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

ECU	=	European currency unit
BFR	=	Belgische frank / Franc belge
DKR	=	Dansk krone
DM	=	Deutsche Mark
DR	=	Greek drachma
ESC	=	Escudo
FF	=	Franc français
HFL	=	Nederlandse guilder (Hollandse florijn)
IRL	=	Irish pound / punt
LFR	=	Franc luxembourgeois
LIT	=	Lira italiana
PTA	=	Peseta
UKL	=	Pound sterling
USD	=	United States dollar

contents

PART ONE **ACTIVITIES IN APRIL 1991**

News in brief	8
1. Towards European union	10
— Economic and monetary union	10
— Political union	10
2. The single market and the Community economic and social area	12
— Internal market	12
— Competition	15
— Enterprise policy, industrial policy and services	18
— Research and technology	20
— Telecommunications and information services	21
— Transport	22
— Energy	24
— Coordination of structural policies	25
— Social dimension	25
— Regional policies	28
— Agriculture	29
— Fisheries	36
— Environment	39
— Consumers	40
— A people's Europe	41
— Audiovisual media, information, communication and culture	42
3. Role of the Community in the world	43
— European Free Trade Association	43
— The Soviet Union and the countries of Central and Eastern Europe	43
— Mediterranean and Middle East	46
— United States, Japan and other industrialized countries	49

— Asia and Latin America	51
— African, Caribbean and Pacific countries and overseas countries and territories	53
— General development cooperation	55
— Commercial policy	57
— International organizations and conferences	60
— Human rights in the world	61
— Diplomatic relations	62
4. Intergovernmental cooperation	62
— European political cooperation	62
5. Financing Community activities	64
— Budgets	64
— Financial operations	72
— European Investment Bank	72
6. Statistics	74
7. Community institutions	76
— Parliament	76
— Council	78
— Commission	79
— Community lawcourts	80
— Court of Auditors	95
— Economic and Social Committee	96

PART TWO **DOCUMENTATION**

1. The ecu	100
2. Infringement proceedings	102
3. Additional references in the Official Journal	108
4. Index	111

Supplements 1991

1/91 The Commission's programme for 1991

***2/91 European industrial policy for the 1990s**

* In preparation.

PART ONE

ACTIVITIES IN APRIL 1991

News in brief

The single market and the Community economic and social area

Enterprise policy, industrial policy and services

The Commission adopts a communication on industrial activities based on biotechnology (→ point 1.2.35).

The Council adopts conclusions on the electronics and information technology industry (→ point 1.2.36).

Social dimension

The Commission adopts a proposal for a Regulation establishing a European Agency for Safety and Health at Work (→ point 1.2.64).

Environment

The Commission adopts a proposal for a Directive on the landfill of wastes (→ point 1.2.134).

The Commission adopts a proposal for a Directive on reducing the sulphur content of gasoil (→ point 1.2.135).

The Commission adopts initiatives to deal with pollution in the Gulf (→ point 1.2.136).

Role of the Community in the world

Soviet Union and Central and Eastern Europe

Mr Lech Walesa, President of the Republic of Poland, visits the Commission (→ point 1.3.3).

Mediterranean and Middle East

The European Council discusses the problems in the Middle East created by the Gulf War and Community action to provide aid for the Kurdish refugees (Commission Decisions on emergency aid, proposal for a Regulation amending the Regulations on the trade embargo against Iraq, Parliament resolution, amendment of the financial perspective) (→ point 1.3.13 to 1.3.18).

Asia and Latin America

A ministerial conference is held between the European Community and the Rio Group (→ point 1.3.34).

General development cooperation

The Commission adopts a proposal on a special food aid programme for Africa and Parliament adopts a resolution on famine in Africa (→ points 1.3.52 and 1.3.53).

1. Towards European union

Economic and monetary union

Intergovernmental Conference

- **References:**

Report of the Delors Committee: Bull. EC 4-1989, points 1.1.1 to 1.1.15

Conclusions of the special meeting of the European Council, Dublin: Bull. EC 4-1990, point I.7

Commission communication to the Council on economic and monetary union: Bull. EC 7/8-1990, point 1.3.2

Conclusions of the Rome I European Council: Bull. EC 10-1990, point I.5

Conclusions of the Rome II European Council: Bull. EC 12-1990, point I.10

1.1.1. Ministerial meeting.

- **Previous meeting:** Bull. EC 3-1991, point 1.1.1

Fifth meeting held in Brussels on 8 April.

Discussions focused on the transition from stage one to stage two of economic and monetary union and on the necessary prerequisites. There was broad agreement as to what these should be, but differences of opinion persist on whether the transition should be automatic or whether it should be subject to fulfilment of the conditions laid down by the Rome II European Council, in particular with regard to convergence.

1.1.2. Interinstitutional conference.

- **Previous session:** Bull. EC 3-1991, point 1.1.3

Second session held in Brussels on 8 April.

Mr Junker, the Luxembourg Finance Minister, opened the meeting by taking stock of developments within the conference and of progress so far with regard to EMU procedures during stage three, multilateral surveillance procedures, compliance with the principle of subsidiarity, budgetary discipline and external monetary policy. Lastly, he raised a number of points in relation to Parliament's desire for greater democratic legitimacy. Mr Barón Crespo, President of Parliament, reminded the meeting that this was one of Parliament's central concerns,

together with economic convergence and economic and social cohesion. These were the issues addressed by the majority of speakers, who also insisted on the need for parallelism between economic and monetary union and political union.

Political union

Intergovernmental Conference

- **References:**

Conclusions of the special meeting of the European Council, Dublin: Bull. EC 4-1990, point I.12

Conclusions of the Dublin European Council: Bull. EC 6-1990, point I.11

Commission opinion on the proposal for amendment of the Treaty establishing the European Economic Community with a view to political union: COM(90) 600; Bull. EC 10-1990, point 1.1.5

Conclusions of the Rome I European Council: Bull. EC 10-1990, point I.4

Conclusions of the Rome II European Council: Bull. EC 12-1990, points I.4 to I.9

1.1.3. Ministerial meeting.

- **Previous meeting:** Bull. EC 3-1991, point 1.1.2

Fourth meeting held in Luxembourg on 15 April.

Ministers discussed co-decision and common foreign and security policy on the basis of two papers from the Presidency in the form of draft articles. The draft provides for a co-decision procedure in areas where the Council can decide by qualified majority and in the case of laws of general application, a concept which will need clear definition. Many of the delegations called for further discussion of the Commission's role in the co-decision procedure. The foreign and security policy content of the draft, which in effect attempts to pull together the different views of the delegations, lists the objectives of a common foreign and security policy and deals with the question of demarcation between common policy and cooperation, will, however, have to be discussed again, with particular reference to general

problems relating to the 'defence' element to be included in the Treaty, voting by qualified majority and the strengthening of the Commission's role during all stages in the formulation, coordination and implementation of this policy.

1.1.4. Parliament resolution on the nature of Community acts.

Adopted by Parliament on 18 April. Given the powers of co-decision which it hopes to exercise in legislative matters in the future, Parliament considers there is a need for a clear hierarchy of Community legal acts differentiating between constitutional acts, budgetary acts, legislative acts and implementing measures and is consequently proposing a revision of Articles 189 to 191 of the Treaty. It feels that the new hierarchy should distinguish not only between legislative acts and implementing measures but also, within those categories, between acts and measures similar to the present directives (framework laws and framework implementing measures) and those similar to the present regulations (laws and implementing measures). This new hierarchy should not have the effect of limiting the field of application of the co-decision procedure, which should apply to any act of a legislative nature.

OJ C 129, 20.5.1991

1.1.5. Parliament resolution on the enhancement of democratic legitimacy in the context of the Intergovernmental Conference on Political Union.

- **Reference:** Conference of Parliaments of the European Community; Bull. EC 11-1990, point 1.1.1

Adopted by Parliament on 18 April. Recalling that the Conference of Parliaments laid down precise requirements in respect of the need to enhance the democratic legitimacy of the Community and transform it into a federal European union, Parliament is concerned that some of the contributions to the Intergovernmental Conferences propose a substantial strength-

ening of intergovernmental cooperation and would thus entail a dramatic worsening of the democratic deficit. Emphasizing once again the different areas in which it should have powers of co-decision or assent, Parliament points out that it will reject any Conference result which fails to apply the above principles.

OJ C 129, 20.5.1991

1.1.6. Parliament resolution on the arms trade.

- **Reference:** Parliament resolution on the Intergovernmental Conferences in the context of the European Parliament's strategy for European union: OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.1.3

Adopted by Parliament on 18 April. Referring back to its November resolution on the Intergovernmental Conferences, in particular the principles and objectives set out in an article concerning joint action in the area of foreign and security policy, Parliament considers that the arms export policy of the Member States is in urgent need of regulation here and now, without waiting until such time as the common security policy can be implemented. It calls on the Member States to reach rapid agreement on the non-utilization of Article 223 of the Treaty as regards the arms trade and arms production and to take a decision at the Intergovernmental Conference to delete that Article from the Treaty. In addition to a complete ban on the export of technology and raw materials for the production of nuclear, biological and chemical weapons, Parliament calls for better coordination of the European arms industry with a view to reducing surplus capacity and avoiding duplication.

OJ C 129, 20.5.1991

1.1.7. Commission working papers.

The Commission approved working papers on the following for the Intergovernmental Conference:

- (i) the Economic and Social Committee;
- (ii) human resources.

2. The single market and the Community economic and social area

Internal market

Removal of technical frontiers

Standardization

1.2.1. Commission report on the operation of Directive 83/169/EEC in 1988 and 1989 (prevention of technical barriers to trade).

- **Basic Directive:** Council Directive 83/189/EEC: OJ L 109, 26.4.1983; Bull. EC 3-1983, point 1.2.8; amended by Council Directive 88/182/EEC: OJ L 81, 26.3.1988; Bull. EC 3-1988, point 2.1.12

Adopted by the Commission on 5 April. The report gives an account, for 1988 and 1989 and on the basis of information supplied by Member States under the procedure provided for in Directive 83/189/EEC, of the work on standardization carried out at European and national levels. It also describes Member States' regulatory activity in the light of the Community principles governing the free movement of goods.

COM(91) 108

Free movement of goods

Industrial products

1.2.2. Proposal for a Council Directive amending Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery.

- **Directive to be amended:** Council Directive 89/392/EEC: OJ L 183, 29.6.1989; Bull. EC 6-1989, point 2.1.15
- **Commission proposal:** OJ C 37, 17.2.1990; COM(89) 624; Bull. EC 12-1989, point 2.1.21
- **Economic and Social Committee opinion:** OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.15
- **Parliament opinion (first reading):** OJ C 175, 16.7.1990; Bull. EC 6-1990, point 1.3.21
- **Amended Commission proposal:** COM(90) 462; Bull. EC 9-1990, point 1.2.16

- **Council common position:** Bull. EC 12-1990, point 1.3.29

Endorsed by Parliament (second reading) on 17 April, subject to certain amendments designed to speed up the approximation of national legislation in this field.

OJ C 129, 20.5.1991

1.2.3. Proposal for a Council Directive amending for the 10th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

- **Directive to be amended:** Council Directive 76/769/EEC: OJ L 262, 27.9.1976
- **Commission proposal:** OJ C 8, 13.1.1990; COM(89) 548; Bull. EC 11-1989, point 2.1.14
- **Economic and Social Committee opinion:** OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.19
- **Parliament opinion (first reading):** OJ C 260, 15.10.1990; Bull. EC 9-1990, point 1.2.18
- **Amended Commission proposal:** COM(90) 545; Bull. EC 11-1990, point 1.3.11
- **Council agreement on a common position:** Bull. EC 12-1990, point 1.3.31
- **Formal adoption of a common position by the Council:** Bull. EC 1/2-1991, point 1.2.21

Endorsed by Parliament (second reading) on 17 April, subject to certain amendments designed principally to identify the substances containing cadmium and to monitor the use of substitutes for cadmium.

OJ C 129, 20.5.1991

1.2.4. Proposal for a Directive amending for the 11th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

- **Directive to be amended:** Council Directive 76/769/EEC: OJ L 262, 27.9.1976
- **Commission proposal:** OJ C 24, 1.2.1990; COM(89) 665; Bull. EC 1/2-1990, point 1.1.20
- **Economic and Social Committee opinion:** OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.11

- **Parliament opinion (first reading):** OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.22
- **Amended Commission proposal:** COM(90) 562; Bull. EC 11-1990, point 1.3.12
- **Council agreement on a common position:** Bull. EC 12-1990, point 1.3.32
- **Formal adoption of a common position by the Council:** Bull. EC 1/2-1991, point 1.2.22

Endorsed by Parliament (second reading) on 17 April, subject to certain amendments concerning in particular the conditions governing the use of certain hydraulic fluids currently being tested.

OJ C 129, 20.5.1991

1.2.5. Proposal for a Council Directive on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances.

- **Commission proposal:** OJ C 26, 29.1.1991; COM(90) 597; Bull. EC 12-1990, point 1.3.8

Endorsed by the Economic and Social Committee on 24 April. The Commission called, however, for certain planned measures to be reinforced. It also wants the list of products concerned to be re-examined.

Foodstuffs

1.2.6. Council Directive 91/238/EEC amending Directive 89/396/EEC on indications or marks identifying the lot the which a foodstuff belongs.

- **Directive amended:** Council Directive 89/396/EEC; OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20
- **Commission proposal:** COM(90) 440; Bull. EC 9-1990, point 1.2.20
- **Parliament opinion (first reading):** OJ C 234, 24.12.1990; Bull. EC 11-1990, point 1.3.13
- **Economic and Social Committee opinion:** OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.33
- **Council common position:** Bull. EC 12-1990, point 1.3.33
- **Parliament opinion (second reading):** OJ C 72, 18.3.1991; Bull. EC 1/2-1991, point 1.2.28

Adopted by the Council on 22 April. This Directive abolishes the lot-marking obli-

gation in respect of individual packs of ice-cream.

OJ L 107, 27.4.1991

1.2.7. Proposal for a Council Directive on sweeteners for use in foodstuffs.

- **Commission proposal:** OJ C 242, 27.9.1990; COM(90) 381; Bull. EC 7/8-1990, point 1.3.27
- **Economic and Social Committee opinion:** Bull. EC 3-1991, point 1.2.26

Endorsed by Parliament (first reading) on 17 April, subject to certain amendments designed to improve consumer information and protection.

OJ C 129, 20.5.1991

1.2.8. Proposal for a Council Directive on infant formulae and follow-up milks.

- **Commission proposal:** OJ C 28, 30.1.1985; COM(84) 703; Bull. EC 12-1984, point 2.1.17
- **Parliament opinion:** OJ C 120, 20.5.1986; Bull. EC 4-1986, point 2.1.13
- **Amended Commission proposal:** OJ C 285, 12.11.1986; COM(86) 564; Bull. EC 10-1986, point 2.1.13

Commission proposal withdrawn on 5 April. As the Commission is now empowered to adopt directives on infant formulae milk, the proposal is to be replaced by a number of specific Commission directives on the composition, labelling and health aspects of such products, the list of authorized additives and the question of exports to third countries.

1.2.9. Parliament resolution on infant formulae and follow-up milks.

- **Reference:** Proposal for a Council Directive on infant formulae and follow-up milks: point 1.2.8 of this Bulletin

Adopted by Parliament on 19 April. With the Commission now empowered to adopt directives on infant formulae milk, subject to the approval of a regulatory committee, Parliament calls on it to take account of the amendments which Parliament had proposed and which it had previously accepted.

OJ C 129, 20.5.1991

Creation of a financial area

1.2.10. Proposal for a Council Directive on prevention of use of the financial system for the purpose of money laundering.

- **Commission proposal:** OJ C 106, 28.4.1990; COM(90) 106; Bull. EC 1/2-1990, point 1.1.25; Bull. EC 3-1990, point 1.1.24
- **Economic and Social Committee opinion:** OJ C 330, 31.12.1990; Bull. EC 9-1990, point 1.2.25
- **Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.17
- **Amended Commission proposal:** COM(90) 593; Bull. EC 11-1990, point 1.3.17
- **Council agreement on a common position:** Bull. EC 12-1990, point 1.3.10
- **Formal adoption of a common position by the Council:** Bull. EC 1/2-1991, point 1.2.29

Endorsed by Parliament (second reading) on 17 April, subject to certain amendments. Parliament draws attention to the dangers of free movement of capital in the case of third countries which do not apply the standards in force within the Community. It calls for arrangements to be made for the proceeds of criminal activities to be confiscated, for cooperation between administrative and judicial authorities and financial institutions in the Member States to be reinforced, for the identification threshold laid down for the payment of insurance premiums to be aligned on that proposed for other financial transactions, for steps to be taken to ensure that employees of financial institutions participate in special training programmes and for the Commission to draw up periodic reports on the application of the Directive.

OJ C 129, 20.5.1991

Removal of tax frontiers

Turnover tax (VAT)

1.2.11. Proposal for a Council Directive determining the scope of Article 14(1)(d) of Directive 77/388/EEC as regards exemption from value-added tax on the final importation of certain goods.

- **Reference:** Sixth Council Directive 77/388/EEC: OJ L 145, 14.6.1977; Bull. EC 5-1977, point 2.1.23
- **Commission proposal:** OJ C 23, 31.1.1991, Bull. EC 11-1990, point 1.3.20

Endorsed by Parliament (first reading) on 19 April.

OJ C 129, 20.5.1991

Endorsed by the Economic and Social Committee on 24 April.

1.2.12. Proposal for a Council Directive supplementing the common system of value-added tax (VAT) and amending Directive 77/388/EEC.

- **Directive to be amended:** Sixth Council Directive 77/388/EEC: OJ L 145, 13.6.1977; Bull. EC 5-1977, point 2.1.23
- **Commission proposal:** OJ C 252, 22.9.1987; COM(87) 322; Bull. EC 7/8-1987, point 1.2.2
- **Initial Economic and Social Committee opinion:** OJ C 237, 12.9.1988; Bull. EC 7/8-1988, point 2.4.56
- **Amended Commission proposal:** OJ C 176, 17.7.1990; COM(90) 182; Bull. EC 5-1990, point 1.2.3
- **Second Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.29
- **Parliament opinion:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.21

Second amended proposal adopted by the Commission on 30 April. The amendments incorporated aim to place the Commission's amended proposal in an overall framework and to clarify the conditions under which the transitional and definitive arrangements are to apply.

COM(91) 157

Excise duties and other indirect taxes

1.2.13. Proposal for a Council Regulation concerning administrative cooperation in the field of indirect taxation.

- **Commission proposal:** OJ C 187, 27.7.1987; COM(90) 183; Bull. EC 5-1990, point 1.2.4
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.30
- **Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.22

Amended proposal adopted by the Commission on 30 April. The amendment concerns the setting-up of an advisory committee.

COM(91) 115

1.2.14. Proposal for a Council Directive fixing certain rates and target rates of excise duty on mineral oils.

- **Commission proposal:** OJ C 66, 14.3.1991; COM(91) 43; Bull. EC 1/2-1991, point 1.2.5

Opinion delivered by the Economic and Social Committee on 24 April. While the Committee is in favour of establishing target rates, it emphasizes the difficulties involved in increasing rates for some countries.

Competition

Application of the competition rules: specific cases

Admissible forms of cooperation

Scottish Nuclear, Scottish Power and Scottish Hydro-Electric

1.2.15. Commission decision under Article 85(3) of the EEC Treaty.

Adopted by the Commission on 30 April. The decision grants a 15-year exemption in respect of an agreement between Scottish Nuclear Ltd, Scottish Power plc and Scottish Hydro-Electric plc.

Mergers

Decisions under the Merger Control Regulation

- **Reference:** Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings: OJ L 395, 30.12.1989 (corrected version: OJ L 257, 21.9.1990); Bull. EC 12-1989, point 2.1.78; Supplement 2/90 — Bull. EC

Alcatel and Telettra

1.2.16. Commission Decision 91/251/EEC declaring a concentration compatible with the common market.

Opinion of the Advisory Committee on Concentrations delivered on 3 April.

OJ C 127, 17.5.1991

Adopted by the Commission on 12 April. Coming after a full enquiry, the decision approves the merger between the French group Alcatel and Fiat subsidiary Telettra, subject to strict obligations on the part of Alcatel and following the giving of firm assurances by Telefonica, the Spanish telecommunications operator.

OJ L 122, 17.5.1991

Varta and Bosch

1.2.17. *Adopted by the Commission on 12 April.* The decision marks the beginning of a second, more detailed phase of the Commission's investigation, which must end within four months in a formal decision on the proposed merger between these two German battery manufacturers with their large combined market share.

La Redoute and Empire Stores

1.2.18. *Adopted by the Commission on 25 April.* The decision authorizes La Redoute Catalogue SA, the largest mail-order firm in France, to merge with Empire Stores Group plc, the fifth largest catalogue mail-order house in the United Kingdom. La Redoute, which forms part of the French retailing group Au Printemps, has made a bid for all or at least 50% of the share capital of Empire stores. The Commission considers that the merger will not have the effect of either creating or strengthening a dominant position and that there are therefore no serious doubts as to its compatibility with the common market.

Ertoil and Elf Aquitaine

1.2.19. *Adopted by the Commission on 29 April.* The decision approves the plan by

Société Nationale Elf Aquitaine to acquire the Spanish company Ertoil.

OJ C 124, 14.5.1991

Usinor Sacilor and ASD

1.2.20. *Adopted by the Commission on 29 April.* Taken within the initial one-month deadline imposed by the Merger Regulation, the decision clears the proposed acquisition by Usinor Sacilor, the Community's largest steel producer, of a majority shareholding in ASD, the UK stockholding company, in so far as the deal falls within the scope of the EEC Treaty. The Commission considers that the proposed acquisition will not lead to the creation or strengthening of a dominant position by Usinor, as a result of which effective competition would be significantly impeded in the common market or a substantial part thereof.

Decisions under Article 66(2) of the ECSC Treaty

Josef Stangl and Stinnes Stahlhandel

1.2.21. *Adopted by the Commission on 29 April.* The decision authorizes Stinnes Stahlhandel GmbH to acquire all the shares in Josef Stangl Eisengrosshandlung und Biegerei GmbH. Both parties are steel trading companies. After the merger, the share of the market in trade in ECSC rolled products controlled by the Stinnes group will be approximately 4.9% in Germany and 1.6% in the Community as a whole.

Klößner and Rautaruukki

1.2.22. *Adopted by the Commission on 29 April.* The decision authorizes Klößner Stahl, Agäis Stahlhandel and Rautaruukki (Deutschland) to set up in Bremen, Germany, a new company called Bregal GmbH to operate a galvanizing line on a cooperative basis with a capacity of 400 000 tonnes a year. Klößner will have half the operating time at its disposal and the other two shareholders a quarter each. Klößner Stahl is a major Community steel producer, while

Rautaruukki (Deutschland) is the distribution arm in Germany of the large Finnish steel producer Rautaruukki Oy. Agäis Stahlhandel is a subsidiary of the big Japanese trading company Itoh and distributes steel products in Germany.

Industrie Cantieri Metallurgici Italiani and Ilva

1.2.23. *Adopted by the Commission on 20 April.* The decision authorizes Ilva SpA, Rome, to acquire the share capital of Industrie Cantieri Metallurgici Italiani SpA, Naples. Industrie Cantieri Metallurgici Italiani is a medium-sized producer of tinplate and galvanized sheet.

State aid

Decisions to raise no objection

The decisions reported under this heading are those which were listed in the Official Journal during the month under review.

Denmark

1.2.24. Commission decision to approve aid for R&D activities relating to food technologies. The programme is to have a budget of ECU 25 million and the aid may cover up to 50% of the cost of projects. The programme's features satisfy the criteria of the Community framework for State aids for research and development and its objectives coincide with those of Community programmes such as Flair and Eclair.

OJ C 96, 12.4.1991

1.2.25. Commission decision approving a bill concerning grants for foreign research workers engaged by firms or research institutes to take part in specific research and development projects deemed to be important to the long-term development of the Danish economy.

OJ C 96, 12.4.1991

Spain

1.2.26. Commission decision approving a programme, proposed by the Instituto de Fomento de la Región de Murcia, for the development of the technology market in Murcia. The programme is to have a budget of ECU 1.1 million.

OJ C 96, 12.4.1991

1.2.27. Commission decision approving, in Murcia, a programme of research and development undertaken by enterprises themselves or in collaboration with public research bodies. The programme, which is proposed by the Instituto de Fomento de la Región de Murcia is to have a budget of ECU 1.9 million, of which 50% will be borne by the ERDF.

OJ C 96, 12.4.1991

1.2.28. Commission decision approving a programme, likewise proposed by the Instituto de Fomento de la Región de Murcia, to facilitate preliminary feasibility studies for R&D projects in Murcia. The programme is to have a budget of ECU 200 000, of which 50% will be borne by the ERDF.

OJ C 96, 12.4.1991

Italy

1.2.29. Commission decision approving a proposal to award aid for research by Farmitalia Carlo Erba srl into 'Penen antibiotics' on the ground that it promotes technological progress.

OJ C 96, 12.4.1991

United Kingdom

1.2.30. Commission decision approving the SPUR (support for products under research) scheme, under which assistance will be provided for projects submitted by firms with fewer than 500 employees.

OJ C 96, 12.4.1991

1.2.31. *Commission decision adopted on 24 April.* The Commission accepts the UK authorities' undertaking that they will notify in advance all selective assistance

proposals under the Industrial Development Act, 1982. General investment aids are not normally authorized.

Decisions to initiate proceedings

Italy

1.2.32. Commission decision on a proposal to assist the road haulage industry (Article 93(2) of the EEC Treaty)

Adopted by the Commission on 10 April. The notified proposal concerns the restructuring of the road haulage industry and includes measures such as tax relief, grants for the purchase of new vehicles, investment subsidies, retirement grants and payment by the State, on a temporary basis, of social security contributions. The scheme, which will last three years, is to have a budget of ECU 186 million. The Commission finds that the proposal involves no reduction in road haulage capacity and that its implementation might worsen overcapacity in the industry.

1.2.33. Commission decision on a scheme of aid for the consumer electronics industry (Article 93(2) of the EEC Treaty).

Adopted by the Commission on 24 April. The purpose of the scheme is to facilitate the restructuring of the consumer electronics industry by allowing temporary minority shareholdings to be taken in electronics firms, and subsidized loans to be granted, through the public corporation REL (Ristrutturazione elettronica SpA). Some firms are continuing to receive assistance which was supposed to have been limited in time. The Commission considers that the measures in question are incompatible with the common market.

Negative decision

Italy

1.2.34. Negative final Commission decision in respect of aid for forestry and

the pulp and paper industry (Article 93(2) of the EEC Treaty).

• **References:**

Commission decision on aid to these sectors: Bull. EC 1/2-1990, point 1.1.53

Initiation of proceedings: Bull. EC 7/8-1990, point 1.3.62

Adopted by the Commission on 24 April.

In the course of the proceedings the Italian Government notified its intention to phase out the levies concerned by 1 January 1994. The decision states that exemption from the levies for products exported to the other Member States must be discontinued from 24 April 1991 and that the taxation of products imported from the other Member States should not continue beyond 24 April 1992.

Enterprise policy, industrial policy and services

I

Biotechnology

1.2.35. Commission communication on promoting the competitive environment for the industrial activities based on biotechnology within the Community.

- **Reference:** Commission communication on industrial policy in an open and competitive environment: Bull. EC 10-1990, point 1.3.101

Adopted by the Commission on 17 April.

The Commission points to the importance of biotechnology for the future economic development of the Community. It therefore considers it necessary, in accordance with the guidelines set out in its communication on industrial policy, to promote the competitiveness of the firms operating in this key sector. As yet, the industries in the biotechnology sector have not encountered any major structural problems in terms of research and development, production, investment, financial capacity or penetration of Community and world markets.

The Commission nevertheless plans to step up its activities in certain fields in which measures might usefully be taken to reinforce firms' competitive environment.

The Commission's attention has focused particularly on three specific areas:

(i) Insufficient patent protection

Given the economic importance of protecting intellectual property in the biotechnology sphere, the Commission is proposing two measures: one aimed at improving legal protection for biotechnological inventions and the other at establishing a Community system for protecting plant variety rights;

(ii) Fragmentation of the Community market

With a view to completing the internal market in biotechnology, the Commission is suggesting that two instruments be employed at Community level:

(a) a regulatory framework which satisfies scientific criteria but which takes account of social and economic aspects where necessary;

(b) a series of Community standards, principally in the industrial sphere, designed to reduce the cost of the lack of consistency between national standardization policies.

In addition to these measures, the Commission will continue to formulate and implement progressively a research and development policy which meets industry's future needs;

(iii) The poor image that biotechnology has with some policymakers and sectors of the general public

The Commission considers that the Community should have an advisory structure which is empowered to debate ethical issues. Such a structure would permit dialogue, on a case-by-case basis, with Member States and other interested parties.

Electronics and information technology

1.2.36. Council conclusions on the electronics and information technology industry.

- **Reference:** Commission communication on the European electronics and information technology industry: Bull. EC 3-1991, point 1.2.50

II

Adopted by the Council on 29 April.

'The Council received with great interest the communication from the Commission on the European electronics and information technology industry. In particular, it emphasized the importance of this industry from an economic and industrial and from an employment viewpoint, as well as with regard to its competitiveness.

The Council emphasized, in particular, the following points:

- (i) the effect that completion of the internal market, particularly with regard to standardizing and opening up public contracts, would have on demand and conditions of competition;
- (ii) access to markets and technologies by European undertakings, including SMEs in the sector;
- (iii) the need to take user interests into account;
- (iv) the creation of equal conditions of competition between European undertakings and their main competitors and hence the need to ensure that markets operate competitively at world level. With this in view and with the aim of maintaining an open world market, the Council asked the Commission for in-depth studies to be carried out rapidly on the risks of distortion of competition on international markets, including the conditions of access to technology, investments and distribution networks;
- (v) conditions allowing increased cooperation between European undertakings, particularly as regards technology, by further implementing targeted pre-competitive R&D programmes and projects, while maintaining a high degree of competition;
- (vi) the need for and responsibility of undertakings to take the necessary initiatives and measures in order to benefit from past or future Community efforts.

The Council asked the Commission, in close consultation with a high-level working party, to deepen its analysis, to continue the dialogue with industrialists, users and investors and, on the basis of these, propose to the Council as rapidly as possible specific initiatives and measures which may be taken, while complying with the principles for Community industrial policy adopted by the Council at its meeting on 25 November 1990.'

Enterprise policy

A propitious legal and tax environment for businesses

Intellectual and industrial property

1.2.37. Proposal for a Council Directive on the legal protection of computer programs.

- **Commission proposal:** OJ C 91, 12.4.1989; COM(88) 816; Bull. EC 12-1988, point 2.1.36
- **Economic and Social Committee opinion:** OJ C 329, 30.12.1989; Bull. EC 10-1989, point 2.1.41
- **Parliament opinion (first reading):** OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.3.158
- **Amended Commission proposal:** OJ C 320, 20.12.1990; COM(90) 509; Bull. EC 10-1990, point 1.3.104
- **Council endorsement:** Bull. EC 11-1990, point 1.3.170
- **Council common position:** Bull. EC 12-1990, point 1.3.171

OJ C 129, 20.5.1991

Small business

1.2.38. Proposal for a Council Decision revising the programme for the improvement of the business environment and the promotion of the development of enterprises, and in particular small and medium-sized enterprises, in the Community.

- **Commission proposal:** OJ C 13, 19.1.1991; COM(90) 528; Bull. EC 11-1990, point 1.3.104
- **Economic and Social Committee opinion:** OJ C 102, 18.4.1991; Bull. EC 1/2-1991, point 1.2.74
- **Parliament opinion:** OJ C 106, 22.4.1991; Bull. EC 3-1991, point 1.2.55

Endorsed by the Council on 29 April. The Council confirmed the principle of a favourable position on releasing an additional ECU 25 million for the action programme for small and medium-sized enterprises. However, it called on the Commission to

provide further information on craft industry enterprises and SMEs.

1.2.39. Council Resolution on the action programme for small and medium-sized enterprises, including craft industry enterprises.

- **Reference:** Proposal for a Council Decision revising the programme for the improvement of the business environment and the promotion of the development of enterprises, and in particular small and medium-sized enterprises, in the Community: OJ C 13, 19.1.1991; COM(90) 528; Bull. EC 11-1990, point 1.3.104; point 1.2.38 of this Bulletin

Adopted by the Council on 29 April. Reaffirming its determination to make substantial progress in the area of policies to promote SMEs, the Council adopted a Resolution outlining a number of priorities for small and medium-sized enterprises: vocational skills and training, easing of administrative burdens, information and consultation, and cooperation between firms.

Industrial policy

Industrial strategies

Textiles

1.2.40. Commission's annual report on the textile and clothing industry.

- Previous report: Bull. EC 5-1990, point 1.2.134

Adopted by the Commission on 5 April. The report highlights major regional differences in the degree of modernization of the industry and the branches of the market to which production is geared. It also points out that the Community industry will be faced over the years ahead with fiercer competition owing to completion of the internal market, changes in commercial policy and stronger ties with the countries in EFTA, Central and Eastern Europe and the Mediterranean region. The Commission therefore considers that, in regions where least progress has been made towards adapting

to today's needs, intervention by the public authorities will be necessary to find solutions which are least costly in economic and social terms.

ECSC Treaty

1.2.41. Council conclusions on the future of the ECSC Treaty.

- **Reference:** Commission communication on the future of the ECSC Treaty: Bull. EC 3-1991, point 1.2.49

Adopted by the Council on 29 April. The Council adopted conclusions which took note of the Commission communication. While appreciating the openness of the communication, it stressed the importance of consultation that was as broad as possible, involving contributions by all bodies directly concerned.

Research and technology

Framework programme for R&TD 1990-94

- **Basic Decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54

Information

1.2.42. Proposal for a Council Decision adopting a specific research and technological development programme in the field of information technology (1990-94) (→ point 1.2.47).

