

# Official Journal

## of the European Communities

### Information and Notices

English edition

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## I

*(Information)*

## COMMISSION

ECU (1)

8 November 1982

Currency amount for one unit:

Belgian and Luxembourg franc con.	45·5673	United States dollar	0·908348
Belgian and Luxembourg franc fin.	47·2114	Swiss franc	2·02698
German mark	2·35217	Spanish peseta	108·121
Dutch guilder	2·56018	Swedish krona	6·83441
Pound sterling	0·548354	Norwegian krone	6·64956
Danish krone	8·24553	Canadian dollar	1·11018
French franc	6·63367	Portuguese escudo	83·5226
Italian lira	1348·67	Austrian schilling	16·4956
Irish pound	0·690496	Finnish markka	5·05405
Greek drachma	66·8453	Japanese yen	250·613
		Australian dollar	0·972535
		New Zealand dollar	1·28661

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'.

*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.

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

**List of opinions given on investment programmes**

*(Article 54 of the Treaty establishing the European Coal and Steel Community)*

*(Official Journal of the European Communities No C 164 of 1 July 1982)*

- 12/82 *SA Phenix Works, Flémalle*  
Yvoz-Ramet Works  
— installation of a coil coating line
- 13/82 *SA Ugine Aciers, Paris*  
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— construction of a 100-tonne AOD converter
- 14/82 *Berliner Stahlwerk KG, Berlin*  
Berlin Works  
— replacement investment in the electric steelworks
- 15/82 *Redaelli Sidas, Milano*  
Rogoredo Works  
— modernization of the wire rod mill for special steels  
— installation of a six-stand continuous casting plant for billets and ladle refining
- 16/82 *Benteler Stahl- und Röhrenwerke, GmbH & Co., Paderborn*  
Lingen Works  
— investment project in the electric steelworks
- 17/82 *Röhrenwerke Bous (Saar) GmbH, Bous*  
Bous Works  
— installation of a cooling plant for the electric furnace
- 18/82 *Laminoirs du Ruau, Charleroi*  
Monceau sur Sambre Works  
— reconstruction of a light-section mill
- 19/82 *ALZ NV, Genk*  
Genk Works  
— construction of a new MKW cold-rolling mill
- 20/82 *Usines Gustave Boël, La Louvière*  
La Louvière Works  
— installation of a coil box at the hot wide strip mill
- 21/82 *Cockerill-Sambre, Couillet*  
Carlam Works  
— installation of a second slab reheating furnace
-

# COURT OF JUSTICE

## JUDGMENT OF THE COURT

(Third Chamber)

of 6 October 1982

in Case 9/81: Calvin E. Williams v. Court of Auditors <sup>(1)</sup>

(Official — Career — Discrimination)

(Language of the Case: French)

(Provisional translation: the definitive translation will be published in the Reports of Cases Before the Court)

In Case 9/81: Calvin E. Williams (Counsel: V. Biel) against Court of Auditors (Agent: J. A.-Stoll assisted by A. Bonn) — application in the terms set out in the applicant's conclusions — the Court (Third Chamber), composed of A. Touffait, President, Lord Mackenzie Stuart and U. Everling, Judges; G. Reischl, Advocate-General; J. A. Pompe, Deputy Registrar, gave a judgment on 6 October 1982, the operative part of which is as follows:

1. *The Court of Auditors is ordered to correct the step assigned to the applicant with effect from 12 May 1980 and to observe the criteria laid down in its decision of February 1980.*
2. *The Court of Auditors is ordered to pay the difference in salary resulting from that correction, increased by interest at the rate of 6 % as from the date on which each payment fell due.*
3. *The decision of the President of the Court of Auditors of 25 July 1980 is annulled.*
4. *The Court of Auditors is ordered to pay the whole of the costs.*

<sup>(1)</sup> OJ No C 31, 12. 2. 1981.

## JUDGMENT OF THE COURT

of 6 October 1982

in Case 59/81: Commission of the European Communities v. Council of the European Communities <sup>(1)</sup>

(Annual adjustment of officials' remuneration)

(Language of the Case: French)

(Provisional translation; the definitive translation will be published in the Reports of Cases Before the Court)

In Case 59/81: the Commission of the European Communities, represented by its Legal Advisers, Jean-

<sup>(1)</sup> OJ No C 80, 8. 4. 1982.

