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I

(Information)

COMMISSION

ECU ⁽¹⁾ — EUROPEAN UNIT OF ACCOUNT ⁽²⁾

21 November 1980

Currency amount for one unit:

Belgian and Luxembourg franc	41.0669	Swiss franc	2.30171
German mark	2.55459	Spanish peseta	102.627
Dutch guilder	2.76896	Swedish krona	5.72970
Pound sterling	0.561711	Norwegian krone	6.68399
Danish krone	7.84946	Canadian dollar	1.57441
French franc	5.92760	Portuguese escudo	69.3302
Italian lira	1213.94	Austrian schilling	18.1195
Irish pound	0.686213	Finnish markka	5.03640
United States dollar	1.32817	Japanese yen	283.895
		Greek drachma	60.0331

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 EUA;
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1).

⁽²⁾ Council Decision 75/250/EEC of 21 April 1975 (Convention of Lomé) (OJ No L 104, 24. 4. 1975, p. 35).

Commission Decision No 3289/75/ECSC of 18 December 1975 (OJ No L 327, 19. 12. 1975, p. 4).

Decisions of the Council of Governors of the European Investment Bank of 18 March 1975 and of 30 December 1977.

Financial Regulation of 21 December 1977 concerning the general budget of the European Communities (OJ No L 356, 31. 12. 1977, p. 1).

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation concerning the use of substances with a hormonal action and those having a thyrostatic action in domestic animals

(Submitted by the Commission to the Council on 3 November 1980)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

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

Whereas due to the residues that they leave in meat, substances with a hormonal action or thyrostatic action may be dangerous to human health; whereas these substances may also affect the quality of the meat;

Whereas for these reasons, their use for fattening purposes must be banned, in the interest of the consumer;

Whereas, moreover, if the use of natural substances may be authorized for therapeutic purposes, this must be at the same time strictly controlled, both by the establishment of a list of authorized products and by the establishment of the conditions under which they may be used; whereas the particular danger of artificial substances does not permit their inclusion under this authorization;

Whereas the present Regulation calls for means of application in particular concerning the fixing of

tolerances, frequency of sampling and methods used to detect the presence of residues;

Whereas means permitting the assurance of an effective control of Community provisions and of the application of the necessary sanctions must be established;

Whereas it is suitable, in order to avoid distortion of competition, to provide that the costs resulting from this control must be borne by the product itself in conformity with the current practice generally followed in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply to the use of substances with a hormonal action and those having a thyrostatic action in domestic animals and to the presence of residues of these substances in domestic animals, fresh meat and fresh poultry meat.

Article 2

For the purposes of this Regulation the following definitions shall apply:

- (a) *domestic animals*: animals of the following species: bovine, swine, sheep, goats, domestic solipeds and poultry;
- (b) *fresh meat*: fresh meat as defined in Article 1 of Directive 64/433/EEC and in Article 2 of Directive 72/462/EEC;

- (c) *fresh poultrymeat*: fresh poultrymeat as defined in Article 1 of Directive 71/118/EEC;
- (d) *residue*: detectable quantities of a substance with a hormonal or thyrostatic action and their metabolites;
- (e) *examination for residues*: the examination for detection of residues;
- (f) *tolerance*: the maximum permitted quantity of residue in domestic animals or fresh meat;
- (g) *holding*: an officially supervised agricultural, industrial or commercial undertaking in which domestic animals are regularly kept.

Article 3

Notwithstanding Article 4,

- (a) the use on domestic animals of substances with oestrogenic, androgenic and gestagenic effect and of substances having a thyrostatic effect is prohibited;
- (b) the putting into trade in the territory of the Community of domestic animals and of fresh meat containing residues in excess of the tolerance is prohibited.

Article 4

1. The use of natural hormonal substances with actions or effects referred to in Article 3 (a) is authorized to treat domestic animals therapeutically including synchronization of oestrus provided that:

- the competent authority has approved the product for therapeutic use and its conditions of manufacture in accordance with Council Directives on the approximation of the laws of Member States on medicinal veterinary products, and has specified the conditions of use including a withdrawal period during which the domestic animal cannot be delivered for slaughter,
- the product is administered by a veterinarian, who shall keep a record of the use of the product, including quantity date and identification of the treated domestic animal,
- manufacturers and all handlers of these substances shall keep a record of production and sales.

