policy:* The Council adopted in the Community languages the regulations approved in principle at its previous session. They deal with:

- i) Criteria for fixing the standard amounts for certain milk products;
- ii) Establishment of groups of products in the milk and milk products sector;
- iii) Fixing the reference prices of certain milk products;
- iv) Certain derogatory measures concerning milk powder, butter, condensed milk and certain cheeses;
- v) The application of compensatory amounts and the granting of subsidies in pursuance of Article 10 of Regulation No. 13 (milk and milk products).

The Council also adopted amendments to the regulations:

- i) Establishing groups of products in the milk and milk products sector;
- ii) Fixing the reference prices of milk products — in respect of Tilsit cheese (Havarti).

The Council adopted provisionally a proposed regulation for measures derogating from the Community arrangements for rice in favour of rice originating in the AASM (see Chapter II, Agriculture).

*External relations:* The Council adopted a resolution taking note of the report submitted by the Commission on the exploratory talks with the Austrian mission and requested the Committee of Permanent Representatives to prepare with the Commission's representatives a draft directive on the opening of negotiations.

*Trade negotiations at GATT:* The Council received a communication from the Commission suggesting that it take decisions to enable progress to be made in the discussions on agriculture at Geneva. The list in Annex II and a supplementary list with various additions requested by a member country were taken as a working hypothesis. The decision does not prejudice the possibility of fixing a reference price and an additional levy for these products.

*Tariff matters:* The Council extended the suspension of the CCT duty on beet and cane sugar (tariff heading 17.01) until 30 September 1964.

It also authorized Italy to suspend duties on imports of frozen beef (ex. 02.01 A II) from non-member countries until the same date.

*Social affairs:* The Council adopted a regulation abolishing the six-year time-limit laid down by Regulation No. 3 of 1958, regarding entitlement to benefits in kind under the sickness-maternity insurance scheme and family allowances for the members of a worker's family not residing in the same country as the worker himself (see Chapter II, sec. 54).

*Annual survey of industrial investment:* The Council adopted a directive calling upon the Member States to co-operate with the Commission in arrangements for annual surveys of industrial investment.

*Association of Greece:* The Council heard a statement from the Commission on the reservation the latter had maintained, with a view to the meeting of the Association Council, in respect of the financial aspects of harmonizing agricultural policies. It confirmed the legal position adopted by the Community (see Chapter II, sec. 1).

*Action taken by the Member States on the Council recommendation of 15 April 1964 concerning the Community's internal and external economic balance:* After taking note of the Commission's interim report, the Council heard a report from M. Marjolin, Vice-President of the Commission, on the measures taken or contemplated by the Member States in this sphere. The Council noted that the efforts to combat inflation were beginning to bear fruit, but stressed that they must be maintained (see Chapter II, sec. 17).

*Economic and Social Committee:* The Councils appointed M. Louis C. Ameys, President of the Glass Industry Federation, to the Economic and Social Committee in succession to the late Professor Maurice Masoin for the remainder of the latter's term of office, which expires on 24 April 1966.

*Consultation of the Parliament and the Economic and Social Committee:* The Council decided to refer to the Parliament the proposed regulations:

- i) Relating to the levy applicable to certain mixtures of milk products and certain preparations containing butter;
- ii) Introducing arrangements to govern trade in certain goods obtained by processing agricultural products;
- iii) Establishing a list of the goods to which the preceding regulation applies.

It also decided to refer to the Economic and Social Committee and the Parliament a proposed directive on procedure for introducing freedom of establishment and freedom to supply services in activities connected with the press.

## B. THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES

### Appointment of Members of the Court of Justice <sup>(1)</sup>

On 29 July 1964 the representatives of the Governments of the Member States renewed the terms of office of M. A.M. Donner, M. Walter Strauss, M. Robert Lecourt and M. Riccardo Monaco as judges in the Court of Justice of the European Communities for the period 7 October 1964 to 6 October 1970.

### Cases pending

*Cases 24/64 <sup>(2)</sup>, 31/64 <sup>(3)</sup> and 33/64 <sup>(3)</sup>*

In July three Dutch courts submitted to the Court of Justice of the European Communities requests for interlocutory rulings concerning the interpretation of Council Regulation No. 3 on the social security of migrant workers.

<sup>(1)</sup> See official gazette of the European Communities, No. 143, 17 September 1964.

<sup>(2)</sup> *ibid.*, No. 110, 10 October 1964.

<sup>(3)</sup> *ibid.*, No. 132, 14 August 1964.

*Case 32/64 (Italian Government v. EEC Commission) (3)*

On 28 July 1964 the Court notified the Commission of a suit filed by the Italian Government.

This is a suit for annulment of the decision of 22 May 1964 concerning the authorization of the Italian Government to take safeguard measures in respect of certain products in chapter 50 of the Italian customs tariff.

*Case 38/64*

On 28 August last a suit was filed against the Commission by a German company (Getreide Import Gesellschaft). This seeks annulment of the Commission's decision of 25 June 1964 fixing cif prices for sorghum.

## Rulings

*Case 103/63*

(Rhenania, Schiffahrts- und Speditionsgesellschaft, Mannheim, Rhenus, Gesellschaft für Schifffahrt, Spedition und Lagerei, Frankfurt a/M; Westfälische Transport-Aktien-Gesellschaft, Dortmund v. EEC Commission.)

This was an appeal against inaction in the fixing of intervention prices for derived products in Germany.

The Court declared on 12 July 1964 that no judgment was called for since the applicants had obtained satisfaction in the meantime.

*Case 100/63*

(Mevrouw J. G. van der Veen, weduwe van J. Kalsbeek, Overdenkel, v. Bestuur Sociale Verzekeringsbank, Amsterdam.)