Pierre Delahousse and Joseph Griesmar, assisted by Daniel Jacob, against the Council of the European Communities, represented by David Gordon-Smith, Director-General in the Legal Department of the General Secretariat of the Council — application for a declaration that the following measures are void:

1. Council Regulation (Euratom, ECSC, EEC) No 187/81 of 20 January 1981 (published in Official Journal No L 21, p. 18, and replaced by the version published in Official Journal No L 130, p. 26) adjusting the salaries and pensions of officials and other servants of the European Communities and the weightings applying thereto;

2. Articles 1 (a), 2 (a), 2 (b) and the first paragraph of Article 11 of Council Regulation (Euratom, ECSC, EEC) No 397/81 of 10 February 1981 (published in Official Journal No L 46, p. 1, and replaced by the version published in Official Journal No L 130, p. 28) fixing the tables of salaries and other components of remuneration, in so far as they are consequent upon Regulation (Euratom, ECSC, EEC) No 187/81

the Court, composed of J. Mertens de Wilmars, President, G. Bosco, A. Touffait and O. Due (Presidents of Chambers), P. Pescatore, Lord Mackenzie Stuart, A. O'Keefe, T. Koopmans, U. Everling, A. Chloros and F. Grévisse, Judges; P. VerLoren van Themaat, Advocate-General; P. Heim, Registrar, gave a judgment on 6 October 1982, the operative part of which is as follows:

1. *Council Regulation (Euratom, ECSC, EEC) No 187/81 of 20 January 1981 (Official Journal No L 21, p. 18, replaced by the version published in Official Journal No L 130 of 16 May 1981, p. 26), and Articles 1 (a), 2 (a), 2 (b) and the first paragraph of Article 11 of Council Regulation (Euratom, ECSC, EEC) No 397/81 of 10 February 1981 (Official Journal No L 46, p. 1, replaced by the version published in Official Journal No L 130 of 16 May 1981, p. 29) in so far as they are consequent upon Regulation (Euratom, ECSC, EEC) No 187/81, are void.*

2. *The provisions of the said Regulations concerning the adjustment of the remuneration of Community officials shall continue to have effect until the Council has adopted the measures incumbent upon it in order to comply with this judgment.*

3. *The parties are ordered to pay their own costs.*

**JUDGMENT OF THE COURT****(Third Chamber)****of 6 October 1982****in Case 206/81: José Alvarez v. European Parliament<sup>(1)</sup>****(Officials — Dismissal)***(Language of the Case: French)**(Provisional translation; the definitive translation will be published in the Reports of Cases Before the Court)*

In Case 206/81: José Alvarez (Counsel: Victor Biel) against European Parliament (Agent: Martin Schmidt assisted by Alex Bonn) — application for annulment of a report at the expiry of the probationary period and the consequent decision to dismiss the applicant — the Court (Third Chamber), composed of A. Touffait, President, Lord Mackenzie Stuart and U. Everling, Judges; G. Reischl, Advocate-General; J. A. Pompe, Deputy Registrar, gave a judgment on 6 October 1982 the operative part of which is as follows:

1. *The decision of 26 June 1981 of the appointing authority of the European Parliament to dismiss Mr Alvarez is annulled.*
2. *The European Parliament is ordered to pay the costs.*

<sup>(1)</sup> OJ No C 191, 31. 7. 1981.

**JUDGMENT OF THE COURT****(Third Chamber)****of 6 October 1982****in Case 307/81: Alusuisse Italia SpA, Milan, against Council of the European Communities and Commission of the European Communities<sup>(1)</sup>****(Anti-dumping duty on orthoxylene)**

In Case 307/81: Alusuisse Italia SpA (Counsel: Giuseppe Celona and Gian Carlo Gabardini) against the Council of the European Communities (Agent: Franco Giuffrida) and the Commission of the European Communities (Agents: Peter Gilsdorf and Antonio Marchini-Camia) — concerning, at the present stage in the proceedings, the admissibility of an application under the second paragraph of Article 173 of the EEC Treaty for a declaration that Commission Regulation (EEC) No 1411/81 of 25 May 1981 imposing a provisional anti-dumping duty on orthoxylene (*o*-Xylene) originating in Puerto Rico