Industrial and materials technologies

1.2.43. Proposal for a Council Decision adopting a specific research and technological development programme in the field of industrial and materials technologies.

- **Commission approval:** Bull. EC 4-1990, point 1.1.59
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 156; Bull. EC 5-1990, point 1.2.96
- **Economic and Social Committee opinion:** OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.71
- **Parliament opinion (first reading):** OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.128
- **Amended Commission proposal:** OJ C 14, 22.1.1991; COM(90) 673; Bull. EC 12-1990, point 1.3.128

Common position agreed by the Council on 24 April. The amount deemed necessary to implement this programme is ECU 663.3 million.

Agriculture

1.2.44. Proposal for a Council Decision adopting a specific research and technological development programme in the field of agriculture and agro-industry (1990-94).

- **Commission proposal:** OJ C 174, 16.7.1990; COM(90) 161; Bull. EC 5-1990, point 1.2.101
- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.73
- **Parliament opinion (first reading):** OJ C 48, 25.2.1991; Bull. EC 1/2-1991, point 1.2.81

Common position agreed by the Council on 24 April. The amount deemed necessary to implement this programme is ECU 329.67 million.

Biomedicine and health

1.2.45. Proposal for a Council Decision adopting a specific research and technological development programme in the field of biomedicine and health (1990-94).

- **Commission approval:** Bull. EC 4-1990, point 1.1.65
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 162; Bull. EC 5-1990, point 1.2.102
- **Economic and Social Committee opinion:** OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.75
- **Parliament opinion (first reading):** OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.132

- **Amended Commission proposal:** OJ C 11, 17.1.1991 COM(90) 676; Bull. EC 12-1990, point 1.3.132

Common position adopted by the Council on 24 April. The amount deemed necessary to implement this programme is ECU 131.67 million.

Non-nuclear energy

1.2.46. Proposal for a Council Decision adopting a specific research and technological development programme in the field of non-nuclear energies (1990-94).

- **Commission proposal:** OJ C 174, 16.7.1990; COM(90) 164; Bull. EC 5-1990, point 1.2.104
- **Economic and Social Committee opinion:** OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.66
- **Parliament opinion (first reading):** OJ C 48, 25.2.1991; Bull. EC 1/2-1991, point 1.2.83

Common position agreed by the Council on 24 April. The amount deemed necessary to implement this programme is ECU 155.43 million.

Telecommunications and information services

Information technology and telecommunications

1.2.47. Proposal for a Council Decision concerning a specific programme of research and technological development in the field of information technology (1990 to 1994).

- **Commission approval:** Bull. EC 4-1990, point 1.1.56
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 153; Bull. EC 5-1990, point 1.2.93
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.68
- **Parliament opinion (first reading):** OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.125
- **Amended Commission proposal:** OJ C 30, 6.2.1991; COM(90) 679; Bull. EC 12-1990, point 1.3.125

Common position adopted by the Council on 24 April. The sum required to implement this programme is estimated at ECU 1 338.48 million.

1.2.48. Commission communication concerning the Green Paper on a common approach in the field of satellite communications in the European Community.

- **Commission communication:** COM(90) 490; Bull. EC 11-1990, point 1.3.64

Endorsed by the Economic and Social Committee on 24 April. The Committee stresses the need for constant cooperation between Member States on satellites and calls for a precise and realistic timetable.

Telecommunications policy

1.2.49. Council Directive on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including mutual recognition of conformity.

- **Commission proposal:** OJ C 211, 17.8.1989; COM(89) 289; Bull. EC 6-1989, point 2.1.65
- **Economic and Social Committee opinion:** OJ C 239, 31.12.1990; Bull. EC 10-1989, point 2.1.64
- **Parliament opinion (first reading):** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.70
- **Amended Commission proposal:** OJ C 187, 27.7.1990; COM(90) 263, Bull. EC 6-1990, point 1.3.102
- **Council common position:** Bull. EC 7/8-1990, point 1.3.122
- **Parliament opinion (second reading):** OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.137
- **Re-examined Commission proposal:** COM(91) 46; Bull. EC 1/2-1991, point 1.2.93

Adopted by the Council on 29 April. The purpose of the Directive is to implement the last stage of the single market in telecommunications terminal equipment, to apply harmonized procedures for certification, testing, mark-of-conformity labelling, quality control and product control as part of the procedure for placing terminal equipment on the market, and to guarantee the right to connect terminal equipment lawfully available on the market to public tele-

communications networks without the need for additional procedures.

1.2.50. Proposal for a Council Decision setting up a programme for an information services market.

- **Commission proposal:** OJ C 53, 28.2.1991; COM(90) 570; Bull. EC 1/2-1991, point 1.2.94

Endorsed by the Economic and Social Committee on 24 April. The Committee did, however, emphasize the need for a coherent overall Community information strategy.

Standardization in ITT

1.2.51. Commission report on standardization in the field of information technology and telecommunications.

- **Reference:** Council Decision 87/95/EEC concerning standardization in the field of information technology and telecommunications: OJ L 36, 7.2.1987; Bull. EC 12-1986, point 2.1.76

Adopted by the Commission on 30 April. The report summarizes the progress made in 1988-89 with standardization in the field of information technology and telecommunications. It notes the growing role of standards in promoting the exchange of information and the interworking of systems in a 'multivendor' environment and welcomes the constant support given by the governments of the Member States to the work of standardization within the framework of the Senior Officials Group for Information Technology Standards (Sogits).

Transport

Infrastructure

1.2.52. Proposal for a Council Directive on the charging of infrastructure costs to heavy goods vehicles.

- **Commission proposal:** OJ C 79, 26.3.1988; COM(87) 716; Bull. EC 12-1987, point 2.1.275

- **Economic and Social Committee opinion:** OJ C 208, 8.8.1988; Bull. EC 6-1988, point 2.4.52
- **Parliament opinion:** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.214
- **Amended Commission proposal:** COM(90) 540; Bull. EC 11-1990, point 1.3.182

Economic and Social Committee opinion delivered on 24 April. Favourable. The Committee was, however, concerned at the short time available for the Council to act before the 1992 deadline. As a solution it proposed that an assurance be given that related infrastructure costs would be covered.

Multimodal transport

1.2.53. Proposal for a Council Regulation amending Regulation (EEC) No 406/89 on the elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport.

- **Regulation to be amended:** Council Regulation (EEC) No 406/89; OJ L 390, 30.12.1989; Bull. EC 12-1989, point 2.1.12

Adopted by the Commission on 4 April. The purpose of this proposed Regulation, amending the list of controls set out in Part 2 of the Annex to Regulation (EEC) No 406/89, is to eliminate certain frontier controls on commercial vehicles used for the intra-Community carriage of dangerous and perishable goods.

COM(91) 105

Inland transport

Road transport

1.2.54. Commission Decision 91/232/EEC on the increase for 1991/92 in the Community cabotage quota for national road haulage services performed by non-resident carriers.

- **Basic Regulation:** Council Regulation (EEC) No 4059/89 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State (OJ L 390, 30.12.1989; Bull. EC 12-

1989, point 2.1.243), as last amended by Regulation (EEC) No 296/91 (OJ L 36, 8.2.1991); Bull. EC 1/2-1991, point 1.2.97

Adopted by the Commission on 10 April. The Decision establishes a 10% increase for 1991/92 in the Community quota of cabotage authorizations for national road haulage operations performed for hire or reward in the Member States. It provides for an additional 1 536 authorizations.

OJ L 102, 23.4.1991

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

- **Commission proposal:** OJ C 298, 23.11.1988; COM(88) 544; Bull. EC 10-1988, point 2.1.183
- **Parliament Opinion:** OJ C 96, 17.4.1989; Bull. EC 3-1989, point 2.1.153
- **Economic and Social Committee Opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.1.174
- **Amended Commission proposal:** OJ C 308, 8.12.1990; COM(90) 524; Bull. EC 11-1990, point 1.3.183

Economic and Social Committee Opinion delivered on 25 April. Favourable. The Committee requested that an additional safety belt be provided for children occupying the rear seat.

1.2.56. Proposal for a Council Directive amending Directive 83/3/EEC on the weights, dimensions and certain technical characteristics of certain road vehicles.

- **Directive to be amend:** Council Directive 85/3/EEC (OJ L 2, 3.1.1985; Bull. EC 12-1984, point 2.1.200), as last amended by Council Directive 89/338/EEC (OJ L 142, 25.5.1989); Bull. EC 4-1989, point 2.1.171
- **Commission proposal:** OJ C 292, 22.11.1990; COM(90) 486; Bull. EC 10-1990, point 1.3.190

Economic and Social Committee Opinion delivered on 25 April. Favourable. While supporting the principle of this proposal (to define the concept of a 'road-friendly' vehicle), the Committee expressed surprise that the conditions for allowing a weight of 11.5 tonnes on the driving axle should be

extended indiscriminately to all motor vehicles and it proposed allowing more time to the motor industry, which had already planned its production on the basis of the previous Directive.

Sea transport

1.2.57. Proposal for a Council Decision on the Loran-C radionavigation system.

- **Commission proposal:** OJ C 53, 28.2.1991; Bull. EC 1/2-1991, point 1.2.99

Economic and Social Committee Opinion delivered on 24 April. Favourable. The Committee hoped that Community bodies would be given a role in coordinating the various initiatives and that costs would be shared more rationally between the users and the authorities.

Air transport

1.2.58. Proposal for a Council Directive on the harmonization of technical requirements and procedures applicable to civil aircraft.

- **Commission proposal:** OJ C 270, 26.10.1990; COM(90) 442; Bull. EC 9-1990, point 1.2.179

Economic and Social Committee Opinion delivered on 24 April. Favourable, subject to certain comments. In particular, the Committee recommended that the proposal should take the form of a Regulation rather than a Directive so as to prevent any delays in transposing the codes and technical procedures into national law. It also suggested that the Committee to be set up be regulatory rather than advisory.

International cooperation

Alpine transit

1.2.59. Meeting between the Transport Ministers of the EEC, Austria and Switzerland.

Meeting at Mayrhofen on 11 April. At this meeting, organized by Mr Streicher, Austrian Minister for Transport, the Community was represented by Mr Goebbels, on behalf of the Council Presidency, and by Mr K. Van Miert, Member of the Commission. Switzerland was represented by Mr Ogi, Federal Councillor. The purpose of the meeting was to review progress on Alpine transit and explore the prospects. Among the conclusions reached were a recognition of the need for a pan-European concept of transport, the desirability of rail transport taking the future increase in freight traffic; and the need to harmonize rolling stock for combined transport.

Energy

Community energy strategy

Energy efficiency

1.2.60. Proposal for a Directive concerning the efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels.

- **References:**

Directive 89/106/EEC relating to construction products: OJ L 40, 11.2.1989

Proposal for a Regulation concerning the promotion of energy efficiency in the Community (SAVE programme): OJ C 301, 30.11.1990; COM(90) 365; Bull. EC 10-1990, point 1.3.202

- **Commission proposal:** OJ C 292, 22.11.1990; COM(90) 368; Bull. EC 10-1990, point 1.3.203
- **Economic and Social Committee opinion:** Bull. EC 1/2-1991, point 1.2.107

Endorsed by Parliament on 17 April, subject to certain amendments aimed in particular at restricting the scope of the Directive to new boilers operating at a water temperature of not more than 105 °C, and ensuring that they are designed in such a way as to achieve rational use of energy and satisfactory safety in use. Parliament specified that

the Directive is a measure under the SAVE programme.

OJ C 129, 20.5.1991

Internal energy market

Natural gas

1.2.61. Proposal for a Directive on the transit of natural gas through the major systems.

- **Commission proposal:** OJ C 247, 28.9.1989; COM(89) 334; Bull. EC 7/8-1989, point 2.1.213
- **First examined by the Council:** Bull. EC 10-1989, point 2.1.191
- **Economic and Social Committee opinion:** OJ C 75, 26.3.1990; Bull. EC 1/2-1990, point 1.1.264
- **Parliament opinion (first reading):** OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.3.298
- **Amended Commission proposal:** OJ C 268, 24.10.1990; COM(90) 425; Bull. EC 9-1990, point 1.2.185
- **Common position approved by the Council:** Bull. EC 10-1990, point 1.3.212
- **Common position formally adopted by the Council:** Bull. EC 12-1990, point 1.3.292

Endorsed by Parliament (second reading) on 17 April, subject to some amendments of a technical nature.

OJ C 129, 20.5.1991

International dimension

1.2.62. Visit to the People's Republic of China from 9 to 12 April by Mr Cardoso e Cunha.

Mr Cardoso e Cunha met the Deputy Mayor of Shanghai, the State Councillor in charge of the State Science and Technology Commission, the Energy Minister, the State Planning Commission and representatives of the State Nuclear Safety Centre, reviewed energy cooperation between the Community and China, and signed an agreement on Community support for China in the energy field in 1991.

Bull. EC 4-1991

Coordination of structural policies

1.2.63. Annual report on the implementation of the reform of the structural Funds — 1989.

- **Reference:** Annual report of the Commission: Bull. EC 10-1990, point 1.3.54

Endorsed by the Economic and Social Committee on 24 April. The Committee did not, however, consider that the report gave sufficient information on measures taken by the Commission or on agreements concluded by the Member States.

Social dimension

I

Health and safety at work

1.2.64. Proposal for a Council Regulation establishing a European Agency for Safety and Health at Work.

- **References:**
 - Commission communication concerning its action programme relating to the implementation of the Community Charter of the Fundamental Social Rights of Workers: COM(89) 568; Bull. EC 11-1989, point 2.1.80
 - Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work (framework Directive): OJ L 183, 29.6.1989; Bull. EC 6-1989, point 2.1.105

Approved by the Commission on 24 April. The Commission proposes to set up a European Agency for Safety and Health at Work, the aim being to supply the Community and the Member States with technical, scientific and economic information in the field of safety and health at work, and more particularly to assist the Commission in its international contacts, to provide it with the information it needs to draw up directives and other legal instruments and to

carry out studies in this field. The Agency will double as a centre for cooperation and a 'central exchange bureau' for the transfer of information on health and safety matters. The Commission is proposing that the Agency's administrative board be formed on a quadripartite basis, comprising representatives of the Member States, the Commission, workers and employers.

COM(90) 564

II

Employment

Atypical work

1.2.65. Proposal for a Council Directive concerning certain aspects of the organization of working time.

- **Commission proposal:** OJ C 254, 9.10.1990; COM(90) 317; Bull. EC 7/8-1990, point 1.3.74
- **Economic and Social Committee opinion:** OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.100
- **Parliament opinion (first reading):** OJ C 72, 18.3.1991; Bull. EC 1/2-1991, point 1.2.115

Amended proposal adopted by the Commission on 23 April. Purpose: to take account of Parliament amendments, particularly those relating to International Labour Organization conventions, the definition of night work and free health assessments for night workers.

OJ C 124, 14.5.1991; COM(91) 130

Industrial relations

1.2.66. Proposal for a Council Directive on a form of proof of an employment relationship.

- **Commission proposal:** OJ C 24, 31.1.1991; COM(90) 563; Bull. EC 11-1990, point 1.3.42

Endorsed by the Economic and Social Committee on 24 April. The Committee gave its approval to recognition of the right for all workers to receive from their employers a written document setting out the main

terms of the contract and any other agreed conditions, but had doubts as to the wisdom of making it a formal requirement.

Free movement of workers

1.2.67. Proposal for a Council Regulation on the transitional period for the freedom of movement of workers between Spain and Portugal and the other Member States.

- **Reference:** Act of Accession of Spain and Portugal: OJ L 302, 15.11.1985; Bull. EC 5-1985, point 1.1.1

Adopted by the Commission on 16 April. The Commission has found that migration from Spain and Portugal to the rest of the Community has not increased significantly and that the employment situation in Spain and Portugal has improved considerably since accession, and therefore proposes to bring forward the end of the transitional period for the freedom of movement of workers between Spain and Portugal and the other Member States, with the exception of Luxembourg, to 31 December 1991 and for movements involving Spain and Portugal on the one hand and Luxembourg on the other to 31 December 1992.

COM(91) 124

Health and safety at work

Safety signs

1.2.68. Proposal for a Council Directive concerning the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Directive 89/391/EEC).

- **Commission proposal:** OJ C 53, 28.2.1991; COM(90) 664; Bull. EC 12-1990, point 1.3.102

Endorsed by the Economic and Social Committee on 24 April. However, the Committee emphasized the risk of a proliferation of signs which should not be a substitute for informing and training workers.

Protection of workers against asbestos

1.2.69. Proposal for a Directive amending Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work.

- **Directive to be amended:** Council Directive 83/477/EEC: OJ L 263, 24.9.1983; Bull. EC 9-1983, point 2.1.55
- **Commission proposal:** OJ C 161, 30.6.1990; COM(90) 184; Bull. EC 5-1990, point 1.2.72
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.58
- **Parliament opinion (first reading):** OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.51
- **Amended Commission proposal:** COM(90) 539; Bull. EC 11-1990, point 1.3.49
- **Council common position:** Bull. EC 12-1990, point 1.3.104

Endorsed by Parliament (second reading) on 17 April.

OJ C 129, 20.5.1991

Safety at work sites

1.2.70. Proposal for a Council Directive on the implementation of minimum safety and health requirements at temporary or mobile work sites (eighth individual Directive within the meaning of Article 16 of Directive 89/391/EEC).

- **Commission proposal:** OJ C 213, 28.8.1990; COM(90) 275; Bull. EC 7/8-1990, point 1.3.80
- **Parliament opinion (first reading):** OJ C 72, 18.3.1991; Bull. EC 1/2-1991, point 1.2.119
- **Economic and Social Committee opinion:** Bull. EC 3-1990, point 1.2.80

Amended proposal adopted by the Commission on 9 April. Purpose: to take account of certain Parliament amendments, particularly as regards the creation of a general obligation to draw up a health and safety plan for all types of work site and the increased efficiency of procedures for consultation and participation of workers by including all the undertakings present on a work site.

COM(91) 117

Safety in mines

1.2.71. Proposal for a Commission Directive adapting to technical progress Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp.

- **Directive to be amended:** Council Directive 82/130/EEC: OJ L 59, 2.3.1982

Adopted by the Commission on 30 April. The proposal states that, in order to benefit from free movement provisions, the electrical equipment concerned must conform to certain harmonized standards, backed by a certificate of conformity. Electrical equipment which does not comply with these standards must be covered by an inspection certificate guaranteeing that it affords a level of safety which is at least equivalent to that of equipment which does conform to the harmonized standards.

Solidarity

1.2.72. Resolution on childcare and equality of opportunity.

Adopted by Parliament on 19 April. Parliament called on the Commission to submit a proposal for a framework Directive on childcare services in the Member States with a view to harmonization of such services.

OJ C 129, 20.5.1991

1.2.73. Own-initiative opinion on the status of migrant workers from third countries.

Adopted by the Economic and Social Committee on 24 April. The Committee stressed the need to promote the social integration of immigrants by harmonizing legislation, implementing freedom of movement and coordinating Member States' entry policies.

Human resources

Cooperation in the field of education

1.2.74. Proposal for a Council Decision concerning the conclusion of Agreements

between the European Economic Community, on the one side, and the EFTA countries and Liechtenstein, on the other side, establishing cooperation in the field of education and training within the framework of the Erasmus programme (European Community action scheme for the mobility of university students).

- **Reference:** Council Decision 89/663/EEC amending Decision 87/327/EEC adopting the European Community action scheme for the mobility of university students: OJ L 395, 30.12.1989; Bull. EC 12-1989, point 2.1.123
- **Negotiating directives:** Council Decision of 5 November 1990: Bull. EC 11-1990, point 1.3.198

Adopted by the Commission on 24 April. The proposal seeks to extend cooperation under the Erasmus programme to the EFTA countries and Liechtenstein. The seven bilateral Agreements will be signed for a period of five years and provide for universities from each of the countries concerned to participate in the Erasmus programme, subject to a financial contribution proportional to its GDP.

COM(91) 128

1.2.75. Proposal for a Council Decision adopting an action programme to promote youth exchanges and mobility in the Community: the Youth for Europe programme.

- **Commission proposal:** OJ C 308, 8.12.1990; COM(90) 470; Bull. EC 10-1990, point 1.3.220

Endorsed by the Economic and Social Committee on 24 April. The Committee approved the three-year extension of the programme and agreed that priority should be given to disadvantaged young people, recommending that a balance be struck between them and other categories of young people.

Vocational training

1.2.76. Economic and Social Committee own-initiative opinion on training, safety and protection of the environment.

- **References:**

Proposal for a Council Decision on preventing environmental damage by the implementation of education and training measures: OJ C 197, 27.7.1988; COM(88) 202; Bull. EC 4-1988, point 2.1.85

Economic and Social Committee opinion on this proposal: Bull. EC 9-1988, point 2.4.31

Adopted by the Economic and Social Committee on 24 April. The Committee stressed the importance of comprehensive training for workers in the environmental field. It called for qualifications in this field to be recognized and for trained workers to be seconded as environmental experts in working time according to the same principle (but with a distinct structure, e.g. 'quality circles') as industrial safety officers.

Regional policies

Development and implementation of regional policies

1.2.77. Conclusions of the 1989 ERDF report.

- **References:**

Council Regulation (EEC) No 4253/88 implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Council Regulation (EEC) No 4254/88 implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Adopted by the Commission on 23 April. The main points of the report are that 1989, a transitional year, marked the implementation of the reform of the Funds and that the Commission accomplished its task of preparing and adopting the Community support frameworks (CSFs) for Objectives 1 and 2. The appropriations available for commitments in 1989 totalled ECU 4 710.42 million, of which ECU 4 666 million (99%) was committed during the year. Of this assistance, 78% went to Objective 1 regions and 16% to Objective 2 areas.

COM(91) 123

The reform of the Funds and regional objectives

Eligibility of regions and areas

1.2.78. Commission Decision on the extension of the list of areas eligible under Objective 2 of the structural Funds.

- **Basic Regulation:** Regulation (EEC) No 2052/88: OJ L 185, 15.7.1988
- **Decision extended:** Formal adoption of the list of areas eligible under Objective 2: OJ L 113, 26.4.1989; Bull. EC 3-1989, point 2.1.96

Adopted by the Commission on 30 April. The Commission accepted the principle of retaining for two more years, that is, until the end of 1993, the list of areas eligible under Objective 2 of the structural Funds.

Agriculture

Agricultural structures and rural development

EAGGF Guidance Section

1.2.79. Conclusions of the report on the EAGGF Guidance Section — 1989.

- **Basic Regulation:** Council Regulation (EEC) No 4253/88 implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Adopted by the Commission on 16 April. The report describes the implementation of assistance from the Fund with particular reference to indicators provided by the Community support frameworks for 1989. It looks in detail at the breakdown of assistance by Objective. Total commitments in 1989 were ECU 1 462 million, of which ECU 862 million was allocated to the Objective 1 regions, ECU 516 million to Objective 5a, ECU 27 million to Objective 5b (re-

gionalized measures only) and ECU 57 million to transitional measures.

COM(91) 121

1.2.80. Proposal for a Council Regulation on improving the efficiency of agricultural structures.

- **Commission proposal:** Bull. EC 1/2-1991, point 1.2.134

Endorsed by the Economic and Social Committee on 24 April. The Committee noted that certain measures (extensification and set-aside) were not included in the proposal.

1.2.81. Council Regulation (EEC) No 1030/91 amending Regulation (EEC) No 1191/89 derogating from Regulation (EEC) No 797/85 as regards certain investment aids in the pig production sector.

- **Basic Regulation:** Council Regulation (EEC) No 797/85 on improving the efficiency of agricultural structures: OJ L 93, 30.3.1985; Bull. EC 3-1985, point 2.1.113
- **Regulation amended:** Council Regulation (EEC) No 1191/89: OJ L 123, 4.5.1989
- **Commission proposal:** OJ C 64, 12.3.1991; COM(91) 24; Bull. EC 1/2-1991, point 1.2.141

Endorsed by Parliament on 19 April.

OJ C 129, 20.5.1991

Adopted by the Council on 22 April.

OJ L 106, 26.4.1991

1.2.82. Commission Decision on applications for the part-financing of national aid schemes in the form of reimbursements and advances under Regulation (EEC) No 797/85.

- **Basic Regulation:** Council Regulation (EEC) No 797/85 on improving the efficiency of agricultural structures: OJ L 93, 30.3.1985; Bull. EC 3-1985, point 2.1.113

Adopted by the Commission on 17 April. Lays down the procedure for applying for reimbursements and advances.

1.2.83. Commission Regulation (EEC) No 1110/91 amending Regulation (EEC) No

3813/89 laying down detailed rules for the application of the system of transitional aids to agricultural income.

- **Basic Regulation:** Council Regulation (EEC) No 768/89 establishing a system of transitional aids to agricultural income: OJ L 84, 29.3.1989; Bull. EC 3-1989, point 2.1.118
- **Regulation amended:** Commission Regulation (EEC) No 3813/89 (OJ L 371, 20.12.1989; Bull. EC 12-1989, point 2.1.163), as amended by Regulation (EEC) No 1279/90: OJ L 126, 16.5.1990; Bull. EC 5-1990, point 1.2.141

Adopted by the Commission on 30 April.
Makes the conditions for capitalizing aids less restrictive.

OJ L 110, 1.5.1991

1.2.84. Commission Decision 91/259/EEC approving the German programme of agricultural income aid for full-time arable farmers in Rhineland-Palatinate.

- **Basic Regulation:** Council Regulation (EEC) No 768/89 establishing a system of transitional aids to agricultural income: OJ L 84, 29.3.1989; Bull. EC 3-1989, point 2.1.118

Adopted by the Commission on 30 April.

OJ L 126, 22.5.1991

1.2.85. Commission Decision 91/260/EEC approving the Belgian programme of agricultural income aid.

- **Basic Regulation:** Council Regulation (EEC) No 768/89 establishing a system of transitional aids to agricultural income: OJ L 84, 29.3.1989; Bull. EC 3-1989, point 2.1.118

Adopted by the Commission on 30 April.

OJ L 126, 22.5.1991

1.2.86. Grant of assistance to an operational programme under Objective 5b.

- **Reference:** Council Regulation (EEC) No 4253/88 implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Commission Decision taken on 12 April.
Grants assistance worth ECU 15 854 000 for

the development of rural areas of Trento, Italy.

Legislation

Veterinary and zootechnical legislation

1.2.87. Commission Decision 91/242/EEC laying down rules for the implementation of an appraisal of the national veterinary services and the financial contribution from the Community.

- **References:**

Council Decision 90/424/EEC on expenditure in the veterinary field: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.141

Council resolution on measures to be taken in the veterinary field with a view to the completion of the internal market: OJ C 288, 16.11.1990; Bull. EC 10-1990, point 1.3.142

Adopted by the Commission on 19 April.

In accordance with the Council's request, this Decision provides for a study to assess the resources, equipment, organization and legal powers of the veterinary administrations of the Member States and lays down how it should be carried out.

OJ L 114, 7.5.1991

1.2.88. Proposal for a Council Directive amending Directive 72/461/EEC on health problems affecting intra-Community trade in fresh meat and Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries.

- **Directives to be amended:**

Council Directive 72/461/EEC: OJ L 302, 31.12.1972

Council Directive 72/462/EEC: OJ L 302, 31.12.1972

- **Commission proposal:** OJ C 154, 23.6.1990; COM(90) 175; Bull. EC 5-1990, point 1.2.174

- **Economic and Social Committee opinion:** OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.157

Endorsed by Parliament on 19 April.

OJ C 129, 20.5.1991

1.2.89. Proposal for a Council Regulation introducing Community measures for the control of certain animal diseases.

Adopted by the Commission on 26 April. Proposes the introduction of common measures to eradicate and prevent the spread of outbreaks of certain exotic diseases which can take on epizootic proportions.

COM(91) 138

1.2.90. Proposal for a Council Decision establishing Community reserves of anti-foot-and-mouth disease vaccines.

- **Basic Directive:** Council Directive 85/511/EEC introducing Community measures for the control of foot-and-mouth disease (OJ L 315, 26.11.1985; Bull. EC 11-1985, point 2.1.144), as last amended by Directive 90/423/EEC: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.139

Adopted by the Commission on 26 April. Provides for setting up stocks of vaccine for emergency use in a limited area in view of the imminent cessation of routine vaccination against foot-and-mouth disease.

COM(91) 131

1.2.91. Decisions 91/217/EEC to 91/220/EEC approving the plans for the eradication of brucellosis in sheep and goats presented by Portugal, Greece, Spain and France.

- **Basic Decision:** Council Decision 90/242/EEC introducing a Community financial measure for the eradication of brucellosis in sheep and goats: OJ L 140, 1.6.1990; Bull. EC 5-1990, point 1.2.173

Adopted by the Commission on 26 March.

OJ L 97, 18.4.1991

1.2.92. Commission Decision 91/237/EEC concerning further protection measures relating to a new pig disease.

- **Decision repealed:** Commission Decision 91/109/EEC: OJ L 56, 2.3.1991; Bull. EC 3-1991, point 1.2.101

Adopted by the Commission on 25 April. Introduces certain restrictions on the movement of pigs from holdings or areas where the disease has been detected.

OJ L 106, 26.4.1991

1.2.93. Proposal for a Council Regulation introducing Community measures for the control of Newcastle disease.

Adopted by the Commission on 26 April. Introduces common measures to combat outbreaks of Newcastle disease in order to eradicate it and prevent it from spreading. The proposal includes a ban on the movement of poultry and products from infected areas.

COM(91) 137

Animal feed

- **Basic Directive:** Commission Directive 70/524/EEC: OJ L 270, 14.12.1970

1.2.94. Commission Directive 91/248/EEC amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs.

- **Previous amendment:** Commission Directive 85/429/EEC: OJ L 245, 12.9.1985

Adopted by the Commission on 12 April. Consolidates the 67 Commission Directives amending the Annexes to Directive 70/524/EEC.

OJ L 124, 18.5.1991

1.2.95. Commission Directive 91/249/EEC amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs.

Adopted by the Commission on 19 April. Adapts the Annexes to advances in scientific knowledge, principally by limiting the vitamin A content of feedingstuffs intended for certain animals and allowing the use of certain additives.

OJ L 124, 18.5.1991

Agricultural prices and related measures

1.2.96. Proposals on the prices for agricultural products and on related measures (1991/92).

- **Commission approval:** Bull. EC 1/2-1991, point 1.2.132
- **Formal adoption by the Commission:** OJ C 104, 19.4.1991; COM(91) 72; Bull. EC 3-1991, point 1.2.93

Economic and Social Committee opinion delivered on 25 April. The Committee considered that some of the proposed price reductions would mean a substantial fall in farmers' incomes. It considered that there should be no reductions before the discussion on the reform of the CAP now in progress had been completed. It therefore asked the Commission to maintain prices for 1990/91 and to use all the budgetary resources granted by the Council, including those for German unification.

1.2.97. Commission Regulation (EEC) No 1059/91 on residual duties applicable in 1991 in the framework of the progressive reductions in accordance with the Act of Accession of Spain and Portugal.

- **Reference:** Act of Accession of Spain and Portugal: OJ L 302, 15.11.1985; Bull. EC 6-1985, point 1.1.1

Adopted by the Commission on 26 April. Affords agricultural products from Spain and Portugal treatment at least equivalent to that granted to agricultural products originating in Bulgaria, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia.

OJ L 107, 27.4.1991

Organization of markets

Cereals

1.2.98. The Commission adopted:
Regulation (EEC) No 854/91, 5.4.1991: OJ L 86, 6.4.1991;

Regulation (EEC) No 869/91, 9.4.1991: OJ L 89, 10.4.1991;
Regulation (EEC) No 889/91, 10.4.1991: OJ L 90, 11.4.1991;
Regulation (EEC) No 919/91, 12.4.1991: OJ L 92, 13.4.1991;
Regulation (EEC) No 921/91, 12.4.1991: OJ L 92, 13.4.1991;
Regulation (EEC) No 981/91, 22.4.1991: OJ L 102, 23.4.1991.

Rice

1.2.99. The Commission adopted:

Regulation (EEC) No 862/91, 8.4.1991: OJ L 88, 9.4.1991;
Regulation (EEC) No 870/91, 9.4.1991: OJ L 89, 10.4.1991.

Sugar

1.2.100. The Commission adopted:

Regulation (EEC) No 886/91, 10.4.1991: OJ L 90, 11.4.1991.

Oils and fats

1.2.101. The Commission adopted:

Regulation (EEC) No 822/91, 3.4.1991: OJ L 84, 4.4.1991;
Regulation (EEC) No 928/91, 15.4.1991: OJ L 94, 16.4.1991;
Regulation (EEC) No 1109/91, 30.4.1991: OJ L 110, 1.5.1991.

Fresh fruit and vegetables

1.2.102. The Commission adopted:

Regulation (EEC) No 853/91, 5.4.1991: OJ L 86, 6.4.1991;
Regulation (EEC) No 855/91, 5.4.1991: OJ L 86, 6.4.1991;
Regulation (EEC) No 1107/91, 30.4.1991: OJ L 110, 1.5.1991;
Regulation (EEC) No 1108/91, 30.4.1991: OJ L 110, 1.5.1991.

Processed fruit and vegetables

1.2.103. Proposal for a Council Regulation amending Regulation (EEC) No 426/86 on the common organization of the market in products processed from fruit and vegetables.

- **Regulation to be amended:** Council Regulation (EEC) No 426/86 (OJ L 49, 27.2.1986), as last amended by Regulation (EEC) No 2201/90: OJ L 201, 31.7.1990
- **Commission proposal:** OJ C 75, 20.3.1991; COM(91) 3; Bull. EC 1/2-1991, point 1.2.178
- **Economic and Social Committee opinion:** Bull. EC 3-1990, point 1.2.121

Endorsed by Parliament on 19 April.