2. Additional provisions concerning the application of paragraph 1, in particular the establishment of a Community list of natural hormonal substances, shall be adopted by the Council acting by a qualified

majority on a Proposal from the Commission. This list may be amended in accordance with the procedure of Article 9.

Article 5

1. Fresh meat put into trade in the Community must be subject to examination for residues of the substances referred to in Article 3.

2. However, the examination of the fresh meat may be replaced or supplemented by an examination of the domestic animal either at the place of slaughter or at the holding or origin or transit.

3. The Council, acting by a qualified majority on Proposal from the Commission, shall decide the general rules for the application of paragraphs 1 and 2 in particular:

- the frequency of sampling;
- the tolerances for residues.

4. The methods and procedures required for detecting the presence of residues of the substances shall be decided in accordance with the procedure laid down in Article 9.

Article 6

Domestic animals covered by this Regulation must be registered or identified to permit investigation where necessary at the holding of origin or transit.

Article 7

All costs for the controls and examinations provided for in Article 5 shall be borne by a tax on the product at the slaughterhouse without reimbursement from public funds.

Article 8

Member States shall ensure that, in case of contravention of the present Regulation:

- domestic animals and fresh meat concerned are confiscated and destroyed;
- sanctions are applied to all persons contravening the present Regulation.

Article 9

This Regulation shall not apply to the use of substances for the purposes of research.

Article 10

1. Where the procedure laid down in this Article is to be used, the matter shall be referred without delay to the Standing Veterinary Committee (hereinafter referred to as 'the Committee'), set up by the Council Decision of 15 October 1968, by the chairman, either on his own initiative or at the request of a Member State.

2. Within the Committee, the votes of the Member States shall be weighted as provided in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The Commission representative shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on the measures within a period to be determined by the chairman in keeping with the urgency of the question submitted for exami-

nation. Opinions shall be delivered by a majority of 41 votes.

4. The Commission shall adopt the measures and shall implement them immediately, where they are in accordance with the opinion of the Committee. Where they are not in accordance with the opinion of the Committee or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal on the measures to be adopted. The Council shall adopt the measures by a qualified majority.

If the Council has not adopted any measures within months from the date on which the proposal was submitted to it, the Commission shall adopt the proposed measures and apply them immediately.

Article 11

This Regulation shall enter into force on 1 January 1981.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Proposal for a Council Regulation on the definition of the customs territory of the Community

(Submitted by the Commission to the Council on 7 November 1980)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty, establishing the European Economic Community and in particular Article 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the opinion of the European Parliament;

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

Whereas the customs territory of the Community is defined by Council Regulation (EEC) No 1496/68 (1), last amended by the Act of Accession of Greece (2); whereas Article 4 of the above Regulation provides that it shall not affect the customs system applicable

to the continental shelf or that applicable to the waters and foreshores situated between the coast or shore and the limit of territorial waters, or the provisions applicable in accordance with Community rules to be adopted with regard to free zones;

Whereas Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods (3) defined the customs system applicable to products taken from the continental shelf; whereas there is no justification for integration the continental shelf adjacent to the Member States into the customs territory of the Community;

Whereas Council Directive 69/75/EEC of 4 March 1969 on provisions relating to free zones (4) established the Community rules applicable in those zones;

(1) OJ No L 238, 28. 9. 1968, p. 1

(2) OJ No L 291, 19. 11. 1979, p. 17

(3) OJ No L 148, 28. 6. 1968, p. 1

(4) OJ No L 58, 8. 3. 1969, p. 1

Whereas, in accordance with the Community's consistent interpretation, particularly when laying down the terms of agreements governing trade arrangements with its associated countries, the territorial waters of the Member States must be considered an integral part of their territory and, consequently, of the customs territory of the Community;

Whereas Article 4 of Regulation (EEC) No 1496/68 has consequently lost all meaning and whereas maintaining it can only have the effect of creating confusion;