<sup>(1)</sup> OJ No C 3, 7. 1. 1982.

and the United States of America (Official Journal No L 141, p. 29) and Council Regulation (EEC) No 2761/81 of 22 September 1981 imposing a definitive anti-dumping duty on *o*-Xylene (orthoxylylene) originating in Puerto Rico and the United States of America (Official Journal No L 270, p. 1) are void — the Court (Third Chamber), composed of A. Touffait, President, Lord Mackenzie Stuart and U. Everling, Judges; S. Rozès, Advocate-General; M. Dausès, Legal Secretary, acting as Registrar, gave a judgment on 6 October 1982, the operative part of which is as follows:

1. *The application is dismissed as inadmissible.*
2. *The applicant is ordered to pay the costs.*

**JUDGMENT OF THE COURT****(Third Chamber)****of 6 October 1982****in Case 37/82 (reference for a preliminary ruling made by the Tariefcommissie, Amsterdam): Nederlandsch Bevrachtungskantoor BV, Amsterdam, v. Inspecteur der Invoerrechten en Accijnzen, Amsterdam<sup>(1)</sup>****(Common Customs Tariff — Surgical covering cloths)***(Language of the Case: Dutch)**(Provisional translation; the definitive translation will be published in the Reports of Cases Before the Court)*

In Case 37/82: reference to the Court under Article 177 of the EEC Treaty by the Tariefcommissie [administrative court of last instance in revenue matters], Amsterdam, for a preliminary ruling in the proceedings pending before that court between Nederlandsch Bevrachtungskantoor BV and Inspecteur der Invoerrechten en Accijnzen [Inspector of Customs and Excise], Amsterdam, on the interpretation of heading No 30.04 of the Common Customs Tariff — the Court (Third Chamber), composed of A. Touffait, President, Lord Mackenzie Stuart and U. Everling, Judges; P. VerLoren van Themaat, Advocate-General; J. A. Pompe, Deputy Registrar, gave a judgment on 6 October 1982, the operative part of which is as follows:

*Covering cloths which consist of strips of cellulose separated by a layer of synthetic material and which are not impregnated or coated with pharmaceutical substances but are individually packed in envelopes in sterile conditions for retail for surgical purposes and are used only once in surgical operations for the purpose of covering the patient's body in such a way that the area of the operation is left clear must be regarded as articles similar to wadding, gauze or bandages within the meaning of heading No 30.04 of the Common Customs Tariff.*

<sup>(1)</sup> OJ No C 42, 17. 2. 1982.

## II

*(Preparatory Acts)*

## COMMISSION

**Amendment to the proposal for**

- I. a Council Directive on health problems affecting intra-Community trade in fresh meat**
- II. a Council Directive on health problems relating to residues of antibiotics in fresh meat of Community origin**
- III. a Council Directive amending Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries**

*(Submitted by the Commission to the Council pursuant to the second paragraph of Article 149 of the EEC Treaty on 22 October 1982)*

## I

**Amendment to the proposal for a Council Directive on health problems affecting intra-Community trade in fresh meat <sup>(1)</sup>**

In Article 3 (1), the following paragraph is added:

- '1. E. Fresh meat wrapped in a vacuum or in a controlled atmosphere must bear an indication of the date of packaging.'

In Article 3, paragraph 2 (c) is replaced by the following:

- '2. (c) to fresh meat introduced by authorization of the country of destination intended exclusively for the supply of military forces stationed in its territory but not under its flag in so far as this meat complies with Community animal health requirements.

The Member State shall ensure that this meat is not placed in free circulation.'

In Article 3, paragraph 2 (d) is replaced by the following:

- '2. (d) to fresh meat obtained in accordance with the rules of the Member State of production and which complies with Community animal health requirements:

- forming part of travellers' personal luggage and intended for their personal consumption in so far as the amount or quantity transported does not exceed 5 kg per person,

- sent as small packages to private persons provided that such meat is not imported by way of trade, in so far as the quantity sent does not exceed 5 kg,
- for consumption by the crew and passengers on means of transport operating commercially between Member States.'