This was an interlocutory question on the interpretation of Council Regulation No. 3 concerning the social security of migrant workers.

The Court rendered its decision on 15 July 1964:

1) The term "legislation" employed in Articles 1(b), 2(1) and 3 of EEC Council Regulation No. 3 concerning the social security of migrant workers (2) also includes national legislation providing for insurance against premature death with benefits for survivors, even if such legislation came into force after Regulation No. 3 and even if it has not been notified;

[...]

2) These provisions are only applicable in so far as the regulations ensure for the persons concerned benefits at least equivalent to the total benefits which they would enjoy in each country by virtue of the domestic legislation to which they are subject, such legislation being considered independently of EEC Council Regulations No. 3 and No. 103.

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(1) See official gazette of the European Communities, No. 132, 14 August 1964.

(2) *ibid.*, 16 December 1958, pp. 561 et seqq.

*Case 6/64 (Avv. Flaminio Costa v. ENEL)*

This was an application submitted by order of the "Vice Conciliatore" of Milan for an interlocutory ruling on whether the Italian law of 6 December 1962 nationalizing the electricity industry in Italy and the decrees of the President of the Republic of 15 December 1962 were compatible with the EEC Treaty, in particular with Articles 37, 53, 93 and 102 thereof.

The Court rendered its decision on 15 July 1964. It declared the request admissible, stating that Article 177 should be applied, notwithstanding any domestic law, where any question of interpretation of the Treaty arose, even if the domestic court were not required to apply a provision of the Treaty but only a domestic law that might be incompatible with the said provision. The Court gave its interpretation of Articles 102, 93, 53 and 37 of the EEC Treaty on the point whether these provisions had direct consequences and conferred upon individuals legal rights that must be upheld by domestic courts. The Court decided that Articles 102 and 93 did not have such effects, but that Articles 53 and 37 (in part) did.

With regard to Article 53, the Court found that the obligation imposed on Member States not to introduce "any new restrictions on the right of establishment in their territories of nationals of other Member States" was in any event fulfilled if nationals of other Member States were subject to the same rules as nationals of the State concerned.

With regard to Article 37(2), which requires the Member States to abstain from introducing any new measure contrary to the requirement that all discrimination between the nationals of Member States be removed, the Court decided that this was a formal prohibition that was directly enforceable and conferred rights on the individual, but that it was for the judge in the case in point to decide: 1) whether the Italian law concerned introduced further discrimination between nationals of Member States; 2) whether ENEL was a "trading monopoly".

Concerning the relationship between Community law and domestic law, the Court's judgment contains a statement of principle. It is that a law passed after the entry into force of the Treaty cannot overrule Community law, because by signing the Treaty the Member States agreed to restrict their jurisdiction and to transfer some of their powers to the Community, and thus created a body of law applicable to their nationals and to themselves. The Court has thus unequivocally affirmed the pre-eminence of Community law over domestic law.

*Case 1/64 (The Belgian company "Glucoseries réunies" v. EEC Commission)*

Annulment was sought of the Commission's decision of 28 November 1963 authorizing France to impose countervailing charges on imports of glucose from certain Member States.

The Court rendered its decision on 2 July 1964, rejecting the suit as inadmissible.

*Cases 26/63, 78/63 and 80/63.*

Three members of the staff of the EEC Commission had each filed a suit against the Commission for annulment of the procedure followed in respect of their establishment and reversal of the decision to terminate their contracts of employment.

The Court gave judgment on 1 July 1964. In cases 26/63 and 78/63, it rejected the suits as unfounded. In case 80/63, the Court annulled the termination of the applicant's contract; the procedure of establishment must therefore be re-opened.

*Case 97/64*

On 1 July 1964 the Court gave judgment in case 97/64.

This was a suit for annulment of the Commission's decision appointing a head of division in Directorate-General III.

The Court annulled the Commission's decision.

### C. MONETARY COMMITTEE

The 61st meeting of the Monetary Committee was held on 10 July 1964 with M. E. van Lennep in the chair.

In the course of its regular surveys of the monetary and financial situation of the Member States, the Committee examined the situation in Italy. The Committee also held an exchange of views concerning business for the Conference of Finance Ministers to be held on 20 and 21 July in Amsterdam.

The 62nd meeting was held on 24 July.

The Committee adopted a report to the Commission and the Council on the Italian monetary and financial situation and another to the Commission containing the conclusions of its third annual review of restrictions on capital movements between the Member States.

The Commission, as required by point 14 of the Council recommendation of 14 April, referred to the Monetary Committee its first report on action taken by Member States in pursuance of this recommendation; the Committee approved the conclusions of the report.

## IV. European Investment Bank

In its session of 30 July 1964, the Board of Governors of the European Investment Bank nominated M. Ulrich Meyer-Cording Vice-President of the Bank.

This nomination takes effect as of 30 July 1964. M. Meyer-Cording succeeds M. Hans Karl von Mangkod-Reibod, whose term of office ended on 28 May 1964, the day of the Bank's Annual Meeting, and who was named Honorary Vice-President.

M. Meyer-Cording, Ministerialdirektor, was the head of the European Co-operation Department in the German Ministry of Economy. He had previously occupied other important positions in the German administration.

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On 6 July 1964 the European Investment Bank concluded a loan agreement with "Société du Canal de Provence et d'Aménagement de la Région Provençale", of Marseilles, for the financing of hydraulic installations for irrigation and the water-supply of the Provence region.

The contract was signed in Brussels by the President of "Société du Canal de Provence et d'Aménagement de la Région Provençale", M. Gaston Defferre, and the President of the European Investment Bank, M. Paride Formentini.

