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## Information and Notices

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## I

*(Information)*

## COUNCIL AND COMMISSION

**Mission of third countries**

(91/C 112/01)

The President of the Council and the President of the Commission of the European Communities received His Excellency Ambassador Alex Ntim ABANKWA who presented to them his letters of credence in his capacity as Head of the Mission of the Republic of Ghana to the European Communities (EEC, ECSC, EAEC) with effect from 15 April 1991.

On this occasion the newly appointed Head of Mission also presented his predecessor's letters of recall.

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## COMMISSION

Ecu (¹)

26 April 1991

(91/C 112/02)

Currency amount for one ecu:

Belgian and Luxembourg franc	42,4064	Portuguese escudo	177,424
German mark	2,06216	United States dollar	1,17804
Dutch guilder	2,32297	Swiss franc	1,73702
Pound sterling	0,697064	Swedish krona	7,34978
Danish krone	7,87813	Norwegian krone	8,01479
French franc	6,95691	Canadian dollar	1,35651
Italian lira	1523,79	Austrian schilling	14,5123
Irish pound	0,771069	Finnish markka	4,80051
Greek drachma	223,274	Japanese yen	162,628
Spanish peseta	127,013	Australian dollar	1,51614
		New Zealand dollar	2,01030

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day. Users of the service should do as follows:

- call telex number Brussels 23789;
- give their own telex code;
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the ecu;
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

*Note:* The Commission also has an automatic telex answering service (No 21791) providing daily data on calculation of monetary compensatory amounts for the purposes of the common agricultural policy.

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(¹) Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ No L 189, 4. 7. 1989, p. 1).  
 Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ No L 349, 23. 12. 1980, p. 34).  
 Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ No L 349, 23. 12. 1980, p. 27).  
 Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ No L 345, 20. 12. 1980, p. 23).  
 Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ No L 345, 20. 12. 1980, p. 1).  
 Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ No L 311, 30. 10. 1981, p. 1).

**Communication of Decisions under sundry tendering procedures in agriculture (cereals)**

(91/C 112/03)

*(See notice in Official Journal of the European Communities No L 360 of 21 December 1982, page 43)*

Standing invitation to tender	Weekly invitation to tender	
	Date of Commission Decision	Maximum refund
Commission Regulation (EEC) No 1424/90 of 28 May 1990 on a special intervention measure for barley in Spain (OJ No L 137, 30. 5. 1990, p. 8)	25. 4. 1991	ECU 104,63/tonne
Commission Regulation (EEC) No 1425/90 of 28 May 1990 opening an invitation to tender for the refund for the export of barley to countries of zones I, II, III, IV, V, VI, VII, VIII and the Canary Islands (OJ No L 137, 30. 5. 1990, p. 11)	25. 4. 1991	ECU 96,50/tonne
Commission Regulation (EEC) No 1426/90 of 28 May 1990 opening an invitation to tender for the refund for the export of rye to countries of zones I, II, III, IV, V, VI, VII, VIII and the Canary Islands (OJ No L 137, 30. 5. 1990, p. 14)	—	No tenders received
Commission Regulation (EEC) No 1427/90 of 28 May 1990 opening an invitation to tender for the refund for the export of common wheat to countries of zones I, II, III, IV, V, VI, VII, VIII and the Canary Islands (OJ No L 137, 30. 5. 1990, p. 17)	25. 4. 1991	ECU 105,00/tonne
Commission Regulation (EEC) No 1646/90 of 18 June 1990 opening an invitation to tender for the refund for the export of durum wheat to countries of zones I, II, III, IV, V, VI, VII, VIII and the Canary Islands (OJ No L 154, 20. 6. 1990, p. 17)	—	No tenders received
Commission Regulation (EEC) No 2620/90 of 10 September 1990 on an invitation to tender for the refund on export of wholly milled medium grain and long grain A rice to certain third countries (OJ No L 249, 12. 9. 1990, p. 9)	25. 4. 1991	ECU 252,00/tonne
Commission Regulation (EEC) No 2849/90 of 2 October 1990 on an invitation to tender for the refund on export of wholly milled medium grain and long grain A rice to certain third countries (OJ No L 271, 3. 10. 1990, p. 5)	25. 4. 1991	Tenders rejected
Commission Regulation (EEC) No 3/91 of 28 December 1990 on an invitation to tender for the refund on export of wholly milled round grain rice to certain third countries (OJ No L 1, 3. 1. 1991, p. 5)	25. 4. 1991	Tenders rejected
		Reduction in the Levy
		No tenders received
Commission Regulation (EEC) No 798/91 of 27 March 1991 opening an invitation to tender for the reduction in the levy on maize imported from third countries (OJ No L 82, 28. 3. 1991, p. 21)	—	No tenders received
Commission Regulation (EEC) No 799/91 of 27 March 1991 opening an invitation to tender for the reduction in the levy on grain sorghum imported from third countries (OJ No L 82, 28. 3. 1991, p. 24)	—	No tenders received

## II

*(Preparatory Acts)*

## COMMISSION

**Amended proposal for a Council Directive on the implementation of minimum safety and health requirements at temporary or mobile work sites**

(91/C 112/04)

COM(91) 117 final — SYN 279

*(Submitted by the Commission pursuant to Article 149 (3) of the EEC Treaty on 9 April 1991)*

ORIGINAL COMMISSION PROPOSAL

AMENDED PROPOSAL PURSUANT TO THE OPINION  
OF THE EUROPEAN PARLIAMENT OF 22 FEBRUARY 1991  
(Where no alternative version is given in this column,  
the text is unchanged)

**Proposal for a Council Directive on the implementation  
of minimum safety and health requirements at temporary  
or mobile work sites**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community, and in particular Article 118 A  
thereof,

Having regard to the proposal from the Commission,  
submitted after consulting the Advisory Committee on  
Safety, Hygiene and Health Protection at Work,

In cooperation with the European Parliament,

Having regard to the opinion of the Economic and  
Social Committee,

Whereas the communication from the Commission on its  
programme concerning safety, hygiene and health at  
work <sup>(1)</sup> provides for the adoption of a directive  
designed to guarantee the safety and health of workers  
at temporary or mobile work sites;

Whereas, in its resolution of 21 December 1987 on  
safety, hygiene and health at work <sup>(2)</sup>, the Council took  
note of the Commission's intention of submitting to the

<sup>(1)</sup> OJ No C 28, 3. 2. 1988, p. 3.