OJ C 129, 20.5.1991

1.2.104. The Commission adopted:

Regulation (EEC) No 842/91, 5.4.1991: OJ L 85, 5.4.1991;
Regulation (EEC) No 868/91, 9.4.1991: OJ L 89, 10.4.1991;
Regulation (EEC) No 888/91, 10.4.1991: OJ L 90, 11.4.1991.

Wine

1.2.105. Proposal for a Council Regulation laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails.

- **Commission proposal:** OJ C 189, 23.7.1982; COM(82) 328
- **Parliament opinion (first reading):** OJ C 127, 15.4.1984; Bull. EC 4-1984, point 2.1.95
- **Amended Commission proposal:** OJ C 269, 25.10.1986; COM(86) 159; Bull. EC 9-1986, point 2.1.114
- **Council common position:** Bull. EC 12-1990, point 1.3.200

Endorsed by Parliament (second reading) on 17 April, subject to amendments with a view to specifying the geographical origin of the products involved.

OJ C 129, 20.5.1991

1.2.106. Council Regulation (EEC) No 1029/91 amending for the 13th time Regulation (EEC) No 351/79 concerning the addition of alcohol to wine sector products.

- **Regulation amended:** Council Regulation (EEC) No 351/79: OJ L 54, 5.3.1979
- **Commission proposal:** COM(91) 85; Bull. EC 3-1991, point 1.2.125

Adopted by the Council on 22 April.

OJ L 106, 26.4.1991

1.2.107. The Commission adopted:

Regulation (EEC) No 816/91, 2.4.1991: OJ L 83, 3.4.1991;
Regulation (EEC) No 887/91, 10.4.1991: OJ L 90, 11.4.1991.

Flax and hemp

1.2.108. Commission communication concerning the programme of measures to promote the use of flax fibre for the period October 1991 to June 1994.

- **Basic Regulation:** Regulation (EEC) No 1308/70 on the common organization of the market in flax and hemp (OJ L 146, 4.7.1970), as last amended by Regulation (EEC) No 1963/87: OJ L 184, 3.7.1987

Adopted by the Commission on 23 April.

Presents the programme of measures which the Commission intends taking to promote the use of flax fibre (information campaigns and the development of new markets) for the period October 1991 to June 1994.

Tobacco

1.2.109. The Commission adopted:

Regulation (EEC) No 838/91, 4.4.1991: OJ L 85, 5.4.1991.

Hops

1.2.110. Proposal for a Council Regulation amending Regulation (EEC) No

1784/77 concerning the certification of hops.

- **Regulation to be amended:** Council Regulation (EEC) No 1784/77 (OJ L 220, 8.8.1977), as last amended by Regulation (EEC) No 2039/85: OJ L 193, 25.7.1985

Adopted by the Commission on 12 April.
Amends the current provisions relating to the certification of hops so as to allow explicitly for the further processing of hop products.

COM(91) 122

1.2.111. Proposal for a Council Regulation amending Regulation (EEC) No 1037/72 laying down general rules for granting and financing aid for hop producers.

- **Reference:** Council Regulation (EEC) No 1696/71 on the common organization of the market in hops (OJ L 175, 4.8.1971), as last amended by Regulation (EEC) No 2780/90: OJ L 265, 28.9.1990; Bull. EC 9-1990, point 1.2.133
- **Regulation to be amended:** Council Regulation (EEC) No 1037/72: OJ L 118, 20.5.1972

Adopted by the Commission on 16 April.
Inserts into Regulation (EEC) No 1037/72 the necessary references to producers of experimental varieties specified in Regulation (EEC) No 2780/90

COM(91) 127

Seeds

1.2.112. Council Decision 91/239/EEC amending the seventh Decision 85/355/EEC and the seventh Decision 85/356/EEC on the equivalence of field inspections carried out in third countries on seeds producing crops and on the equivalence of seed produced in third countries, respectively.

- **Decisions amended:** Council Decisions 85/355/EEC and 85/356/EEC (OJ L 195, 26.7.1985), as last amended by Decision 90/402/EEC: OJ L 208, 7.8.1990; Bull. EC 7/8-1990, point 1.3.208
- **Commission proposal:** COM(91) 76; Bull. EC 3-1991, point 1.2.128

Adopted by the Council on 22 April.

OJ L 107, 27.4.1991

Milk and milk products

1.2.113. Council Regulation (EEC) No 1025/91 extending for the second time the 1990/91 marketing year in the milk and beef and veal sectors.

- **First extension:** Council Regulation (EEC) No 750/91: OJ L 81, 28.3.1991; Bull. EC 3-1991, point 1.2.131

Proposal adopted by the Commission on 23 April.

COM(91) 153

Adopted by the Council on 22 April.
Extends the 1990/91 marketing year in the milk and beef and veal sectors to 26 May 1991.

OJ L 106, 26.4.1991

1.2.114. Council Regulation (EEC) No 1028/91 amending Regulation (EEC) No 1336/86 fixing compensation for the definitive discontinuation of milk production.

- **Regulation to be amended:** Council Regulation (EEC) No 1336/86: OJ L 119, 8.5.1986
- **Commission proposal:** COM(91) 73; Bull. EC 3-1991, point 1.2.130

Adopted by the Council on 22 April.

OJ L 106, 26.4.1991

1.2.115. Council Regulation (EEC) No 1027/91 fixing, for the 1990/91 and 1991/92 milk years, the guideline figure for the fat content of standardized whole milk imported into Ireland and the United Kingdom.

- **Commission proposal:** COM(91) 26; Bull. EC 1/2-1991, point 1.2.185

Adopted by the Council on 22 April.

OJ L 106, 26.4.1991

1.2.116. The Commission adopted:

Decision 91/236/EEC, 23.4.1991: OJ L 106, 26.4.1991;
 Regulation (EEC) No 837/91, 4.4.1991: OJ L 85, 5.4.1991;
 Regulation (EEC) No 863/91, 8.4.1991: OJ L 88, 9.4.1991;
 Regulation (EEC) No 879/91, 9.4.1991: OJ L 89, 10.4.1991;
 Regulation (EEC) No 890/91, 10.4.1991: OJ L 90, 11.4.1991;
 Regulation (EEC) No 891/91, 10.4.1991: OJ L 90, 11.4.1991;
 Regulation (EEC) No 938/91, 16.4.1991: OJ L 95, 17.4.1991;
 Regulation (EEC) No 980/91, 22.4.1991: OJ L 102, 23.4.1991;
 Regulation (EEC) No 992/91, 23.4.1991: OJ L 104, 24.4.1991;
 Regulation (EEC) No 993/91, 23.4.1991: OJ L 104, 24.4.1991;
 Regulation (EEC) No 1039/91, 25.4.1991: OJ L 106, 26.4.1991;
 Regulation (EEC) No 1082/91, 29.4.1991: OJ L 108, 30.4.1991.

Beef and veal

1.2.117. Council Regulation (EEC) No 1025/91 extending for the second time the 1990/91 marketing year in the milk and veal sectors (→ point 1.2.113).

1.2.118. Council Regulation (EEC) No 1026/91 amending Regulation (EEC) No 1208/81 determining the Community scale for the classification of carcasses of adult bovine animals.

- **Regulation amended:** Council Regulation (EEC) No 1208/81: OJ L 123, 7.5.1981
- **Commission proposal:** COM(90) 505; Bull. EC 10-1990, point 1.3.126

Adopted by the Council on 22 April.

OJ L 106, 26.4.1991

1.2.119. The Commission adopted:

Regulation (EEC) No 815/91, 2.4.1991: OJ L 83, 3.4.1991;

Regulation (EEC) No 839/91, 4.4.1991: OJ L 85, 5.4.1991;
 Regulation (EEC) No 840/91, 4.4.1991: OJ L 85, 5.4.1991;
 Regulation (EEC) No 843/91, 4.4.1991: OJ L 85, 5.4.1991;
 Regulation (EEC) No 910/91, 11.4.1991: OJ L 91, 12.4.1991;
 Regulation (EEC) No 920/91, 12.4.1991: OJ L 92, 13.4.1991;
 Regulation (EEC) No 991/91, 23.4.1991: OJ L 104, 24.4.1991;
 Regulation (EEC) No 1016/91, 24.4.1991: OJ L 105, 25.4.1991;
 Regulation (EEC) No 1017/91, 24.4.1991: OJ L 105, 25.4.1991;
 Regulation (EEC) No 1018/91, 24.4.1991: OJ L 105, 25.4.1991.

Sheepmeat and goatmeat

1.2.120. The Commission adopted:

Decision 91/235/EEC, 17.4.1991: OJ L 105, 25.4.1991;
 Regulation (EEC) No 823/91, 3.4.1991: OJ L 84, 4.4.1991;
 Regulation (EEC) No 905/91, 11.4.1991: OJ L 91, 12.4.1991;
 Regulation (EEC) No 906/91, 11.4.1991: OJ L 91, 12.4.1991;
 Regulation (EEC) No 956/91, 18.4.1991: OJ L 98, 19.4.1991;
 Regulation (EEC) No 968/91, 19.4.1991: OJ L 100, 20.4.1991.

EAGGF Guarantee Section

1.2.121. Commission Regulation (EEC) No 967/91 laying down detailed rules for the application of Council Regulation (EEC) No 307/91 on reinforcing the monitoring of certain expenditure chargeable to the Guarantee Section of the EAGGF.

- **Basic Regulation:** Council Regulation (EEC) No 307/91: OJ L 37, 9.2.1991; Bull. EC 1/2-1991, point 1.2.195

Adopted by the Commission on 19 April.
 Defines certain types of expenditure; fixes

the flat-rate amount representing the expenditure incurred by the Member States on remuneration; specifies the rules governing the approval of surveillance firms and laboratories, the rules governing monitoring agencies, the conditions for the presentation of requests for Community financing by the Member States and the content of the report to be drawn up by the Member States.

OJ L 100, 20.4.1991

State aid

Decisions to initiate proceedings

France

1.2.122. Commission Decision relating to aid and parafiscal charges in the forestry sector.

Adopted by the Commission on 10 April. The Commission has decided to initiate proceedings under Article 93(2) of the EEC Treaty with regard to aid to the forestry and timber sectors financed by the National Forestry Fund owing to the manner in which this aid is financed. With respect to the purpose of the aid granted, the Commission did not have any comments; it took into consideration the Community's interest in encouraging the production of timber in France in view of the timber deficit in the Community. Nevertheless, the Commission cannot consider this aid as compatible with the common market in view of the fact that it is financed by a levy also imposed on products imported from other Member States.

Italy

1.2.123. Commission Decision on intervention in the beef and veal sector.

Adopted by the Commission on 24 April. The Commission has decided to initiate proceedings under Article 93(2) of the EEC

Treaty against measures provided for in a Decision of the Interministerial Committee for Economic Planning (CIPE) relating to intervention in the beef and veal market to assist stockfarmers hit by the drought. The measure does not appear appropriate for providing compensation for damage caused by the drought, since it has the features of an operating aid to the sector in question which does not qualify for exemption under Article 92 of the Treaty. The scheme also appears to constitute an infringement of the organization of the market in beef and veal.

External aspects

Canada

1.2.124. Visit to the Commission by Mr C. Mayer, Minister of State (Grains and Oilseeds), on 11 April.

Mr Mayer met Mr Mac Sharry. The discussions concerned mainly the 1991-92 price proposals, the reflections paper on the reform of the CAP and the Uruguay Round negotiations on agriculture.

Fisheries

Resources

External aspects

Sweden

1.2.125. Council Regulation (EEC) No 973/91 allocating additional catch quotas among Member States for vessels fishing in Swedish waters for 1991.

- **Commission proposal:** COM(91) 70; Bull. EC 4-1991, point 1.2.149

Adopted by the Commission on 18 April.
The allocation of additional quotas is as follows:

- (i) cod: 2 500 tonnes of which 1 830 tonnes are for Denmark and 670 tonnes for Germany;
- (ii) herring: 1 500 tonnes of which 855 tonnes are for Denmark and 645 tonnes for Germany.

OJ L 102, 23.4.1991

Mauritania

1.2.126. Council Regulation (EEC) No 1177/91 on the conclusion of the Protocol setting out, for the period from 1 August 1990 to 31 July 1993, the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Republic of Mauritania.

- **Reference:** EEC-Mauritania Agreement: OJ L 302, 24.10.1987
- **Commission proposal:** OJ C 282, 10.11.1990; COM(90) 484; Bull. EC 10-1990, point 1.3.177
- **Parliament opinion:** OJ C 106, 22.4.1991; Bull. EC 3-1991, point 1.2.152

Adopted by the Council on 18 April.

OJ L 117, 10.5.1991

Sao Tome and Principe

1.2.127. Proposal for a Council Regulation on the conclusion of the Protocol establishing, for the period from 1 June 1990 to 31 May 1993, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of Sao Tome and Principe on fishing off Sao Tome and Principe.

- **Commission proposal:** COM(90) 429; Bull. EC 9-1991, point 1.2.75

Endorsed by Parliament on 18 April, subject to two amendments requesting that it be notified and consulted.

OJ C 129, 20.5.1991

South Africa

1.2.128. Proposal for a Council Decision authorizing the Portuguese Republic to extend until 7 March 1992 the agreement on mutual fishery relations with the Republic of South Africa.

Adopted by the Commission on 24 April.

COM(91) 135

Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

1.2.129. Proposal for a Council Regulation amending Regulation (EEC) No 2245/85 laying down certain technical measures for the conservation of fish stocks in the Antarctic.

- **Reference:** Ninth meeting of the CCAMLR: Bull. EC 11-1989, point 2.1.174
- **Regulation to be amended:** Council Regulation (EEC) No 2245/85 (OJ L 210, 7.8.1985; Bull. EC 7/8-1985, point 2.1.176), as last amended by Regulation (EEC) No 1589/90: OJ L 15, 15.6.1990; Bull. EC 6-1990, point 1.3.225

Adopted by the Commission on 8 April.
Amends Community rules so as to secure the implementation of the recommendations adopted by the CCAMLR at its ninth annual meeting.

OCOM(91) 99

Organization of markets

1.2.130. Commission Regulation (EEC) No 851/91 providing for the grant of compensation to producers' organizations in respect of tuna delivered to the canning industry during the period 1 April to 30 June 1990; Commission Regulation (EEC) No 852/91 providing for the grant of compensation to producers' organizations in respect of tuna delivered to the canning industry during the period 1 July to 30 September 1990.

- **Basic Regulation:** Council Regulation (EEC) No 3796/81 on the common organization of the market in fishery products (OJ L 379, 31.12.1981; Bull. EC 12-1981, point 2.1.140), as last amended by Regulation (EEC) No 2886/89: OJ L 282, 2.10.1989

Adopted by the Commission on 5 April.
Entitles producers' organizations, in certain circumstances, to compensation for certain quantities of yellowfin, skipjack and albacore tuna.

OJ L 96, 6.4.1991

1.2.131. Proposal for a Council Regulation amending Regulation (EEC) No 104/76 laying down common marketing standards for shrimps (*Crangon crangon*), edible crabs (*Cancer pagurus*) and Norway lobsters (*Nephrops norvegicus*).

- **Regulation to be amended:** Council Regulation (EEC) No 104/76: OJ L 20, 28.1.1976

Adopted by the Commission on 30 April.
Provides for a similar derogation for

shrimps and edible crabs and lays down a procedure for its application.

COM(91) 148

Structural measures and assistance

- **Basic Regulation:** Council Regulation (EEC) No 4028/86 (OJ L 376, 31.12.1986; Bull. EC 12-1986, point 2.1.285), as last amended by Regulation (EEC) No 3944/90: OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.249

1.2.132. Decision to finance 316 projects for the modernization of fishing vessels, 102 aquaculture projects and 2 projects concerning artificial reefs in the first round of decisions for 1991 under Regulation (EEC) No 4028/86.

Adopted by the Commission on 29 April.
See Table 1.

Table 1 — Assistance granted to projects for the improvement and adaptation of structures in the fisheries and aquaculture sector

Member State	Projects submitted		Projects selected	
	Number	Assistance requested in million ECU ¹	Number	Assistance granted in million ECU ¹
Belgium	3	0.039	3	0.039
Denmark	6	2.109	2	0.246
Germany	25	2.159	15	0.213
Greece	79	8.705	34	3.443
Spain	391	63.941	145	9.035
France	143	27.511	39	1.974
Ireland	45	6.707	31	1.960
Italy	176	58.190	81	7.538
Netherlands	8	0.667	5	0.304
Portugal	88	22.155	29	2.023
United Kingdom	47	4.085	36	1.650
Total	1 011	196.268	420	28.425

¹ ECU: rate on 1 March 1991.

1.2.133. Decision to finance a specific measure to alleviate difficulties affecting the whiting fishery in the North Sea.

Adopted by the Commission on 29 April. Grants assistance of ECU 594 510 for a Danish project to introduce fishing for whiting in the North Sea for human consumption.

COM(91) 102

Environment

I

Landfills

1.2.134. Proposal for a Council Directive on the landfill of waste.

- **References:**

Parliament resolution of 19 June 1987 on the waste disposal industry and old waste dumps: OJ C 190, 20.7.1987; Bull. EC 6-1987, point 2.1.135

Commission communication of 13 September 1989 on a Community strategy for waste management: Bull. EC 9-1989, point 1.1.1

Council resolution of 7 May 1990 on waste policy: OJ C 122, 18.5.1990; Bull. EC 5-1990, point 1.2.119

Directive 91/156/EEC of 18 March 1991 amending Directive 75/442/EEC on waste: OJ L 78, 26.3.1991; Bull. EC 3-1991, point 1.2.167

Adopted by the Commission on 17 April. The purpose of the proposed measures is to improve the process of waste disposal by landfilling on the basis of a high level of environmental protection. The aim of the proposal is to harmonize environmental and technical standards so as to ensure effective protection for the environment, and in particular soil and groundwater; it also advocates preventing the occurrence of contaminated sites in the Community in order to reduce long-term soil pollution. It emphasizes the need to limit the landfilling of waste by encouraging waste avoidance

and recycling (waste that has to be disposed of should be subjected to treatment in order to minimize its potential harmfulness), and the need to take account of the real costs of waste disposal by landfilling arising from the setting up, running and closure of the facility.

Reduction of sulphur in gasoil

1.2.135. Proposal for a Council Directive on the approximation of the laws of the Member States relating to the sulphur content of gasoil.

- **Directive to be replaced:** Council Directive 75/716/EEC on the approximation of the laws of the Member States relating to the sulphur content of certain liquid fuels (OJ L 307, 27.11.1975) as last amended by Directive 87/219/EEC: OJ L 91, 3.4.1987; COM(85) 377; Bull. EC 7/8-1985, point 2.1.119

Adopted by the Commission on 30 April. The purpose of the Directive is to reduce the sulphur content of industrial, bunker, automotive and heating gasoils in two stages. Member States would have to ensure that the sulphur content of diesel fuel does not exceed 0.2% by weight as from 1 October 1994 and 0.5% by weight as from 1 October 1996. In addition, as from 1 October 1995 they would have to ensure the availability and balanced distribution of diesel fuel with a sulphur content not exceeding 0.05% by weight; as from that date diesel fuel of this quality would have to represent not less than 25% of the total amount of gasoil distributed in each Member State.

Member States would have to ensure that other gasoils can be marketed in the Community only if their sulphur content does not exceed 0.2% by weight as from 1 October 1994 and 0.1% by weight as from 1 October 1996.

In the event of difficulties (sudden changes in the supply of crude oil or petroleum products, a Member State would be able to

authorize higher limits within its territory for a period of four months.

COM(91) 154

Pollution in the Gulf

1.2.136. Initiatives already taken and those still to be taken to deal with the pollution in the Gulf.

- **Reference:** Council conclusions: Bull EC 3-1991, point 1.2.175

Approved by the Commission on 10 April. These initiatives, in response to the Council conclusions of 18 March 1991, are twofold: (i) helping to put out and plug the burning oil wells in Kuwait and (ii) helping to deal with the environmental effects of the oil pollution and air pollution. The Commission decided to grant up to ECU 10 million to Community oil companies to help them put out the burning wells. The Commission also decided to allocate funds totalling ECU 6 million, from existing budget headings, for measures to protect the environment, e.g. action to deal with marine pollution in the Gulf, implementation of an ecological project to restore the affected ecosystems, and cooperation on health with the countries affected by air pollution, and called for a voluntary contribution of ECU 500 000 from the Member States.

II

Prevention and reduction of pollution and nuisance

Noise abatement

1.2.137. Proposal for a Council Directive on the limitation of the operation of Chapter 2 aeroplanes.

- **References:** Council Directive 89/629/EEC on the limitation of noise emission from civil subsonic jet aeroplanes: OJ L 363, 13.12.1989; Bull. EC 12-1989, point 2.1.147

Adopted by the Commission on 10 April. The Commission is seeking to supplement Directive 89/629/EEC, which was aimed at prohibiting the addition to Member States' registers of the noisiest aeroplanes covered by Chapter 2 of the Convention on International Civil Aviation, by provisions designed to restrict their operation. The proposal therefore provides for their phasing out over a number of years, taking into account environmental factors, technical feasibility and economic consequences; special exemptions are provided for in the case of airlines in developing countries.

OJ C 111, 26.4.1991; COM(90) 445

International cooperation

Council of Europe

1.2.138. Commission communication to the Council concerning negotiations for an International Convention on Damage Resulting from Activities Dangerous to the Environment.

Adopted by the Commission on 23 April. Purpose: To authorize the Commission, acting on behalf of the Community and in consultation with the Member States, to participate, with regard to matters covered by Community competence, in negotiations in the framework of the Council of Europe on the preparation of an International Convention on Damage Resulting from Activities Dangerous to the Environment.

Consumers

Protection of economic and legal interests

1.2.139. Proposal for a Council Directive on unfair terms in consumer contracts.

- **Commission proposal:** OJ C 243, 28.9.1990; COM(90) 322; Bull. EC 7/8-1990, point 1.3.150

Endorsed by the Economic and Social Committee on 24 April. The Committee acknowledged that the Commission proposal is intended not to approximate contract law but simply to harmonize existing national legislation on unfair contract terms.

A people's Europe

Citizens' rights

Data protection

1.2.140. Commission communication on the protection of individuals in relation to the processing of personal data in the Community and information security, containing two proposals for a Council Directive and a recommendation for a Council Decision:

- (i) proposal for a Council Directive concerning the protection of individuals in relation to the processing of personal data;
- (ii) proposal for a Council Directive concerning the protection of personal data and privacy in the context of public digital telecommunications networks, in particular the integrated services digital network (ISDN) and public digital mobile networks;
- (iii) proposal for a Council Decision in the field of information security.

- **Commission proposal:** COM(90) 314; Bull. EC 7/8-1990, points 1.3.309, 1.3.310, 1.3.313 and 1.3.315

Endorsed by the Economic and Social Committee on 24 April. The Committee stressed the importance of a high level of data protection. With regard to the first proposal it laid particular emphasis on the desirability of extending the objective beyond the protection of privacy, insisting that independent public supervisory authorities should be granted explicit powers of examination prior to the processing of personal data by the public sector. It proposed that an independent European authority be estab-

lished to monitor the application of the principles set out in the proposal in certain sectors or categories of personal data processing. The authority should also be responsible for general follow-up and the formulation of requirements regarding security and cross-border data flows. The Committee also noted that, in order to be effective, the data protection envisaged by the second proposal for a Directive must not be subordinated to technical or cost criteria.

Measures to help victims of natural disasters

1.2.141. Decision to grant emergency aid for the families of the victims of the collision at sea which occurred on the night of 10/11 April off the port of Livorno (Italy).

Adopted by the Commission on 11 April. Purpose: to grant humanitarian aid of ECU 1 million.

1.2.142. Decision to grant emergency aid for people affected by the explosion of an oil tanker off the Genoa coast.

Adopted by the Commission on 13 April. Purpose: to grant emergency aid of ECU 500 000.

1.2.143. Parliament resolution on the shipping disasters off Genoa and Livorno.

- **Reference:** Parliament resolution on safety at sea: OJ C 96, 17.4.1989; Bull. EC 3-1989, point 2.1.155

Adopted by Parliament on 18 April. Parliament called on the Commission to adopt urgent measures to prevent an environmental disaster, if necessary in conjunction with the Community's Mediterranean partners. It also called on the Commission to draw up a Community coordination policy for the safety of shipping and maritime transport.

OJ C 129, 20.5.1991

1.2.144. Parliament resolution on the shipwreck of the *Capitaine Pleven II* off the Clare coast in the West of Ireland.

Adopted by Parliament on 18 April. Parliament called on the Commission to table proposals for financing new surveys which would allow maritime charts to be updated and expressed the view that safety at sea and the protection of seamen's lives should be a priority of the Community's maritime transport policy.

OJ C 129, 20.5.1991

Audiovisual media, information, communication and culture

Audiovisual policy and production

Development of the European audiovisual industry

1.2.145. Media Business School.

- Reference: Council Decision 90/685/EEC of 21 December 1990 concerning the implementation of an action programme to promote the development of the European audiovisual industry (Media) (1991 to 1995): COM(86) 255; Bull. EC 4-1986, point 2.1.79; OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.294

The Media Business School in Madrid was inaugurated on 11 April by Mr Dondelinger, Member of the Commission, and Mr Sole Tura, Spanish Minister for Culture. The School's role is to set up training projects in the Member States which can prepare audiovisual professionals more effectively for the single market. Europe's creative talent is all too often handicapped by a lack of economic and marketing know-how and a dearth of market information.

Public awareness

1.2.146. European Youth Olympic Games.

- Reference: Report from the *ad hoc* Committee on a people's Europe: Supplement 7/85 — Bull. EC

Commission decision of 15 April to grant its patronage to the first European Youth Olympic Games to be held in Brussels in July 1991, jointly organized by the Member States' National Olympic Committees and the Commission. These games are in line with the measures recommended by the report on a people's Europe and the Commission proposes to contribute ECU 300 000 to the cost of organizing the event.

3. Role of the Community in the world

European Free Trade Association

Bilateral negotiations with the EFTA countries

- **Reference:** Council Decision concerning the negotiating directives for an agreement with the EFTA countries on the establishment of a European economic area: Bull. EC 6-1990, point 1.4.6

Finland

1.3.1. Visit by Mr Andriessen on 4 April.

Mr Andriessen met the President of the Republic, Mr Koivisto, the Prime Minister, Mr Holkeri, and the Foreign Minister, Mr Paasio. They mainly discussed the situation within the Soviet Union and in Central and Eastern Europe and the negotiations on the EEA in relation to the future structure of Europe.

Norway

1.3.2. Visit by Mr Andriessen from 4 to 6 April.

Mr Andriessen met the Prime Minister, Mrs Brundtland, and the Minister for Fisheries, Mrs Pettersen. Discussions centred on the EEA negotiations, in particular as regards fisheries and legal controls on competition. Mr Andriessen further mentioned the prospects for economic and monetary union and political union.

The Soviet Union and the countries of Central and Eastern Europe

I

Relations with Poland

1.3.3. Mr Walesa, President of the Republic of Poland, visited the Commission on 3 April.

Mr Walesa, who was accompanied by several members of the Polish Government, met Mr Delors and Mr Andriessen during the course of the Commission's weekly meeting. Their talks centred on the conclusion of an association agreement, Mr Walesa having first stressed that the success of the reforms under way called for active cooperation by the Western countries and in particular by the Community. Mr Walesa wanted the preamble to the agreement to contain a reference to his country's future accession to the Community as he considered this vital for the implementation of the economic reform under way, the stability of the regions concerned and the return to democratic values in Poland. Mr Delors and Mr Andriessen stressed that the draft association agreement under negotiation was political proof of the Community's willingness to involve Poland in the process of European integration and to help it gear its economy to that of the countries of Western Europe, for example by establishing a free trade area based on an asymmetric agreement in Poland's favour. After underlining the need for a reference to his country's future accession in the preamble to the association agreement Mr Walesa expressed his satisfaction at the understanding shown by the Commission.

II

General

European agreements

1.3.4. Council conclusions on the Community position in the negotiations for association agreements with Poland, Hungary and Czechoslovakia.

- **Reference:** Council Decision authorizing the Commission to negotiate European agreements with the Czech and Slovak Federal Republic, the Republic of Hungary and the Republic of Poland: Bull. EC 12-1990, point 1.4.6

Adopted by the Council on 15 April. The Council adopted conclusions regarding the six points of the negotiating directives on which the Commission had called for greater flexibility. These points concerned the reference in the preamble to the future accession to the Community of the three countries in question. The wording adopted speaks of accession as an ultimate but not an automatic objective. Reiterating its political will to conclude negotiations as soon as possible, the Council also displayed an open attitude to the political and economic conditions attaching to the agreement, the transitional period, the reference date for setting basic and *status quo* duties, the opening-up of markets to ECSC, textile and agricultural products and improved general arrangements for industrial products. A degree of flexibility would also have to be shown on the politically sensitive issue of free movement of workers. The Council also agreed that, subject to certain conditions, it would also be possible to consider cumulation involving the three countries under the origin rules.

1.3.5. Parliament resolution on association agreements with the countries of Central and Eastern Europe.

- **Reference:** Council Decision authorizing the Commission to negotiate European agreements with the Czech and Slovak Federal Republic, the Republic of Hungary and the Republic of Poland: Bull. EC 12-1990, point 1.4.6

Adopted by Parliament on 18 April. Parliament welcomed the association negotiations under way with Poland, Hungary and Czechoslovakia. It was of the opinion that the difficulties facing these countries called for cooperation as part of an association geared towards subsequent accession to the Community and that these European agreements would help to eliminate Europe's political and economic divisions. Parliament also considered that the countries of Central and Eastern Europe should negotiate free trade agreements with the EFTA countries and develop forms of multilateral cooperation among themselves. Parliament welcomed the fact that the association

agreements covered political, cultural and environmental cooperation and considered it essential that the agreements help enhance the role of the associated States' parliaments and of the Parliamentary Association Committee.

OJ C 129, 20.5.1991

Coordinated aid to Central and Eastern Europe

1.3.6. Draft Commission Decisions on the conclusion of the ECSC protocols on trade and commercial and economic cooperation with Poland and Hungary.

- **Commission proposal:** Bull. EC 12-1989, point 2.2.26
- **Decision of the Member States' representatives meeting within the Council:** Bull. EC 1/2-1990, point 1.2.10
- **Commission communication:** Bull. EC 1/2-1991, point 1.3.11
- **ECSC Consultative Committee opinion:** Bull. EC 1/2-1991, point 1.3.11

Assent given by the Council on 8 April

OJ C 105, 20.4.1991

1.3.7. Draft Commission Decision amending for the second time the draft Commission Decision of 5 March 1990 authorizing borrowing on the capital market with a view to granting loans to finance investment in the coal and steel sector in Hungary and Poland in order to extend the granting of loans to Czechoslovakia, Bulgaria, Yugoslavia and Romania.

- **Draft Commission Decision to be amended:** Bull. EC 3-1990, point 1.2.5
- **Council assent:** OJ C 122, 18.5.1990; Bull. EC 5-1990, point 1.3.6
- **First amendment to the draft Decision:** Bull. EC 12-1990, point 1.4.8

Approved by the Commission on 29 April. After an initial amendment in December 1990 extending its scope to cover Czechoslovakia, Bulgaria and Yugoslavia, the draft Decision has been further amended to give Romania the possibility of receiving ECSC loans for industrial projects. The priorities established in the initial draft remain unchanged.

1.3.8. Financing Decision pursuant to Council Regulation (EEC) No 2698/90 amending Regulation (EEC) No 3906/89 in order to extend aid to other countries of Central and Eastern Europe.

- **Reference:** Ninth high-level meeting of the Group of 24: Bull. EC 1/2-1991, point 1.3.9
- **Basic Regulation:** Council Regulation (EEC) No 2698/90: OJ L 257, 21.9.1990; Bull. EC 9-1990, point 1.3.3

Adopted by the Commission on 20 April. Since Romania is facing a severe shortage of raw materials for the production of animal feed, the Commission has decided to grant initial financing under the Phare programme in the form of an ECU 25 million aid programme for livestock farming. It will mainly involve supplying additives and ingredients for animal feed, supporting the development of the emergent private sector, government procurement, monitoring and follow-up and a study of the sector.

Bilateral relations

Bulgaria

1.3.9. Mr Popov, Prime Minister of the Republic of Bulgaria, visited the Commission.

Mr Popov had talks with Mr Delors and Mr Andriessen. Mr Popov described his country's progress towards democracy and outlined some of the draft legislation under discussion, such as legislation on the establishment of a land register. Talks also covered the economic situation, which Mr Popov considered far from satisfactory, and the scope for an association agreement. Mr Delors assured Mr Popov that the Community considered Bulgaria a fully-fledged European country and a reliable partner offering a propitious investment climate. He also indicated that the possibility of an association agreement could be considered later on when economic and political life had been consolidated, but that at this stage it was preferable to make full use of all the

opportunities provided by the trade and cooperation agreement.

Romania

1.3.10. Proposal for a Council Decision providing medium-term financial assistance for Romania.

- **Reference:** high-level meeting of the Group of 24 in Brussels: Bull. EC 1/2-1991, point 1.3.9

Agreed by the Council on 8 April.

Proposal adopted by the Commission on 12 April. Romania was undertaking fundamental political and economic reforms and had decided to adopt a market economy. However, following changes in the international environment the Romanian economy was in deep recession and facing external shocks which could make its balance of payments deteriorate sharply and weaken its precarious reserve position. The Commission was therefore proposing to grant Romania a medium-term loan facility of up to ECU 375 million over a maximum period of seven years. The aid would form part of a financial aid programme provided by the G 24 and possibly other countries, totalling approximately ECU 750 million. It would be made available to Romania in two instalments, the first of which would be released as soon as a stand-by arrangement had been concluded between Romania and the IMF.