The project comprises the first part of the programme for the construction of the Canal de Provence and its water distribution networks. The Canal de Provence will divert the waters of the Verdon river, the main tributary of the Durance river, and carry them through the Var and Bouches-du-Rhône departments towards the Mediterranean coast. This will allow irrigation by spraying of some 54 000 ha. situated mainly in inner Provence, and ensure the water supply of the towns and industries in the region limited by the valley of the Durance river in the North, the Etang de Berre in the South-West, the peninsula of Hyères in the South-East, and the "Les Arcs" region in the East. The first section of the works, which is the project taken into consideration by the Bank, consists of the construction of part of the main water transport installations and the setting-up of spray irrigation networks covering 14 050 ha. The project cost, representing about one third of the whole programme, amounts to 66.56 million units of account, towards which the Bank will contribute by a 20-year loan of 13.1 million units of account, bearing interest at the rate of 5 7/8 per cent.

The project will help to improve the agricultural structure, and to modernize farming and marketing methods. Thus the agricultural revenue in a poorly developed region in the interior of Provence, is expected to rise to a level not far from the French average.

The loan will be underwritten by the French Republic.

The European Investment Bank will issue bonds of a total value of 30 million guilders in the Netherlands. The bonds have been taken over firm by a group of Dutch banks headed by the Amsterdamsche Bank, of Amsterdam.

The twenty-year bonds, of a nominal amount of Fl. 1 000, will bear interest at the rate of  $5 \frac{3}{4}$  % and will be offered to the public on 14 August 1964, at a rate of 97 %.

The bonds will be redeemed in 10 annuities of 3 million guilders each, beginning on 15 September 1975. From that date the European Investment Bank will, however, have the option of redeeming by anticipation all or part of the bonds, at the rate of  $101 \frac{1}{2}$  % during the years 1975-78 and at 101 % during the following years.

This loan constitutes the third public bond issue of the European Investment Bank in the Netherlands.

The net proceeds from the sale of the bonds will be used by the European Investment Bank for its general lending operations.

## PUBLICATIONS OF THE EUROPEAN ECONOMIC COMMUNITY

A. Items concerning the activities of the European Economic Community published in the official gazette of the European Communities between 10 July and 17 September 1964

### EUROPEAN PARLIAMENT

#### Written questions and replies

No 28 de M. Vredeling à la Commission de la CEE. Objet: Importation de viande bovine aux Pays-Bas (No. 28 by M. Vredeling to the EEC Commission: Imports of beef into the Netherlands)	No. 114	16.7.64
No 30 de M. Troclet à la Commission de la CEE. Objet: Article 119 du traité de la CEE; égalité de rémunérations entre les travailleurs masculins et féminins (No. 30 by M. Troclet to the EEC Commission: Article 119 of the EEC Treaty; equal pay for men and women)	No. 115	18.7.64
No 31 de M. Troclet à la Commission de la CEE. Objet: Abolition des droits douaniers sur les appareils de prothèse et d'orthopédie (No. 31 by M. Troclet to the EEC Commission: Removal of customs duties on prosthetic and orthopaedic appliances)	No. 115	18.7.64
No 32 de M. Troclet à la Commission de la CEE. Objet: Sécurité sociale (No. 32 by M. Troclet to the EEC Commission: Social security)	No. 115	18.7.64
No 38 de M. Armengaud à la Commission de la CEE. Objet: Equilibre par nationalité des fonctionnaires et agents de la catégorie A de la direction "Ententes et Monopoles, dumping, discriminations privées", chargée de la mise en œuvre du règlement no 17 (No. 38 by M. Armengaud to the EEC Commission: Distribution by nationality of Grade A posts in the Directorate for "Agreement, Monopolies, Dumping, Non-governmental Discrimination", which deals with the implementation of Regulation No. 17)	No. 115	18.7.64
No 33 de M. Nederhorst à la Commission de la CEE. Objet: Propositions relatives à la lutte contre l'inflation (No. 33 by M. Nederhorst to the EEC Commission: Proposals concerning action to combat inflation)	No. 120	28.7.64
No 34 de M. Moro à la Commission de la CEE. Objet: Application des tarifs nationaux aux envois postaux à l'intérieur de la Communauté (No. 34 by M. Moro to the EEC Commission: Application of national postage rates to mail from one Community country to another)	No. 120	28.7.64
No 36 de M. Nederhorst à la Commission de la CEE. Objet: L'enquête organisée aux Pays-Bas sur l'application de l'article 119 du traité de la CEE qui prévoit l'égalité des rémunérations entre les travailleurs masculins et les travailleurs féminins [No. 36 by M. Nederhorst to the application of Article 119 of the EEC Treaty (equal pay for men and women)]	No. 120	28.7.64
No 26 de M. Nederhorst à la Commission de la CEE. Objet: Accords verticaux sur les prix et concurrence (No. 26 by M. Nederhorst to the EEC Commission: Vertical price agreements and competition)	No. 128	8.8.64
No 39 de Mme Strobel à la Commission de la CEE. Objet: Harmonisation des dispositions légales et réglementaires concernant les denrées alimentaires et l'art vétérinaire (No. 39 by Mme Strobel to the EEC Commission: Harmonization of laws and regulations on foodstuffs and veterinary practice)	No. 128	8.8.64
No 40 de M. Pleven à la Commission de la CEE. Objet: Organisation commune de marché dans le secteur des œufs et de la viande de volaille (No. 40 by M. Pleven to the EEC Commission: Common organization of the egg and poultrymeat market)	No. 128	8.8.64