Whereas it should be specified that the air space above the sea and land of the customs territory of the Community is also an integral part of it;

Whereas the definition of the common customs territory is designed to establish the geographical space in which all Community customs rules must be applied uniformly, except in the case of specific provisions to the contrary; whereas this should be stated expressly;

Whereas, for the sake of clarity, it is desirable to collect all the provisions henceforth applicable with regard to the definition of the customs territory of the Community in a new regulation, and therefore to repeal Regulation (EEC) No 1496/68;

HAS ADOPTED THIS REGULATION:

Article 1

The customs territory of the Community shall comprise the territories listed below, including, where appropriate, their inland and archipelagic waters, together with the adjacent territorial sea and the air space above all of these:

- the territory of the Kingdom of Belgium;
- the territory of the Kingdom of Denmark, except the Faroe Islands;
- the German territories to which the Treaty establishing the European Economic Community applies, except the Island of Heligoland and the territory of Büsingen (Treaty of 23 November 1964 between the Federal Republic of Germany and the Swiss Confederation);
- the territory of the Hellenic Republic;
- the territory of the French Republic, except the overseas territories;
- the territory of Ireland;

- the territory of the Italian Republic, excepting the communes Livigno and Campione d'Italia and the national waters of Lake Lugano which are between the bank and the political frontier of the area between Ponte Tresa and Porto Ceresio;
- the territory of the Grand Duchy of Luxembourg;
- the territory of the Kingdom of the Netherlands in Europe;
- the territory of the United Kingdom of Great Britain and Northern Ireland together with the Channel Islands and the Isle of Man.

Article 2

The territories situated outside the territory of Member States and covered by the Annex to this Regulation shall, in accordance with the convention and treaties applicable to them, be considered part of the customs territory of the Community.

Article 3

Except where there are specific provisions to the contrary, particularly those arising from the application of international conventions, the customs rules of the Community shall apply uniformly throughout the whole of the customs territory of the Community.

Article 4

The provisions of this Regulation shall apply without prejudice to the arrangements set out in the Protocol to the Treaty on German internal trade and connected problems, particularly to German rules regarding the German customs territory.

Article 5

1. Regulation (EEC) No 1496/68 is hereby repealed.
2. In all Community acts referring to Council Regulation (EEC) No 1496/68, such reference shall be considered as applying to this Regulation.

Article 6

This Regulation shall enter into force on 1 July 1981.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

ANNEX

1. GERMANY

The Austrian territories of Jungholz and Mittelberg as defined in the following treaties:

- with regard to Jungholz — Treaty of 3 May 1868 (Bayerisches Regierungsblatt 1868, p. 1245);
- with regard to Mittelberg — Treaty of 2 December 1890 (Reichsgesetzblatt 1891, p. 59),

2. FRANCE

The territory of the Principality of Monaco as defined in the Customs Convention signed in Paris on 18 May 1963 (Official Journal of 27 September 1963, p. 8679)

3. ITALY

The territory of the Republic of San Marino as defined in the Convention of 31 March 1939 (Law of 6 June 1939, No 1220).

Proposal for an amendment to Council Regulation (EEC) No 726/79 as regards the granting of financial support for projects to exploit alternative energy sources ⁽¹⁾

(Submitted by the Commission to the Council pursuant to the second paragraph of Article 149 of the EEC Treaty on 30 October 1980)

Preamble unchanged

Sole Article

1. The maximum amount of aid to be granted pursuant to Regulation (EEC) No 1302/78 is hereby fixed, for guidance purposes, at 145 million European units of account for the whole of the five-year programme.

2. The following maxima are established, for guidance purposes, for the following sectors:

(million EUA)

— liquefaction and gasification of solid fuels 100

- exploitation of geothermal fields 22.5
- exploitation of solar energy 22.5

The figures given in Paragraphs 1 and 2 are of an indicative nature only.

The Commission may, within the limit of 145 million European units of account, modify this apportionment by up to 10 % of any of the sectoral amounts.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

⁽¹⁾ OJ No C 280, 30. 10. 1980, p. 6.

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