<sup>(2)</sup> OJ No C 28, 3. 2. 1988, p. 1.

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Council in the near future minimum requirements concerning temporary or mobile work sites;

Whereas temporary or mobile work sites constitute an area of activity that exposes workers to particularly high levels of risk;

Whereas more than half of the occupational accidents occurring on work sites in the Community are related to the selection of unsatisfactory architectural and/or organizational options or to poor planning of the works at the project design stage;

Whereas in each Member State the authorities responsible for safety and health at work must be informed, at the project design stage, of the execution of large-scale and/or dangerous works;

Whereas, when a project is being carried out, a large number of occupational accidents may be caused by inadequate coordination, particularly where various undertakings work simultaneously or in succession at the same temporary or mobile work site;

Whereas it is therefore necessary to improve coordination between the various parties concerned at the project design stage and also when the work is being carried out;

Whereas compliance with the minimum requirements designed to guarantee a better standard of safety and health at temporary or mobile work sites is essential to ensure the safety and health of workers;

Whereas, moreover, self-employed persons may, through their activities on a temporary or mobile work site, jeopardize the safety and health of workers;

Whereas it is therefore necessary to extend to self-employed persons certain relevant provisions of Council Directive 89/655/EEC of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work <sup>(1)</sup>, and of Council Directive 89/656/EEC of 30 November 1989 concerning the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace <sup>(2)</sup>;

<sup>(1)</sup> OJ No L 393, 30. 12. 1989, p. 13.

<sup>(2)</sup> OJ No L 393, 30. 12. 1989, p. 18.

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Whereas this Directive is an individual directive within the meaning of Article 16 (1) of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work<sup>(1)</sup>; whereas, therefore, the provisions of the said Directive are fully applicable to temporary or mobile work sites, without prejudice to more stringent and/or specific provisions contained in this Directive;

Whereas this Directive constitutes a practical step towards the achievement of the social dimension of the internal market with special reference to the subject matter of Directive 89/106/EEC<sup>(2)</sup> on construction products;

Whereas, pursuant to Decision 74/325/EEC<sup>(3)</sup>, as last amended by the 1985 Act of Accession of Spain and Portugal, the Advisory Committee on Safety, Hygiene and Health Protection at Work is consulted by the Commission with a view to drawing up proposals in this field,

HAS ADOPTED THIS DIRECTIVE:

## SCOPE

*Article 1*

This Directive shall apply to temporary or mobile work sites as defined in Article 2, to the exclusion of extractive industries.

## DEFINITIONS

*Article 2*

For the purposes of this Directive:

— *temporary or mobile work sites, hereinafter referred to as 'work sites'* means any site at which building and civil engineering works are carried out; a non-exhaustive list of such works is given in Annex 1,

Whereas this Directive constitutes a practical step towards the achievement of the social dimension of the internal market with special reference to the subject matter of Directive 89/106/EEC<sup>(2)</sup> on construction products and the subject matter of Directive 89/440/EEC on public works contracts<sup>(3)</sup>;

*Article 1*

This Directive shall apply to temporary or mobile work sites as defined in Article 2, to the exclusion of drilling and extraction in the extractive industries.

— *temporary or mobile work sites, hereinafter referred to as 'work sites'* means any work site at which works are carried out as indicated in the non-exhaustive list given in Annex 1;

<sup>(1)</sup> OJ No L 183, 29. 6. 1989, p. 1.

<sup>(2)</sup> OJ No L 40, 11. 2. 1989, p. 12.

<sup>(3)</sup> OJ No L 185, 9. 7. 1974, p. 15.

<sup>(1)</sup> OJ No L 183, 29. 6. 1989, p. 1.

<sup>(2)</sup> OJ No L 40, 11. 2. 1989, p. 12.

<sup>(3)</sup> OJ No L 210, 21. 7. 1989, p. 1.

<sup>(4)</sup> OJ No L 185, 9. 7. 1974, p. 15.



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- *client(s)* means any natural or legal person(s) for whom a project is carried out,
- *project supervisor(s)* means any natural or legal person(s) responsible for the design and/or execution of a project, acting on behalf of the client(s),
- *self-employed persons* means any person other than those referred to in Article 3 (a) and (b) of Directive 89/391/EEC whose professional activity is carried out wholly or in part on a work site in order to contribute to the execution of a project.

## PRIOR NOTICE

*Article 3*

1. The Member States shall take the necessary steps to ensure that, before the commencement of works on their territory, the client(s) forward(s) to the authorities responsible for safety and health at work a 'prior notice' containing the information indicated in Annex II. In particular, this notice shall indicate the name(s) of the person(s) responsible for coordinating the safety and health of workers:

- during the 'project design' stage,
- during the 'project execution' stage,

A copy of this notice shall be available at all times on the site.

2. However, in the case of works the planned duration of which is less than 30 working days, excluding those of the types listed in Annex III, the Member States may regard the forwarding of the 'prior notice' as optional.

## GENERAL SAFETY AND HEALTH PRINCIPLES TO BE TAKEN INTO ACCOUNT

## At the project design stage

*Article 4*

The project supervisor(s) shall take account of the general principles of prevention concerning safety and health set out in Article 6 (2) and (3) (a) of Directive 89/391/EEC during the stages of project design, study and preparation, in particular:

1. The Member States shall take the necessary steps to ensure that, before the commencement of works on their territory, the client(s) forward(s) to the authorities responsible for safety and health at work a 'prior notice' containing the information indicated in Annex II. In particular, this notice shall give the name(s) of the person(s) responsible for coordinating the safety and health of workers:

- during the 'project design' stage.
- during the 'project execution' stage.

A copy of this notice shall be prominently displayed at all times on the site.