No 41 de M. Lenz à la Commission de la CEE. Objet: Risques d'accidents de la circulation dus aux discordances entre les prescriptions des codes de la route des Etats membres en matière de sens giratoire (No. 41 by M. Lenz to the EEC Commission: Risk of road accidents due to discrepancies regarding priority on roundabouts between the Member States' highway codes)	No. 128	8.8.64
No 43 de M. Vredeling à la Commission de la CEE. Objet: Le Comité de politique budgétaire et le Comité des gouverneurs des banques centrales des Etats membres (No. 43 by M. Vredeling to the EEC Commission: The Budget Policy Committee and the Committee of Governors of Central Banks in the European Economic Community)	No. 128	8.8.64
No 44 de M. Vredeling à la Commission de la CEE. Objet: Publicité donnée à l'application des articles 5 et 6 de la décision concernant la coordination des politiques de structure agricole (No. 44 by M. Vredeling to the EEC Commission: Publicity given to the application of Articles 5 and 6 of the decision on the co-ordination of agricultural structure policies)	No. 128	8.8.64
No 45 de M. Janssens à la Commission de la CEE. Objet: Libre circulation des artistes et de leurs œuvres (No. 45 by M. Janssens to the EEC Commission: Free movement of artists and their works)	No. 128	8.8.64
No 27 de M. van der Goes van Naters au Conseil de la CEE et au Conseil de la CEEA. Objet: Force de loi des traités de Rome en Italie (No. 27 by M. van der Goes van Naters to the EEC and EAEC Councils: Legal force of the Rome Treaties in Italy)	No. 129	11.8.64
No 46 de M. Vredeling à la Commission de la CEE. Objet: Réponse aux questions écrites (No. 46 by M. Vredeling to the EEC Commission: Replies to written questions)	No. 129	11.8.64

#### Notices of open competitive examinations

Modificatif aux avis de concours généraux no PE/6/C (secrétaires sténodactylographes de langue néerlandaise) et no PE/7/C (dactylographes de langue néerlandaise) publiés au Journal officiel des Communautés européennes no 91 du 9 juin 1964 (Amendment to the notices of open competitive examinations No. PE/6/C (Dutch-language secretaries with shorthand and typing) and No. PE/7/C (Dutch-language typists) published in the official gazette of the European Communities No. 91 of 9 June 1964)	No. 116	21.7.64
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### CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

#### Information

Nomination de quatre juges à la Cour de justice des Communautés européennes (Appointment of four judges to the Court of Justice of the European Communities)	No. 143	17.9.64
Nomination d'un vice-président, et remplacement d'un membre démissionnaire de la Commission de la Communauté économique européenne (Appointment of a Vice-President of the EEC Commission and replacement of a resigning member)	No. 143	17.9.64

### COUNCIL AND COMMISSION

#### Regulations

Règlement no 83/64/CEE de la Commission, du 6 juillet 1964, prévoyant des dispositions en vue d'éviter les détournements de trafic dans les échanges de riz et de brisures (Commission Regulation No. 83/64/CEE of 6 July 1964 containing provisions to prevent deflection of trade in rice and broken rice)	No. 111	13.7.64
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Règlement no 84/64/CEE de la Commission, du 7 juillet 1964, fixant les montants forfaitaires pour le riz décortiqué et les brisures jusqu'au 31 août 1965 (Commission Regulation No. 84/64/CEE of 7 July 1964 fixing the standard amounts for husked rice and broken rice until 31 August 1965)	No. 111	13.7.64
Règlement no 85/64/CEE de la Commission, du 10 juillet 1964, relatif à la fixation d'un montant supplémentaire pour les œufs de volailles en coquille (Commission Regulation No. 85/64/CEE of 10 July 1964 concerning the supplementary amount for poultry eggs in shell)	No. 112	14.7.64
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<p>Décision de la Commission du 6 juillet 1964 portant octroi à la République fédérale d'Allemagne d'un contingent tarifaire pour les morues, colins (lieus noirs), aiglefins, sébastes et flétans noirs (Commission Decision of 6 July 1964 granting Germany FR a tariff quota for cod, coalfish, haddock, rosefish and black halibut)</p>	<p>No. 125 4.8.64</p>
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<p>Décision de la Commission du 8 juillet 1964 relative au recours de la république fédérale d'Allemagne à l'article 115 alinéa 1 du traité, pour exclusion du traitement communautaire le café, non torréfié, non décaféiné, de la position 09.01 A I a du tarif douanier commun, originaire des pays autres que les Etats africains et malgache et les pays et territoires d'outre-mer associés à la Communauté économique européenne et mis en libre pratique dans les pays du Benelux (Commission Decision of 8 July 1964 on the invocation by Germany FR of Article 115, first paragraph, of the Treaty to exclude from Community treatment coffee, unroasted and not freed of caffeine (heading 09.01 A I of the CCT) from countries other than the associated African States and Madagascar and the associated overseas countries and territories and in free circulation in the Benelux countries)</p>	<p>No. 125 4.8.64</p>
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<p>Décision de la Commission du 31 juillet 1964 portant nouvelle modification de sa décision du 4 décembre 1963 autorisant la perception de taxes compensatoires à l'importation, dans la République française, de dextrines, d'amidons et féculs solubles ou torréfiés, ainsi que de parements et apprêts préparés, à base de matières amylacées, en provenance de certains Etats membres (Commission Decision of 31 July 1964 further amending its Decisions of 4 December 1963 authorizing France</p>	