OJ C 121, 7.5.1991; COM(91) 129

Soviet Union

1.3.11. Mr Pavlov, Prime Minister of the Soviet Union, visited the Commission on 29 April.

- **References:**
 - Second Rome European Council: Bull. EC 12-1990, point I.31
 - Council Regulation (EEC) No 598/91 on urgent action for the supply of agricultural products intended for the people of the Soviet Union: OJ L 67, 14.3.1991; Bull. EC 3-1991, point 1.3.8

Mr Pavlov had lengthy talks with Mr Delors about the current situation and the pros-

pects for cooperation between the Community and the Soviet Union. They also discussed implementation of the ECU 750 million food aid packages approved at the Rome European Council in December last year.

1.3.12. Proposal for a Council Regulation amending Regulation (EEC) No 599/91 introducing a credit guarantee for exports of agricultural products and foodstuffs from the Community to the Soviet Union.

- **Regulation to be amended:** Council Regulation (EEC) No 599/91: OJ L 67, 14.3.1991; Bull. EC 3-1991, point 1.3.8

Adopted by the Commission on 19 April. The aim of the proposal is to modify the repayment terms of the loans to be granted to the Soviet Union under the credit guarantee. The Soviet Union had stated that because of previous international obligations it was unable to start reimbursement before 1993. The proposal alters only the repayment schedule and therefore has no impact on the Community budget.

OJ C 122, 8.5.1991; COM(91) 140

Mediterranean and Middle East

I

The Middle East: problems created by the Gulf War

1.3.13. Informal meeting of the European Council.

Meeting held in Luxembourg on 8 April. The Council decided to provide ECU 150 million of humanitarian aid for the Kurdish and other refugees in the region. ECU 100 million of this sum would come from the Community budget, supplementing the allocations already made, with the remaining ECU 50 million coming from Member State budgets. The Commission would coordinate the aid.

The Council expressed its support for the move to establish in Iraq a United Nations protected zone for minorities and backed the Commission's proposals for economic cooperation between the Community and the Middle East. With regard to political matters, it emphasized the irreplaceable role of the United Nations and again called on Iraq to implement immediately UN Security Council Resolution 687.

It pointed out the three conditions needed for peace and stability in the region: a solution to the Arab-Israeli conflict and the Palestinian question, greater democratic legitimacy of governments, and economic development with reduced disparities in income levels. Also discussed were Lebanon and Cyprus and the convening of a conference on security and cooperation in the Mediterranean.

In its consideration of economic issues, the Council examined the situation with regard to emergency measures, the implementation of policies agreed upon and new spheres of activity for the future, notably within the context of relations with the Arab Maghreb Union, Israel and Iran.

Community aid to refugees from Iraq

1.3.14. Commission Decision on emergency humanitarian aid to refugees from Iraq.

Adopted by the Commission on 3 April. The Commission decided to grant ECU 5 million of humanitarian aid for emergency assistance for victims of the internal unrest in Iraq, whether displaced within the country or living as refugees in neighbouring countries, notably Iran and Turkey. The Commission's customary partners (such as the International Committee of the Red Cross, Médecins sans frontières, the Office of the United Nations High Commissioner for Refugees, Secours populaire français and Pharmaciens sans frontières) began immediate implementation of the aid.

1.3.15. Commission Decision on an emergency aid appropriation.

- **References:**

Informal meeting of the European Council on Middle East problems following the Gulf War: point 1.3.13 of this Bulletin

Commission Decision on emergency humanitarian aid for refugees from Iraq: point 1.3.14 of this Bulletin

Adopted by the Commission on 16 April. In keeping with the guidelines of the European Council meeting of 8 April, which was devoted to the problems caused in the Middle East by the Gulf War, the Commission decided to establish a new emergency aid appropriation, limited to ECU 100 million. ECU 94 million of that sum would come from the budget heading entitled 'Aid to disaster victims in developing and other third countries' and the balance of ECU 6 million from the Chapter relating to food aid. The sum concerned supplements the ECU 5 million of emergency aid allocated by the Commission on 3 April, and implementation has again been immediate. In particular, foodstuffs and medicines have already been dispatched by the Commission's usual partners.

In addition, the governments of Belgium, France and the Netherlands decided to co-finance, with the Community, operations to dispatch supplies, establish a relief network and set up a refugee camp in Iraq.

1.3.16. Proposal for a Council Regulation amending Council Regulations (EEC) No 2340/90 and No 3155/90 preventing trade by the Community as regards Iraq and Kuwait.

- **Regulations to be amended:** Council Regulation (EEC) No 2340/90, as last amended by Council Regulation (EEC) No 811/91: OJ L 82, 28.3.1991; Bull. EC 3-1991, point 1.3.17

Adopted by the Commission on 18 April. Pursuant to United Nations Security Council Resolution 687, which determines the conditions for a ceasefire between the Iraqi forces and the allied forces and lays down the procedure for the lifting of the trade embargo, the proposal was aimed at amending Regulations (EEC) No 2340/90

and No 3155/90 concerning the embargo on trade with Iraq. The proposed amendments would incorporate into the Regulations the changes made by the Security Council to the bans on the sale or supply to Iraq of commodities or goods and on imports of commodities or goods originating in Iraq.

COM(91) 143

1.3.17. Parliament resolution on the situation of the Kurds.

- **References:**

Informal European Council meeting held in Luxembourg: point 1.3.13 of this Bulletin

Parliament resolution on the situation of the Kurds: OJ C 106, 22.4.1991; Bull. EC 3-1991, point 1.3.80

Adopted by Parliament on 18 April. Recognizing that without a political solution, the problem of the Kurds would continue to threaten peace and security in the region, Parliament strongly condemned the attempts of Saddam Hussein's regime to commit genocide against the Kurds and subject the Iraqi population as a whole to repression. It placed special emphasis on the need to maintain without relaxation the embargo decreed by the United Nations for as long as repression continued, and it supported the proposal put to the European Council for a temporary protected zone. It observed that the treatment of the Kurds was tantamount to the crime of genocide within the meaning of the 1948 Convention, and requested the Member State governments to bring the case before the International Court of Justice. It also expressed the wish that the problem of the Kurds be discussed at a Middle East peace conference.

OJ C 129, 20.5.1991

1.3.18. Council agreement on a change to the financial perspectives (→ point 1.5.4).

II

Additional financial measures for the countries of the Middle East and the Mediterranean

1.3.19. Proposal for a Council Regulation on financial aid to Israel and the Occupied Territories.

• **References:**

Council Regulation (EEC) No 3557/90 on financial aid for the countries most directly affected by the Gulf crisis: OJ L 347, 12.12.1990; Bull. EC 12-1990, point 1.4.16

Commission proposal: OJ C 68, 16.3.1990; COM(91) 61; Bull. EC 1/2-1991, point 1.3.23

Council agreement on the allocation of funds: Bull. EC 3-1991, point 1.3.21

Amended proposal approved by the Commission: Bull. EC 3-1991, point 1.3.21

Proposal formally adopted on 9 April. This superseded the initial proposal. It followed the basic direction of the terms on which the Council gave its agreement.

COM(91) 125; OJ C 111, 26.4.1991

Mediterranean countries

Algeria

1.3.20. Fourth financial Protocol.

• **References:**

Third Protocol on financial and technical cooperation: OJ L 22, 27.1.1988

Commission communication: Bull. EC 5-1990, point 1.3.24

Negotiating directives: Bull. EC 12-1990, point 1.4.15

The Protocol was initialled in Brussels on 23 April. It is for an overall sum of EC 350 million, of which ECU 70 million comes from the budget and ECU 280 million takes the form of EIB loans.

Cyprus

1.3.21. Mr Takis Nemišas, the Cypriot Minister for Commerce and Industry, visited the Commission on 25 April.

Mr Nemišas had talks with Mr Andriessen and Mr Matutes. The subjects discussed were the future of the GATT negotiations, the development of the Association Agreement and the application for accession made by Cyprus in July 1990.

Israel

1.3.22. Fourth financial Protocol.

• **References:**

Third financial Protocol: OJ L 327, 30.11.1988

Commission communication: Bull. EC 5-1990, point 1.3.24

Negotiating directives: Bull. EC 12-1990, point 1.4.15

The Protocol was initialled in Brussels on 24 April. It is for an overall sum of ECU 82 million.

Malta

1.3.23. Council Decision 91/246/EEC concerning the conclusion of a Protocol extending the first stage of the Agreement establishing an association between the European Economic Community and Malta.

• **Agreement to be extended:** EEC-Malta Association Agreement: OJ L 61, 14.3.1971

• **Commission proposal:** OJ C 311, 12.12.1990; COM(90) 588; Bull. EC 11-1990, point 1.4.19

Assent given by Parliament on 17 April.

OJ C 129, 20.5.1991

Adopted by the Council on 25 April.

OJ C 116, 9.5.1991

Morocco

1.3.24. Parliament resolution on support for the United Nations' Western Sahara peace plan.

• **Reference:** Parliament resolution on the political situation in the Western Sahara: OJ C 96, 17.4.1989

Adopted by Parliament on 18 April. In the light of Europe's considerable desire to see stability, neighbourly cooperation and economic development in the Maghreb, a situation which would remain difficult to achieve without a solution to the problem of the Western Sahara, Parliament called for the immediate implementation of the peace plan put forward by the United

Nations Secretary-General and backed by the Organization of African Unity. It recommended in particular that the Western Sahara be provisionally placed under the control of the United Nations and its peace-keeping forces pending the preparation and holding of a referendum which would allow the Sahrawi people to express their views on the future of their country. It stressed that such a referendum should not be accompanied by any administrative or military pressure.

OJ C 129, 20.5.1991

1.3.25. Fourth financial Protocol.

- **References:**

Third financial Protocol: OJ L 224, 13.8.1988

Commission communication: Bull. EC 5-1990, point 1.3.24

Negotiating directives: Bull. EC 12-1990, point 1.4.15

The Protocol was initialled in Brussels on 29 April. It is for an overall sum of ECU 438 million.

Tunisia

1.3.26. Fourth financial Protocol.

- **References:**

Third Protocol on financial and technical cooperation: OJ L 22, 27.1.1988

Commission communication: Bull. EC 5-1990, point 1.3.24

Negotiating directives: Bull. EC 12-1990, point 1.4.15

The Protocol was initialled in Brussels on 2 April. It is for an overall sum of ECU 284 million, to be committed over the next five years. The aim is to encourage economic, agricultural and industrial development and cooperation in trade, science and technology, and promote training and the protection of the environment.

Yugoslavia

1.3.27. Third financial Protocol.

- **References:**

Cooperation Agreement between the European Economic Community and the Socialist

Federal Republic of Yugoslavia: OJ L 41, 14.2.1983

Commission communication: Bull. EC 5-1990, point 1.3.25

Negotiating directives: Bull. EC 12-1990, point 1.4.31

The Protocol was initialled in Brussels on 3 April. Despite the uncertainty surrounding the development of the political and economic situation in Yugoslavia, the Community has confirmed its commitments. The Protocol provides for a total of ECU 730 million in EIB loans over five years. ECU 580 million will be devoted to financing transport infrastructure and ECU 150 million will be for other projects. In addition, ECU 77 million from the Community budget may be allocated to provide a two-point interest rate subsidy on EIB loans for transport infrastructure.

Countries of the Middle East

West Bank and Gaza Strip

1.3.28. Council Regulation (EEC) No 1134/91 on the tariff arrangements applicable to imports into the Community of products originating in the Occupied Territories and repealing Regulation (EEC) No 3363/86.

- **Commission proposal:** COM(91) 40; Bull. EC 1/2-1991, point 1.3.25

Adopted by the Council on 29 April.

OJ L 112, 4.5.1991

United States, Japan and other industrialized countries

United States

1.3.29. EEC-US meeting in the context of the transatlantic Declaration.

- **Reference:** Declaration on relations between the European Economic Community and the United States: Bull. EC 11-1990, point 1.5.3

- **Previous meeting:** Bull. EC 1/2-1991, point 1.3.30

The second meeting was held in Washington on 11 April. Mr Delors and Mr Santer, President of the Council, were received at the White House by President Bush. Discussions centred on the future of Europe following the CSCE summit, the situation in Central and Eastern Europe, relations with the Soviet Union, the situation in the Middle East following the Gulf crisis, and the Uruguay Round negotiations. There was wide agreement on all the subjects raised.

1.3.30. 1991 report on United States trade barriers and unfair practices.

- **Reference:** 1990 report: Bull. EC 4-1990, point 1.2.19

Published by the Commission on 18 April. The report lists the barriers to trade and investment as well as other unfair practices applying in the United States. It indicates that while the US economy is comparatively open it is not free of barriers which seriously affect the interests of trading partners and in particular the Community, which is the main one.

This publication can be obtained from the Directorate-General for External Relations.

Japan

1.3.31. Own-initiative opinion of the Economic and Social Committee on relations between the United States and Japan and between the European Community and Japan.

Adopted by the Economic and Social Committee on 24 April. The Committee called for a deepening and widening of EC-Japan relations at a time when American public opinion was expressing its concern as regards Japan. The Committee declared itself favourably disposed to direct investment by Japanese companies in European manufacturing, to the extent that they contributed to the creation of jobs and the

transfer of know-how. In addition, the Committee proposed that high-level contacts be formalized and accompanied by regular consultation in the areas of economics, science, culture and social affairs. Above all, common problems involved in agriculture and environmental and social policy should in the Committee's view be transposed into practical cooperation. Finally, the Committee considered that relations between Japan and the Community should also be deepened in the area of international policy in order to encourage, together with the United States, a new international order which would end instability and tension in the world.

Other industrialized countries

Canada

1.3.32. EEC-Canada meeting in the context of the transatlantic Declaration.

- **Reference:** Declaration on relations between the European Economic Community and Canada: Bull. EC 11-1990, point 1.5.4
- **Previous meeting:** Bull. EC 1/2-1991, point 1.3.34

The second meeting was held in Ottawa on 12 April. Mr Delors and Mr Santer, President of the Council, saw the Prime Minister of Canada, Mr Mulroney, with whom they discussed the Uruguay Round negotiations, Community fisheries policy within the NAFO zone, the situation in the Gulf and the Middle East and the building of the Community. Mr Mulroney attached great importance to the fisheries question and to the process of European integration. Canada and the Community agreed to give substance to the content of the transatlantic Declaration by using it as an appropriate framework for discussion and exchange of information on the major challenges facing all countries such as the environment, efforts to combat drug abuse and terrorism.

New Zealand

1.3.33. Visit to the Commission by Mr MacKinnon, Deputy Prime Minister and Minister for Foreign Affairs.

Mr MacKinnon met Mr Andriessen and discussed recent developments as regards the GATT negotiations. They also discussed political and economic developments in Central and Eastern Europe and the possible implications for New Zealand's external trade.

Asia and Latin America

I

Community-Latin America dialogue

1.3.34. Ministerial conference between the European Community and the Rio Group of Latin American countries.

- **Reference:** Previous conference: Bull. EC 12-1990, point 1.4.39

First institutionalized meeting, held in Luxembourg on 26 and 27 April. In the course of the discussions, at the close of which a political and economic communiqué was adopted, the participants reaffirmed their common will to strengthen democracy and ensure the observance of human rights. With regard to economic matters, four priority spheres of cooperation were identified: investment and the role of the EIB, participation in Community science and technology programmes, the training of managers and senior officials, and regional integration. Other problems were also discussed, including debt and the establishment in Latin America of a regional structure and framework which will enable contractual relations to be established between the two regions. The discussions also covered the implementation and better use of the generalized preferences system, the Uruguay Round negotiations and the implications of the single market in 1993 for Latin American exports.

II

Asia

Bilateral relations

1.3.35. Visit to the Commission by Mr Zhu Rongji, China's Vice-Premier, on 12 April.

Mr Zhu Rongji met Mr Christophersen to discuss recent developments in the world economic situation and the repercussions for Western Europe and China. Mr Zhu Rongji stressed the importance his government attached to a policy of economic reform and of opening-up to the outside world. He regarded the Community as a valuable economic and trading partner which could help to facilitate the transfer of know-how to China.

Latin America

Relations with Latin America

1.3.36. Visit to the Commission by the Foreign Ministers of the four member States of the Mercosur Group on 29 April.

The Foreign Ministers of the four Mercosur (Southern Cone Common Market) countries, namely Mr Guido di Tella for Argentina, General José Francisco Rezek for Brazil, Mr Alexis Frutos for Paraguay and Mr Hector Gros for Uruguay, met Mr Delors, Mr Pandolfi, Mr Matutes and Mr Mac Sharry. The aim of the visit was to outline to the Commission the aims of the common market which will be set up between their countries under the Treaty of Asunción, signed on 26 March. It was decided to conclude an interinstitutional technical assistance agreement between the Commission and the relevant body of Mercosur. Once the member States of Mercosur have decided on its institutional structure, the Commission will consider whether it should recommend the conclusion of a cooperation agreement between the Com-

munity and Mercosur on the basis of Article 228 of the EEC Treaty.

Bilateral relations

Bolivia

1.3.37. Visit by Mr Matutes from 18 to 20 April.

Mr Matutes met Mr J. Paz Zamora, the President of the Republic of Bolivia. During their talks, Mr Zamora thanked the Community for the aid provided in a number of development sectors and for its support in drug abuse control. On the occasion of a meeting between the chairman of local and European business organizations, they described how greater economic cooperation could be achieved through private sector business.

Chile

1.3.38. Visit to the Commission by Mr Patricio Aylwin, President of the Republic of Chile, on 16 and 17 April.

- **Reference:** Framework Agreement for cooperation between the Community and Chile: Bull. EC 3-1991, point 1.3.31

Mr Aylwin met Mr Delors and Mr Matutes, who expressed satisfaction at the restoration of democracy in Chile and the successful management of Chile's economy. In the course of their talks, the two sides also welcomed the formal entry into force, within a short time, of the framework co-operation Agreement. They took stock of cooperation and, in order to give it long-term impetus, the Commission and the Chilean Government have decided to promote the setting-up of an economic and technological cooperation centre which will have the role of helping to modernize Chilean small and medium-sized enterprises and facilitating cooperation between Chilean and Community SMEs.

Mexico

1.3.39. Framework Agreement for cooperation between the European Economic Community and the United Mexican States.

- **Commission proposal:** Bull. EC 7/8-1990, point 1.4.45
- **Negotiating directives:** Bull. EC 10-1990, point 1.4.27
- **Initialling of the Agreement:** Bull. EC 1/2-1991, point 1.3.41
- **Proposal for a Decision on the conclusion of the Agreement:** OJ C 91, 9.4.1991; COM(91) 92; Bull. EC 3-1991, point 1.3.33

The Council decided on 24 April that the Agreement be signed subject to conclusion.

Agreement signed in Luxembourg on 26 April. The Agreement was signed on behalf of the Community by Mr Poos, President of the Council, and Mr Matutes, Member of the Commission, and by Mr F. Solana Morales, Mexico's Secretary of Foreign Affairs, on the occasion of the ministerial meeting between the Community and the Rio Group (→ point 1.3.34).

Peru

1.3.40. Visit by Mr Matutes from 21 to 23 April.

Mr Matutes saw Mr Alberto Kenyo Fujimori, President of the Republic, who thanked the Community for the aid given to his country. It emerged from the talks that, as a result of major reforms and an emergency welfare programme, there was hope of an improvement in Peru's very difficult general situation.

Economic cooperation with Asia and Latin America

1.3.41. Proposal for a Council Regulation on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America.

- **Regulation to be replaced:** Council Regulation (EEC) No 442/81 on financial and technical aid to non-associated developing countries: OJ L 48, 21.2.1981
- **Reference:** Commission communication on guidelines for cooperation with the developing countries of Latin America and Asia: COM(90) 176; Bull. EC 6-1990, point 1.4.19

Adopted by the Commission on 11 April. In view of the changes which the developing countries concerned have undergone, this new proposal for a Regulation was drawn up to enable the full range of economic cooperation and financial and technical assistance operations to take place within the guidelines proposed by the Commission in its communication of 11 June 1990; it is intended to replace Council Regulation (EEC) No 442/81, which is geared solely to financial and technical assistance. This new proposal places greater emphasis on human rights and democracy, and provides for environmental considerations to be taken systematically into account in all operations, closer tailoring of aid to national and local requirements, and increased budget resources for aid and cooperation.

OJ C 119, 4.5.1991; COM(91) 104

ACP countries and OCTs

Implementation of the new Convention

1.3.42. Draft Decision of the ACP-EEC Council of Ministers adopting the rules of procedure of the ACP-EEC Committee provided for in Article 325 of the fourth Lomé Convention.

- **Reference:** Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Adopted by the Commission on 9 April. Article 325 of the fourth Lomé Convention provides for the setting-up of an ACP-EEC Development Finance Cooperation Committee responsible for assisting the ACP-EEC Council of Ministers in the annual review of the implementation of financial cooperation under the Convention. The rules of procedure for this committee are proposed by the Commission.

Association of the OCTs with the Community

1.3.43. Draft Council Decision on the association of the overseas countries and

territories with the European Economic Community — Breakdown of seventh European Development Fund financing among the OCTs, Article 154.

- **References:**

Council Decision 86/283/EEC on the association of the overseas countries and territories with the European Economic Community: L 175, 1.7.1986; Bull. EC 6-1986, point 2.2.43

Proposal for a Council Decision on the association of the overseas countries and territories with the European Economic Community: OJ C 95, 11.4.1991, Bull. EC 9-1990, point 1.3.32

Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Adopted by the Commission on 19 April. The Commission proposes to supplement Article 154 of the proposal for a Council Decision on the association of the overseas countries and territories with the Community with a view to dividing the resources of the seventh EDF among the United Kingdom, French and Dutch OCTs. The breakdown will be calculated using the same political compromise formula as used for the 1986 Council Decision.

OJ C 126, 16.5.1991

Stabex

1.3.44. Commission report on the operation during 1990 of the export earnings stabilization system set up under the third ACP-EEC Convention.

- **References:**

Third ACP-EEC Convention, signed in Lomé on 8 December 1984: Bull. EC 12-1984, points 1.5.1 to 1.5.4

Report on 1989: Bull. EC 5-1990, point 1.3.38

Adopted by the Commission on 29 April. The report covers the activities of the ACP-EEC institutions, the management of the system (allocation of transfers for the 1989 application year and replenishment of resources) during 1990, the use made of the funds transferred and their economic impact.

Protocols

1.3.45. Commission communication to the Council on the requests made by Zambia and Papua New Guinea to accede to the Protocol on ACP sugar annexed to the fourth ACP-EEC Convention.

- Reference: Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Adopted by the Commission on 24 April. The communication concerns draft letters addressed to Zambia and Papua New Guinea turning down their requests to accede to the Protocol on ACP sugar but indicating that the position could be reviewed should the outlook for exports in the medium to long term improve.

European Development Fund

1.3.46. Commission communication to the Court of Auditors, Parliament and the

Council on the balance sheets and accounts of the fourth, fifth and sixth European Development Funds for the 1990 financial year.

Adopted by the Commission on 15 April. This is an annual exercise for each Fund presenting management accounts setting out all revenue and expenditure recorded between 1 January and 31 December, a balance sheet drawn up at 31 December and a statement of transfers of funds during the financial year.

COM(91) 132

1.3.47. Financing of projects, programmes and emergency aid.

Commission decisions allocating a total of ECU 26 492 000 from fifth and sixth EDF resources (see Table 2).

Table 2 — Financing of operations under the fifth and sixth EDFs

(million ecus)

Country	Project	Amount	
		Grant	Special loan
<i>Economic infrastructure</i>			
Tanzania/Malawi	Ibanda-Uyole road (1.750)	9.100	
<i>Social development</i>			
Solomon Islands	Urban development of Honiara		2.000
<i>Trade promotion</i>			
Trinidad and Tobago	Tourism	1.000	
PTA member countries ¹		6.700	
<i>Emergency aid</i>			
Malawi	Aid for refugees	3.262	
Somalia	Contribution to relief programmes of humanitarian organizations for victims of the fighting	3.000	
Liberia	Aid for victims of the fighting	0.630	
Rwanda	Aid for victims of the fighting	0.150	
Ethiopia	Aid for drought victims	0.650	
	Total	24.492	2.000

¹ Preferential trade area for eastern and southern Africa.

Visits

Tanzania

1.3.48. On 12 April Mr Ali'Hassan Mwinyi, President of Tanzania, visited the Commission where he had a meeting with Mr Marín. The talks focused on relations between Tanzania and the Community, especially the implementation of Lomé IV. Debt and the issue of democratization and aid were also discussed.

Madagascar

1.3.49. Visit by Mr Marín from 21 to 24 April.

Mr Marín saw Mr D. Ratsiraka, President of Madagascar, and Mr V. Ramahatra, Prime Minister, with whom he discussed future cooperation between the Community and Madagascar, especially as regards the structural adjustment policy being pursued by the government. The talks also covered recent international developments and their impact on Africa. The prospects for regional cooperation and the role of the Indian Ocean Commission were also given particular attention.

Mauritius

1.3.50. Visit by Mr Marín from 24 to 26 April.

Mr Marín had a meeting with Sir A. Jugnauth, Prime Minister and Finance Minister. During the talks, Mr Marín praised Mauritius's economic performance in recent years. Both sides expressed satisfaction with the level of trade between the Community and Mauritius, notably in textiles and sugar. The outlook for regional cooperation was discussed and particular emphasis was placed on the role of the Indian Ocean Commission and the support the Community would give it.

Seychelles

1.3.51. Visit by Mr Marín from 26 to 28 April.

Mr Marín met Mr F. A. René, President of Seychelles, and Ms D. De Saint Jorre, Minister for Planning and External Relations. During the talks the prospects for the Seychelles economy and EEC-Seychelles cooperation were reviewed. The prospects for regional economic and political cooperation were examined and particular emphasis was placed on the role of the Indian Ocean Commission.

General development cooperation

I

Fight against famine in Africa

1.3.52. Commission proposal on a special food aid programme for Africa.

Adopted by the Commission on 17 April. The aim of the special food aid programme is for the Community to provide substantial aid to those countries in sub-Saharan Africa most threatened by food shortages. Food aid is directed at over 31 million people spread over the greater part of the African continent. It is estimated that they require 4.5 million tonnes of cereal products. This aid would supplement the operations already planned for the countries in question in the 1991 budget and would amount to at least 400 000 tonnes of cereal equivalent. The Commission has estimated the necessary appropriations for purchasing, transporting and distributing this aid at ECU 190 million, including some ECU 30 million to cover the projected increase in transport and distribution costs arising from famine-relief programmes already planned or already in operation. On the basis of the sums involved in this aid programme and commitments already made or in the pipeline, it is calculated that the Community

will be covering approximately 25% of the needs of the worst affected groups in sub-Saharan Africa.

1.3.53. Parliament resolution on famine in Africa.

Adopted by Parliament on 16 April. With a view to combating famine in Africa, Parliament recommended that a special emergency plan and budget should be drawn up for Africa involving substantial sums of money in excess of the sums already provided for in the budget. It also requested the Commission and the Member States to ensure that the food actually reaches its proper destination, particularly in the case of the Horn of Africa, Mozambique and Angola. Parliament also stressed the need for long-term projects aimed at reducing the damage done to the ecosystems and increasing food production. Finally, it urged the Council to take a decision to write off debts owed by ACP countries to the Community.

OJ C 129, 20.5.1991

II

Generalized preferences

1.3.54. Council Regulation (EEC) No 1004/91 applying supplementary generalized tariff preferences in respect of certain industrial products originating in countries benefiting from generalized preferences and sold at the Berlin 'Partners in progress' Fair.

- **Reference:** Council Regulation (EEC) No 1274/90 applying supplementary generalized tariff preferences in respect of certain industrial products originating in countries benefiting from generalized preferences and sold at the Berlin 'Partners in progress' Fair: OJ L 126, 16.5.1990; Bull. EC 5-1990, point 1.3.44

Proposal adopted by the Commission on 3 April.

COM(91) 34

Adopted by the Council on 22 April. The proposal provides for the granting of supplementary tariff preferences to developing countries for goods which are sold at the Fair or are the subject of a contract of sale made during it; the aim of this is to encourage interest in the Fair by those least developed countries which do not yet take part in it.

OJ L 105, 25.4.1991

Emergency aid

1.3.55. Commission decisions granting aid:

(i) Iraqi refugees and displaced persons in Iran and Turkey: ECU 105 million to finance humanitarian aid projects;

(ii) victims of the conflict in Sri Lanka: ECU 300 000 to finance a medical aid programme carried out by Médecins sans Frontières France;

(iii) victims of the earthquake in north-east Peru: ECU 500 000 to finance emergency programmes;

(iv) victims of the fire in Meiktila: ECU 70 000 to finance an emergency programme;

(v) victims of the earthquake in Costa Rica and Panama: ECU 250 000 to finance an emergency programme.

Cooperation via non-governmental organizations (NGOs)

1.3.56. General assembly of non-governmental organizations.

- **Last meeting:** Sixteenth General Assembly: Bull. EC 4-1990, point 1.2.38

Seventeenth annual meeting in Brussels from 9 to 11 April. The General Assembly, which was opened by Mr Marin and took as its main theme 'Development NGOs in a changing world', awarded the 'NGO 2001' prize to the International Collective in support of Fishworks (ICSF). During the meet-

ing it was stated that the Community's contribution to NGO operations in 1990 had risen to ECU 318.5 million, given mainly as food aid, cofinancing for projects in the developing countries and emergency aid.

1.3.57. Projects in developing countries.

Cofinancing by the Commission: commitment of ECU 10 828 347 for 59 operations put forward by 32 NGOs.

1.3.58. Campaigns to raise public awareness.

Commission contribution: ECU 1 402 007 for 11 operations.

Visits

1.3.59. Visit to the Commission on 9 April by Ms Hjelm Wallen, the Swedish Development Minister.

Ms Hjelm Wallen was received at the Commission by Mr Marín. Talks centred on a comparison between Sweden's and the Community's cooperation methods and development policies.

Commercial policy

General matters

Commercial policy instruments

Council anti-dumping measures

1.3.60. Council Regulation (EEC) No 898/91 imposing definitive anti-dumping duties on imports of certain welded tubes, of iron or non-alloy steel, originating in Turkey or Venezuela and definitively collecting the provisional anti-dumping duties imposed on such imports.

- **Reference:** Provisional duty: OJ L 351, 15.12.1990; Bull. EC 12-1990, point 1.4.76
- **Commission proposal:** COM(91) 80; Bull. EC 3-1991, point 1.3.56

Adopted by the Council on 8 April.

OJ L 91, 12.4.1991

1.3.61. Council Regulation (EEC) No 1051/91 extending the provisional anti-dumping duty on imports of espadrilles originating in the People's Republic of China.

- **Reference:** Provisional duty: OJ L 365, 28.12.1990
- **Commission proposal:** COM(91) 114; Bull. EC 3-1991, point 1.3.57

Adopted by the Council on 22 April.

OJ L 107, 27.4.1991

1.3.62. Proposal for a Council Regulation (EEC) imposing definitive anti-dumping duties in connection with the review of anti-dumping measures concerning imports of ferro-silicon originating in Brazil.

- **References:**
Initial definitive duty: OJ L 343, 5.12.1987
Review procedure: OJ C 109, 3.5.1990; Bull. EC 5-1990, point 1.3.61

Adopted by the Commission on 4 April.

COM(91) 109

1.3.63. Proposal for a Council Regulation extending the provisional anti-dumping duty on imports of small screen colour television receivers originating in Hong Kong and the People's Republic of China.

- **Reference:** Initial duty: OJ L 14, 19.1.1991; Bull. EC 1/2-1991, point 1.3.84

Adopted by the Commission on 15 April.

COM(91) 139

1.3.64. Proposal for a Council Regulation (EEC) imposing a definitive anti-dumping duty on imports of audio tapes in cassettes originating in Japan and the Republic of Korea, definitively collecting the pro-

visional anti-dumping duty and terminating the proceeding in respect of Hong Kong.

- **References:**
Provisional duty: OJ L 113, 13.11.1990; Bull. EC 11-1990, point 1.4.55
Council Regulation (EEC) No 578/91 extending the provisional anti-dumping duty: OJ L 65, 12.3.1991; Bull. EC 3-1991, point 1.3.54

Adopted by the Commission on 12 April.
COM(91) 118

1.3.65. Proposal for a Council Regulation (EEC) imposing a definitive anti-dumping duty on imports of aspartame originating in Japan and the United States of America.

- **Reference:** Provisional duty: OJ L 330, 29.11.1990; Bull. EC 11-1990, point 1.4.56

Adopted by the Commission on 26 April.
COM(91) 10

Commission anti-dumping measures

1.3.66. Commission Regulation (EEC) No 1034/91 imposing a provisional anti-dumping duty on imports of video tapes in cassettes originating in the People's Republic of China.

- **Reference:** Initiation: OJ C 92, 11.4.1990; Bull. EC 4-1990, point 1.2.50

Adopted by the Commission on 23 April.
OJ L 106, 26.4.1991

1.3.67. Commission Decision No 856/91/ECSC amending Decision No 3599/88/ECSC of 18 November 1988 imposing definitive anti-dumping duties on imports of certain iron or steel sections originating in Yugoslavia and Turkey, definitively collecting the provisional anti-dumping duties imposed on those imports, accepting undertakings given in connection with imports of iron or steel sections originating in Yugoslavia and Turkey and terminating the investigation with regard to the exporters concerned.

- **Reference:** Definitive duty: OJ L 313, 19.11.1988

Adopted by the Commission on 4 April.
OJ L 86, 6.4.1991

1.3.68. Commission Decision 91/182/EEC terminating the anti-dumping proceeding concerning imports of high carbon ferro-chromium originating in Albania and the USSR.

- **Reference:** Initiation: OJ C 252, 6.10.1990; Bull. EC 10-1990, point 1.4.47

Adopted by the Commission on 8 April.
OJ L 90, 11.4.1991

1.3.69. Commission Decision 91/233/EEC concerning an application for reimbursement of anti-dumping duties collected on imports of certain kinds of compact-disc players originating in Japan.