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- when architectural and/or organizational aspects are being decided, in order to plan the various works or work stages which are to take place simultaneously or in succession,
- when estimating the period required for completing these various types of works or work stages.

*Article 5*

The person(s) indicated in the 'prior notice' as being responsible for coordinating safety and health during the 'project design' stage, as referred to in Article 3, shall:

- (a) ensure that the provisions of Article 4 are implemented;
- (b) in the case of works coming under one or more of the categories listed in Annex III, draw up a safety and health plan setting out the specific rules applicable to the site concerned;
- (c) prepare documents adapted to the characteristics of the structure containing appropriate safety and health information to be taken into account during any subsequent works.

- (b) prepare a safety and health plan indicating the rules applicable to the work site concerned; this plan shall also set out the specific rules applicable in the case of works coming under one or more of the categories listed in Annex III.

**During the project execution stage***Article 6*

1. The person(s) designated in the 'prior notice' as being responsible for coordinating safety and health at the site during the 'project execution' stage:

- (a) shall ensure that the employers and, wherever necessary, self-employed persons:

- apply the principles set out in Article 7 in a consistent manner,

- take account, when required, of the safety and health plan required under Article 5 (b);

- (b) shall adapt, where necessary, this safety and health plan to take account of the progress of the work and any changes which have occurred;

- take account of the safety and health plan required under Article 5 (b);

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- (c) shall organize the cooperation in matters of safety and health provided for in Article 6 (4) of Directive 89/391/EEC, ensuring that self-employed persons are brought into this process whenever necessary;
- (d) shall make arrangements to check that the working procedures are being implemented correctly;
- (e) shall take the necessary steps to ensure that no unauthorized person enters the site.

- (c) shall organize cooperation and coordination between employers on measures to protect workers and prevent accidents, and mutual information as provided for in Article 6 (4) of Directive 89/391/EEC, ensuring that self-employed persons are brought into this process whenever necessary;

2. The implementation of the provisions in 1 shall not affect the principle of employers' responsibility towards their respective workers.

*Article 7*

When the work is being carried out, the principles set out in Article 6 (1), (2), (3) and (5) of Directive 89/391/EEC shall be applied, in particular as regards:

- keeping the site in good order and in a satisfactory state of cleanliness,
- choosing the location of workstations bearing in mind how access to these workplaces is obtained, and determining routes or areas for the passage and movement of workers and equipment,
- the conditions under which various materials are handled,
- technical maintenance, pre-startup and regular checks on the operating efficiency of installations and equipment with a view to correcting any faults which might affect the safety and health of workers,
- the demarcation and laying out of areas for the storage of various materials, in particular where dangerous materials or substances are concerned,
- the conditions under which the dangerous materials used are removed,
- the storage and disposal or removal of wastes and surplus materials,
- the adaptation, based on progress made with the work, of the actual period to be allocated for the various types of works or work stages.

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**OBLIGATIONS OF EMPLOYERS***Article 8*

In order to preserve the safety and health of all persons present at the site, under the conditions set out in Article 6, employers shall, when implementing Article 7, take measures in respect of their own workers that are in line with the minimum requirements set out in Annex IV.

**OBLIGATIONS OF SELF-EMPLOYED PERSONS***Article 9*

In order to preserve the safety and health of all persons present on the site, self-employed persons shall comply *mutatis mutandis* with:

- (a) the principles set out in Article 7 of this Directive;
- (b) Articles 3, 4 (1), (2), (3), (4), (9), and 5 of Council Directive 89/656/EEC;
- (c) Article 4 of Council Directive 89/655/EEC;
- (d) the relevant provisions of Annex IV of this Directive.

- (a) the principles set out in Article 13 of Directive 89/391/EEC and Article 7 of this Directive;

**INFORMATION***Article 10*

Without prejudice to Article 10 of Directive 89/391/EEC, workers and/or their representatives shall be informed of all the measures to be taken concerning the safety and health of workers at the site. In particular, they shall be informed of the measures relating to the implementation of Articles 6, 7 and 8 and, where necessary, of the safety and health plan referred to in Article 5 (b).

Without prejudice to Article 10 of Directive 89/391/EEC, workers and/or their representatives shall be informed of all the measures to be taken concerning the safety and health of workers at the site. In particular, they shall be informed of the measures relating to the implementation of Articles 6, 7 and 8 and, where necessary, of the safety and health plan referred to in Article 5 (b).

**CONSULTATION AND PARTICIPATION***Article 11*

Consultation and participation of workers and/or of their representatives shall take place in accordance with Article 11 of Directive 89/391/EEC on the matters covered by Articles 6 (1), 7 and 8 of this Directive.

Consultation and participation of workers and/or of their representatives on the matters covered by Article 6 (1), Article 7 and Article 8 shall take place:

- in accordance with Article 11 of Directive 89/391/EEC,
- and, whenever necessary, including workers from other undertakings and/or establishments present on the work site, and/or their representatives.

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## AMENDMENTS TO THE ANNEXES

*Article 12*

Amendments of a strictly technical nature to Annexes II, III and IV resulting from:

- adoption of directives on technical harmonization and standardization,
- technical progress and changes in international regulations and specifications or knowledge with regard to work sites,

shall be adopted in accordance with the procedure laid down in Article 17 of Directive 89/391/EEC.

## FINAL PROVISIONS

*Article 13*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1993 at the latest. They shall immediately notify the Commission thereof.

The provisions adopted pursuant to the first subparagraph shall make express reference to this Directive.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they have already adopted or adopt in the field governed by this Directive.

3. Member States shall report to the Commission every five years on the practical implementation of the provisions of this Directive, indicating the points of view of employers and workers. The Commission shall inform the Council, the European Parliament, the Economic and Social Committee, and the Advisory Committee on Safety, Hygiene and Health Protection at Work.

4. The Commission shall submit periodically to the Council, the European Parliament and the Economic and Social Committee a report on the implementation of this Directive, taking into account paragraphs 2 and 3.

*Article 14*

This Directive is addressed to the Member States.

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1992 at the latest. They shall immediately notify the Commission thereof.