to impose countervailing charges on imports from certain Member States of dextrins, soluble or roasted starches, and prepared glazings and dressing with a basis of starchy substances)	No. 134	20.8.64
Décision de la Commission du 11 août 1964 portant modification de la décision de la Commission du 22 juillet 1964 autorisant le royaume de Belgique, le grand-duché de Luxembourg, la République française et la République italienne à percevoir un montant compensatoire à l'importation de certaines catégories d'aliments pour animaux, contenant du lait (Commission Decision of 11 August 1964 amending its Decision of 22 July 1964 authorizing Belgium, Luxembourg, France and Italy to levy a compensatory amount on imports of certain types of animal feed containing milk)	No. 134	20.8.64
Décision de la Commission du 28 juillet 1964 portant octroi d'un contingent tarifaire à la République italienne pour 3 000 taureaux, vaches et génisses, des races de Schwyz, du Simmental et de Fribourg, autres que ceux destinés à la boucherie (Commission Decision of 28 July 1964 granting Italy a tariff quota for 3 000 bulls, cows and heifers of the Schwyz, Simmental and Fribourg breeds, other than for slaughter)	No. 136	26.8.64
Décision de la Commission du 29 juillet 1964, portant augmentation des volumes des contingents tarifaires au bénéfice du royaume de Belgique et du grand-duché de Luxembourg, pour le ferro-chrome et le ferromolybdène (Commission Decision of 29 July 1964 increasing the tariff quotas opened by Belgium and Luxembourg for ferro-chromium and ferro-molybdenum)	No. 136	26.8.64
Décision de la Commission du 30 juillet 1964 portant fixation d'une taxe compensatoire sur les importations de certains aliments du bétail en Italie (Commission Decision of 30 July 1964 fixing a countervailing charge on imports of certain types of cattle feed into Italy)	No. 136	26.8.64
Décision de la Commission du 30 juillet 1964 autorisant la république fédérale d'Allemagne à diminuer les prélèvements pour les oies abattues (Commission Decision of 30 July 1964 authorizing Germany FR to reduce levies on slaughtered geese)	No. 136	26.8.64
Décision de la Commission du 31 juillet 1964 portant modifications de la décision de la Commission du 20 décembre 1963 autorisant la République italienne à adopter des mesures de sauvegarde pour le plomb brut et le zinc brut (Commission Decision of 31 July 1964 amending its Decision of 20 December 1963 authorizing Italy to adopt safeguard measures for unwrought lead and zinc)	No. 136	26.8.64
Décision de la Commission du 31 juillet 1964 portant nouvelle modification de sa décision, du 28 novembre 1963, autorisant la perception de taxes compensatoires à l'importation, dans la République française, de glucose (dextrose) en provenance de certains Etats membres (Commission Decision of 31 July 1964 further amending its Decision of 28 November 1963 authorizing France to impose countervailing charges on imports of glucose (dextrose) from certain Member States)	No. 136	26.8.64
Décision de la Commission du 31 juillet 1964 autorisant la perception de taxes compensatoires à l'importation en République italienne de dextrines et d'amidons et féculs solubles ou torréfiés, ainsi que de parement et apprêts préparés, à base de matières amylacées, en provenance de certains Etats membres (Commission Decision of 31 July 1964 authorizing Italy to impose countervailing charges on imports of dextrins, soluble or roasted starches, and prepared glazings and dressings with a basis of starchy substances from certain Member States)	No. 136	26.8.64
Décision de la Commission du 30 juillet 1964 relative à l'institution d'une méthode de coopération administrative spéciale pour l'application du régime intracommunautaire aux produits pêchés par les navires des Etats membres (Commission Decision of 30 July 1964 on administrative co-operation in applying the intra-Community system to catches made by fishing vessels of Member States)	No. 137	28.8.64

Décision de la Commission du 14 août 1964 remplaçant l'annexe de la décision du 22 juillet 1964 autorisant le royaume de Belgique, le grand-duché de Luxembourg, la République française et la République italienne à percevoir un montant compensatoire à l'importation de certaines catégories d'aliments pour animaux, contenant du lait, modifiée en dernier lieu par la décision du 31 juillet 1964 (Commission Decision of 14 August 1964 replacing the annex to its Decision of 22 July 1964 authorizing Belgium, Luxembourg, France and Italy to impose a compensatory amount on imports of certain kinds of animal feed containing milk, last amended by the Decision of 31 July 1964)	No. 137	28.8.64
Décision de la Commission du 14 août 1964 abrogeant la décision du 30 juillet 1964 portant fixation d'une taxe compensatoire sur les importations de certains aliments de bétail en Italie (Commission Decision of 14 August 1964 rescinding its Decision of 30 July 1964 fixing a countervailing charge on imports of certain kinds of cattle feed into Italy)	No. 137	28.8.64
Décision de la Commission du 31 août 1964 portant fixation des prix CAF du riz et des brisures (Commission Decision of 31 August 1964 fixing the cif prices of rice and broken rice)	No. 140	5.9.64
Décision de la Commission du 31 août 1964 déterminant les primes s'ajoutant aux prélèvements et les montants à soustraire ou à ajouter dans le calcul des restitutions, dans les régimes de préfixation applicables aux échanges de riz et de brisures avec les pays tiers (Commission Decision of 31 August 1964 on the premiums to be added to levies and the amounts to be added or deducted in computing refunds, in the systems of advance price-fixing applicable to trade in rice and broken rice with non-member countries)	No. 140	5.9.64
Décision de la Commission du 31 août 1964 portant fixation des prix franco-frontière du riz et des brisures (Commission Decision of 31 August 1964 fixing the free-at-frontier prices of rice and broken rice)	No. 140	5.9.64
Décision de la Commission du 31 août fixant l'abattement sur le prélèvement applicable aux importations de riz décortiqué dans les membres non producteurs (Commission Decision of 31 August 1964 fixing the abatement of the levy on husked rice imported into the non-producer Member States)	No. 140	5.9.64
Décision de la Commission du 1 <sup>er</sup> septembre 1964 relative à la fixation pour le mois de septembre de l'année 1964 des moyennes arithmétiques des prélèvements agricoles envers les pays tiers devant servir de base au calcul du prélèvement compensateur institué en vertu de l'article 10 du traité pour les produits faisant l'objet du règlement no 16/64/CEE du Conseil (Commission Decision of 1 September 1964 fixing for September 1964 the arithmetic averages of agricultural levies, serving as a basis for calculating the compensatory levy imposed under Article 10 of the Treaty, on imports from non-member countries of the products listed in Council Regulation No. 16/64/CEE)	No. 140	5.9.64