- **Reference:** Definitive duty: OJ L 13, 17.1.1990; Bull. EC 1/2-1990, point 1.2.71

Adopted by the Commission on 9 April.
OJ L 104, 24.4.1991

1.3.70. Commission Decision 91/240/EEC accepting undertakings offered by certain exporters in connection with the review of anti-dumping measures concerning imports of ferro-silicon originating in Brazil and terminating the investigation as regards those exporters.

- **References:**
Definitive duty: OJ L 343, 5.12.1987
Review: OJ C 109, 3.5.1990; Bull. EC 5-1990, point 1.3.61

Adopted by the Commission on 29 April.
OJ L 111, 3.5.1991

1.3.71. Anti-dumping proceeding concerning imports of large aluminium electrolytic capacitors originating in Japan.

Notice of initiation published on 11 April.
OJ C 93, 11.4.1991

1.3.72. Impending expiry of certain anti-dumping measures concerning electronic typewriters originating in Japan.

- Reference: Undertakings: OJ L 283, 4.10.1986

Notice published on 12 April.

OJ C 96, 12.4.1991

1.3.73. Impending expiry of certain anti-dumping measures concerning imports of silicon carbide originating in the People's Republic of China, Norway, Poland and the USSR.

- Reference: Undertakings: OJ L 287, 10.10.1986

Notice published on 17 April.

OJ C 100, 17.4.1991

Treaties and trade agreements: extension or automatic renewal

1.3.74. Council Decision 91/181/EEC authorizing the extension or tacit renewal of certain trade agreements concluded between Member States and third countries.

- Commission proposal: COM(91) 69; Bull. EC 3-1991, point 1.3.70

Adopted by the Council on 8 April.

OJ L 90, 11.4.1991

Individual sectors

Textiles

Multifibre Arrangement

1.3.75. Recommendation for a Council Decision extending the validity of the Arrangement regarding international trade in textiles (MFA) and its 1986 Protocol of renewal.

Adopted by the Commission on 23 April. The aim is to extend the validity of the MFA, due to expire on 31 July 1991, for a

period of 17 months and to renew for a year the existing bilateral agreements concluded by the Community under the MFA.

Agreements and arrangements with non-Community countries

1.3.76. Commission Regulation (EEC) No 1118/91 amending the quantitative limits set by Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries.

- Regulation amended: OJ L 387, 31.12.1986

Adopted by the Commission on 23 April. The aim is to increase the quantitative limits for Hungary, Poland and Czechoslovakia.

OJ L 111, 3.5.1991

Indonesia

1.3.77. Council Decision 91/227/EEC concerning the provisional application of the Agreed Minute amending the Agreement between the European Economic Community and the Republic of Indonesia on trade in textile products.

- Agreement amended: OJ L 233, 19.8.1987
- Commission proposal: COM(91) 20; Bull. EC 1/2-1991, point 1.3.103

Adopted by the Council on 15 April.

OJ L 100, 20.4.1991

Malaysia

1.3.78. Council Decision 91/228/EEC concerning the provisional application of the Agreed Minute amending the Agreement between the European Economic Community and Malaysia on trade in textile products.

- Agreement amended: OJ L 233, 19.8.1987
- Commission proposal: COM(91) 19; Bull. EC 1/2-1991, point 1.3.104

Adopted by the Council on 15 April.
OJ L 100, 20.4.1991

Iron and steel products

Agreements and arrangements with non-Community countries

1.3.79. Arrangements on steel imports from certain non-Community countries in 1991.

- **Reference:** arrangements concerning imports of steel originating in certain non-Community countries in 1990: Bull. EC 7/8-1990, point 1.4.97
- **Commission communication:** Bull. EC 1/2-1991, point 1.3.101

Negotiating directives adopted by the Council on 8 April. The Commission will negotiate the renewal of the arrangements with Bulgaria, Czechoslovakia, Hungary, Poland and Romania. It will initiate consultations with Brazil with a view to an exchange of letters extending the 1990 arrangement for one year.

International organizations and conferences

United Nations and specialized agencies

1.3.80. Economic Commission for Europe.

Forty-sixth annual session in Geneva from 9 to 19 April. This session was governed by the new priorities and procedures. The proceedings reflected the need to concentrate efforts in the priority areas of environment, transport, trade facilitation, statistics and economic analysis. Contributors to the general debate spoke on the changes which have taken place in Europe in the past two years, the role of the ECE and the assistance

it had given in the priority areas specified above to Central and Eastern European countries in the process of switching to market economies. The ECE also approved its work programme for 1991/92 and adopted decisions on its current and future activities, including cooperation on environmental issues, transport, economic analysis and assistance to countries in transition.

General Agreement on Tariffs and Trade

Management of the Agreement

1.3.81. Council Decision on the conclusion of the Agreement in the form of agreed minutes between the European Economic Community and Australia.

- **Commission proposal:** Bull. EC 1/2-1991, point 1.3.111

Adopted by the Council on 15 April.

Council of Europe

1.3.82. Parliamentary Assembly.

- **Previous session:** Bull. EC 10-1990, point 1.4.68

Session in Strasbourg from 22 to 26 April. The spring meeting was marked by an official visit from Mr A. Dubcek, the President of the Czech and Slovak Federal Republic, which has become the 25th member of the Council of Europe. Mr Dubcek asked Europe to support the process of democratization which is underway in Czechoslovakia, where there are many economic problems to be solved, and in the other Central and Eastern European countries.

The Assembly also discussed the possibility of granting special guest status to Lithuania, Latvia and Estonia, but was obliged to observe that these republics are not recognized by all Council of Europe members as

sovereign and independent States as defined in international law.

As regards cultural affairs, the Assembly adopted a draft recommendation setting out a number of fundamental principles to be taken into account by parliaments in revising legislation covering radio broadcasting in democratic countries, with particular reference to the cultural and educational role such broadcasting should play.

After hearing a speech by Mr C. Mitsotakis, the Prime Minister of Greece, on the Cyprus question, the Assembly turned its attention to economic matters and the problem of migrant peoples and refugees. The Assembly adopted a resolution on the implementation of the single market of the European Economic Community, a draft recommendation on Europe 1992 and a draft recommendation on Europe 1992 and refugee policy.

An emergency debate was held on the plight of the Kurdish people and Mr F. Cossiga, the President of the Italian Republic, spoke on this subject.

To end the session the President of the Committee of Ministers, Mr F. Fernández Ordóñez, presented a report on the Spanish presidency and recalled the major thrusts of current Council of Europe policy, in particular the admission of Central and Eastern European countries and the initiative on security in the Mediterranean, prompted by the experience gained in the process of the CSCE talks.

Human rights in the world

Kurds

1.3.83. Parliament resolution on the Kurds (→ point 1.3.17).

Iran

1.3.84. Parliament resolution on a pardon for the Spanish sea captain, Jesus Manuel Rosales López.

Adopted on 18 April. Considering that the only person arrested, charged and imprisoned — since 13 May 1989 — as a result of the accident involving the Iranian vessel *Minab IV* was its captain, Mr Jesus Manuel Rosales López, a Community citizen, Parliament called on the Foreign Ministers meeting in the context of European political cooperation to take whatever action was necessary to ensure his release and on the Commission to do everything within its power to see that the hopes expressed in the resolution were fulfilled.

OJ C 129, 20.5.1991

1.3.85. Parliament resolution on human rights in Iran.

Adopted on 18 April. Parliament called on the Foreign Ministers meeting in the context of European political cooperation to highlight the many and habitual abuses of human rights in Iran and to insist that the human rights records of the States in the Gulf region be taken into account in any forthcoming negotiations concerning future arrangements for peace and stability in the Middle East. It also called on the UN Human Rights Sub-Commission and the General Assembly to condemn the continuing serious abuse of human rights in the country and on the President of the Council to make urgent representations on this matter to the aforementioned bodies.

OJ C 129, 20.5.1991

Kashmir

1.3.86. Parliament resolution on human rights violations in Kashmir.

Adopted on 18 April. In view of Amnesty International reports that at least 23 women were raped and men tortured on the night of 23 February by soldiers serving in the Kupwara district, Parliament called on the Foreign Ministers meeting in the context of European political cooperation to denounce human rights violations more vehemently.

OJ C 129, 20.5.1991

Mauritania

1.3.87. Parliament resolution on serious human rights abuses in Mauritania.

Adopted on 18 April. Parliament called for an independent inquiry into the executions and other human rights violations in Mauritania and the prosecution of those guilty of gross abuses, and called on the Mauritanian Government to release all political prisoners.

OJ C 129, 20.5.1991

Morocco

1.3.88. Parliament resolution on human rights in Morocco.

Adopted on 18 April. In view of Amnesty International's latest report of 27 March condemning persistent breaches of human

rights in Morocco, and in particular the arrest during the last three months of over 1 500 people following last December's demonstrations, over 1 000 of whom have been sentenced to up to 15 years in prison, Parliament called on the Foreign Ministers meeting in the context of European political cooperation to make it clear to the Moroccan Government that human rights abuses would have an effect on bilateral relations.

OJ C 129, 20.5.1991

Diplomatic relations

1.3.89. HE Mr Alex Ntim Abankwa, Head of Mission of the Republic of Ghana to the European Communities, whose appointment took effect on 15 April, presented his letters of credence to the President of the Council and the President of the Commission.

4. Intergovernmental cooperation

European political cooperation

1.4.1. The joint statements adopted and published in April are reproduced below in chronological order.

Iraq

1.4.2. The following joint statement was published in Luxembourg and Brussels on 3 April:

'The Community and its Member States are very deeply concerned at the situation of the civilian population in Iraq, notably the Kurds and the Shiites.

They firmly condemn the brutal repression being imposed upon these population groups, bringing

about a flow of refugees towards the neighbouring countries.

They call on the Iraqi authorities to put an end without delay to this repression, which has already, in the past, severely afflicted the Kurdish people. Only the path of dialogue with all the parties concerned will allow the shaping of a renewed Iraq, united and respectful of the legitimate aspirations of the population groups of which the country is made up.'

Sao Tome and Principe

1.4.3. The following joint statement on the investiture of the president-elect was published in Luxembourg and Brussels on 3 April:

'On the occasion of his investiture in the highest office of the Republic of Sao Tome and Principe

the Community and its Member States convey to the president-elect, Mr Miguel Trovoada, their congratulations on his election and their good wishes for his success in the high task which is now his.

The Community and its Member States warmly welcome the exemplary process of democratization which led to the recent presidential elections and address a message of solidarity to the authorities and the people of Sao Tome and Principe.'

Mali

1.4.4. The following joint statement was published in Luxembourg and Brussels on 4 April:

'The Community and its Member States have followed with concern events in Mali since 22 March. They deplore the repression of demonstrations which caused victims among the civilian population, in particular among the young.'

The Community and its Member States note with hope the will of the new leaders to set up a stable framework of freedom and democracy in conformity with the aspirations of the people of Mali. They encourage all the parties to pursue dialogue with a view to achieving this objective.'

Ethiopia

1.4.5. The following joint statement was published in Luxembourg and Brussels on 18 April:

'The Community and its Member States are following with great concern developments of the situation in Ethiopia and are worried about the recent escalation of the civil war which engenders intolerable loss in human lives and in material.

They urge all the parties to the conflict to work urgently for:

- (i) the establishment of an immediate and unconditional cease-fire on the entire territory;
- (ii) the opening or the resumption of negotiations between all the parties to the conflict on the substance of the problems and the convening of a round table with a view to elaborating transitional provisions which would lead to the reconciliation of all Ethiopians, in the respect of the integrity of their rights.

The Community and its Member States reaffirm their conviction that a just and lasting solution can only be achieved through peaceful means and negotiated political settlements, which would take into account the rights and aspirations of the entire Ethiopian population.

They urgently call upon all the parties to the conflict to ensure that emergency food and humanitarian aid will be effectively distributed to whom they are intended.'

1.4.6. The following joint statement was published in Luxembourg and Brussels on 30 April:

'The Community and its Member States welcome the resolution adopted on 23 April 1991 by the Ethiopian Parliament which, through its readiness to open peace negotiations with all opposition groups, especially through the establishment of a cease-fire, and to set up transitional arrangements guaranteeing a political solution acceptable to the whole of the Ethiopian population, has exemplified the will of Ethiopians to bring the civil war to an end peacefully and to seek a negotiated political settlement.

The Community and its Member States renew their previous appeals and encourage all parties concerned to respond to these in a constructive way. They furthermore express the hope that the conditions necessary for the establishment of peace and stability can be rapidly achieved.

They reiterate their urgent appeal to all parties concerned to ensure that emergency humanitarian aid is in no way affected by the present conflict.'

5. Financing Community activities

Budgets

General budget

Financial perspective

- **Reference:** Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.8

1.5.1. Commission communication explaining the decision to revise the financial perspective to take account of the special food aid programme for Africa.

- **References:**
 - Commission proposal for a special food aid programme (→ point 1.3.52)
 - Commission proposal for the amendment of the financial perspective as a result of proposals to grant technical assistance to the USSR and financial aid to Israel and the Occupied Territories: Bull. EC 1/2-1991, point 1.5.1

Adopted by the Commission on 19 April. The Commission proposes that this programme should be financed from the reserve of ECU 350 million under the 'other policies' heading intended to finance external policy operations which might result 'from continued aid to the USSR and measures linked to the Gulf crisis or other emergency situations'.

1.5.2. Adjustment of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 to take account of the conditions of implementation on the basis of the schedules of utilization of commitment appropriations and payment appropriations.

- **Commission proposal:** Bull. EC 3-1991, point 1.5.1

Endorsed by the Council on 15 April.

1.5.3. Technical adjustment of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 in line with movements in GNP and prices.

- **Commission proposal:** Bull. EC 3-1991, point 1.5.2

Endorsed by the Council on 15 April.

1.5.4. Amendment of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 as a result of proposals to grant technical assistance to the USSR and financial aid to Israel and the Occupied Territories, and humanitarian aid to the Iraqi population of Kurdish origin.

- **Reference:** Informal European Council (→ point 1.3.13)
- **Commission proposal:** Bull. EC 1/2-1991, point 1.5.1
- **Council position:** Bull. EC 3-1991, point 1.5.3

Agreed by the Council on 15 April. In addition to the amounts stipulated in the Council's position of 18 March, the amendment of the financial perspective raises the ceiling for heading 4 by ECU 100 million for humanitarian aid to the Iraqi population of Kurdish origin; the payment appropriations must similarly be increased by ECU 100 million.

Triologue meeting of 16 April. At a meeting in Strasbourg where Parliament was in session, Parliament, the Council and the Commission agreed in principle that this aid should be financed by raising the ceiling for heading 4 of the financial perspective.

1991 financial year

Supplementary and amending budget

1.5.5. Draft supplementary and amending budget No 1/91.

- **References:**
 - Informal European Council (→ point 1.3.13)
 - Council Decision 91/183/EEC, Euratom concerning the refund to Portugal of revenue from accession compensatory amounts applied to supplies of common wheat from the other Member States: OJ L 91, 12.4.1991; point 1.5.8 of this Bulletin
- **Commission preliminary draft:** Bull. EC 1/2-1991, point 1.5.2
- **Council draft:** Bull. EC 3-1991, point 1.5.10

- Commission proposal for a letter of amendment: Bull. EC 3-1991, point 1.5.11

Proposal for letter of amendment No 2 adopted by the Commission on 5 April. This new letter of amendment enters in supplementary and amending budget No 1/91 the refund to Portugal of revenue from accession compensatory amounts applied to supplies of cereals from the other Member States.

Letters of amendment No 1 and No 2 endorsed by the Council on 15 April. The letters of amendment endorsed by the Council relate to medium-term assistance to Hungary and Bulgaria as well as the refund of the accession compensatory amounts.

Endorsed by Parliament on 17 April. Parliament approved supplementary and amending budget No 1/91 subject to amendments relating to an increase of ECU 33.7 million in administrative appropriations to cover the increase in salaries, the entry and adjustment of budget headings to accommodate the Community guarantee for loans to Czechoslovakia, Romania, Bulgaria and Poland and a new estimate of the balance for the 1990 financial year. Parliament also gave its approval for the final funding of the ECU 100 million aid for the Iraqi people of Kurdish origin, for which the Commission had already provided preliminary financing under its own powers, to be provided as soon as possible by a appropriate increase in the upper limit of heading 4 of the financial perspective for 1991. However, it rejected the letter of amendment to supplementary and amending budget No 1/91 on the grounds that it had been presented out of time and did not comply with the Financial Regulation.

OJ C 129, 20.5.1991

Second reading by the Council on 29 April. The Council adopted supplementary and amending budget No 1/91, rejecting all Parliament's amendments except the one relating to administrative appropriations.

1992 financial year

1.5.6. Parliament resolution on the guidelines for budgetary policy in 1992.

Adopted by Parliament on 17 April. In view of the particular importance of 1992 for the completion of the internal market and as a starting point for the new financial perspective, Parliament believes that the 1992 budget should help to balance all aspects of Community policy. The budget resources for internal policy in 1992 should therefore be allocated chiefly to economic and social cohesion, infrastructure networks, the environment, energy, the social dimension and the introduction of European citizenship. As regards external policy, Parliament draws attention to the need for the prior agreement of the budgetary authority whenever any new external policy is to receive additional funding and warns against any disengagement in North-South relations for the benefit of relations between East and West. Finally, Parliament turns to the question of administrative expenditure and puts forward a number of suggestions concerning institutional cooperation.

OJ C 129, 20.5.1991

1.5.7. Preliminary draft budget for 1992.

Approved by the Commission on 30 April. The volume of the budget in commitment appropriations is over ECU 65 billion, an increase of 11.3% on 1991; this rate of increase is appreciably lower than last year's. However, the Community budget is still growing faster than the average for Member States' national budgets (6.3%) or their forecast GNP (2.5% in real terms). This is because of the specific structure of the Community budget: the situation on the agricultural markets leads unavoidably to an increase in expenditure (+ECU 3 billion); the political objective of doubling the allocations for the structural Funds by 1993 requires an appropriate increase in appropriations. These two budget items alone account for 94% of the increase (around 47% each). Finally, the Community's role on the international scene also has obvious financial consequences.

This is the last preliminary draft budget that the Commission will be presenting under the 1988 Interinstitutional Agreement. The priorities deriving from the financial perspective as subsequently revised are fully respected. The need for budgetary discipline is not ignored either: the margins in headings 2 to 4 are not taken up in full. The Commission has also endeavoured to contribute to funding new external policy operations by redeploying appropriations.

As regards structural operations, the preliminary draft reflects the political undertaking to double the appropriations for the structural Funds in real terms by 1993. Expenditure on structural operations increases by over 21% and accounts for 27% of the budget total. In all, ECU 17.965 billion is earmarked, including ECU 17.472 billion for the three structural Funds.

The increase in appropriations for the common agricultural policy is 10%; in terms of the overall share of the budget the position remains much the same at 53.2%. The preliminary draft budget is based on the Commission's proposed prices package, with the result that the agricultural guideline is fully respected. A total of ECU 34.660 billion is earmarked, leaving a margin of ECU 290 million below the guideline figure of ECU 34.950 billion.

The Community's growing involvement in international affairs is reflected in this preliminary draft budget: in all some ECU 2.9 billion is allocated to external policy. This figure is particularly impressive because it does not include expenditure under the European Development Fund and may increase still further after the financial perspective has been revised.

Out of the total, ECU 1 073 million has been earmarked for cooperation with Central and Eastern Europe and the Soviet Union, while assistance to countries bordering the Mediterranean and to Asia and Latin America stands at around ECU 990 million. ECU 518 million is allocated to food aid.

With a good ECU 2.2 billion, expenditure on research continues to rise, but the rate

of increase is less marked than in previous years. The lion's share (ECU 1 839 million) is for expenditure under the third framework programme. ECU 60 million is earmarked for high-definition television.

On average, the appropriations for the priority flanking policies for the completion of the internal market (transport, environmental protection, Media, energy, vocational training) are given a significant boost, with a total approaching ECU 550 million.

The Commission allocates ECU 1.872 billion in its preliminary draft budget for its own administrative expenditure; the other institutions require around ECU 1.06 billion. The non-compulsory expenditure of all the institutions is thus some 10% more than in the 1991 budget. Although this may appear high, administrative expenditure will be subject to tight constraints in 1992 and the Commission will be sending the budgetary authority a proposal for the revision of heading 5 of the financial perspective (Table 3).

Own resources

1.5.8. Council Decision 91/183/EEC, Euratom concerning the refund to Portugal of revenue from accession compensatory amounts applied to supplies of common wheat from the other Member States.

- **Commission proposal:** OJ C 2, 4.1.1991; COM(90) 599; Bull. EC 12-1990, point 1.6.5
- **Parliament opinion:** OJ C 72, 18.3.1991; Bull. EC 1/2-1991, point 1.5.4

Adopted by the Council on 8 April.

OJ L 91, 12.4.1991

Discharge procedures

1989 financial year

Budget discharge

1.5.9. Parliament decision giving discharge to the Commission in respect of the implementation of the general budget of the European Communities as regards Sections

Table 3 — Preliminary draft budget for 1992 in relation to the financial perspective (provisional figures) — Appropriations for commitment, including mini-budgets

(million ecus)

		1991 budget	1992 financial perspective	Preliminary draft 1992 budget	Change (3) : (1)	Margin (2) - (3)
		(1)	(2)	(3)	(4)	(5)
1.	EAGGF Guarantee Section (Subsection B1)					
	CE	31 516.000		34 660.000	9.98	
	Total CE	31 516.000		34 660.000	9.98	
	Total NCE					
	Heading 1 — Total CE + NCE	31 516.000	34 950.0	34 660.000	9.98	290.00
2.	Structural operations					
	Structural Funds (B2-1)					
	CE	87.000		68.000	-21.84	
	NCE	14 280.400		17 472.000	22.35	
	Pedip (Chapter 2-40)					
	NCE	119.800		127.700	6.59	
	Support programme (Chapter 2-41)					
	NCE	16.800		17.555	4.49	
	Set-aside and income aid (Chapter 2-50)					
	CE	300.000		280.000	-6.67	
	Total CE	387.000		348.000	-10.08	
	Total NCE	14 417.000		17 617.255	22.20	
	Heading 2 — Total CE + NCE	14 804.500	18 009.0	17 965.255	21.35	43.75
3.	Policies with multiannual allocations					
	IMPs (Title 2-8)					
	NCE	334.000		467.000	39.82	
	Research (Subsection 6)					
	CE					
	NCE	2 131.800		2 233.047	4.75	
	Total CE					
	Total NCE	2 465.800		2 700.047	9.50	
	Heading 3 — Total CE + NCE	2 465.800	3 115.0	2 700.047	9.50	414.95

		1991 budget	1992 financial perspective	Preliminary draft 1992 budget	Change (3) : (1)	Margin (2) - (3)
		(1)	(2)	(3)	(4)	(5)
4. Other policies						
Expenditure in the agricultural sector (Chapter 2-51)						
	CE	109.000		134.500	23.39	
	NCE	64.300		67.113	4.37	
Other regional operations (Title 2-6)						
	NCE	72.900		32.714	- 55.13	
Transport (Chapter 2-70)						
	NCE	136.250		150.682	10.59	
Tourism (Chapter 2-71)						
	NCE	4.200		4.362	3.86	
Fisheries (Title 2-9)						
	CE	310.100		365.600	17.90	
	NCE	220.700		229.790	4.12	
Education, youth (Title 3-1)						
	NCE	218.942		251.400	14.82	
Culture (Title 3-2)						
	NCE	10.300		11.698	13.57	
Information (Title 3-3)						
	NCE	64.680		83.668	29.36	
Other social measures (Title 3-4)						
	NCE	111.742		122.397	9.54	
Energy (Title 4-1)						
	NCE	167.500		177.745	6.12	
Nuclear safeguards (Title 4-2)						
	NCE	7.855		9.648	22.83	
Environment (Title 4-3)						
	NCE	118.950		118.950	0.00	
Consumer protection (Title 5-1)						
	NCE	14.471		10.805	- 25.33	
Aid for reconstruction (Title 5-2)						
	NCE	22.400		18.650	- 16.74	
Internal market (Title 5-3)						
	CE	0.000		1.000	0.00	
	NCE	152.500		166.355	9.09	
Industry (Title 5-4)						
	CE	0.200		0.250	25.00	
	NCE	66.900		64.347	- 3.82	
Information market and innovation (Title 5-5)						
	NCE	38.500		44.362	15.23	
Statistical information (Title 5-6)						
	NCE	44.200		49.368	11.69	

(million ecus)

		1991 budget	1992 financial perspective	Preliminary draft 1992 budget	Change (3) : (1)	Margin (2) - (3)
		(1)	(2)	(3)	(4)	(5)
Food aid (Title 7-2)	CE	116.900		88.200	- 24.55	
	NCE	400.000		429.850	7.46	
Asia and Latin America (Title 7-3)	NCE	479.800		565.500	17.86	
Mediterranean countries (Title 7-4)	CE	305.700		336.230	9.99	
	NCE	21.000		87.700	317.62	
Other cooperation measures (Title 7-5)	CE	1.830		0.000	- 100.00	
	NCE	289.610		311.896	7.70	
Central and Eastern Europe (Title 7-6)	CE	18.000		18.000	0.00	
	NCE	785.000		1 015.000	29.30	
Soviet Union (Chapter 7-62)	CE					
	NCE			40.000		
Gulf (Title 7-7)	NCE	500.000		40.000		
	Total CE	861.730	1 020.0	943.780	9.52	76.22
	Total NCE	4 012.700	4 204.0	4 104.000	2.28	100.00
Heading 4 — Total	CE + NCE	4 874.430	5 224.0	5 047.780	3.56	176.22
5. Repayments and administration						
Stock disposal	CE	810.000	1 191.0	810.000	0.00	
Repayments	CE	452.369		82.000	- 81.87	
Commission (Part A)	CE	247.249		290.786	17.61	
	NCE	1 432.201		1 580.948	10.39	
Other institutions	NCE	969.931		1 060.100	9.30	
	Total CE	1 509.619		1 182.786	- 21.65	
	Total NCE	2 402.132		2 641.048	- 9.95	
Heading 5 — Total	CE + NCE	3 911.751	4 205.0	3 823.834	- 2.25	381.17

	1991 budget	1992 financial perspective	Preliminary draft 1992 budget	Change (3) : (1)	Margin (2) - (3)
	(1)	(2)	(3)	(4)	(5)
6. Monetary reserve	CE	1 000.000	1 000.000	0.00	
	Total CE	1 000.000	1 000.000	0.00	
	Heading 6 — Total CE	1 000.000	1 000.0	0.00	0.00
	Total CE	35 274.349	38 640.0	8.11	505.43
	Total NCE	23 297.632	27 863.0	16.16	800.65
	Grand total of appropriations for commitment CE + NCE	58 571.981	66 503.0	11.31	1 306.08
	Total of appropriations for payment CE	35 236.849	38 580.0	8.02	518.06
	NCE	20 356.010	24 392.0	17.89	394.53
	Grand total of appropriations for payment CE + NCE	55 592.859	62 972.0	11.63	912.59

I — Parliament, II — Council, III — Commission, IV — Court of Justice, and V — Court of Auditors. Parliament resolution containing the comments which form part of the decision giving discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1989 financial year.

- Council recommendation: Bull. EC 3-1991, point 1.5.5

Adopted by Parliament on 16 April. After raising the question of the control powers of the Court of Auditors and making a number of general comments on implementation of the budget and on shared management, Parliament makes criticisms and suggestions for each of the sectors concerned — own resources, the EAGGF (in particular the containment of agricultural expenditure), structural policy, energy and research, development aid, food aid, aid to the countries of Central and Eastern Europe, administrative expenditure and the European Schools.

OJ C 129, 20.5.1991

Discharge in respect of the implementation of EDF operations

1.5.10. Parliament decision giving discharge to the Commission in respect of the financial management of the fourth, fifth and sixth European Development Funds for the 1989 financial year. Parliament resolution containing the comments which form part of the decisions giving discharge to the Commission in respect of the financial management of the fourth, fifth and sixth European Development Funds for the 1989 financial year.

- Council recommendation: OJ L 75, 21.3.1991; Bull. EC 3-1991, points 1.5.6 to 1.5.8

Adopted by Parliament on 16 April. Parliament stresses the high priority which it has given to Community development policy and expresses its concern about the delay in making payments. It notes the improvements which the Commission intends to propose as regards management of the

Funds and asks to be kept informed on their implementation.

OJ C 129, 20.5.1991

Budget discharge for Parliament

1.5.11. Parliament decision in respect of the implementation of its budget for 1989.

Adopted on 16 April.

OJ C 129, 20.5.1991

Discharge to the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the 1989 financial year

1.5.12. Parliament decision.

Adopted on 16 April.

OJ C 129, 20.5.1991

Discharge to the European Centre for the Development of Vocational Training in respect of the implementation of its budget

1.5.13. Parliament decision.

Adopted on 16 April.

OJ C 129, 20.5.1991

ECSC operating budget

Financial year 1989

Discharge procedure in respect of implementation of the budget

1.5.14. Parliament decision granting a discharge to the Commission in respect of the ECSC accounts for the 1989 financial year.

Adopted by Parliament on 16 April.

OJ C 129, 20.5.1991

1.5.15. Parliament resolution on the report of the Court of Auditors on the financial situation of the European Coal and Steel Community as at 31 December 1989 and on

the report (Annex to the 1989 ECSC annual report) of the Court of Auditors on the accounting and financial management of the ECSC.

- **Discharge decision:** point 1.5.14
- **Reference:** Memorandum of the ECSC Consultative Committee on the future of the ECSC Treaty: OJ C 302, 1.12.1990; Bull. EC 11-1990, point 1.3.101

Adopted by Parliament on 16 April. Parliament notes that, overall, the own-resources position continues to be most satisfactory. In particular, it urges the Commission, in the light of the incorporation of the five new German *Länder* into the territory of the Community and the deliberations on the future of the ECSC, to submit an assessment of the socio-economic impact of the ECSC's financing activities in order to establish that funds are being employed effectively.

OJ C 129, 20.5.1991

Financial operations

ECSC

General

1.5.16. Draft Commission Decision on ECSC industrial loans with interest-rate subsidies to the coal and steel industries to finance environmental protection investment.

Adopted by the Commission on 25 April. Purpose: to steer investment by ECSC undertakings towards priority areas, in particular environmental protection.

Loans raised

1.5.17. In April the Commission made a private placing in pesetas for the equivalent of ECU 746 955.

Loans granted

1.5.18. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans in April totalling ECU 1.1 million, as follows:

Workers' housing

1.5.19. Loans totalling ECU 1.1 million were granted for steelworkers and mine-workers (ECSC sector) in Germany and the United Kingdom.

European Investment Bank

Financing

1.5.20. In April the European Investment Bank, the Community's financial institution, granted loans totalling ECU 935.8 million: ECU 912.6 million was lent in the Community and ECU 23.2 million outside.

Community

Denmark

1.5.21. ECU 39.3 million was lent for the construction of a combined heat and electricity production unit near Odense. ECU 12.7 million was granted for the construction of various motorway sections.

Germany

1.5.22. ECU 52.5 million was lent in the form of global loans for small and medium-scale projects.

Spain

1.5.23. ECU 49 million went towards renewal of the aircraft fleet and ECU 15.7 million towards the extension and mod-

ernization of the high-voltage electricity grid.

France

1.5.24. ECU 107.5 million was lent in the form of global loans for small and medium-scale projects.

Ireland

1.5.25. ECU 21.9 million was granted to continue renewal of the aircraft fleet.

Italy

1.5.26. ECU 157.6 million was granted in the form of global loans for small and medium-scale projects. ECU 130.5 million went towards the production of telecommunications equipment and the extension and modernization of telecommunications in the Mezzogiorno. ECU 49.6 million was used to assist the construction and extension of natural gas distribution networks or industrial energy-saving projects in the centre and north and the Mezzogiorno. ECU 9.1 million went towards environmental protection in a refinery in Sicily and ECU 5.9 million towards water treatment in Piedmont.

Portugal

1.5.27. ECU 101.3 million went towards the improvement and extension of transport

and electricity supply networks. ECU 8.3 million was granted in the form of global loans for small and medium-scale projects.

United Kingdom

1.5.28. ECU 151.7 million was granted for water supply and quality improvement.

Community development cooperation policy

Mediterranean

Algeria

1.5.29. ECU 15 million went towards waste water collection and treatment in Greater Algiers.

ACP countries

Mauritania

1.5.30. ECU 5 million was granted from risk capital to develop an open-cast iron-ore mine.

Nigeria

1.5.31. ECU 3 million was granted from risk capital for plants to extract and refine palm oil.

Saint Vincent

1.5.32. ECU 0.2 million, again from risk capital, was granted for a feasibility study into the use of sand from Guyana by the Saint Vincent building industry.

6. Statistics

General

Legislation

Labour statistics

1.6.1. Proposal for a Council Regulation on the organization of an annual labour force survey.

Adopted by the Commission on 16 April. Under this legislation an annual labour force sample survey is to be conducted from spring 1992 onwards. This survey aims to produce results in line with the information requirements of the single market and to improve the quality of information available for Community use, particularly at regional level.

COM(91) 120

Statistics on services

1.6.2. Proposal for a Council Decision establishing a multiannual programme for the development of European statistics on services.

- **Commission proposal:** COM(90) 578; Bull. EC 12-1990, point 1.7.1

Endorsed by Parliament on 19 April, subject to amendments dictated by the need to monitor the construction of a people's Europe and hence to extend the collection of statistics to cover non-commercial services for individuals and communities and the practical relationship between commercial and non-commercial services.

OJ C 129, 20.5.1991

Agricultural statistics

1.6.3. Commission Regulation (EEC) No 1057/91 amending certain Council Regulations and Directives on agricultural statistics in connection with the unification of Germany.