When the Member States adopt these provisions, the provisions shall contain a reference to this Directive or shall be accompanied by such a reference when they are published in official form. The arrangements for this reference shall be decided by the Member States.

3. Member States shall report to the Commission every four years on the practical implementation of the provisions of this Directive, indicating the points of view of employers and workers. The Commission shall inform the Council, the European Parliament, the Economic and Social Committee, and the Advisory Committee on Safety, Hygiene and Health Protection at Work.

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*ANNEX I*

**Non-exhaustive list of the building and civil engineering work referred to in the definition of temporary or mobile work sites in Article 2 (first indent)**

- Excavation,
  - earthworks,
  - construction,
  - installation and removal of prefabricated elements,
  - landscaping and fitting out,
  - alterations,
  - renovation,
  - repairs,
  - dismantling,
  - demolition,
  - upkeep,
  - maintenance.
- maintenance, decorating and cleaning work,
  - environmental technical activities.

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*ANNEX II*

**Contents of the prior notice referred to in Article 3**

*Date of notification:*

1. Exact address of the site:
  2. Client(s) (name(s) and address(es)):
  3. Type of project:
  4. Project supervisor(s) (name(s) and address(es)):
  5. Safety and health coordinator(s) during the 'project design' stage (name(s) and address(es)):
  6. Safety and health coordinator(s) during the 'project execution' stage (name(s) and address(es)):
  7. Date planned for start of work:
  8. Planned duration of works:
  9. Estimated maximum number of workers on the site:
  10. Planned number of contractors and self-employed persons on the site:
  11. Details of contractors already chosen:
  12. Estimated value of the works:
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*ANNEX III*

List of works involving risks to the safety and health of workers for which, irrespective of their duration, the prior notice referred to in Article 3 (2) is required and for which the safety and health plan referred to in Article 5 must be prepared

1. Works which, by their very nature, put workers seriously at risk from falling objects or dislodgement of materials, or of being buried or entrapped, or of falling or drowning.
2. Works which, by their very nature, expose workers to a serious risk arising from the use or presence of chemical, physical or biological agents.
3. Work carried out by divers having a system of air supply or by workers in caissons with a compressed-air atmosphere.
4. Work involving the use of explosives.

*ANNEX III*

List of works involving risks to the safety and health of workers for which, irrespective of their duration, the prior notice referred to in Article 3 (2) is required and for which specific measures must be indicated in the safety plan referred to in Article 5 (b).

*ANNEX IV***Minimum safety and health requirements for work sites****Preliminary remark**

The obligations laid down in this Annex apply wherever required by the features of the work site, the activity, the circumstances or a hazard.

**1. Minimum requirements of a general nature****Workers:**

- must be protected against climatic conditions that may jeopardize their safety and health,
- must be protected, wherever this is technically possible, by means of collective measures against falling objects and falls from a height,
- must not be exposed to harmful levels of chemical, physical or biological pollutants.

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the text is unchanged.)

## 2. Stability and solidity

Materials, equipment and, more generally, any component which, when moving in any way, may affect the safety and health of workers must be stabilized in an appropriate and safe manner.

### 2.1. *Rooms (huts and workshops in particular)*

Rooms must have a structure and stability appropriate to the nature of their use.

### 2.2. *Mobile or fixed workstations which are elevated or situated below ground level*

Mobile or fixed workstations which are elevated or situated below ground level must be solid and stable, account being taken of:

- the number of workers occupying them,
- the maximum loads which they may have to bear and their distribution,
- the external influences to which they may be exposed.

If the supports and other components of these workstations are not intrinsically stable, they must be made stable by means of appropriate and safe attachment to avoid any sudden or unintentional movement of the whole, or parts, of these workstations.

### 2.3. *Checking*

The stability and solidity referred to in 2.2. must be subjected to suitable checks, especially if the height or depth of the workstation is changed.

## 3. Installation of energy distribution system

The installations must be designed and constructed so as not to present a fire or explosion hazard; persons must be adequately protected against the risk of electrocution caused by direct or indirect contact.

The design, construction and choice of material and protection devices must take account of the type and power of the energy distributed, external conditions and the competence of persons with access to parts of the installation.

The site installations, especially those subject to external influences, must be regularly checked and maintained.

Installations existing before the work commences must be identified, checked and clearly marked.



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**4. Emergency routes and exits**

- 4.1. Emergency routes and exits must remain clear and lead as directly as possible to a safe area.
- 4.2. In the event of danger, it must be possible for workers to evacuate all workstations quickly and as safely as possible.
- 4.3. The number, distribution and dimensions of emergency routes and exits depend on the use, equipment and dimensions of the site and of the rooms and the maximum number of persons that may be present.

**4.4. Emergency doors must open outwards.**

Emergency doors should not be so locked or fastened that they cannot be easily and immediately opened by any person who may require to use them in an emergency.

Sliding or revolving doors may not be designated as emergency exits.

- 4.5. Specific emergency routes and exits must be indicated by signs in accordance with the national regulations implementing Directive 77/576/EEC <sup>(1)</sup>.

Such signs must be sufficiently resistant and be placed at appropriate points.

- 4.6. Emergency routes and exits, and the traffic routes and doors giving access to them, must be free from obstruction so that they can be used at any time without hindrance.

- 4.7. Emergency routes and exits requiring illumination must be provided with emergency lighting of adequate intensity in case the lighting falls.

**5. Fire detection and fire fighting**

- 5.1. Depending on the characteristics of the site, the dimensions and use of the rooms, the on-site equipment, the physical and chemical properties of the substances present and the maximum potential number of people present, an adequate number of appropriate fire-fighting devices and, where required, fire detectors and alarm systems must be provided.

- 5.1. Depending on the characteristics of the site, the dimensions and use of the rooms, the on-site equipment, the physical and chemical properties of the substances present and the maximum potential number of people present, an adequate number of appropriate fire-fighting devices and, where required, fire detectors and alarm systems must be provided.

Such fire-fighting devices, fire detectors and fire alarms must be regularly checked and maintained. Appropriate tests and drills must be carried out at regular intervals.