### Recommendations and opinions

Avis de la Commission du 3 juin 1964 concernant la structure et les modalités d'application du système commun de taxe sur la valeur ajoutée (Commission Opinion of 3 June 1964 concerning the structure and detailed application of the common system of added-value tax)	No. 111	13.7.64
Recommandation de la Commission du 29 juin 1964 relative au régime douanier applicable aux moyens pédagogiques importés, à titre temporaire, d'un Etat membre dans un autre Etat membre, pour y être utilisés à des fins d'enseignement ou de formation professionnelle par des établissements ou organismes publics ou privés agréés par l'administration des douanes (Commission Recommendation of 29 June 1964 on customs arrangements for teaching aids imported temporarily from one Member State into another and to be used for teaching or vocational training purposes by public or private establishments or bodies approved by the customs authorities)	No. 112	14.7.64

## Delegations and missions to the Community

Missions d'Etats tiers (Finlande) [Missions of non-member countries (Finland)]	No. 125	4.8.64
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### European Development Fund

Modificatif à l'appel d'offres no 374 (Amendment to call for tender No. 374)	No. 111	13.7.64
Modificatif à l'appel d'offres no 375 (Amendment to call for tender No. 375)	No. 111	13.7.64
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Signature de trois conventions de financement (République française : départements de la Martinique et de la Guadeloupe; République islamique de Mauritanie) [Signature of three financing agreements (France: Departments of Martinique and Guadeloupe; Mauritania)]	No. 112	14.7.64
Avis d'appel d'offres no 379 lancé par la république du Sénégal (Notice of call for tender No. 379 issued by Senegal)	No. 113	15.7.74
Avis d'appel d'offres no 380 lancé par le territoire des Comores (Notice of call for tender No. 380 issued by the Comoro Islands)	No. 113	15.7.64
Avis d'appel d'offres no 381 lancé par la République du Tchad (Notice of call for tender No. 381 issued by Chad)	No. 113	15.7.64
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Avis d'appel d'offres no 382 lancé par la république du Sénégal (Notice of call for tender No. 382 issued by Senegal)	No. 124	30.7.64
Avis d'appel d'offres no 383 lancé par le Surinam (Notice of call for tender No. 383 issued by Surinam)	No. 125	4.8.64
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Avis d'appel d'offres no 366 lancé par la république de Haute-Volta (Notice of call for tender No. 366 issued by Upper Volta)	No. 129	11.8.64
Approbation d'investissements de caractère social dans les républiques du Sénégal, de Côte-d'Ivoire, centrafricaine et dans le territoire des Comores (Approval of social investments in Senegal, Ivory Coast, the Central African Republic and the Comoro Islands)	No. 131	13.8.64
Approbation d'investissement de caractère social en république du Niger (augmentation du montant affecté) [Approval of social investments in Niger (increase of commitment)]	No. 131	13.8.64
Signature d'une convention de financement (République somalienne) [Signature of financing agreement (Somalia)]	No. 131	13.8.64
Avis d'appel d'offres no 384 lancé par la République malgache (Notice of call for tender No. 384 issued by Madagascar)	No. 132	14.8.64
Résultats d'appels d'offres (nos 314 et 321) (Results of calls for tender Nos. 314 and 321)	No. 134	20.8.64
Compte rendu sur l'état d'avancement des opérations du Fonds européen de développement, arrêté à la date du 30 juin 1964 (EDF operations — situation at 30 June 1964)	No. 134	20.8.64
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Résultat de l'appel d'offres no 283 (Result of call for tender No. 283)	No. 137	28.8.64
Avis d'appel d'offres no 385 lancé par la République togolaise (Notice of call for tender No. 385 issued by Togo)	No. 137	28.8.64
Avis d'appel d'offres no 386 lancé par la république du Sénégal (Notice of call for tender No. 386 issued by Senegal)	No. 137	28.8.64
Modificatifs à deux appels d'offres (nos 352 et 366) (Amendments to two calls for tender Nos. 352 and 366)	No. 140	5.9.64
Avis d'appel d'offres no 387 lancé par la république de Côte-d'Ivoire (Notice of call for tender No. 387 issued by Ivory Coast)	No. 141	9.9.64
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### Cartels and monopolies

Décision de la Commission du 30 juillet 1964 relative à une demande d'attestation négative présentée conformément à l'article 2 du règlement no 17 du Conseil (IV/ 00095) (Commission Decision of 30 July 1964 on a negative clearance application (IV/A 00095) submitted in accordance with Article 2 of Council Regulation No. 17)	No. 136	26.8.64
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### General information