- **Basic Regulation:** Council Regulation (EEC) No 3570/90 on derogations in respect of agri-

cultural statistical surveys in Germany in connection with the unification of Germany: OJ L 353, 17.12.1990; COM(90) 495; Bull. EC 10-1990, point 1.2.3

- **Amended Regulation:** Council Regulation (EEC) No 571/88 (OJ L 56, 2.3.1988), as last amended by Council Regulation (EEC) No 807/89: OJ L 86, 31.3.1989
- **Amended Directives:** Council Directive 72/280/EEC: OJ L 179, 7.8.1972; Council Directive 73/132/EEC: OJ L 153, 9.6.1973; Council Directive 76/625/EEC (OJ L 218, 11.8.1976), as last amended by Council Directive 86/652/EEC: OJ L 382, 31.12.1986; Council Directive 82/177/EEC: OJ L 81, 27.3.1982

Adopted by the Commission on 26 April. This Regulation grants the German authorities derogations until 31 December 1992 as regards the implementation of Council Regulations and Directives on agricultural statistics in the territory of the former GDR.

OJ L 107, 27.4.1991

1.6.4. Commission Decision amending certain Commission Decisions concerning agricultural statistics in connection with the unification of Germany.

- **Basic Regulation:** Council Regulation (EEC) No 571/88 on the organization of Community surveys on the structure of agricultural holdings between 1988 and 1997 (OJ L 56, 2.3.1988), as last amended by Council Regulation (EEC) No 1057/91: OJ L 107, 27.4.1991; point 1.6.3 of this Bulletin

Adopted by the Commission on 26 April with a view to granting derogations limited in time as regards the forwarding of certain agricultural statistics for the new *Länder*.

Fisheries statistics

1.6.5. Proposal for a Council Regulation on the submission of data on the landings of fishery products in the Member States.

- **Commission proposal:** OJ C 214, 21.8.1989; COM(89) 98; Bull. EC 6-1989, point 2.6.4
- **Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.5.1

Agreed by the Council on 18 April. The aim of the text approved by the Council is to harmonize the collection of data on the

quantity and value of landings of fishery products in the Member States and to lay down a uniform procedure for their transmission to the Commission. These statistics will provide the Commission with an overall view of landings of fishery products in place of the short-term data available to it under the arrangements for the common organization of the market. Small ports will not be required to implement the Regulation in full and will be allowed to draw up their statistics on the basis of samples, provided 10% of the total catch is covered.

Results

Statistical aspects of the economy in 1990

1.6.6. Initial provisional data for 1990 show an increase in the gross domestic consumption of natural gas in the Community to 9 661 000 terajoules (up 3.9% compared with 1989). Primary production rose by 4.5% to 6 023 000 terajoules and covered approximately 62% of gross domestic consumption.

Supply structure: Of the 10 Member States which are producers of natural gas, only the United Kingdom increased its output significantly (+13.7%). Net imports rose by a modest 3.6% to 3 761 000 terajoules.

Consumption trends: Despite the mild weather in 1990, all but one of the Member States which are consumers of natural gas recorded a rise in consumption, the exception being the Netherlands, where consumption fell by 0.7%. The upward trend was particularly marked in Spain (+11.6%) and Denmark (+8%).

Information

Publications

1.6.7. The following documents were published in April and can be obtained from the sales offices for European Community publications:

- (i) *Labour force survey: Results for 1989;*
- (ii) *Energy balance sheets 1988-89.*

7. Community institutions

Parliament

Strasbourg: 15 to 19 April

1.7.1. Included in the particularly heavy agenda of the April part-session were official visits by Mr Perez de Cuellar, UN Secretary-General, and Mr Aylwin, President of Chile. Major political debates were also held, as well as a series of discussions on budgetary and legislative matters.

One of the political highlights of the week was the joint debate between Mr Poos, President of the Council, Mr Delors, President of the Commission, and Parliament on the subject of the Intergovernmental Conference on Political Union, with specific reference to the strengthening of democratic legitimacy and the nature of Community acts. Commenting on the draft Treaty presented as a working paper by the Council Presidency, most members expressed disappointment with its content, which they claimed fell well short of what they wanted, especially on the questions of the scope of Parliamentary control, extending the co-decision procedure to all legislative acts, the democratic election of Members of the Commission, Parliament's prior agreement on any amendment to the Treaty before ratification by the national parliaments, and Parliament's involvement in the definition of own resources. On a more general level, members considered that the paper also attached too much importance to national governments and allowed them too many powers.

Mr Delors laid special emphasis on Parliament's powers, which, he said, were the Commission's constant concern. He agreed with members about the type classification of Community acts but also argued that the Commission should retain its right of initiative. He also expressed fears that, with the arrangements described in the Presidency's working paper, the Commission's powers might well be eroded at the second-reading stage. At the end of the debate, Parliament adopted resolutions on the nat-

ure of Community acts and on democratic legitimacy in the context of the Intergovernmental Conference on Political Union (→ points 1.2.4 and 1.2.5).

Another political debate, attended by Mr Santer, Mr Delors, Mr Matutes and Mr Mac Sharry, was about the results of the informal European Council meeting on 8 April and the present and future situation of the Kurds. Reporting on the line taken at the informal European Council, Mr Santer dwelt on the prospects for a comprehensive solution to the problems of the region, rooted in the principle of the indivisibility of international legality. Pointing out that the need for a comprehensive solution and the need for immediate humanitarian aid for the Kurds were merely two sides of the same coin, Mr Delors highlighted the scale of the contribution the Community was making on both fronts, while Mr Matutes gave the House a detailed account of the practicalities of the emergency aid being provided by the Community, which had been the first to respond. Most of the political groups expressed a unanimous position on the situation of the Kurds and adopted a resolution in which they supported the proposal to create protected zones and approved the aid decided in favour of the Kurds while 'hoping that the Kurdish problem can be placed on the agenda of a Middle East peace conference with the participation of all the States concerned together with Kurdish representatives' (→ point 1.3.17).

The consequences of the Gulf War also prompted a debate on controlling the arms trade and, in the resolution it adopted, the House advocated that the Intergovernmental Conference delete Article 223 of the Treaty, so that the buying and selling of arms would henceforth be under Community control (→ point 1.1.6). Mr Andriessen explained that the Commission endorsed this approach and had made the necessary proposals to the Intergovernmental Conference.

Also on external relations, the debate on the association agreements with the Central

and East European countries revealed that the Commission and Parliament were very much in harmony, with the House insisting on the inclusion of a reference to possible accession in the preambles to the agreements and adopting a more pragmatic approach on the matter of conditionality and reciprocity (→ point 1.3.5). Mr Mac Sharry told the House that the Council had eased the terms of the negotiating directives given to the Commission and that it had agreed to the possibility of a reference to accession as the ultimate objective.

Parliament also broached the question of the escalation of famine in Africa despite the development aid efforts already deployed, and urged the Community to increase food aid substantially (→ point 1.3.53).

Finally, the House debated the UN plan for the Western Sahara and gave its assent to extending the first stage of the association with Malta (→ point 1.3.23).

Budgetary matters constituted the second major concern of this part-session. The debate on the discharge for the 1989 budget went off without contention, as members simply announced criticisms for 1990 and 1991 rather than make any specific points concerning 1989. Their decision on the discharge was accompanied by a resolution containing criticisms and suggestions in each of the sectors concerned (→ point 1.5.9). They also voted without debate the discharges for the ECSC budget, the fifth and sixth EDFs, the Dublin Foundation and the Berlin Centre (→ point 1.5.14, 1.5.10, 1.5.12 and 1.5.13).

Five amendments to supplementary and amending budget No 1/1991 were unanimously passed and the House adopted a resolution highlighting the risk incurred by the Community finances by reason of the more extensive use of the guarantee on credits granted to non-member countries, particularly in Central and Eastern Europe (→ point 1.5.5).

Still in connection with the budget, members adopted their guidelines for 1992,

which they saw as the key year for the completion of the internal market and the starting point for a new financial perspective (→ point 1.5.6). They identified a number of priorities and stated in particular that they would be seeking to increase and consolidate expenditure on internal policies.

A triologue on the revision of the financial perspective took place during the week; the three institutions reached agreement on the pre-financing of immediate emergency measures to help the Kurds and on the arrangements for their definitive financing by raising the ceiling of heading 4 of the financial perspective for 1991.

Parliament gave its opinion on the incorporation of the salary adjustment method in the Staff Regulations of Community officials.

Parliament adopted several resolutions condemning violations of human rights in Iran, Mauritania, Kashmir and Morocco (→ points 1.3.85 to 1.3.88).

On the legislative front, a political compromise was reached, outside the formal sittings, between the Presidents of Parliament, the Council and the Commission on the five specific research programmes challenged by Parliament.

The House also adopted a series of uncontroversial opinions. Those concerned with completion of the internal market, which were considered under the cooperation procedure, were the first-reading opinions on new hot-water boilers (→ point 1.2.60) and sweeteners for use in foodstuffs (→ point 1.2.7). Second readings were given to eight proposals concerning machinery (→ point 1.2.2), dangerous substances (→ points 1.2.3 and 1.2.4), the transit of natural gas through grids (→ point 1.2.61), aromatized wines (→ point 1.2.105), money laundering (→ point 1.2.10), protection of computer programs (→ point 1.2.37) and protection of workers from exposure to asbestos (→ point 1.2.69).

Under the one-reading consultation procedure, members debated and voted amendments to eight proposals on health rules for various food products but deferred the final

vote to the next part-session to give the Commission time to consider a more favourable position on the amendments voted. Finally, the House passed a resolution on infant formulae and follow-up milks, in which it called on the Commission to restore fully to its proposal the amendments it had accepted when Parliament gave its opinion in 1986 (→ point 1.2.9).

Report of proceedings:
OJ Annex No 3-404

Full text of opinions and resolutions:
OJ C 129, 20.5.1991

Council

1481st meeting

1.7.2. Economic and financial affairs (Brussels, 8 April).

- Previous meeting: Bull. EC 3-1991, point 1.7.4

President: Mr Junker, Luxembourg Minister for Finance.

Commission: Mr Delors, Sir Leon Brittan and Mrs Scrivener.

Main items

Measures for Central and East European countries: discussed.

ACP debt relief: exchange of views.

Fixing of farm prices — application of budgetary discipline: exchange of views.

Preparation for spring meetings of IMF and World Bank: discussed.

Company taxation: proposal examined.

Taxation of road transport: conclusions adopted.

Investment services: proposal examined.

Takeover and other general bids: discussed.

1482nd meeting

1.7.3. General affairs (Brussels, 15 April).

- Previous meeting: Bull. EC 3-1991, point 1.7.2

President: Mr Poos, Luxembourg Minister for Foreign Affairs.

Commission: Mr Andriessen and Mr Cardoso e Cunha.

Main items

South Africa — repeal of restrictive Community measures: exchange of views.

Relations with EFTA — EEA negotiations: discussed.

Relations with Central and East European countries: exchange of views.

Relations with Japan: exchange of views.

European energy charter: discussed.

Famine in sub-Saharan Africa: discussed.

1483rd meeting

1.7.4. Fisheries (Brussels, 18 April).

- Previous meeting: Bull. EC 12-1990, point 1.8.19

President: Mr Steichen, Luxembourg Minister for Agriculture.

Commission: Mr Marín.

Main items

Common fisheries policy: discussed in detail.

Data on landings of fishery products in the Member States: conclusions adopted.

Conservation measures — 10th amendment: general discussion.

Technical conservation measures — 11th amendment: general discussion.

1484th meeting

1.7.5. Agriculture (Brussels, 22 and 23 April).

- Previous meeting: Bull. EC 3-1991, point 1.7.7

President: Mr Steichen, Luxembourg Minister for Agriculture.

Commission: Mr Mac Sharry.

Main items

1991/92 farm prices and related measures: proposals examined.

Adjustment of milk quota scheme (SLOM 2): discussed.

Uruguay Round — agricultural aspects: exchange of views.

1485th meeting

1.7.6. Research (Brussels, 24 April).

- Previous meeting: Bull. EC 12-1990, point 1.8.21

President: Mr Steichen, Luxembourg Minister responsible for scientific research.

Commission: Mr Pandolfi.

Main item

Implementation of the framework programme on research and technological development (1990-94): common position adopted (→ point 1.2.45).

1486th meeting

1.7.7. Industry (Brussels, 29 April).

- Previous meeting: Bull. EC 11-1990, point 1.8.19

President: Mr Goebbels, Luxembourg Minister for the Economy.

Commission: Mr Bangemann, Mr Pandolfi and Mr Cardoso e Cunha.

Main items

European electronics and information technology industry: conclusions adopted (→ point 1.2.36).

Small and medium-sized enterprises: resolution adopted (→ point 1.2.41).

Future of the ECSC Treaty: conclusions adopted (→ point 1.2.41).

Other business

Textile and clothing industry: discussed.

Biotechnology: exchange of views.

Commission**Debate**

1.7.8. Mr Lech Walesa, President of the Republic of Poland, paid an official visit to the Commission on 3 April, in the course of which he attended the Commission's weekly meeting.

Mr Walesa's speech on this occasion provided an insight into the scale of the economic problems facing Poland. The Commission referred to the association agreement under negotiation, which signalled its political will to involve Poland and the other East European countries which so wished in the process of European integration.

Proposals adopted

1.7.9. Proposals involving the internal market adopted by the Commission under the cooperation procedure included a proposal for a Regulation establishing a European Agency for Safety and Health at Work (→ point 1.2.64) and a proposal for a Directive on the landfill of wastes (→ point 1.2.134).

The main proposal adopted by the Commission under the consultation procedure was for a Directive on reducing the sulphur content of gasoil (→ point 1.2.135).

Communications and reports

1.7.10. The main report adopted by the Commission in April related to industrial activities based on biotechnology (→ point 1.2.35).

Other activities

1.7.11. The Commission also adopted initiatives to deal with pollution in the Gulf (→ point 1.2.136), decisions on emergency aid for the Iraqi refugees (→ point 1.3.14) and a special food aid programme for Africa (→ point 1.3.52).

Community lawcourts

New cases

1.7.12. The following cases came before the Court of Justice in April either as references for preliminary rulings or as actions brought direct.

Free movement of goods

Case C-76/91 *Caves Neto Costa v Minister for Trade and Tourism and Secretary of State for Foreign Trade*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 37(1) of the Treaty and Article 208(1) of the Act of Accession of Portugal and Spain with regard to the monopoly over the importation of pure alcohol exercised by the Portuguese authorities during and/or after the transitional period.

OJ C 86, 3.4.1991

Freedom of establishment and freedom to provide services

Case C-369/90 *Micheletti and Others v Cantabria Regional Government Office*

Basis: Article 177 of the EEC Treaty

Interpretation of Articles 3(c), 7, 52, 53 and 56 of the Treaty and Council Directive 73/148/EEC on the abolition of restrictions on

movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services, with reference to internal legislation which does not recognize the 'Community rights' inherent in a person's status as a national of another Member State of the EEC merely because that person simultaneously possesses the nationality of a non-member country and that country was the place of his habitual residence, his last residence or his actual residence.

OJ C 88, 5.4.1991

Case C-370/90 *The Queen v Immigration Appeal Tribunal*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 52 of the Treaty and Council Directive 73/148/EEC on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services, with reference to whether a man who is not a Community national and who wishes to set up and run a business with his wife is entitled to enter and remain in the Member State of which she is a national.

OJ C 86, 3.4.1991

Case C-83/91 *Meilicke v ADV/ORG A.F.A. Meyer*

Basis: Article 177 of the EEC Treaty

Interpretation of the second Council Directive (77/91/EEC) on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent, with reference to the principle that the repayment of a public limited company's loan debts, contracted before an increase in the company's capital, by means of cash subscriptions by the lender, must be carried out in accordance with the protective provisions governing non-cash consideration.

OJ C 101, 18.4.1991

Case C-106/91 *Ramrath v Minister for Justice*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 52 *et seq.* of the Treaty, or any other provisions of the Treaty and the implementing rules, with reference to a Member State's contention that it is incompatible with the exercise by a natural person in that Member State of the profession of auditor for that person to be established as an auditor in another Member State.

OJ C 116, 30.4.1991

Taxation

Case C-71/91 *Ponente Carni v Amministrazione delle finanze*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 12(1)(e) of Council Directive 69/335/EEC concerning indirect taxes on the raising of capital, with regard to a substantial increase in the fee for the entry of a company in the companies register, the charge in question being made an annual fee.

OJ C 86, 3.4.1991

Competition

Case C-92/91 *Ministère public v Taillandier-Neny*

Basis: Article 177 of the EEC Treaty

Interpretation of Commission Directive 88/301/EEC on competition in the markets in telecommunications terminal equipment, with reference to a procedure whereby telephone apparatuses offered for sale to consumers must be submitted to the national telecommunications authority for approval.

OJ C 101, 18.4.1991

Case C-93/91 *Ministère public v Evrard*

Basis: Article 177 of the EEC Treaty

Interpretation of Articles 30 to 37 and 86 of the Treaty and Commission Directive 88/301/EEC on competition in the markets in telecommunications terminal equipment, with reference to national legal provisions which impose penalties on persons who

have kept a radio transmitter or receiver without having obtained the authorization of the authority responsible for telephones and telecommunications or have offered such equipment for sale or hire without submitting a specimen to the State authority for telephones and telecommunications for certification.

OJ C 105, 20.4.1991

State aid

Case C-100/91 *Italgrani v Commission*

Basis: Article 173 of the EEC Treaty

Annulment of the Commission Decision of 17 January 1991 initiating a proceeding under Article 93(2) of the EEC Treaty concerning aid which the Italian authorities planned to grant to Italgrani SpA.

OJ C 116, 30.4.1991

Social Affairs

Case C-63/91 *Jackson v Chief Adjudication Officer*

Basis: Article 177 of the EEC Treaty

Interpretation of Council Directives 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, and 79/7/EEC on the progressive implementation of the principle of equal treatment for men and women in matters of social security, with reference to the receipt of a supplementary allowance available to persons whose means are insufficient to meet their requirements.

OJ C 86, 3.4.1991

Case C-64/91 *Cresswell v Chief Adjudication Officer*

Basis: Article 177 of the EEC Treaty

Interpretation of Council Directives 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, and 79/7/EEC on the progressive implementation of the principle of equal

treatment for men and women in matters of social security, with reference to the receipt of income support available to persons whose means are insufficient to meet their requirements.

OJ C 86, 3.4.1991

Case C-90/91 *Office national des pensions v Di Crescenzo*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 46 of Regulation No 1408/71, with reference to a benefit consisting of a retirement or invalidity pension granted by virtue of Belgian legislation alone and whether overlapping with a pension granted by another Member State should be allowed or disallowed.

OJ C 101, 18.4.1991

Case C-91/91 *Office national des pensions v Casagrande*

Basis: Article 177 of the EEC Treaty

Subject-matter identical with *ONP v Di Crescenzo* above.

OJ C 101, 18.4.1991

Free movement of workers

Case C-78/91 *Hughes v Chief Adjudication Officer*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 4(1) of Council Regulations No 1408/71 and No 1612/68, with reference to a type of family benefit, 'family credit', applied for by a person not residing in the Member State paying the benefit but whose husband, an employed person in whose name the application was made, is employed in that Member State.

OJ C 92, 10.4.1991

Agriculture

Case C-53/91 *Netherlands v Commission*

Basis: Article 173 of the EEC Treaty

Annulment of Commission Decision 90/644/EEC on the clearance of the accounts presented by the Member States in respect of the expenditure for 1988 of the EAGGF

Guarantee Section, in respect of export refunds paid in the cereals and sugar sectors.

OJ C 96, 12.4.1991

Case C-54/91 *Germany v Commission*

Basis: Article 173 of the EEC Treaty

Annulment of Commission Decision 90/644/EEC on the clearance of the accounts presented by the Member States in respect of the expenditure for 1988 of the EAGGF Guarantee Section.

OJ C 96, 12.4.1991

Case C-55/91 *Italy v Commission*

Basis: Article 173 of the EEC Treaty

Partial annulment of Commission Decision C(90) 2337 final on the clearance of the accounts presented by the Member States in respect of the expenditure for 1988 of the EAGGF Guarantee Section.

OJ C 96, 12.4.1991

Case C-59/91 *France v Commission*

Basis: Article 173 of the EEC Treaty

Annulment of Commission Decision 90/644/EEC on the clearance of the accounts presented by the Member States in respect of the expenditure for 1988 of the EAGGF Guarantee Section.

OJ C 96, 12.4.1991

Cases C-66/91 and C-66/91R *Emerald Meats v Commission*

Basis: Articles 173, 178 and 215 of the EEC Treaty (C-66/91); Articles 185 and 186 of the EEC Treaty (C-66/91R)

Suspension of the operation of the Commission's decision, notified to the United Kingdom and Irish authorities by telex on 6 February 1991, regarding the 1991 GATT beef and veal quota and application for interim measures (C-66/91R).

Annulment of the decision and application for damages (C-66/91).

OJ C 86, 3.4.1991

Case C-79/91 *Knüfer and Direktor der Landwirtschaftskammer Rheinland, acting as Agent for the State, v Buchmann*

Basis: Article 177 of the EEC Treaty

Interpretation of the phrase 'areas used for milk production' in Article 5(1)(2) of Commission Regulation No 1371/84 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation No 804/68, with reference to the yard, buildings and road areas of a holding, as that term is used in that provision.

OJ C 92, 10.4.1991

Case C-81/91 *Twijnstra v Minister van Landbouw, Natuurbeheer en Visserij*
Basis: Article 177 of the EEC Treaty

Interpretation of the third subparagraph of Article 3a(2) of Council Regulation No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation No 804/68 in the milk and milk products sector, with reference to entitlement to a reference quantity to which the transferee of part of a holding of farmland subject to a non-marketing undertaking could lay claim.

OJ C 92, 10.4.1991

Case C-88/91 *Federazione italiana dei consorzi agrari v Azienda di Stato per gli interventi nel mercato agricolo*
Basis: Article 177 of the EEC Treaty

Interpretation of the fourth subparagraph of Article 3(2) and Section VIII of Annex II to Council Regulation No 3247/81 on the financing by the EAGGF Guarantee Section of certain intervention measures, particularly those involving the buying-in, storage and sale of agricultural products by intervention agencies, of Council Regulation No 136/66 on the establishment of a common organization of the market in oils and fats and of Commission Regulation No 3472/85 on the buying-in and storage of olive oil by intervention agencies, with reference to determining the value of lampante virgin olive oil held in intervention storage and then stolen.

OJ C 108, 28.4.1991

Case C-94/91 *Hans-Otto Wagner v Fonds d'intervention et de régularisation du*

marché du sucre

Basis: Article 177 of the EEC Treaty

Validity of Note 2 to the 'Notice on import and export licences and advance-fixing certificates for agricultural products'.

OJ C 105, 20.4.1991

Case C-97/91 *Oleificio Borelli v Commission*

Basis: Articles 173, 178 and 215 of the EEC Treaty

Annulment of Commission measure No 069915 of 21 December 1990 notifying the applicant company that it was no longer eligible for the contribution from the EAGGF Guarantee Section for a project involving improving the conditions for converting and marketing oil.

OJ C 116, 30.4.1991

Case C-98/91 *Herbrink v Minister van Landbouw, Natuurbeheer en Visserij*

Basis: Article 177 of the EEC Treaty

1. Is Article 3a of Commission Regulation No 1546/88, as inserted therein by Commission Regulation No 1033/89, regard being had to the recitals thereto, incompatible with higher-ranking Community law, and in particular with Article 3a of Council Regulation No 857/84, as inserted therein by Council Regulation No 764/89?

2. Must Article 3a, in conjunction with Article 12(c) of Council Regulation No 857/84, be interpreted as meaning that a person or group of persons are not prevented from being regarded as producers to whom both the first and second indents of Article 3a(1) and Article 3a(1)(a) are applicable by the fact that the conversion agreement was entered into by one person whereas, at the date of the request for a reference quantity on the basis of Article 3a, that person is operating a holding in collaboration with one or more other persons?

3. If Question 2 is answered in the affirmative, must the person who entered into the conversion agreement or the group of persons which operates the holding at the date of the request referred to in Question

2 be regarded as the person entitled to a reference quantity by virtue of Article 3a?

OJ C 116, 30.4.1991

Case C-108/91 *Buchl, Nordmark, Stolle and Wichmann v Commission*

Basis: Article 173 of the EEC Treaty

Annulment of the Commission's notice of 18 January 1991 in which it refused the applicants' request that the levies on the import of certain quantities of ducks and geese from Poland and Hungary which had been reduced by 50% by Council Regulation No 3899/89 should be fully reinstated.

OJ C 116, 30.4.1991

Fisheries

Case C-84/91 *Spain v Council*

Basis: Article 173 of the EEC Treaty

Annulment of Council Regulation No 3930/90 allocating, for 1991, catch quotas between the Member States for vessels fishing in Swedish waters.

OJ C 88, 5.4.1991

Case C-85/91 *Spain v Council*

Basis: Article 173 of the EEC Treaty

Annulment of Council Regulation No 3928/90 allocating, for 1991, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen.

OJ C 88, 5.4.1991

Case C-86/91 *Spain v Council*

Basis: Article 173 of the EEC Treaty

Annulment of Council Regulation No 3931/90 allocating, for 1991, Community catch quotas in Greenland waters.

OJ C 88, 5.4.1991

Case C-87/91 *Spain v Council*

Basis: Article 173 of the EEC Treaty

Annulment of Council Regulation No 3933/90 allocating, for 1991, certain catch quotas between the Member States for vessels fishing in Faeroese waters

OJ C 88, 5.4.1991

Case C-99/91 *Portugal v Council*

Basis: Article 173 of the EEC Treaty

Annulment of Council Regulation No 3931/90 allocating, for 1991, Community catch quotas in Greenland waters.

OJ C 116, 30.4.1991

Transport

Case C-72/91 and C-73/91 *Sloman Neptun v Ziesemer*

Basis: Article 177 of the EEC Treaty

Interpretation of Articles 48, 92 and 117 of the Treaty with regard to national legislation which makes it possible for foreign seamen with no permanent abode or residence in Germany not to be covered by German collective agreements and thus to be employed at lower 'home country' rates and on less favourable employment conditions than comparable German seamen.

OJ C 96, 12.4.1991

Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters

Case C-89/91 *Shearman Lehman Hutton v Treuhandgesellschaft für Vermögensverwaltung und Beteiligungen*

Reference for a preliminary ruling on the interpretation of Article 13 of the Convention with reference to agency contracts concerning currency, security and commodity futures dealings.

OJ C 105, 20.4.1991

Infringements

Case C-52/91 *Commission v Netherlands*

Basis: Article 169 of the EEC Treaty

Seeking a declaration that the Netherlands has failed to fulfil its obligations in relation to fishing and to penalizing infringements of existing legislation by the fishermen concerned.

Infringement A/86/370

OJ C 92, 10.4.1991

Case C-58/91 *Commission v Portugal*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by not adopting within the prescribed period the measures needed to implement the seventh Council Directive (83/349/EEC) on consolidated accounts, based on Article 54(3)(g) of the Treaty, Portugal has failed to fulfil its obligations under the Treaty.
Infringement A/89/314

OJ C 96, 12.4.1991

Case C-65/91 *Commission v Greece*
Basis: Article 168 of the EEC Treaty

Seeking a declaration that:

1. by including matches (CCT heading No 36.06) in its 'List D' resulting in refusal to issue import permits for those products originating in Sweden and, for a certain period, in Bulgaria, Greece has failed to fulfil its obligations under Council Regulations No 288/82 and No 3423/83 as subsequently amended and under the 1972 Agreement between the EEC and Sweden as amended in 1980 following the accession of Greece;

2. by refusing to produce to the Commission the laws, regulations and other provisions concerning the importation procedure, in particular those concerning 'List D', and the provisions applicable at the time of refusal to issue import permits and/or at present, Greece has failed to fulfil its obligations under Article 5(1) of the Treaty.
Infringement A/88/505

OJ C 86, 3.4.1991

Case C-74/91 *Commission v Germany*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that Germany, in respect of the taxation of travel agencies, has failed to comply with the sixth VAT Directive.
Infringement A/88/338

OJ C 101, 18.4.1991

Case C-77/91 *Commission v Italy*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by failing to adopt within the prescribed period the provisions necessary to comply with Council Directive 81/851/EEC on veterinary medicinal products and with Council Directive 81/852/EEC on analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products, Italy has failed to fulfil its obligations under the Treaty.
Infringement A/89/69

OJ C 88, 5.4.1991

Case C-80/91 *Commission v Luxembourg*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by failing to inform the Commission of the national measures implementing Commission Directive 87/120/EEC amending various Council Directives on the marketing of seeds and propagating materials and Commission Directive 88/95/EEC amending Annex I to Council Directive 66/400/EEC on the marketing of beet seed, Luxembourg has failed to fulfil its obligations under the Treaty.
Infringements A/89/284 and A/89/290

OJ C 88, 5.4.1991

Case C-82/91 *Commission v Italy*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by failing to adopt within the prescribed period all the provisions necessary to comply with Council Directive 88/295/EEC amending Directive 77/62/EEC relating to the coordination of procedures on the award of public supply contracts and repealing certain provisions of Directive 80/767/EEC, Italy has failed to fulfil its obligations under the Treaty.

Infringement A/89/449

OJ C 88, 5.4.1991

Case C-96/91 *Commission v Spain*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by refusing to remit VAT to travellers who are not in possession of a special form, Spain has failed to fulfil its obligations under Directive 69/169/EEC on the harmonization of provisions laid down by law, regulation or

administrative action relating to exemption from turnover tax and excise duty on imports in international travel.
Infringement A/89/129

OJ C 108, 23.4.1991

Case C-101/91 *Commission v Italy*
Basis: Articles 169 and 171 of the EEC Treaty

Seeking a declaration that, by failing to take the measures necessary to comply with the judgment of the Court of Justice of 21 February 1989 in Case 203/87, Italy has failed to fulfil its obligations under the Treaty.
Infringement A/89/540

OJ C 116, 30.4.1991

1.7.13. The following actions were brought before the Court of First Instance.

Competition

Case T-16/91 *Rendo and Others v Commission*
Basis: Article 173(2) of the EEC Treaty

Annulment of the Commission Decision of 16 January 1991 relating to a proceeding under Article 85 of the Treaty (IV/32.732 — IJsselcentrale and Others).

OJ C 101, 18.4.1991

Case T-19/91 *Société d'hygiène dermatologique de Vichy v Commission*
Basis: Article 173(2) of the EEC Treaty

Annulment of the Commission Decision of 11 January 1991 according to which the agreements between the applicant and the wholesale distributors and the retail pharmacists providing for exclusive distribution of Vichy products through retail pharmacists fall within Article 85(1) and fail to satisfy the tests of Article 85(3) of the Treaty (IV/31.624 — Vichy).

OJ C 116, 30.4.1991

Judgments

1.7.14. Decisions were given by the Court of Justice in the following cases.

Free movement of goods

21.3.1991: Case C-369/88 *Criminal proceedings v Delattre*

1. Council Directive 65/65/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products gives no definition of disease.

2. (a) A product presented for facilitating certain physiological functions falls within the scope of the Community definition of medicinal product in the second subparagraph of Article 1(2) of Directive 65/65/EEC. In order to decide whether that product is to be categorized as a medicinal product or as a foodstuff, it is necessary to have regard to its pharmacological properties. The fact that such a product is classified as a foodstuff in one Member State does not preclude its being treated as a medicinal product in the State concerned if it possesses the relevant characteristics. The specific features of the legislation concerning natural mineral waters have no relevance to the definition of medicinal product within the meaning of Directive 65/65/EEC.

(b) There is no provision requiring Member States to consult the consultative committees specialized in medicinal products attached to the Community institutions before taking the steps dictated in internal law by the definitions of medicinal product given in Directive 65/65/EEC.

(c) It is for the national authorities to determine, subject to judicial review, whether, having regard to its composition, the risks which its prolonged consumption may entail or its side-effects and, more generally, all of its characteristics, a product presented as counteracting certain conditions or sensations, such as hunger, heaviness in the legs, tiredness or itching, constitutes a medicinal product or not.

(d) A product may be regarded as being presented as a medicinal product if its form and the manner in which it is packaged render it sufficiently similar to a medicinal product and, in particular, if on its packing and in the information provided with it reference is made to research by pharmaceutical laboratories, to methods or substances developed by medical practitioners or even to certain testimonials from medical practitioners commending the qualities of the product. A statement that the product is not medicinal is persuasive evidence which the national court may take into consideration but is not, in itself, conclusive.

3. Under Community law as it now stands, the determination of the rules governing the distribution of pharmaceutical products remains a matter for the Member States, provided that the pro-

visions of the Treaty, and in particular those relating to the free movement of goods, are respected.

A monopoly of the right to distribute medicinal or other products, granted to dispensing pharmacists, may constitute a barrier to importation.

If a Member State chooses to restrict to pharmacists the right to distribute products of that kind, such a barrier is, in principle and in the absence of any evidence to the contrary, justified in so far as it concerns medicinal products within the meaning of Council Directive 65/65/EEC.

Where other products are concerned, however they may be classified in national law, it is for the national court to determine whether a monopoly of the right to market such products granted to pharmacists is necessary for the protection of public health or of consumers and whether those two aims cannot be achieved by measures less restrictive to intra-Community trade.

4. Council Directive 74/329/EEC on the approximation of the laws of the Member States relating to emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs and Articles 30 and 36 of the EEC Treaty must be interpreted as meaning that a measure whereby a Member State makes a product such as guar gum subject to marketing authorization and to the sales monopoly of pharmacists when it is used as part of a method intended to facilitate loss of weight, however that product may be classified in any other sphere of national law, does not fall within the scope of that Directive, but may constitute a barrier to importation. When the product in issue is not a medicinal product within the meaning of Directive 65/65/EEC, such a measure is not permissible under Community law unless it is necessary in order to protect public health or consumers and is proportionate to those aims.

OJ C 108, 23.4.1991

21.3.1991: Case C-60/89 *Criminal proceeding v Monteil and Samanni*

1. (a) Eosin of a strength of 2% and modified alcohol of a strength of 70% are medicinal products within the meaning of the first subparagraph of Article 1(2) of Council Directive 65/65/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products when they are presented for treating or preventing disease.