<sup>(1)</sup> OJ No L 229, 7. 9. 1977, p. 12.

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(Where no alternative version is given in this column,  
the text is unchanged.)

- 5.2. Non-automatic fire-fighting equipment must be easily accessible and simple to use.

The equipment must be indicated by signs in accordance with the national regulations implementing Directive 77/576/EEC.

Such signs must be sufficiently resistant and be placed at appropriate points.

6. **Ventilation**

- 6.1. Steps shall be taken to ensure that there is sufficient fresh air, having regard to the working methods used and the physical demands placed on the workers.

If a forced ventilation system is used, it must be maintained in working order.

Any breakdown must be indicated by a control system where this is necessary for workers' health.

- 6.2. If air-conditioning or mechanical ventilation installations are used, they must operate in such a way that workers are not exposed to draughts which cause discomfort.

Any deposit or dirt likely to create an immediate danger to the health of workers by polluting the atmosphere must be removed without delay.

7. **Temperature**

- 7.1. During working hours, the temperature must be adequate for human beings, having regard to the working methods used and the physical demands placed on the workers.

- 7.2. The temperature in rest areas, rooms for duty staff, sanitary facilities, canteens and first-aid rooms must be appropriate to the particular purpose of such areas.

- 7.3. Windows, skylights and glass partitions should allow excessive effects of sunlight to be avoided, having regard to the nature of the work and local custom.

8. **Natural and artificial lighting of workstations, rooms and traffic routes on the site**

- 8.1. Workstations, rooms and traffic routes on the site must be provided with sufficient artificial lighting at night and when natural daylight is inadequate; where necessary, portable light sources that are protected against impact shall be used.

- 8.2. Lighting installations for rooms, workstations and traffic routes must be placed in such a way that there is no risk of accident to workers as a result of the type of lighting fitted.

- 8.3. Rooms, workstations and traffic routes where workers are especially exposed to risks in the event of artificial lighting must be provided with emergency lighting of adequate intensity.

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- 8.4. The approach roads and perimeter of the site must be signposted and marked so as to ensure that they are clearly visible and identifiable.
9. **Floors, walls, ceilings and roofs of rooms**
- 9.1. The floors of workplaces must not have dangerous bumps, holes or slopes and must be fixed, stable and not slippery.
- 9.2. The surfaces of floors, walls and ceilings in rooms must be such that they can be cleaned or refurbished to an appropriate standard of hygiene.
- 9.3. Transparent or translucent walls, in particular all-glass partitions, in rooms or in the vicinity of workstations and traffic routes must be clearly indicated and made of safety material or be shielded from such workstations or traffic routes to prevent workers from coming into contact with walls or being injured should the walls shatter.
- 9.4. Access to roofs made of materials of insufficient strength must not be permitted unless equipment is provided to ensure that the work can be carried out in a safe manner.
10. **Windows and skylights**
- 10.1. It must be possible for workers to open, close, adjust or secure windows, skylights and ventilators in a safe manner. When open, they must not be positioned so as to constitute a hazard to workers.
- 10.2. Windows and skylights must be designed in conjunction with equipment or otherwise fitted with devices allowing them to be cleaned without risk to the workers carrying out this work or to workers present.
11. **Doors and gates**
- 11.1. The position, number and dimensions of doors and gates, and the materials used in their construction, are determined by the nature and use of rooms or areas.
- 11.2. Transparent doors must be appropriately marked at a conspicuous level.
- 11.3. Swing doors and gates must be transparent or have see-through panels.
- 11.4. If transparent or translucent surfaces in doors and gates are not made of safety material and if there is a danger that workers may be injured if a door or gate should shatter, the surfaces must be protected against breakage.

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- 11.5. Sliding doors must be fitted with a safety device to prevent them from being derailed and falling over.
- 11.6. Doors and gates opening upwards must be fitted with a mechanism to secure them against falling back.
- 11.7. Doors along escape routes must be appropriately marked.
- 11.8. Doors for pedestrians must be provided in the immediate vicinity of any gates intended essentially for vehicle traffic, unless it is safe for pedestrians to pass through; such doors must be clearly marked and left permanently unobstructed.
- 11.9. Mechanical doors and gates must function in such a way that there is no risk of accident to workers.
- They must be fitted with easily identifiable and accessible emergency shut-down devices and, unless they open automatically in the event of a power failure, it must also be possible to open them manually.

**12. Traffic routes — danger areas**

- 12.1. Traffic routes, including stairs, fixed ladders and loading bays and ramps, must be calculated, located, laid out and made negotiable to ensure easy, safe and appropriate access in such a way as not to endanger workers employed in the vicinity of these traffic routes.
- 12.2. Routes used for pedestrian traffic and/or goods traffic must be dimensioned in accordance with the number of potential users and the type of activity concerned.
- If means of transport are used on traffic routes, a sufficient safety clearance or adequate protective devices must be provided for pedestrians.
- 12.3. Sufficient clearance must be allowed between vehicle traffic routes and doors, gates, passages for pedestrians, corridors and staircases.
- 12.4. Where the use and equipment of rooms so requires for the protection of workers, traffic routes must be clearly identified.
- 12.5. If the site contains danger areas in which, owing to the nature of the work, there is a risk of the worker or objects falling, these areas must be equipped with devices preventing unauthorized workers from entering them.
- Appropriate measures must be taken to protect workers authorized to enter danger areas.
- Danger areas must be clearly indicated.

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**13. Specific measures for escalators and travelators**

Escalators and travelators must function safely.

They must be equipped with any necessary safety devices.

They must be fitted with easily identifiable and accessible emergency shut-down devices.

**14. Loading bays and ramps**

14.1. Loading bays and ramps must be suitable for the dimensions of the loads to be transported.

14.2. Loading bays must have at least one exit point.

14.3. Loading ramps must be sufficiently safe to prevent workers from falling off.

**15. Room dimensions and air space in rooms — freedom of movement at the workstation**

15.1. Rooms containing workplaces must have sufficient floor area and height to allow workers to perform their work without risk to their safety, health or well-being.