Avis de concours no CEE/354/B (un assistant) [Notice of competitive examination No. CEE/354/B (Assistant)]	No.122	29.7.64
Liste de produits faisant l'objet de l'application de la clause de sauvegarde prévue par l'article 115 (situation au 1 <sup>er</sup> juillet 1964) (List of products to which the safeguard clause under Article 115 is being applied — situation at 1 July 1964)	No. 131	13.8.64
Composition des Comités consultatifs pour les produits agricoles (Composition of the Advisory Committees on Agricultural Products)	No. 141	9.9.64
Avis de concours no CEE/283/L (un juriste réviseur) [Notice of competitive examination No. CEE/283/L (Legal Reviser)]	No. 142	15.9.64
Avis de concours no CEE/374/B — Externe (un assistant) [Notice of competitive examination No. CEE/374/B — external (Assistant)]	No. 142	15.9.64
Avis de concours no CEE/375/B — Externe (un assistant) [Notice of competitive examination No. CEE/375/B — external (Assistant)]	No. 142	15.9.64
Avis de concours no CEE/392/A (réserve de recrutement d'administrateurs) [Notice of competitive examination No. CEE/392/A (réserve for recruitment of administrative officers)]	No. 142	15.9.64

## COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES

### Judgments

Arrêt de la Cour (deuxième chambre) dans les affaires jointes 79 et 82-63 (Reynier Jean et Erba Piero contre Commission de la CEE) [Judgment by the Court (Second Section) in consolidated cases 79 and 82-63 (Reynier Jean et Erba Piero v. EEC Commission)]	No. 120	28.7.64
Arrêt de la Cour dans l'affaire 92-63: demande préjudicielle, portant sur l'interprétation de l'article 12 du règlement no 3 du Conseil de la CEE, introduite par le président par intérim du Centrale Raad van Beroep à Utrecht (Judgment by the Court in Case 92-63: request, submitted by the Acting President of the Centrale Raad van Beroep, Utrecht, for interlocutory ruling on the interpretation of Article 12 of EEC Council Regulation No. 3)	No. 120	28.7.64

Arrêt de la Cour (deuxième chambre) dans les affaires jointes 94 et 96-63 (Burnsset Pierre contre la CEE et/ou la Commission de la CEE) [Judgment by the Court (Second Section) in consolidated cases 94 and 96-63 (Bernusset Pierre v. EEC and/or EEC Commission)] No. 120 28.7.64

### Communications

Demande de décision préjudicielle présentée par ordonnance du 18 janvier 1964 du tribunal civil de Rome, première chambre, dans l'affaire société "Albatros" contre société "SO.PE.CO." (Affaire 20-64) [Request for interlocutory ruling submitted on 18 January 1964 by the Rome Civil Court, First Section, *in re* Albatros v. So.Pe.Co. (Case 20-64)] No. 110 10.7.64

Recours introduit le 26 mai 1964 par Mlle Dominique Oberthur contre la Commission de la CEE (Affaire 21-64) [Suit filed on 26 Mai 1964 by Mlle Dominique Oberthur v. EEC Commission (Case 21-64)] No. 110 10.7.64

Recours introduit le 26 mai 1964 par Mlle Thérèse Marie-Louise Vandevyvere contre le Parlement européen (Affaire 23-64) [Suit filed on 26 May 1964 by Mlle Thérèse Marie-Louise Vandevyvere v. the European Parliament (Case 23-64)] No. 110 10.7.64

Demande de décision préjudicielle contenue dans le jugement du 29 avril 1964 du "Centrale Raad van Beroep" à Utrecht dans l'affaire Mlle A.M. Dingemans contre "Bestuur van de Sociale Verzekeringsbank" à Amsterdam (Affaire 24-64) [Request for interlocutory ruling contained in the judgment of 29 April 1964 of the "Centrale Raad van Beroep" Utrecht *in re* Mlle A.M. Dingemans v. "Bestuur van de Sociale Verzekeringsbank", Amsterdam (Case 24-64)] No. 110 10.7.64

Recours introduit le 2 juillet 1964 par M. Richard Müller contre le secrétaire général des Conseils des Communautés européennes (Affaire 28-64) [Suit filed on 2 July 1964 by M. Richard Müller v. the Secretary-General of the Councils of the European Communities (Case 28-64)] No. 132 14.8.64

Recours introduit le 10 juillet 1964 par M. Ernest Ley contre la Commission de la CEE (Affaire 29-64) [Suit filed on 10 July 1964 by M. Ernest Ley v. the EEC Commission (Case 29-64)] No. 132 14.8.64

Demande de décision préjudicielle contenue dans le jugement du 28 mai 1964 du tribunal de première instance de Maastricht dans l'affaire caisse commune d'assurances "La prévoyance sociale" contre M. W.H. Bertholet (Affaire 31-64) [Request for interlocutory ruling submitted on 28 May 1964 by the Maastricht court of first instance *in re* "La Prévoyance Sociale" v. M. W.H. Bertholet (Case 31-64)] No. 132 14.8.64

Recours introduit le 27 juillet 1964 par le gouvernement de la République italienne contre la Commission de la CEE (Affaire 32-64) [Suit filed on 27 July 1964 by the Italian Government v. the EEC Commission (Case 32-64)] No. 132 14.8.64

Demande de décision préjudicielle contenue dans le jugement du 23 juillet 1964 du tribunal de première instance de Assen, dans l'affaire Betriebskrankenkasse der Heseper Torfwerk GmbH contre Mme Egberdina van Dijk, veuve R. Koster (Affaire 33-64) [Request for interlocutory ruling submitted on 23 July 1964 by the Assen court of first instance *in re* Betriebskrankenkasse of the Heseper Torfwerk GmbH v. Mme Egberdina van Dijk, widow of R. Koster (Case 33-64)] No. 132 14.8.64

### ECONOMIC AND SOCIAL COMMITTEE

Avis de concours général no CES/26/64 (un commis) [Notice of open competitive examination No. CES/26/64 (clerk)] No. 128 8.8.64