(b) In classifying those products in the light of the second definition of medicinal product given in the second subparagraph of Article 1(2) of Council Directive 65/65/EEC, account must be taken of the adjuvants also entering into the composition of the

product, the manner in which it is used, the extent of its distribution, its familiarity to consumers and the risks which its use may entail.

2. Under Community law as it now stands, the determination of the rules governing the distribution of pharmaceutical products remains a matter for the Member States, provided that the provisions of the Treaty, and in particular those relating to the free movement of goods, are respected.

A monopoly of the right to distribute medicinal or other products, granted to dispensing pharmacists, may constitute a barrier to importation.

If a Member State chooses to restrict to pharmacists the right to distribute products of that kind, such a barrier is, in principle and in the absence of any evidence to the contrary, justified in so far as it concerns medicinal products within the meaning of Council Directive 65/65/EEC.

Where other products are concerned, however they may be classified in national law, it is for the national court to determine whether a monopoly of the right to market such products granted to pharmacists is necessary for the protection of public health or of consumers and whether those two aims cannot be achieved by measures less restrictive to intra-Community trade.

OJ C 108, 23.4.1991

Customs union

7.3.1991: Case C-116/89 *BayWa v HZA Weiden*

In the case of a sale of harvest seed produced from basic seed supplied by the buyer, there should be added to the price paid or payable, for the purposes of determining the customs value in accordance with Article 8(1)(b) of Council Regulation No 1224/80 on the valuation of goods for customs purposes, licence fees which the buyer has to pay to the breeder of the basic seed in respect of the propagation of that seed, even where the breeder's service has been performed within the customs territory of the Community.

OJ C 88, 5.4.1991

Taxation

19.3.1991: Case C-109/90 *Giant v Comune of Overijssel*

Article 33 of the sixth Council Directive on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value-added tax: uniform basis of assessment (77/388/EEC) must be interpreted as not precluding

the imposition of a special tax on public performances and entertainments as imposed by the Commune of Overijse by regulation of 2 March 1983.

OJ C 96, 12.4.1991

Competition

28.2.1991: Case C-234/89 *Delimitis v Henninger Bräu*

1. A beer-supply agreement is prohibited under Article 85(1) of the EEC Treaty if two cumulative conditions are satisfied. In the first place, access to the national market for the distribution of beer on premises for the sale and consumption of drinks must, in the economic and legal context of the agreement at issue, be difficult for competitors who might establish themselves in that market or enlarge their share of it. The fact that, in that market, the agreement at issue is one of a number of similar agreements having a cumulative effect on competition is merely one of several factors for determining whether access to the market is indeed difficult. In the second place, the agreement at issue must contribute significantly to the obstructive effect of the contracts viewed as a whole in their economic and legal context. The scale of the contributory role played by the individual agreement depends on the position of the contracting parties in the market in question and on the duration of the agreement.

2. A beer-supply agreement which permits the reseller to buy beer from other Member States is not liable to affect trade between those States, provided that the permission corresponds to a real possibility that a national or foreign supplier will supply the reseller with beers originating in other Member States.

3. The conditions governing the application of Article 6(1) of Commission Regulation No 1984/83 on the application of Article 85(3) of the Treaty to categories of exclusive purchasing agreements are not satisfied if the drinks covered by the exclusive purchasing terms are not listed in writing in the agreement itself but are stated to be those set out in the price-list used by the brewery or its subsidiaries, as amended from time to time.

4. The block-exemption under Regulation No 1984/83 does not apply to an agreement for supplying beer for premises used for the sale and consumption of drinks leased to the reseller or otherwise made available to him by the supplier, when that agreement includes an undertaking to purchase drinks other than beer, unless it meets the requirement laid down in Article 8(2)(b) of the Regulation.

5. A national court may not extend the scope of Regulation No 1984/83 to beer-supply agreements which do not explicitly meet the conditions for exemption contained in it. Similarly, the national court may not by virtue of Article 83(3) declare Article 85(1) of the Treaty to be inapplicable to such an agreement. It may, however, declare the agreement void under Article 85(2) if it is convinced that the agreement could not be the subject of a decision exempting it under Article 85(3).

OJ C 86, 3.4.1991

19.3.1991: Case C-202/89 *France v Commission*

1. Article 2 of Commission Directive 88/301/EEC on competition in the markets in telecommunications terminal equipment is declared void in so far as it requires Member States which grant undertakings special rights regarding the importation, marketing, connection or bringing into service of terminal equipment or maintenance of such equipment to withdraw such rights and to communicate to the Commission the measures adopted and proposals submitted to that end.

2. Article 7 of the Directive is declared void.

3. Article 9 of the Directive is declared void in so far as it refers to the provisions of Article 2 which apply to special rights and to Article 7 of the Directive.

4. The remainder of the application is dismissed.

OJ C 96, 12.4.1991

State aid

21.3.1991: Case C-303/88 *Italy v Commission*

Application dismissed.

(Seeking the annulment of Commission Decision 89/43/EEC on aids granted by the Italian Government to ENI-Lanerosi.)

OJ C 105, 20.4.1991

21.3.1991: Case C-305/89 *Italy v Commission*

Application dismissed.

(Seeking the annulment of Commission Decision 89/661/EEC concerning aid provided by the Italian Government to Alfa Romeo.)

OJ C 101, 18.4.1991

*Social affairs*7.3.1991: Case C-10/90 *Masgio v Bundesknappschaft*

Articles 7 and 48 of the EEC Treaty and Article 3(1) of Council Regulation No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, in the version consolidated by Council Regulation No 2001/83, must be interpreted as meaning that a migrant worker who is receiving an old-age pension under the legislation of one Member State and accident insurance benefits paid by an insurance institution of another Member State may not be put in a worse position, when the calculation of the part of the benefit to be suspended pursuant to national legislation is carried out, than a worker who has not availed himself of his right of free movement and is receiving both benefits under the legislation of a single Member State.

OJ C 88, 5.4.1991

13.3.1991: Case C-377/89 *Cotter and McDermott v Minister for Social Welfare and Attorney-General*

1. Article 4(1) of Council Directive 79/7/EEC must be interpreted as meaning that if, after expiry of the period allowed for implementation of the Directive, married men have automatically received increases in social security benefits in respect of a spouse and children deemed to be dependants without having to prove actual dependency, married women without actual dependants are entitled to the same increases even if in some circumstances that will result in double payment of the increases.

2. Article 4(1) of Council Directive 79/7/EEC must be interpreted as meaning that where a Member State has included in the legislation intended to implement that Article, adopted after the expiry of the period allowed by the Directive, a transitional provision providing for compensatory payments to married men who have lost their entitlement to an increase in their social security benefits in respect of a spouse deemed to be dependent because actual dependency cannot be shown to exist, married women in the same family circumstances are entitled to the same payments even if that infringes the prohibition on unjust enrichment laid down by national law.

OJ C 92, 10.4.1991

20.3.1991: Case C-93/90 *Cassamali v Office national des pensions*

When, under national rules against the overlapping of benefits, the pension paid to a worker by a Member State has been calculated at an amount such that, when added to the amount of a benefit of any kind paid by another Member State, it does not exceed a certain ceiling, neither Article 51(1) of Council Regulation No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community nor any other provision of Community law allows the amount of that pension to be modified in order to prevent that ceiling from being exceeded if subsequent adjustments are made to the other benefit on account of the general evolution in the economic and social situation.

OJ C 105, 20.4.1991

*Agriculture*6.2.1991: Case C-11/90 *Netherlands v Commission*

Removed from the Court Register.

(Seeking the annulment of Commission Decision C(89) 1954 final on the clearance of the accounts presented by the Member States in respect of expenditure financed by the EAGGF Guarantee Section for 1987 in so far as it disallows for Community financing the accounts amounting to HFL 1 223 934 declared by the Netherlands for 1987 in respect of the public storage of butter.)

OJ C 88, 5.4.1991

6.2.1991: Case C-44/90 *Reese v Amt für Land- und Wasserwirtschaft Itzehoe*

Removed from the Court Register.

(Validity of the first indent of Article 3a(1) of Council Regulation No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation No 804/68 in the milk and milk products sector, as amended by Council Regulation No 764/89, in so far as the only milk producers who, on application, may provisionally receive a special reference quantity thereunder are those whose period of non-marketing expired after 31 December 1983.)

OJ C 88, 5.4.1991

8.3.1991: Cases C-66/91 and C-66/91R *Emerald Meats v Commission*

1. The application in Case C-66/91 is dismissed as inadmissible. (Seeking the annulment of the Commission's decision of 6 February 1991, notified to the United Kingdom and Irish authorities by

telex, concerning the 1991 GATT beef and veal quota.)

2. The application in Case C-66/91R is dismissed as inadmissible, including the application for suspension of the operation of the telex of 21 February 1991.

OJ C 88, 5.4.1991

19.3.1991: Case C-32/89 *Greece v Commission*

Application dismissed.

(Seeking the annulment of Commission Decision 88/630/EEC on the clearance of the accounts presented by the Member States in respect of the expenditure for 1986 of the EAGGF Guarantee Section.)

OJ C 101, 18.4.1991

21.3.1991: Case C-226/89 *Haniel Spedition v Commission*

1. The Commission decision of 8 May 1989, notified by way of a routing slip dated 12 May 1989, to withhold ECU 55 451.50 from the amount due to the applicant in respect of the carriage of food aid is annulled.

2. The Commission is ordered to pay the applicant the sum of ECU 55 451.50 together with interest from 12 May 1989 at the Commission's normal rate.

OJ C 105, 20.4.1991

21.3.1991: Case C-314/89 *Rauh v HZA Nürnberg-Fürth*

Article 3a of Council Regulation No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation No 804/68 in the milk and milk products sector, as amended by Council Regulation No 764/89, must be interpreted as meaning that it allows a special reference quantity to be allocated, subject to the conditions which it lays down, to a producer who has taken over a holding by inheritance or in a similar manner following the expiry of a non-marketing undertaking entered into by the testator pursuant to Council Regulation No 1078/77.

OJ C 105, 20.4.1991

21.3.1991: Case C-359/89 *SAFA v Amministrazione delle finanze dello Stato*

1. Under Article 16(1) of Council Regulation No 136/66 on the establishment of a common organization of the market in oils and fats, as amended

by Council Regulation No 1562/78 and Article 5(1) of Council Regulation No 2749/78 on trade in oils and fats between the Community and Greece, the Commission was entitled consistently to use a tendering procedure to fix the import levy on extra virgin olive oil in 1979 and 1980.

2. Consideration of the second question has disclosed no factor of such a kind as to affect the validity of Article 16(1) of Regulation No 136/66, as amended by Regulation No 1562/78, or Article 5(1) of Regulation No 2749/78.

OJ C 101, 18.4.1991

Consumers

14.3.1991: Case C-361/89 *Criminal proceedings v Di Pinto*

1. A trader canvassed with a view to the conclusion of an advertising contract concerning the sale of his business is not to be regarded as a consumer protected by Council Directive 85/577/EEC to protect the consumer in respect of contracts negotiated away from business premises.

2. That Directive does not preclude national legislation on canvassing from extending the protection which it affords to cover traders acting with a view to the sale of their business.

OJ C 92, 10.4.1991

Infringements

19.3.1991: Case C-249/88 *Commission v Belgium*

1. By introducing by the Royal Decree of 31 December 1983 a system of public programme contracts in the pharmaceutical products sector and by favouring, as regards reimbursements, products which benefit from such contracts, Belgium has failed to fulfil its obligations under the EEC Treaty.

2. The remainder of the Commission's application is dismissed.

OJ C 96, 12.4.1991

19.3.1991: Case C-205/89 *Commission v Greece*

By making the importation of pasteurized butter in respect of which the pasteurization process is mentioned on the label or mark subject to the requirement of a health certificate, Greece has failed to fulfil its obligations under Article 30 of the EEC Treaty.

OJ C 96, 12.4.1991

19.3.1991: Case C-310/89 *Commission v Netherlands*

By failing to adopt within the prescribed period all the laws, regulations and administrative provisions necessary to comply with the provisions of Council Directive 84/539/EEC on the approximation of the laws of the Member States relating to electromedical equipment used in human or veterinary medicine, the Netherlands has failed to fulfil its obligations under the EEC Treaty.

OJ C 101, 18.4.1991

21.3.1991: Case C-209/89 *Commission v Italy*

By requiring from each undertaking individually, where services are provided simultaneously to several undertakings in connection with the completion of customs formalities in intra-Community trade, payment of an amount disproportionate to the cost of the services provided, Italy has failed to fulfil its obligations under Articles 9, 12, 13 and 16 of the EEC Treaty.

OJ C 105, 20.4.1991

Analysis of judgments delivered between 1 January and 31 March 1991

General principles

Articles 2, 3(f), 34 and 85(1) of the EEC Treaty — Product liability

1.7.15. Judgement of 24 January, Case C-339/89 *Alsthom Atlantique v Suzer*.

This case concerned the interpretation of Articles 2, 3, 34 and 85 of the EEC Treaty.

The Court held that the case-law of the French Court of Cassation on provisions of the Civil Code relating to the protection of buyers, which applied without distinction to all commercial relations governed by French law, did not tend to diminish the effectiveness of the Community rules in question — those designed to ensure fair competition in the common market and equal treatment for the internal and external trade of Member States.

The interest of this judgment resides essentially in the Court's affirmation that the objectives set out in Article 2 of the Treaty cannot have the effect of creating legal obligations for the Member States or rights for individuals and therefore cannot be relied on by an individual before a national court.

EEC-Morocco Cooperation Agreement — Principle of non-discrimination — Social security

1.7.16. Judgment of 31 January, Case C-18/90 *Office national de l'emploi v Kziber*.

The judgment is mainly concerned with the interpretation of Article 41(1) of the EEC-Morocco Cooperation Agreement, which provides for equal treatment in matters of social security between Moroccan workers and their families, on the one hand, and the nationals of Member States, on the other. The Court found that the Article was directly applicable despite the fact that the Cooperation Council had not adopted provisions to ensure the implementation of the principles set out in Article 41, as provided for in Article 42(1) of the Agreement.

According to the Court, the fact that Article 42(1) provided for the implementation by the Cooperation Council of the principles set out in Article 41 could not be interpreted as calling in question the direct applicability of a provision which was not subject, in its implementation or effects, to the adoption of any subsequent measure. The role which Article 42(1) assigned to the Cooperation Council was to facilitate observance of the prohibition on discrimination but this could not be considered to deprive that prohibition of its unconditional nature (ground 19).

The Court took the view that the concept of social security in the Agreement was to be interpreted by analogy with the same concept in Regulation No 1408/71; consequently, the interpretation given by the Court with regard to unemployment benefits would also apply, for example, to disablement allowances or guaranteed incomes

for elderly persons since, according to earlier rulings of the Court, these were also social security benefits within the meaning of Regulation No 1408/71.

On the other hand, the judgment has no bearing on those conditions governing access to employment by Moroccan nationals which are outside the scope of the Agreement.

**VAT — Importation —
Non-taxable persons —
Deduction of residual VAT paid in
the Member State of exportation**

1.7.17. Judgments of 26 February, Cases C-120/88 *Commission v Italy*, C-119/89 *Commission v Spain* and C-159/89 *Commission v Greece*.

Here the Court clarified its two *Gaston Shul* judgments by pointing out that, notwithstanding the direct effect of Article 95, Member States were obliged by virtue of that Article to make clear to their citizens and administrations, by means of circulars, the ways in which the deduction of VAT could be claimed if VAT had already been paid in another Member State.

Free movement of persons

**Freedom of movement for workers —
Right of residence —
Seeking employment —
Temporal limitation**

1.7.18. Judgment of 26 February, Case C-292/89 *The Queen v Immigration Appeal Tribunal, ex parte Antonissen*.

In this judgment the Court held (ground 18) that a statement entered in the Council minutes at the time when a regulation was adopted had no legal force unless the content of the statement was reflected in the text of the regulation itself.

In deciding the case in issue, therefore, the Court did not reply on a statement in the

minutes which set three months as the maximum period during which Community nationals could stay in a Member State while seeking employment.

The Court put a broad construction on Article 48(3), taking the view that:

- (i) since no maximum period had been prescribed by Community law, the period of six months prescribed under national law did not appear to be insufficient;
- (ii) however, even after the expiry of the six-month period, persons seeking employment could not be required to leave the host Member State if they provided evidence that they had a real chance of finding work, notwithstanding the fact that their entitlement to unemployment benefits in the Member State of origin would expire after three months under Community law.

**Freedom to provide services —
Tourist guides —
Professional qualification prescribed
under national law**

1.7.19. Judgments of 26 February, Cases C-154/89 *Commission v France*, C-180/89 *Commission v Italy* and C-198/89 *Commission v Greece*.

The Court held that, since the optimum use of historical treasures and the optimum dissemination of knowledge concerning a country's artistic and cultural heritage were in the public interest, this could constitute an imperative reason justifying a restriction of the freedom to provide services.

In this particular case, however, the Court took the view that that 'imperative reason' did not justify the requirement that employed or self-employed guides accompanying groups of tourists over a fixed itinerary must hold a licence issued only to those who have obtained a specific qualification (the French rules were considered to be disproportionate to their objective).

**Social security —
Regulation No 1408/71 —
Pension rights acquired in a Member State
before its accession
to the Communities**

1.7.20. Judgment of 7 February, Case C-227/89 *Rönfeldt v Bundesversicherungsanstalt für Angestellte*.

- **References:**
Regulation No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community: OJ L 230, 22.8.1983
Case 32/72 *Walder* [1973] ECR 599

The Court's judgment implies that Article 6 of Regulation No 1408/71 is incompatible with the objectives of Article 51 of the EEC Treaty and therefore invalid in cases where it has the effect of reducing workers' rights as compared with those held under conventions in force between two or more Member States which are embodied in their national law. The importance of this judgment is obvious, in view of the current negotiations on agreements with the EFTA countries.

This amounts to a reversal of the Court's 1973 ruling in *Walder*, whereby Regulation No 1406/71 had to take the place of existing international conventions even if this proved less advantageous to the workers concerned.

**Right of residence
of Community nationals**

1.7.21. Judgment of 5 February, Case C-363/89 *Roux v Belgian State*.

The Court ruled that prior registration of a national of a Member State with a social security scheme established by the legislation of the host State could not be required as a condition for obtaining the right of residence or the delivery of a corresponding residence permit.

The interest of this judgment resides mainly in the Court's finding that the terms of Articles 48(3) and 56(1) of the EEC Treaty concerning limitations justified on grounds

of public policy must be construed not as laying down a precondition for obtaining the right of entry or residence but as making it possible, in individual cases and in the light of the evidence, to place restrictions on the exercise of a right derived direct from the Treaty (ground 30).

**Social security —
Determination of the applicable
legislation**

1.7.22. Judgments of 21 February, Cases C-245/88 *Daalmeijer v Bestuur der Sociale Verzekeringsbank* and C-140/88 *Noij v Staatssecretaris van Financiën*.

- **References:**
Regulation No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving with the Community: OJ L 230, 22.8.1983
Case 302/84 *Ten Holder* [1986] ECR 1827

These judgments are concerned with the determination of the legislation applicable in the field of social security.

The Court departed to some extent from *Ten Holder*, where it had held that under Regulation No 1408/71 the *lex loci laboris* was also applicable to any worker who ceased to carry on an activity in one Member State and had not gone to work in another, regardless of the length of time which had elapsed since the termination of the activity in question and the end of the employment relationship.

In the present cases, however, the Court, following the arguments adduced by the Commission and the Advocate-General, held that the *lex loci laboris* was not applicable to persons who had definitively ceased work and had then gone to reside in another Member State where they neither worked nor were covered by a social security scheme in any other capacity.

**Free movement of persons —
Right of residence — Identity card**

1.7.23. Judgment of 5 March, Case C-376/89 *Giagounidis v City of Reutlingen*.

The Court took this opportunity to clarify its earlier rulings to the effect that the right of nationals of one Member State to enter another and to reside there for purposes specified in the EEC Treaty derives direct from the Treaty or, as the case may be, from legislation to give effect to it.

The Court held that Member States were required to recognize the right of residence in their territory of workers referred to in Directive 68/360/EEC if they could produce either an identity card or a valid passport, irrespective of the type of document on the strength of which they had entered the Member State concerned and irrespective of the fact that the identity card had been issued before the issuing Member State's accession to the Communities.

Equal treatment for men and women

Indirect discrimination — Passage to a higher salary bracket — Doubling of the probationary period for part-time workers

1.7.24. Judgment of 7 February, Case C-184/89 *Nimz v Hamburg*.

- **Reference:** Directive 75/117/EEC on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women: OJ L 45, 19.2.1975

The importance of this judgment lies in the fact that for the first time the Court stated what precise considerations a national court could take into account in assessing whether a measure which disadvantaged a much greater number of women than of men was justified.

Social policy — Equal treatment for men and women

1.7.25. Judgment of 13 March, Case C-377/89 *Cotter and McDermott v Minister for Social Welfare and Another*.

- **References:**
Directive 79/7/EEC on the progressive implementation of the principle of equal treat-

ment for men and women in matters of social security: OJ L 6, 10.1.1979

Case 286/85 *Cotter and McDermott v Minister for Social Welfare and Attorney General* [1987] ECR 1463

The Court clarified the consequences of its 1987 judgment, in which it had ruled that where no measures implementing Directive 79/7/EEC prohibiting all forms of discrimination based on sex in matters of social security had been adopted, women were entitled to the same treatment as men in the same circumstances.

In the present judgment the court held that the directive must be fully effective as from the date by which the Member States were required to comply with it, even if in some circumstances that would result in double payment of increases in social security benefits and even if it thereby infringed the prohibition on unjust enrichment laid down by national law.

Powers of the Community

Competition in telecommunications terminal equipment markets

1.7.26. Judgment of 19 March, Case C-202/88 *France v Commission*.

- **Reference:** Directive 88/301/EEC on competition in the markets in telecommunications terminal equipment: OJ L 131, 27.5.1988

The Court held that Article 90 of the EEC Treaty gave the Commission a general power to lay down, in directives, provisions concerning the Member States' obligations under the Article. That power was distinct from the power which the Commission had under Article 169 to require a particular Member State to put a stop to a specific infringement and could not be regarded as equivalent to the Council's powers under Article 100a (adoption of measures to approximate legislation).

The Court appeared to set certain limits on the Commission's powers in that:

- (i) it found that Article 90(3) could not be used to establish a specific infringement by a particular Member State;

(ii) it declared Article 2 of the Directive void in that it did not provide details as to the precise rights referred to, as also Article 7, which required the cancellation of long-term leasing and maintenance contracts entered into by undertakings, in that it did not show that national rules had brought about the conduct on the part of undertakings to which the charge related.

The Court found, however, that exclusive rights for the importation, marketing, connection, bringing into service and maintenance of terminal equipment were such as to restrict trade within the Community, while at the same time expressly confirming the fact that assessment under Article 30 involved taking the point of Article 3(f), which was to promote competition, into account. As far as the Commission is concerned, this was a very positive development.

Following the same line of argument, the Court held that to permit an undertaking which markets terminal equipment to draw up specifications for such equipment, supervise their implementation and approve the equipment would be to give it an obvious advantage over its competitors. In other words, it confirmed the Commission's Directive on that point.

Free movement of goods

Interpretation of Articles 30 and 36 of the EEC Treaty — National legislation prohibiting the employment of workers in retail shops on Sundays

1.7.27. Judgment of 28 February, Case C-312/89 *Union departementale des syndicats CGT de l'Aisne v Sidef Conforama, Société Arts et Meubles and Société Jima*.

- Reference: Case C-145/88 *Torfaen Borough Council v B&Q* [1989] ECR 3851

While confirming its judgment in *Torfaen Borough Council*, where it held that rules governing opening times for retail sales

reflected political and economic options which were a matter for the Member States, in this case the court itself assessed whether the measures at issue were in proportion to the legitimate objective in view and found that the restrictive effects which a prohibition on employment in retail shops on Sundays could have on trade did not seem disproportionate to the aim in view. The Court has thereby ensured uniform interpretation of Community law.

Court of Auditors

1.7.28. Opinion No 3/91 on the proposals for Regulations amending Regulations (EEC) No 337/75 establishing a European Centre for the Development of Vocational Training and No 1365/75 on the creation of a European Foundation for the Improvement of Living and Working Conditions.

- **References:**

Regulation (EEC) No 337/75 establishing a European Centre for the Development of Vocational Training: OJ L 39, 13.2.1975

Regulation (EEC) No 1365/75 on the creation of a European Foundation for the Improvement of Living and Working Conditions: OJ L 139, 30.5.1975

- Commission proposal: COM(90) 534; Bull. EC 11-1990, point 1.6.4

Adopted by the Court on 11 April.

OJ C 152, 10.6.1991

1.7.29. Opinion No 4/91 on the proposals for Regulations amending Regulations (EEC) No 1416/76 and No 1417/76 on the financial provisions applying to the European Centre for the Development of Vocational Training and to the European Foundation for the Improvement of Living and Working Conditions.

- **References:**

Regulation (EEC) No 1416/76 on the financial provisions applying to the European Centre for the Development of Vocational Training: OJ L 164, 24.6.1976

Regulation (EEC) No 1417/76 on the financial provisions applying to the European Centre

for the Improvement of Living and Working Conditions: OJ L 164, 24.6.1976

- Commission proposals: COM(90) 534; Bull. EC 11-1990, point 1.6.4

Adopted by the Court on 11 April.

OJ C 152, 10.6.1991

1.7.30. Opinion No 5/91 on the draft Commission Regulation (EEC, ECSC, Euratom) laying down detailed rules for the implementation of certain provisions of the Financial Regulation of 21 December 1977.

- Reference: Draft Regulation laying down detailed rules for the implementation of certain provisions of the Financial Regulation of 21 December 1977: Bull. EC 1/2-1991, point 1.5.5

Adopted by the Court on 25 April.

Economic and Social Committee

286th plenary session

1.7.31. The 286th plenary session of the Economic and Social Committee was held in Brussels on 23 and 24 April, chaired by Mr Staedelin, Mr Kazazis and Mrs Tiemann and attended by the President of the Council, Mr Goebbels, the Luxembourg Minister for Economic Affairs, Public Works and Transport.

1.7.32. Mr Goebbels reported on the work of the group dealing with financial matters and, in the field of VAT, defining the concept of intra-Community acquisition of goods. In the matter of excise duties, the group would set about defining the concept of economic operators and their obligations. Mr Goebbels also reported on the work of the *ad hoc* group on the abolition of tax frontiers, to which the Luxembourg Presidency had assigned the task of preparing the ground for the more political discussions on the subject of VAT and excise duty rates, more especially in the field of road haulage.

1.7.33. In the ensuing debate, the Employers Group expressed concern about the implications of an 'upward' harmonization of VAT and excise duty rates for the competitiveness of some Member States. The Various Interests Group emphasized the need to harmonize vehicle taxes and toll rates. The Workers Group expressed its disappointment at the slow progress made as regards the social dimension of European integration, which 'remained imprisoned within the ghetto of Article 100a'.

1.7.34. The Committee debated and adopted opinions on the following:

the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances (→ point 1.2.5);

the compulsory use of safety belts in vehicles of less than 3.5 tonnes (→ point 1.2.55);

the weights, dimensions and certain technical characteristics of certain road vehicles (→ point 1.2.56);

the issue of a written document relating to terms of employment (→ point 1.2.66);

the fixing of the prices for agricultural products and related measures (→ point 1.2.96);

unfair terms in consumer contracts (→ point 1.2.139);

the protection of individuals in relation to the processing of personal data (→ point 1.2.140);

relations between the Community, the United States and Japan (own-initiative opinion).

1.7.35. The Committee adopted opinions on the following without debate:

the fixing of certain rates and target rates of excise duty on mineral oils (→ point 1.2.14);

exemption from VAT on the final importation of certain goods (→ point 1.2.11);

the Green Paper on a common approach in the field of satellite communications in the Community (→ point 1.2.48);

the setting-up of a programme for an information services market (→ point 1.2.50);

the charging of transport infrastructure costs to heavy goods vehicles (→ point 1.2.52);

the harmonization of technical requirements and procedures applicable to civil aircraft (→ point 1.2.58);

the Loran-C radionavigation system (→ point 1.2.57);

the annual report on the implementation of the reform of the structural Funds (→ point 1.2.63);

minimum requirements for the provision of safety and/or health signs at work (→ point 1.2.68);

the status of migrant workers from third countries (own-initiative opinion) (→ point 1.2.73);

the efficiency of agricultural structures (→ point 1.2.80);

training in safety and the protection of the environment (→ point 1.2.76);

the action programme to promote youth exchanges and mobility in the Community: the Youth for Europe programme (→ point 1.2.75).

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

April 1991 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	42.4099
DKR	Danish krone	7.89459
DM	German mark	2.06224
DR	Greek drachma	223.536
ESC	Portuguese escudo	179.032
FF	French franc	6.96918
HFL	Dutch guilder	2.32356
IRL	Irish pound	0.771218
LIT	Italian lira	1 528.13
PTA	Spanish peseta	127.300
UKL	Pound sterling	0.692044
AUD	Australian dollar	1.55374
CAD	Canadian dollar	1.39609
FMK	Finnish markka	4.83480
NKR	Norwegian krone	8.01943
NZD	New Zealand dollar	2.05377
OS	Austrian schilling	14.5131
SFR	Swiss franc	1.74344
SKR	Swedish krona	7.40786
USD	United States dollar	1.21057
YEN	Japanese yen	165.931

¹ Average for the month; OJ C 117, 1.5.1991.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3, and Bull. EC 9-1989, point 2.1.3.