15.2. The floor area at the workstation must be such as to allow workers sufficient freedom of movement to perform their work.

If this is not possible for reasons specific to the workstation, the worker must be provided with sufficient freedom of movement near his workstation.

**16. First-aid rooms**

16.1. One or more first-aid rooms must be provided where the scale of the works, the types of activity being carried out and frequency of accidents so dictate.

16.2. First-aid rooms must be fitted with essential first aid installations and equipment and be easily accessible to stretchers.

They must be signposted in accordance with the national regulations implementing Directive 77/576/EEC.

16.3. In addition, first-aid equipment must be available at all places where working conditions require it.

This equipment must be suitably marked and easily accessible.

16.3. In addition, first-aid equipment must be available at all places where working conditions require it.

This equipment must be suitably marked and easily accessible.

A clearly displayed sign must also be provided showing the address and telephone number of the local emergency service.

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**17. Sanitary equipment****17.1. *Changing rooms and lockers***

- 17.1.1. Appropriate changing rooms must be provided for workers if they have to wear special work clothes.

Changing rooms must be easily accessible, be of sufficient capacity and be provided with seating.

- 17.1.2. Changing rooms must be sufficiently large and have facilities to enable each worker, where necessary, to dry his working clothes as well as his own clothing and personal effects and to lock them away.

If circumstances so require (e.g. dangerous substances, humidity, dirt) facilities must be provided to enable working clothes to be kept in a place separate from workers' own clothes and personal effects.

- 17.1.3. Provision must be made for separate changing rooms or separate use of changing rooms for men and women.

- 17.1.4. If changing rooms are not required, each worker must be provided with a place in which he can lock away his own clothes and personal effects.

**17.2. *Lavatories and washbasins***

Special facilities with an adequate number of lavatories and washbasins must be provided for workers in the vicinity of workstations, rest rooms, changing rooms and rooms housing showers or washbasins.

Provision must be made for separate lavatories or separate use of lavatories for men and women.

**17.3. *Showers and washbasins***

- 17.3.1. Suitable showers in sufficient numbers must be provided for workers if required by the nature of the work or for health reasons.

Provision must be made for separate shower rooms or separate use of shower rooms for men and women.

- 17.3.2. The shower rooms must be sufficiently large to permit each worker to wash without hindrance in conditions of an appropriate standard of hygiene.

The showers must be equipped with hot and cold running water.

**17. Sanitary equipment**

This shall comply with satisfactory standards of hygiene.

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17.3.3. Where showers are not required under the first subparagraph of 17.3.1. adequate and suitable washbasins with running water (hot water if necessary) must be provided in the vicinity of the workstations and the changing rooms.

Such washbasins must be separate for, or used separately by, men and women when so required for reasons of propriety.

17.3.4. Where the rooms housing the showers or washbasins are separate from the changing rooms, there must be easy communication between the two.

**18. Rest rooms and/or accommodation areas**

18.1. Where the safety of health of workers, in particular because of the type of activity carried out or the presence of more than a certain number of employees as well as the remote nature of the site so require, workers must be provided with easily accessible rest and accommodation facilities.

18.2. Rest rooms and accommodation areas must be large enough and equipped with an adequate number of tables and seats with backs for the number of workers concerned.

18.3. If there are no facilities of this kind, other facilities must be provided in which workers can stay during interruptions in work.

18.4. Appropriate measures should be taken for the protection of non-smokers against discomfort caused by tobacco smoke.

**19. Pregnant women and nursing mothers**

Pregnant women and nursing mothers must be able to lie down to rest in appropriate conditions.

**20. Handicapped workers**

Workstations must be organized to take account of handicapped workers, if necessary.

This provision applies in particular to the doors, passageways, staircases, showers, washbasins, lavatories and workstations used or occupied directly by handicapped persons.

**21. Miscellaneous provisions**

21.1. Workers must be provided at the site with a sufficient quantity of drinking water and possibly another suitable non-alcoholic beverage both in occupied rooms and in the vicinity of workstations.

21.2. Workers must be provided with facilities enabling them to prepare and take their meals in satisfactory conditions.

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## III

*(Notices)*

## COMMISSION

**Amendment to the Notice of invitation to tender for the refund for the export of common wheat to the countries of zones I, II, III, IV, V, VI, VII, VIII and the Canary Islands**

(91/C 112/05)

*(Official Journal of the European Communities No C 131 of 30 May 1990)*

Page 21, the text of paragraph 2 under heading II 'Time limits', is replaced by the following:

- '2. For the subsequent weekly awards, the period for the receipt of tenders will expire at 10 a.m. on the Thursday of each week, except during the periods 10 to 16 August 1990, 26 October to 1 November 1990, 21 December 1990 to 3 January 1991, 22 to 28 March 1991 and 3 to 9 May 1991, during which periods the invitation to tender will be suspended.

For the second and subsequent weekly awards, the period for the receipt of tenders will begin on the first working day following the expiry of the preceding period.'

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**Amendment to the Notice of invitation to tender for the refund for the export of barley from Spain to the countries of zones I, II, III, IV, V, VI, VII, VIII and the Canary Islands**

(91/C 112/06)

*(Official Journal of the European Communities No C 131 of 30 May 1990)*

Page 23, the text of paragraph 2 under heading II 'Time limits', is replaced by the following:

- '2. For the subsequent weekly awards, the period for the receipt of tenders will expire at 10 a.m. on the Thursday of each week, except during the periods 10 to 16 August 1990, 26 October to 1 November 1990, 21 December 1990 to 3 January 1991, 22 to 28 March 1991 and 3 to 9 May 1991, during which periods the invitation to tender will be suspended.

For the second and subsequent weekly awards, the period for the receipt of tenders will begin on the first working day following the expiry of the preceding period.'