In Article 4 (2) (a), the following subparagraph is added:

'However, supervision of the hygiene requirements of Annex I, Chapter IV, may be carried out by other officials of the competent authority, such officials must be designated by the competent central authority. The competent central authority of Member States may only designate for this purpose appropriate trained personnel with the qualifications indicated in Annex V.'

In Article 3, paragraph 4 (b) and (c) are replaced by the following:

- (b) fresh meat from animals to which have been administered stilbenes, stilbene derivatives, their salts and esters, or thyrostatic substances and meat containing residues of these substances;
- (c) fresh meat containing residues of other substances having a hormonal action, antibiotics, antimony, arsenic, pesticides or other substances which are harmful or likely to make the consumption of fresh meat dangerous or harmful to human health, if such residues exceed the permitted limit.

(<sup>1</sup>) OJ No C 255, 7. 10. 1981, p. 1.

A list of the permitted levels concerned shall be drawn up following the procedure laid down in Article 13.'

In Article 3, paragraph 5 is replaced by the following:

- '5. (a) Without prejudice to paragraph 4, and pending the entry into force of provisions adopted by the European Economic Community, this Directive shall not affect Member States provisions concerning the treatment of slaughter animals with tenderizers.
- (b) Following the procedure laid down in Article 13, additional provisions may be

adopted to ensure uniform application of the requirements of paragraph 4.'

Article 9 is deleted and Articles 10 to 16 renumbered 9 to 15 respectively.

The following Annex V is added:

*ANNEX V*

**For the United Kingdom**

Diploma or Certificate of Registration in Environmental Health of the relevant professional bodies or other qualification in Environmental Health recognized by such bodies or their predecessors.'

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**II**

**Amendment to the proposal for a Council Directive on health problems relating to residues of antibiotics in fresh meat of Community origin <sup>(1)</sup>**

In Article 4, paragraph 2 (3) is replaced by the following:

- '3. their slaughter for human consumption is prohibited until it can be proved or assumed by virtue of knowledge and existing practice that the residues present no longer exceed the tolerance, and in any case until the end of the withdrawal period fixed for each residue in Annex I to this Directive;'

Article 7 is deleted and Articles 8 to 12 renumbered 8 to 11 respectively.

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<sup>(1)</sup> OJ No C 251, 1. 10. 1981, p. 7.

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**III**

**Amendment to the proposal for a Council Directive amending Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries <sup>(1)</sup>**

In Article 1, the following paragraph 13 is added:

- '13. In Article 17, the following is added to paragraph 2:

- (h) fresh meat wrapped in a vacuum or in a controlled atmosphere must bear an indication of the date of packaging.'

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<sup>(1)</sup> OJ No C 250, 30. 7. 1981, p. 5.

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## III

*(Notices)*

## COMMISSION

**Amendment to the:**

- **notice of invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zone IV**
- **notice of invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zones I, IIa, III, V, VI, VII, the German Democratic Republic and the Iberian Peninsula**
- **notice of invitation to tender for the levy and/or the refund for the export of barley to the countries of Zones I, IIa, III, IV, V, VI, VIIa, VIIc, the German Democratic Republic and the Iberian Peninsula**

*(Official Journal of the European Communities No C 151 of 15 June 1982, pp. 12 and 13 and No C 152 of 16 June 1982, p. 6)*

The text of paragraph 2 under heading 'II. Time limits' is amended as follows:

- '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 24 to 30 December 1982, 25 to 31 March 1983 and 6 to 12 May 1983, during which periods the invitation to tender will be suspended.

By exception, the period for the receipt of tenders beginning on 5 November 1982 will expire on Wednesday, 10 November 1982.

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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**TWENTY-EIGHTH  
REVIEW OF THE COUNCIL'S WORK**

**1 January to 31 December 1980**

The annual review of the work of the Council of the European Communities examines the different subjects which fell within the Council's scope during the year concerned.

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Published in: Danish, Dutch, English, French, German, Greek, Italian

289 pages

Price (excluding VAT) in Luxembourg: ECU 7·26; Bfrs 300; £ Irl 5; £ 4; US \$ 7·60

Publication No BX-32-81-665-EN-C

ISBN 92-824-0078-6

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES  
L-2985 Luxembourg