Representative rates ('green' rates)

Conversion rates into national currencies for the ecu used in connection with the common agricultural policy

April 1991		
National currency/sector		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc All products	48.5563
DKR	Danish krone All products	8.97989
DM	German mark Cereals Other products	2.37360 2.35418
DR	Greek drachma Sheepmeat and goatmeat Structural measures Pigmeat Tobacco, cereals, sugar, wine Olive oil Eggs and poultrymeat Fishery products Other crop products Other products	231.754 230.337 246.319 230.472 232.153 212.503 206.395 222.905 204.710
ESC	Portuguese escudo Pigmeat Other products	206.965 on 8.4.1991 204.210 on 29.4.1991 208.676
FF	French franc All products	7.89563
HFL	Dutch guilder Cereals Other products	2.66089 2.65256
IRL	Irish pound All products	0.878776
LIT	Italian lira All products	1 761.45

April 1991		
	National currency/sector	Value in national currency of ECU 1
PTA	Spanish peseta Sheepmeat and goatmeat Milk and milk products, structural measures, eggs and poultrymeat, fishery products Pigmeat	152.756 154.794 147.738 on 16.4.1991
	Wine, olive oil Other livestock products Tobacco Rice, oilseeds Other crop products	151.927 155.786 153.498 152.896 154.213
UKL	Pound sterling Cereals, sugar, olive oil, sheepmeat and goatmeat Beef and veal Pigmeat Other crop products Other products	0.779553 0.795232 0.793054 on 8.4.1991 0.704335 0.758185

2. Infringement proceedings

Initiation of proceedings for failure to implement Directives

Proceedings terminated

2.2.1. From January to April 1991 the Commission decided not to continue the following infringement proceedings:

Economic and financial affairs

Council Directive 86/566/EEC (Greece, Portugal)
OJ L 332, 26.11.1986

Internal market

Council Directive 68/360/EEC (Belgium, Germany)
OJ L 257, 19.10.1968

Council Directive 71/305/EEC (Belgium, Germany, Greece, Spain)
OJ L 185, 16.8.1971

Council Directive 73/23/EEC (Denmark)
OJ L 77, 26.3.1973

Council Directive 73/148/EEC (Belgium, Denmark, Germany, United Kingdom)
OJ L 172, 28.6.1973

Council Directive 77/62/EEC (Netherlands)
OJ L 13, 15.1.1977

Council Directive 78/1026/EEC (France)
OJ L 362, 23.12.1978

Council Directive 83/189/EEC (Italy)
OJ L 109, 26.4.1983

Council Directive 84/539/EEC (Germany)
OJ L 300, 19.11.1984

Commission Directive 88/301/EEC (Germany)
OJ L 131, 27.5.1988

Council Directive 89/440/EEC (Italy)
OJ L 210, 27.7.1989

Social affairs

Council Directive 75/34/EEC (Belgium)
OJ L 14, 20.1.1978

Council Directive 77/187/EEC (Italy)
OJ L 61, 5.3.1977

Agriculture

Council Directive 72/159/EEC (Italy)
OJ L 96, 23.4.1972

Council Directive 77/93/EEC (Italy)
OJ L 26, 31.1.1977

Council Directive 76/895/EEC (Belgium)
OJ L 340, 9.12.1976

Council Directive 83/189/EEC (Belgium)
OJ L 109, 26.4.1983

Fourth Council Directive 86/299/EEC (Italy)
OJ L 189, 11.7.1986

Council Directive 87/238/EEC (Italy)
OJ L 110, 25.4.1987

Council Directive 88/182/EEC (Germany)
OJ L 81, 26.3.1988

Transport

Council Directive 83/643/EEC (Italy)
OJ L 359, 22.12.1983

Environment

Council Directive 73/33/EEC (Germany)
OJ L 77, 26.3.1973

Council Directive 75/440/EEC (Spain)
OJ L 194, 25.7.1975

Council Directive 76/160/EEC (Portugal)
OJ L 31, 5.2.1976

Council Directive 78/319/EEC (Spain, Italy)
OJ L 84, 31.3.1978

Council Directive 78/659/EEC (Ireland)
OJ L 222, 14.8.1978

Council Directive 79/409/EEC (Germany, Spain, France, Portugal)
OJ L 103, 25.4.1979

Council Directive 80/51/EEC (Belgium)
OJ L 18, 24.1.1980

Council Directive 80/68/EEC (Spain)
OJ L 20, 26.1.1980

Council Directive 80/778/EEC (Belgium, Spain, Portugal)
OJ L 229, 30.8.1980

Council Directive 82/884/EEC (United Kingdom)
OJ L 378, 31.12.1982

Council Directive 84/360/EEC (Greece)
OJ L 188, 16.7.1984

Council Directive 84/491/EEC (Spain)
OJ L 274, 17.10.1984

Council Directive 85/337/EEC (Greece, France, Portugal)
OJ L 175, 5.7.1985

Council Directive 85/411/EEC (Spain, Portugal)
OJ L 233, 30.8.1985

Financial institutions and company law

Council Directive 72/166/EEC (Italy)
OJ L 103, 2.5.1972

Budgets

Sixth Council Directive 77/388/EEC (Germany)
OJ L 145, 13.6.1977

Customs union and indirect taxation

Council Directive 69/169/EEC (Denmark)
OJ L 133, 4.6.1969

Council Directive 83/183/EEC (Spain)
OJ L 105, 23.4.1983

Council Directive 83/643/EEC (Greece, Italy)
OJ L 359, 22.12.1983

2.2.2. In 1990 the Commission decided not to continue the following infringement proceedings:

Economic and financial affairs

Council Directive 86/566/EEC (Italy)
OJ L 332, 26.11.1986

Internal market

Council Directive 71/307/EEC (Spain)
OJ L 185, 16.8.1971

Council Directive 83/189/EEC (Belgium, Denmark, Germany, Greece, Spain, France, Italy, Luxembourg, Netherlands, Portugal, United Kingdom)
OJ L 109, 26.4.1983

Commission Directive 70/50/EEC (Spain)
OJ L 13, 19.1.1970

First Commission Directive 85/503/EEC (United Kingdom)
OJ L 308, 20.11.1985

Council Directive 85/585/EEC (Germany, Ireland)
OJ L 372, 31.12.1985

First Commission Directive 86/424/EEC (United Kingdom)
OJ L 243, 28.8.1986

Council Directive 86/604/EEC (Ireland, United Kingdom)
OJ L 352, 13.12.1986

First Commission Directive 87/524/EEC (Denmark, Ireland, Italy, Luxembourg, United Kingdom)
OJ L 306, 28.10.1987

Council Directive 88/182/EEC (Netherlands)
OJ L 81, 26.3.1988

Council Directive 80/767/EEC (Belgium, Denmark, Spain)
OJ L 215, 18.8.1980

Council Directive 71/305/EEC (Germany, Greece, Spain, France, Netherlands, Portugal, United Kingdom)
OJ L 185, 16.8.1971

Council Directive 77/62/EEC (Belgium, Denmark, Germany, Greece, Spain, France, United Kingdom)
OJ L 13, 15.1.1977

Council Directive 85/573/EEC (France)
OJ L 372, 31.12.1985

Commission Directive 88/194/EEC (Italy)
OJ L 92, 9.4.1988

Commission Directive 88/366/EEC (Italy)
OJ L 181, 12.7.1988

Council Directive 80/876/EEC (Belgium)
OJ L 250, 23.9.1980

Council Directive 86/94/EEC (Netherlands)
OJ L 80, 25.3.1986

Council Directive 87/94/EEC (Belgium, Greece, Luxembourg)
OJ L 38, 7.2.1987

Commission Directive 88/126/EEC (Greece)
OJ L 63, 9.3.1988

Commission Directive 87/566/EEC (Greece)
OJ L 342, 4.12.1987

Council Directive 88/183/EEC (Belgium, France, Netherlands, United Kingdom)

OJ L 83, 29.3.1988

Council Directive 89/284/EEC (Belgium, Germany)

OJ L 111, 22.4.1989

Commission Directive 88/410/EEC (Greece)

OJ L 200, 26.7.1988

Commission Directive 88/411/EEC (Greece)

OJ L 200, 26.7.1988

Commission Directive 88/412/EEC (Greece)

OJ L 200, 26.7.1988

Commission Directive 88/413/EEC (Greece)

OJ L 200, 26.7.1988

Commission Directive 88/414/EEC (Greece)

OJ L 200, 26.7.1988

Commission Directive 88/465/EEC (Greece)

OJ L 228, 17.8.1988

Council Directive 89/458/EEC (Italy, Netherlands)

OJ L 226, 3.8.1989

Commission Directive 89/491/EEC (Netherlands)

OJ L 238, 15.8.1989

Commission Directive 89/516/EEC (Netherlands)

OJ L 265, 12.9.1989

Commission Directive 89/517/EEC (Netherlands)

OJ L 265, 12.9.1989

Commission Directive 89/518/EEC (Netherlands)

OJ L 265, 12.9.1989

Council Directive 73/23/EEC (Netherlands)

OJ L 77, 26.3.1973

Council Directive 83/128/EEC (Italy)

OJ L 91, 9.4.1983

Commission Directive 84/414/EEC (Italy)

OJ L 228, 25.8.1984

Council Directive 84/528/EEC (France)

OJ L 300, 19.11.1984

Council Directive 84/539/EEC (Belgium)

OJ L 300, 19.11.1984

Council Directive 86/217/EEC (Belgium)

OJ L 152, 6.6.1986

Council Directive 86/295/EEC (Belgium, Denmark, Germany, France)

OJ L 186, 8.7.1986

Council Directive 86/296/EEC (Belgium, Denmark, Germany, France)

OJ L 186, 8.7.1986

Council Directive 86/663/EEC (Belgium, Denmark)

OJ L 384, 31.12.1986

Council Directive 87/54/EEC (Belgium)

OJ L 24, 27.1.1987

Commission Directive 87/308/EEC (Belgium, Luxembourg, Netherlands)

OJ L 155, 16.6.1987

Commission Directive 87/310/EEC (Belgium, Luxembourg, Netherlands)

OJ L 155, 16.6.1987

Council Directive 87/354/EEC (Germany)

OJ L 192, 11.7.1987

Council Directive 88/316/EEC (France, Ireland)

OJ L 143, 10.6.1988

Commission Directive 89/240/EEC (Belgium, Denmark)

OJ L 100, 12.4.1989

Council Directive 73/148/EEC (Germany, Greece, Spain, France, Portugal)

OJ L 172, 28.6.1973

Council Directive 85/374/EEC (Germany, Netherlands)

OJ L 210, 7.8.1985

Council Directive 77/249/EEC (Germany)

OJ L 78, 26.3.1977

Council Directive 75/362/EEC (France)

OJ L 167, 30.6.1975

Council Directive 85/384/EEC (Belgium, Italy)

OJ L 223, 21.8.1985

Council Directive 85/614/EEC (Belgium)

OJ L 376, 31.12.1985

Council Directive 86/17/EEC (Belgium)

OJ L 27, 1.2.1986

Council Directive 86/457/EEC (Germany)

OJ L 267, 19.9.1986

Council Directive 86/653/EEC (Netherlands)

OJ L 382, 31.12.1986

Competition

Commission Directive 88/301/EEC (Denmark, Italy)
OJ L 131, 27.5.1988

Employment, industrial relations and social affairs

Council Directive 86/378/EEC (Ireland)
OJ L 225, 12.8.1986

Council Directive 68/360/EEC (France)
OJ L 257, 19.10.1968

Council Directive 76/207/EEC (Luxembourg)
OJ L 39, 14.2.1976

Commission Directive 88/35/EEC (United Kingdom)
OJ L 20, 26.1.1988

Agriculture

Council Directive 77/504/EEC (Denmark, Germany, Greece, Luxembourg)
OJ L 206, 12.8.1977

Council Directive 87/328/EEC (Germany, Luxembourg)
OJ L 167, 26.6.1987

Council Directive 83/189/EEC (Netherlands)
OJ L 109, 26.4.1983

Council Directive 85/397/EEC (Belgium, Greece, Ireland)
OJ L 226, 24.8.1985

Council Directive 86/362/EEC (Luxembourg)
OJ L 221, 7.8.1986

Council Directive 86/363/EEC (Greece, Luxembourg)
OJ L 221, 7.8.1986

Commission Directive 87/120/EEC (Belgium, Italy)
OJ L 49, 18.2.1987

Council Directive 87/153/EEC (Netherlands)
OJ L 64, 7.3.1987

Council Directive 87/486/EEC (Belgium)
OJ L 280, 3.10.1987

Commission Directive 88/95/EEC (Belgium, Italy)
OJ L 56, 2.3.1988

Council Directive 88/146/EEC (Belgium, Greece)
OJ L 70, 16.3.1988

Commission Directive 88/228/EEC (United Kingdom)
OJ L 101, 20.4.1988

Fifth Commission Directive 88/271/EEC (Denmark)
OJ L 116, 4.5.1988

Council Directive 88/288/EEC (Netherlands)
OJ L 124, 18.5.1988

Council Directive 88/289/EEC (Greece, Netherlands)
OJ L 124, 18.5.1988

Council Directive 88/298/EEC (Germany, Luxembourg)
OJ L 126, 20.5.1988

Council Directive 88/406/EEC (Denmark, Greece)
OJ L 194, 22.7.1988

Seventh Commission Directive 88/430/EEC (Denmark)
OJ L 208, 2.8.1988

Council Directive 88/572/EEC (Denmark)
OJ L 313, 19.11.1988

Commission Directive 88/483/EEC (Netherlands)
OJ L 237, 27.8.1988

Commission Directive 88/616/EEC (Netherlands, United Kingdom)
OJ L 343, 13.12.1988

Council Directive 89/186/EEC (Netherlands, Portugal)
OJ L 66, 10.3.1989

Council Directive 89/439/EEC (Ireland, Luxembourg)
OJ L 212, 22.7.1989

Council Directive 88/407/EEC (France)
OJ L 194, 22.7.1988

Commission Directive 89/362/EEC (France)
OJ L 156, 8.6.1989

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OJ L 71, 17.3.1990

Council Directive 83/643/EEC (Belgium)
OJ L 359, 22.12.1983

Council Directive 87/53/EEC (Belgium)
OJ L 24, 27.1.1987

Council Directive 71/118/EEC (Germany)
OJ L 55, 8.3.1971

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OJ L 125, 11.7.1966

Council Directive 66/402/EEC (France)
OJ L 125, 11.7.1966

Council Directive 70/457/EEC (France)
OJ L 225, 12.10.1970

Council Directive 77/489/EEC (Spain)
OJ L 65, 11.3.1977

Commission Directive 87/238/EEC (Greece)
OJ L 110, 25.4.1987

Council Directive 81/389/EEC (Spain)
OJ L 150, 6.6.1981

Council Directive 82/400/EEC (Ireland)
OJ L 173, 19.6.1982

Transport

Council Directive 76/914/EEC (Spain)
OJ L 357, 29.12.1976

Council Directive 74/561/EEC (Greece)
OJ L 308, 19.11.1974

Council Directive 74/562/EEC (Greece)
OJ L 308, 19.11.1974

First Council Directive 80/1263/EEC (Ireland)
OJ L 375, 31.12.1980

Council Directive 83/416/EEC (United Kingdom)
OJ L 237, 26.8.1983

Council Directive 87/601/EEC (Luxembourg)
OJ L 374, 31.12.1987

Council Directive 88/218/EEC (Luxembourg,
Netherlands)
OJ L 98, 15.4.1988

Council Directive 88/599/EEC (Denmark, France,
Netherlands, United Kingdom)
OJ L 325, 29.11.1988

Environment

Council Directive 75/440/EEC (Greece)
OJ L 194, 25.7.1975

Council Directive 79/869/EEC (Greece)
OJ L 271, 29.10.1979

Council Directive 76/160/EEC (Denmark)
OJ L 31, 5.2.1976

Council Directive 76/403/EEC (Belgium)
OJ L 108, 26.4.1976

Council Directive 78/176/EEC (Belgium)
OJ L 54, 25.2.1978

Council Directive 79/409/EEC (France)
OJ L 103, 25.4.1979

Council Directive 85/337/EEC (France)
OJ L 175, 5.7.1985

Council Directive 80/778/EEC (Belgium, Luxem-
bourg, United Kingdom)
OJ L 229, 30.8.1980

Council Directive 82/883/EEC (Portugal)
OJ L 378, 31.12.1982

Council Directive 82/884/EEC (United Kingdom)
OJ L 378, 31.12.1982

Council Directive 83/129/EEC (Germany)
OJ L 91, 9.4.1983

Council Directive 85/444/EEC (Germany)
OJ L 259, 1.10.1985

Council Directive 83/513/EEC (United Kingdom)
OJ L 291, 24.10.1983

Council Directive 84/491/EEC (United Kingdom)
OJ L 274, 17.10.1984

Council Directive 84/538/EEC (Netherlands)
OJ L 300, 19.11.1984

Council Directive 84/631/EEC (Portugal)
OJ L 326, 13.12.1984

Council Directive 86/279/EEC (Portugal)
OJ L 181, 4.7.1986

Council Directive 85/203/EEC (United Kingdom)
OJ L 87, 27.3.1985

Council Directive 85/210/EEC (Belgium)
OJ L 96, 3.4.1985

Council Directive 85/337/EEC (Germany)
OJ L 175, 5.7.1985

Council Directive 85/339/EEC (Greece)
OJ L 176, 6.7.1985

Commission Directive 85/441/EEC (Ireland)
OJ L 233, 30.8.1985

Council Directive 86/278/EEC (Luxembourg,
United Kingdom)
OJ L 181, 4.7.1986

Council Directive 87/18/EEC (Germany)
OJ L 15, 17.1.1987

Commission Directive 87/112/EEC (United Kingdom)
OJ L 48, 17.2.1987

Council Directive 87/216/EEC (Ireland)
OJ L 85, 28.3.1987

Council Directive 87/219/EEC (Germany, Ireland, United Kingdom)
OJ L 91, 3.4.1987

Commission Directive 87/252/EEC (Netherlands)
OJ L 117, 5.5.1987

Council Directive 87/405/EEC (United Kingdom)
OJ L 220, 8.8.1987

Council Directive 87/432/EEC (Belgium, Italy, United Kingdom)
OJ L 239, 21.8.1987

Council Directive 88/347/EEC (Germany, France, Ireland)
OJ L 158, 25.6.1988

Council Directive 88/610/EEC (Denmark, France)
OJ L 336, 7.12.1988

Council Directive 80/836/Euratom (Denmark)
OJ L 246, 17.9.1980

Council Directive 84/467/Euratom (Denmark)
OJ L 265, 5.10.1984

Council Directive 88/609/EEC (Germany)
OJ L 336, 7.12.1988

Commission Directive 89/514/EEC (Germany)
OJ L 253, 30.8.1989

Telecommunications, information industries and innovation

Council Directive 86/361/EEC (Denmark, Greece, France, Ireland, Luxembourg, Netherlands, United Kingdom)
OJ L 217, 5.8.1986

Council Directive 87/372/EEC (Denmark, Greece, Ireland, Italy, Luxembourg, Netherlands, United Kingdom)
OJ L 196, 17.7.1987

Financial institutions and company law

Council Directive 78/473/EEC (Denmark, Germany)
OJ L 151, 7.6.1978

Council Directive 87/344/EEC (Denmark, Netherlands)
OJ L 185, 4.7.1987

Second Council Directive 88/357/EEC (Denmark, Netherlands)
OJ L 172, 4.7.1988

Council Directive 79/279/EEC (Belgium)
OJ L 66, 16.3.1979

Council Directive 80/390/EEC (Belgium)
OJ L 100, 17.4.1980

Council Directive 82/121/EEC (Belgium)
OJ L 48, 20.2.1982

Council Directive 87/345/EEC (Belgium, Denmark)
OJ L 185, 4.7.1987

Council Directive 78/473/EEC (France)
OJ L 151, 7.6.1978

First Council Directive 68/151/EEC (Germany)
OJ L 65, 14.3.1968

Second Council Directive 77/91/EEC (Greece)
OJ L 26, 30.1.1977

Seventh Council Directive 83/349/EEC (Belgium, Denmark, United Kingdom)
OJ L 193, 18.7.1983

Budgets

Sixth Council Directive 77/388/EEC (France)
OJ L 145, 13.6.1977

Customs union and indirect taxation

Council Directive 72/464/EEC (Greece)
OJ L 303, 31.12.1972

Sixth Council Directive 77/388/EEC (Belgium, Netherlands, United Kingdom)
OJ L 145, 13.6.1977

Council Directive 78/453/EEC (Italy)
OJ L 146, 2.6.1978

Commission Directive 82/57/EEC (Italy)
OJ L 28, 5.2.1982

Council Directive 83/182/EEC (Portugal)
OJ L 105, 23.4.1983

Council Directive 83/183/EEC (Spain)
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Council Directive 83/643/EEC (Italy)
OJ L 359, 12.12.1983

Statistical Office

Council Directive 72/280/EEC (Italy)
OJ L 179, 7.8.1972

Council Directive 73/132/EEC (Italy)
OJ L 153, 9.6.1973

Council Directive 82/177/EEC (Italy)
OJ L 81, 27.3.1982

Consumers

Council Directive 84/450/EEC (Greece)
OJ L 250, 19.9.1984

Council Directive 85/577/EEC (Belgium, Greece)
OJ L 372, 31.12.1985

Council Directive 86/197/EEC (Germany)
OJ L 144, 29.5.1986

Council Directive 87/102/EEC (Portugal)
OJ L 42, 12.2.1987

Commission Directive 87/140/EEC (Belgium, Denmark, Greece, Netherlands)
OJ L 56, 26.2.1987

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OJ L 75, 17.3.1987

Commission Directive 88/233/EEC (Germany, Greece, Italy, Netherlands)
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OJ L 142, 9.6.1988

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OJ L 186, 30.6.1989

3. Additional references in the Official Journal

2.3.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 11-1990

Point 1.3.32

Commission Decision 91/254/EEC of 28 November 1990 concerning the proposal by the Brus-

sels Regional Authorities (Belgium) to provide aid in favour of Volkswagen Bruxelles SA, an undertaking producing passenger cars
OJ L 123, 18.5.1991

Bull. EC 12-1990

Point 1.3.105

Council Resolution of 18 December 1990 on the comparability of vocational training qualifications
OJ C 109, 24.4.1991

Point 1.3.247

Commission Decision 91/255/EEC of 1 December 1990 concerning aid and the parafiscal charge collected for the Comité national interprofessionnel

de l'horticulture florale, ornementale et des pépinières (CNIH) — draft decree introducing a parafiscal charge for the benefit of the CNIH
OJ L 123, 18.5.1991

Bull. EC 1/2-1991

Point 1.7.21

Opinion No 1/91 and observations by the Court of Auditors on the draft financial regulation applicable to the seventh European Development Fund
OJ C 113, 29.4.1991

Point 1.7.22

Opinion No 2/91 of the Court of Auditors on a proposal for a Council (EEC) Decision concerning the refund to Portugal of revenue from the 'accession' compensatory amounts applied to deliveries of common wheat from the other Member States
OJ C 113, 29.4.1991

Points 1.7.27 and 1.7.28

Opinions adopted by the Economic and Social Committee during its 284th session on 27 and 28 February 1991
OJ C 102, 18.4.1991

Bull. EC 3-1991

Point 1.2.6

Proposal for a Council Directive on monitoring and controlling large exposures of credit institutions
OJ C 123, 9.5.1991

Point 1.2.7

Proposal for a Council Regulation (EEC) on the type-approval of two or three-wheel motor vehicles
OJ C 110, 25.4.1991

Point 1.2.8

Proposal for a Council Directive on assistance to the Commission and cooperation by the Member

States in the scientific examination of questions relating to food
OJ C 108, 23.4.1991

Point 1.2.23

Council Directive of 27 March 1991 on the approximation of the laws of the Member States relating to the spray-suppression systems of certain categories of motor vehicles and their trailers
OJ L 103, 23.4.1991

Point 1.2.56

Forward programme for steel for the second quarter of 1991
OJ C 118, 3.5.1991

Point 1.2.68

Council Directive 91/224/EEC of 27 March 1991 amending Directive 75/130/EEC on the establishment of common rules for certain types of combined transport of goods between Member States
OJ L 103, 23.4.1991

Point 1.2.70

Council Directive 91/225/EEC of 27 March 1991 amending Directive 77/143/EEC on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers
OJ L 103, 23.4.1991

Point 1.2.77

Commission Decision 91/241/EEC of 13 March 1991 on the establishment of the Community support framework for Community structural assistance in the five new *Länder* and Eastern Berlin in the Federal Republic of Germany
OJ L 114, 7.5.1991

Point 1.2.93

Commission proposals on the prices for agricultural products and on related measures (1991/92)
OJ C 104, 19.4.1991

Point 1.2.104

Commission Decision 91/222/EEC of 26 March 1991 concerning the extension of the financial contribution by the Community for continuation of eradication of contagious bovine pleuropneumonia in Spain

OJ L 98, 19.4.1991

Point 1.2.107

Proposal for a Council Directive amending Directive 90/44/EEC amending Directive 79/373/EEC on the marketing of compound feedstuffs

OJ C 103, 19.4.1991

Point 1.2.110

Amendment to the proposal for a Council Regulation (EEC) on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs

OJ C 101, 18.4.1991

Point 1.2.147

Commission Decision 91/198/EEC of 11 March 1991 on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which fishery and aquaculture products are processed and marketed in Belgium

Commission Decision 91/199/EEC of 11 March 1991 on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which fishery and aquaculture products are processed and marketed in Denmark

Commission Decision 91/200/EEC of 11 March 1991 on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which fishery and aquaculture products are processed and marketed in Germany (excluding the five new *Länder*)

Commission Decision 91/201/EEC of 11 March 1991 on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which fishery and aquaculture products are processed and marketed in Spain (with the exception of the following regions: Andalucía, Asturias, Castilla y León, Castilla-La-Mancha, Ceuta y Melilla,

Comunidad Valencia, Extremadura, Galicia, Canarias, Murcia)

Commission Decision 91/202/EEC of 11 March 1991 on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which fishery and aquaculture products are processed and marketed in France (with the exception of Corsica and overseas departments)

Commission Decision 91/203/EEC of 11 March 1991 on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which fishery and aquaculture products are processed and marketed in Italy (with the exception of the following regions: Abruzzi, Basilicata, Calabria, Campania, Molise, Puglia, Sardinia, Sicily)

Commission Decision 91/204/EEC of 11 March 1991 on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which fishery and aquaculture products are processed and marketed in the Netherlands

Commission Decision 91/205/EEC of 11 March 1991 on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which fishery and aquaculture products are processed and marketed in the United Kingdom (with the exception of Northern Ireland)

Commission Decision 91/206/EEC of 11 March 1991 on the establishment of an addendum to the Community support framework for Community structural assistance in Greece on the improvement of the conditions under which fishery and aquaculture products are processed and marketed

Commission Decision 91/207/EEC of 11 March 1991 on the establishment of an addendum to the Community support framework for Community structural assistance in Spain (Andalucía, Asturias, Castilla y León, Castilla-La-Mancha, Ceuta y Melilla, Comunidad Valencia, Extremadura, Galicia, Canarias, Murcia) on the improvement of the conditions under which fishery and aquaculture products are processed and marketed

Commission Decision 91/208/EEC of 11 March 1991 on the establishment of an addendum to the Community support framework for Community structural assistance in France (Corsica and overseas departments) on the improvement of the conditions under which fishery and aquaculture products are processed and marketed

Commission Decision 91/209/EEC of 11 March 1991 on the establishment of an addendum to the

Community support framework for Community structural assistance in the United Kingdom (Northern Ireland) on the improvement of the conditions under which fishery and aquaculture products are processed and marketed

Commission Decision 91/210/EEC of 11 March 1991 on the establishment of an addendum to the Community support framework for Community structural assistance in Italy (Abruzzi, Basilicata, Calabria, Campania, Molise, Puglia, Sardinia, Sicily) on the improvement of the conditions under which fishery and aquaculture products are processed and marketed

Commission Decision 91/211/EEC of 11 March 1991 on the establishment of an addendum to the Community support framework for Community structural assistance in Portugal on the improvement of the conditions under which fishery and aquaculture products are processed and marketed

Commission Decision 91/212/EEC of 11 March 1991 on the establishment of an addendum to the Community support framework for Community structural assistance in Ireland on the improvement of the conditions under which fishery and aquaculture products are processed and marketed

4. Index

A

ACP Convention: 1.3.42; 1.3.45
 Agri-monetary measures: 1.2.97
 Agricultural prices: 1.2.96
 Air pollution: 1.2.135; 1.2.136
 Air transport: 1.2.58
 ALA (Asia and Latin America): 1.3.41
 Algeria: 1.3.20; 1.5.29
 Anti-dumping: 1.3.60 to 1.3.74
 Asbestos: 1.2.69
 Atypical work: 1.2.65
 Australia: 1.3.81
 Austria — External relations: 1.2.59
 Austria — Research agreements: 1.2.74
 Automatic renewal: 1.3.74

B

Beef/veal: 1.2.113; 1.2.117 to 1.2.119
 Biotechnology: 1.2.35
 Bolivia: 1.3.37
 Brucellosis: 1.2.91
 Bulgaria: 1.3.7; 1.3.9

C

Canada — External relations: 1.2.124; 1.3.32
 CAP (structures): 1.2.79 to 1.2.85; 1.2.114
 CCAMLR (Commission for the Conservation of Antarctic Marine Living Resources): 1.2.129
 Central and Eastern Europe: 1.3.5; 1.3.8

Cereals: 1.2.98
 Childcare: 1.2.72
 Chile: 1.3.38
 China — External relations: 1.2.62; 1.3.35
 Civil aviation: 1.2.58
 Commercial vehicles: 1.2.52
 Community support frameworks: 1.2.78; 1.2.86
 Computer industry: 1.2.36
 Computer programs: 1.2.37
 Concentrations: 1.2.16 to 1.2.23
 Consumer protection: 1.2.139
 Council of Europe: 1.2.138; 1.3.82
 CSFs: 1.2.78; 1.2.86
 Cyprus: 1.3.21
 Czechoslovakia: 1.3.4; 1.3.5; 1.3.7

D

Dangerous preparations: 1.2.3; 1.2.4
 Dangerous substances: 1.2.3; 1.2.4
 Data protection: 1.2.140
 Denmark: 1.5.21
 Disasters (Community aid): 1.2.141 to 1.2.144
 Drugs: 1.2.5

E

EAGGF: 1.2.79; 1.2.121
 ECSC operating budget: 1.5.14 to 1.5.17
 ECSC social measures: 1.5.18; 1.5.19
 ECSC Treaty: 1.2.41
 EDF: 1.3.43; 1.3.46; 1.3.47
 Education: 1.2.74; 1.2.75

EIB: 1.5.20
 Electronics industry: 1.2.36
 Emergency aid: 1.3.14; 1.3.15; 1.3.47; 1.3.55
 Employment: 1.2.65 to 1.2.67; 1.6.1; 1.6.2
 EPC: 1.4.2 to 1.4.6
 Erasmus programme (mobility of university students): 1.2.74
 ERDF: 1.2.77
 Ethiopia: 1.4.5; 1.4.6
 European Agency for Safety and Health at Work: 1.2.64
 European Agricultural Guidance and Guarantee Fund (EAGGF): 1.2.79; 1.2.121
 European Council: 1.3.13
 European Development Fund (EDF): 1.3.43; 1.3.46; 1.3.47
 European Investment Bank (EIB): 1.5.20
 European political cooperation (EPC): 1.4.2 to 1.4.6
 European Regional Development Fund (ERDF): 1.2.77
 Excise duties: 1.2.14

F

Federal Republic of Germany: 1.5.22
 Feedingstuffs: 1.2.94; 1.2.95
 Financial perspective: 1.5.1 to 1.5.4
 Finland — External relations: 1.3.1
 Fisheries (external aspects): 1.2.125 to 1.2.129
 Fisheries (products): 1.2.130; 1.2.131; 1.6.5
 Fisheries (structures): 1.2.132; 1.2.133
 Fisheries (technical measures): 1.2.129
 Food aid: 1.3.52; 1.3.53
 Foodstuffs: 1.2.6 to 1.2.9
 Framework programme for R&TD 1990-94: 1.2.42 to 1.2.46
 France: 1.5.24
 Free movement of goods: 1.2.2 to 1.2.9
 Free movement of workers: 1.2.67; 1.2.73
 Fruit and vegetables: 1.2.102 to 1.2.104

G

Gaza Strip: 1.3.19; 1.3.28
 General budget: 1.5.1 to 1.5.13
 Generalized tariff preferences: 1.3.54
 German unification: 1.6.3; 1.6.4
 Gulf crisis: 1.2.136; 1.3.13

H

Hops: 1.2.110; 1.2.111
 Human rights: 1.3.83 to 1.3.88
 Hungary: 1.3.4 to 1.3.7

I

Iceland — Research agreements: 1.2.74
 Impact programme for setting up an information services market: 1.2.50
 Indirect taxes: 1.2.13
 Indonesia: 1.3.77
 Industrial policy: 1.2.40; 1.2.41
 Inland transport: 1.2.54 to 1.2.56
 Intergovernmental Conference: 1.1.1 to 1.1.7; 1.7.1
 Iran: 1.3.84; 1.3.85
 Iraq: 1.3.14 to 1.3.18; 1.4.2
 Ireland: 1.5.25
 Israel: 1.3.19; 1.3.22
 Italy: 1.5.26

J

Japan — External relations: 1.3.31

K

Kashmir: 1.3.86
 Kurds: 1.3.17; 1.3.83
 Kuwait: 1.3.16

L

Latin America: 1.3.34
 Liechtenstein: 1.2.74
 Linseed and hemp: 1.2.108
 Liquid or gaseous fuels: 1.2.60
 Loran-C (radionavigation system): 1.2.57

M

Machinery: 1.2.2
 Madagascar: 1.3.49
 Malaysia: 1.3.78
 Mali: 1.4.4
 Malta: 1.3.23
 Mauritania: 1.2.126; 1.3.87; 1.5.30
 Mauritius: 1.3.50
 Media programme (development of the European audiovisual industry): 1.2.145
 Mediterranean countries: 1.3.20 to 1.3.27
 Mercosur Group: 1.3.36
 Mexico: 1.3.39
 MFA: 1.3.75
 Milk: 1.2.113; 1.2.115; 1.2.116
 Milk products: 1.2.116
 Money laundering: 1.2.10
 Morocco: 1.3.24; 1.3.25; 1.3.88
 Multifibre Arrangement (MFA): 1.3.75
 Multimodal transport: 1.2.53; 1.2.59

N

Natural gas: 1.2.61; 1.6.6
 New Zealand: 1.3.33
 NGOs (non-governmental organizations): 1.3.56 to 1.3.58
 Nigeria: 1.5.31
 Noise: 1.2.137
 Norway — External relations: 1.3.2
 Norway — Research agreements: 1.2.74

O

OCTs (overseas countries and territories): 1.3.43
 Oils and fats: 1.2.101
 Olympic Games: 1.2.146
 Own resources: 1.5.8

P

Papua New Guinea: 1.3.45
 Permissible forms of cooperation: 1.2.15
 Peru: 1.3.40
 Poland: 1.3.3 to 1.3.7
 Political union: 1.7.1
 Portugal: 1.5.27

R

R&TD programmes:
 • Agriculture and agro-industry: 1.2.44
 • Biomedicine and health: 1.2.45
 • Industrial and materials technologies: 1.2.43
 • Information technology: 1.2.42; 1.2.47
 • Non-nuclear energies: 1.2.46
 Rice: 1.2.99
 Rio Group: 1.3.34
 Romania: 1.3.7; 1.3.10

S

Safety belts: 1.2.55
 Saint Vincent: 1.5.32
 Sao Tome and Principe: 1.2.127; 1.4.3
 Satellite communications: 1.2.48
 Seeds and propagating material: 1.2.112
 Seychelles: 1.3.51
 Sheepmeat and goatmeat: 1.2.120
 Shipping: 1.2.57
 SMEs: 1.2.38; 1.2.39
 South Africa: 1.2.128
 Spain: 1.5.23
 Stabex: 1.3.44
 Standardization: 1.2.1; 1.2.51
 State aid:
 • Denmark: 1.2.24; 1.2.25

• France: 1.2.122
 • Italy: 1.2.29; 1.2.32 to 1.2.34; 1.2.123
 • Spain: 1.2.26 to 1.2.28
 • United Kingdom: 1.2.30; 1.2.31
 Steel industry: 1.3.79
 Structural Funds: 1.2.63
 Sugar: 1.2.100
 Sweden — External relations: 1.2.125; 1.3.59
 Sweden — Research agreements: 1.2.74
 Switzerland — External relations: 1.2.59
 Switzerland — Research agreements: 1.2.74

T

Tanzania: 1.3.48
 Telecommunications equipment: 1.2.49
 Textile industry: 1.2.40; 1.3.75 to 1.3.78
 Tobacco: 1.2.109
 Tunisia: 1.3.26

U

UN: 1.3.80
 United Kingdom: 1.5.28
 United States — External relations: 1.3.29; 1.3.30
 USSR — External relations: 1.3.11; 1.3.12

V

VAT (value-added tax): 1.2.11; 1.2.12
 Veterinary legislation: 1.2.87 to 1.2.93
 Visits to the Commission: 1.2.124; 1.3.3; 1.3.9; 1.3.11; 1.3.21; 1.3.33; 1.3.35; 1.3.36; 1.3.38; 1.3.48 to 1.3.51; 1.3.59
 Vocational training: 1.2.76

W

Waste: 1.2.134
 Water pollution: 1.2.136
 Weapons: 1.1.6
 West Bank: 1.3.19; 1.3.28
 Western Sahara: 1.3.24
 Wild fauna and flora: 1.2.129
 Wine: 1.2.105 to 1.2.107
 Workplace health and safety: 1.2.64; 1.2.68 to 1.2.71

Y

Youth exchange scheme for Europe: 1.2.75
 Yugoslavia: 1.2.7; 1.3.27

Z

Zambia: 1.3.45

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