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**Amendment to the Notice of invitation to tender for the refund for the export of rye to the countries of zones I, II, III, IV, V, VI, VII, VIII and the Canary Islands**

(91/C 112/07)

*(Official Journal of the European Communities No C 131 of 30 May 1990)*

Page 24, the text of paragraph 2 under heading II 'Time limits', is replaced by the following:

- '2. For the subsequent weekly awards, the period for the receipt of tenders will expire at 10 a.m. on the Thursday of each week, except during the periods 10 to 16 August 1990, 26 October to 1 November 1990, 21 December 1990 to 3 January 1991, 22 to 28 March 1991 and 3 to 9 May 1991, during which periods the invitation to tender will be suspended.

For the second and subsequent weekly awards, the period for the receipt of tenders will begin on the first working day following the expiry of the preceding period.'

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**Amendment to the Notice of invitation to tender for the refund for the export of barley to the countries of zones I, II, III, IV, V, VI, VII, VIII and the Canary Islands**

(91/C 112/08)

*(Official Journal of the European Communities No C 131 of 30 May 1990)*

Page 26, the text of paragraph 2 under heading II 'Time limits', is replaced by the following:

- '2. For the subsequent weekly awards, the period for the receipt of tenders will expire at 10 a.m. on the Thursday of each week, except during the periods 10 to 16 August 1990, 26 October to 1 November 1990, 21 December 1990 to 3 January 1991, 22 to 28 March 1991 and 3 to 9 May 1991, during which periods the invitation to tender will be suspended.

For the second and subsequent weekly awards, the period for the receipt of tenders will begin on the first working day following the expiry of the preceding period.'

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**Amendment to the Notice of invitation to tender for the refund for the export of durum wheat to the countries of zones I, II, III, IV, V, VI, VII, VIII and the Canary Islands**

(91/C 112/09)

*(Official Journal of the European Communities No C 151 of 20 June 1990)*

Page 10, the text of paragraph 2 under heading II 'Time limits', is replaced by the following:

- '2. For the subsequent weekly awards, the period for the receipt of tenders will expire at 10 a.m. on the Thursday of each week, except during the periods 10 to 16 August 1990, 26 October to 1 November 1990, 21 December 1990 to 3 January 1991, 22 to 28 March 1991 and 3 to 9 May 1991, during which periods the invitation to tender will be suspended.

For the second and subsequent weekly awards, the period for the receipt of tenders will begin on the first working day following the expiry of the preceding period.'

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**Notice issuing partial invitation to tender No 7/91 for the sale of vinous alcohol pursuant to Regulation (EEC) No 2940/90**

(91/C 112/10)

By Regulation (EEC) No 2940/90 of 11 October 1990 <sup>(1)</sup>, the Commission issued a standing invitation to tender for vinous alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 <sup>(2)</sup> and held by the Spanish, French and Italian intervention agencies.

Tenderers must comply with the provisions of Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules on the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies <sup>(3)</sup> and of Commission Regulation (EEC) No 1780/89 <sup>(4)</sup>, as last amended by Regulation (EEC) No 270/91 <sup>(5)</sup>, laying down detailed rules of application and in particular those set out below.

In accordance with Article 3 of Regulation (EEC) No 2940/90 a partial invitation to tender No 7/91 is hereby issued for 100 000 hectolitres of alcohol at 100 % vol.

The reference numbers of the vats, the places of storage and the quantity of alcohol at 100 % vol in each vat are specified in section X below.

### I. Tenders

1. Tenders should be submitted for a quantity of alcohol in storage in a single Member State in the vats listed in section X. A breakdown must be given by vat reference number. For each tender that quantity must not be less than 100 hectolitres and not more than 5 000 hectolitres of alcohol at 100 % vol where the final industrial use may be ranked as use as motor fuel. A tender may state that it is to be considered as having been submitted only if a contract is awarded for the entire quantity specified in a tender or a part thereof specified by the tenderer.

2. Tenders must be submitted to the intervention agencies holding the alcohol in question, namely:

SENPA, Beneficiencia 8, E-28004 Madrid (tel. 522 29 61, telex 23427 SENPA, telefax 5219832),

or

SAV, acting on behalf of Onivins, Zone Industrielle, Avenue de la Ballastière, BP 231, F-33505 Libourne Cedex (tel. 57 51 03 03, telex 572025, telefax 57250725),

or

AIMA, Via Palestro 81, I-00185 Roma (tel. 47 49 91, telex 620331, 620252 or 613003, telefax 4453940 or 4953940),

or sent to one of the above addresses by registered mail.

3. Tenders must be enclosed in a sealed envelope marked 'Tender in response to partial invitation to tender No 7/91 (EC alcohol)', which itself must be enclosed in an envelope addressed to the intervention agency concerned.
4. *Tenders must reach the intervention agency concerned by 12 noon (Brussels time) on 11 May 1991 at the latest.*
5. Each tender must state the name and address of the tenderer and must specify:
  - (a) the reference number of the vat or vats to which it relates;
  - (b) the quantity concerned, with a breakdown by vat reference number;
  - (c) the price tendered for the lot, expressed in ecus per hectolitre of alcohol at 100 % vol;
  - (d) the precise use planned for the alcohol.
6. Each tender must be accompanied by proof that a tendering security of ECU 3 per hectolitre of alcohol at 100 % vol or the equivalent thereof in Spanish pesetas, French francs or Italian lire has been lodged with:

SENPA, Beneficiencia 8, E-28004 Madrid (tel. 522 29 61, telex 23427 SENPA, telefax 5219832),

or

SAV, acting on behalf of Onivins, Zone Industrielle, Avenue de la Ballastière, BP 231, F-33505 Libourne Cedex (tel. 57 51 03 03, telex 572025, telefax 57250725),

or

AIMA, Via Palestro 81, I-00185 Roma (tel. 47 49 91, telex 620331, 620252 or 613003, telefax 4453940 or 4953940).

<sup>(1)</sup> OJ No L 281, 12. 10. 1990, p. 14.

<sup>(2)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(3)</sup> OJ No L 346, 15. 12. 1988, p. 7.

<sup>(4)</sup> OJ No L 178, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 28, 2. 2. 1991, p. 23.