Prorogation de la validité de la liste de réserve de recrutement d'administrateurs, établie à la suite du concours général no CES/20/63 (publié au Journal officiel des Communautés européennes no 128 du 21 août 1963) [Extension of the validity of the reserve list for recruit-

ment of administrative officers, established by open competitive examination No. CES/20/63 (published in the official gazette of the European Communities No. 128 of 21 August 1963)]	No. 132	14.8.64
Election des membres du bureau (Election of officers)	No. 132	14.8.64
Elections des membres des bureaux des sections spécialisées (Elections of officers of the specialized sections)	No. 132	14.8.64
Modifications intervenues dans la composition des sections spécialisées (Changes in the composition of the specialized sections)	No. 132	14.8.64

**B. Issues of the agricultural supplement to the official gazette containing the tables appended to the Commission's decisions fixing cif prices, premiums added to levies, the amounts to be added or deducted in computing refunds for cereals, and free-at-frontier prices for cereals**

- Supplement No. 28 of 22 July 1964
- Supplement No. 29 of 29 July 1964
- Supplement No. 30 of 5 August 1964
- Supplement No. 31 of 12 August 1964
- Supplement No. 32 of 19 August 1964
- Supplement No. 33 of 26 August 1964
- Supplement No. 34 of 2 September 1964
- Supplement No. 35 of 9 September 1964.

**C. Recent publications of the European Community <sup>(1)</sup>**

**Non-periodical publications**

- 1017\*  
Seventh General Report on the Activities of the Community  
(1 April 1963 — 31 March 1964) 1964. 366 pp. (f, d, i, n; *e: in preparation*)  
10s.9d.; \$1.50; Bfrs. 75
- 8118  
Annuaire de la Commission de la Communauté économique européenne  
(Directory of the Commission of the European Economic Community) 1964. 36 pp. (f, d, i, n)  
3s.9d.; \$0.50; Bfrs. 25
- 8096\*  
EEC, ECSC, Euratom  
Conférence européenne sur la sécurité sociale, Bruxelles, 10-15 décembre 1962 (European Conference on Social Security, Brussels, 10-15 December 1962) 1964. Vol. I: 760 pp., Vol. II: 348 pp. (f, d, i, n) £3.11.3; \$10; Bfrs. 500
- 8115  
Les règles de fonctionnement du Fonds social européen (Répertoire des textes officiels) (Operating rules of the European Social Fund (Digest of statutory texts) 1964. 148 pp. (f, d, i, n). Limited distribution
- 8127  
Discours prononcé par M. Jean Rey, membre de la Commission de la Communauté économique européenne, le 23 juin 1964, à Rome, devant l'Assemblée de l'Union de l'Europe occidentale (Speech by M. Jean Rey, member of the Commission of the European Economic Community, to the Assembly of Western European Union in Rome on 23 June 1964) 1964. 16 pp. (f). Free

(1) The abbreviations after each title indicate the languages in which the documents have been published: f = French; d = German; i = Italian; n = Dutch; e = English.

8121

Association entre la Communauté économique européenne et la Grèce. Premier rapport annuel d'activité du Conseil d'association à la Commission parlementaire d'association (1<sup>er</sup> novembre 1962 — 31 octobre 1963) (Association between the European Economic Community and Greece. First Annual Report of the Council of Association to the Parliamentary Committee for the Association (1 November 1962 — 31 October 1963)) 1964. 12 pp. (f). Limited distribution

8120

Accord commercial entre la Communauté économique européenne et le Gouvernement Impérial de l'Iran (Trade Agreement between the European Economic Community and the Imperial Government of Iran) 1964. 10 pp. (f). Limited distribution

8119

Accord créant une association entre la Communauté économique européenne et la Turquie et documents annexes (Agreement establishing an Association between the European Economic Community and Turkey, and annexed documents) 1964. 60 pp. (f). Limited distribution

### Periodical publications

4002

Graphs and Notes on the Economic Situation in the Community. Monthly. Nos. 7 and 8/1964. Three bilingual editions: f/i, d/n, e/f. Price per issue: 3s.6d.; \$0.50; Bfrs. 25. Annual subscription: £1.16.0; \$5; Bfrs. 250

5002

Bulletin des acquisitions. Bibliothèque de la Commission de la CEE (Lists of recent additions. EEC Commission Library) Monthly. Nos. 6 and 7-8/1964. Free.

## D. Publications by the joint services of the three Communities

### Joint Information Service

#### *Publications by offices in capital cities*

Bonn: Europäische Gemeinschaft No. 8, August 1964; No. 9, September 1964

The Hague: Europese Gemeenschap No. 63, September 1964

Paris: Communauté européenne No. 9, September 1964

Rome: Comunità Europea No. 8/9, August-September 1964

London: European Community No 7, July-August 1964

Washington: European Community No. 73, July 1964

### Statistical Office of the European Communities

General Statistical Bulletin, No. 7/8-1964 and 9/1964

Commerce extérieur: Statistique mensuelle No. 8/9-1964 (Foreign Trade: Monthly Statistics)

Commerce extérieur: Tableaux analytiques, Import 1963 (Foreign Trade: Import 1963)

Commerce extérieur: Commerce des associés d'outre-mer — Janvier-Septembre 1963 (Foreign Trade: Trade of the Overseas Associated Areas — January-September 1963)

Commerce extérieur: Commerce des associés d'outre-mer — Janvier-Décembre 1963 (Foreign Trade: Trade of the Overseas Associated Areas — January-December 1963)

Charbon et autres sources d'énergie, No. 4/1964 (Coal and other Sources of Energy)

Sidérurgie No. 4/1964 (Iron and Steel)

Statistiques sociales, No. 3/1964 (Social Statistics)

Statistiques agricoles, No. 3/1964 (Agricultural Statistics)