7. Each tender must be accompanied by a statement from the tenderer whereby he undertakes to refrain from lodging any complaint relating to the quantity and characteristics of the alcohol.
8. Each tender must be accompanied by a declaration from the tenderer whereby he undertakes to comply with all the provisions of Regulation (EEC) No 1780/89.
9. The conversion rates to be used for the conversion of ecus into national currencies are to be those applicable on the day before the publication of the notice of partial invitation to tender No 7/91 and set out in the 'L' series of the *Official Journal of the European Communities* in Annex to Commission Regulation (EEC) No 1041/91 <sup>(1)</sup>.

## II. Samples and examination of the alcohol

1. Any interested party may obtain, on application to SAV, SENPA or AIMA and on payment of ECU 2 per litre or the equivalent thereof in Spanish pesetas, French francs or Italian lire, samples of the alcohol offered for sale to be taken by a representative of SAV, AIMA or SENPA. The charge is to be converted into national currency at the rate in point 9 of the preceding section.

However, the quantity delivered per interested party and per vat may not exceed five litres.

2. SAV, AIMA or SENPA are to supply any relevant information concerning the characteristics of the alcohol offered for sale.

## III. Destination and use of the alcohol

The alcohol offered for sale must be used within the Community for the implementation of small-scale projects designed in particular to find new industrial uses as referred to in Article 2 of Regulation (EEC) No 1780/89.

The procedures for checking the destination and use of the alcohol are those laid down pursuant to Article 36 of Regulation (EEC) No 1780/89.

## IV. Award of contract

Contracts for the final use scheduled for the alcohol will be awarded to the tenderers offering the best terms.

Where two or more tenders are at identical prices and, when combined, cover more than the quantity of alcohol to which the partial invitation to tender relates, contracts will be awarded:

- (a) in proportion to the quantities specified in the tenders concerned;

- (b) by sharing out the said quantity among the tenderers, by agreement with the latter; or

- (c) by drawing lots.

The intervention agency concerned will immediately inform each tenderer, in writing and with advice of receipt, of the result of his tender.

Should a number of acceptable offers be wholly or in part for the same vats, unsatisfied tenderers may then be offered alcohol of the same type from the same stores according to the provisions of Article 7 (4a) of Regulation (EEC) No 1780/89.

## V. Statement of award

Successful tenderers shall obtain a statement of award from the intervention agency concerned within two weeks following receipt of the notification of acceptance, or if the procedure laid down in Article 7 (4a) of Regulation (EEC) No 1780/89 is adopted, within two weeks of the day on which the declaration of allocation is made out, and at the same time will provide evidence to show that a performance guarantee of ECU 30 per hectolitre of alcohol at 100 % vol or the equivalent thereof in Spanish pesetas, French francs or Italian lire has been lodged with the intervention agency concerned; the rates to be used for converting ecus into national currencies are those specified in point 9 of section I.

## VI. Taking-over — removal

The physical removal of all alcohol must be completed three months after the date of receipt of the notification of acceptance.

The removal of the alcohol is subject to presentation of a removal order issued by the intervention agency once payment has been made for the quantity to be removed.

## VII. Payment

Successful tenderers will pay the price of the alcohol to the intervention agency concerned not later than the day preceding that on which they take over the alcohol.

## VIII. Securities

The lodging and release of securities are subject to the relevant Community rules and in particular those laid down in Article 33 of Regulation (EEC) No 1780/89.

## IX. Final date for the use of the alcohol

All the alcohol must have been used within two years of the date of the first removal.

<sup>(1)</sup> OJ No L 106, 26. 4. 1991, p. 32.

## X. PARTIAL INVITATION TO TENDER No 7/91

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol	Alcoholic strength (% vol)
1. FRANCE	PROMA Av. Georges-Brassens 43 13230 Port-Saint-Louis du Rhône	C 2	11 673	35	Raw	+ 92
	Sté Verniers (Narbonne)	104 546	9 341 2 406	39 35	Neutral Neutral	+ 96 + 96
	Gièvres (Selles s/Cher)	10	7 385	35	Neutral	+ 96
	Société Deulep 30800 Saint-Gilles-du-Gard	96 507	4 581 4 566	35 35	Neutral Neutral	+ 96 + 96
	Total		39 952			
2. SPAIN	Tarancón (Cuenca)	A 9	25 323	35, 36	Neutral	+ 96
	Total		25 323			
3. ITALY	F.lli Cipriani SpA Chizzola di Ala (TN)	156 157	1 280 1 283	35 35	Neutral Neutral	+ 96 + 96
	Dist. Bertolino SpA Partinico (PA) C/da Percianotta Agro di Monreale (PA)	1/A B2-B12 F12-B3-B4	5 116 5 000	35 35	Neutral Off flavour	+ 96 —
	Neri sas Via S. Silvestro n. 6 Faenza (RA)	3	3 601	39	Neutral	+ 96
	Dist. del Solento SpA Gallipoli (LE) via Indipendenza Mater domini di Nocera Superiore (SA)	6 → 20	3 897	35	Neutral	+ 96
	Cavaro Soc. coop. Via Convertite n. 14/13 Faenza (RA)	87	1 822	39	Neutral	+ 96
	Dist. Mazzari SpA Via Giardino 10 S. Agata sul Santerno (RA)	V-1310 V-1162	1 789 1 513	39 39	Neutral Neutral	+ 96 + 96
	Dist. G. Di Lorenzo srl Ponte Valleceppi (PG) Loc. Pontenuovo di Torgiano (PG)	6 17 19 23	8 357 320 325 422	39 39 39 39	Neutral Off flavour Off flavour Off flavour	+ 96 — — —
	Total		34 725			
	Grand total		100 000			



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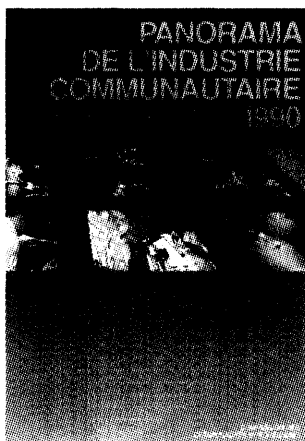
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