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## Information and Notices

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## I

*(Information)*

## COMMISSION

ECU <sup>(1)</sup>

5 October 1984

(84/C 267/01)

Currency amount for one unit:

Belgian and Luxembourg franc con.	45,3251	United States dollar	0,736754
Belgian and Luxembourg franc fin.	45,7561	Swiss franc	1,84999
German mark	2,23494	Spanish peseta	125,543
Dutch guilder	2,52080	Swedish krona	6,35266
Pound sterling	0,592484	Norwegian krone	6,46686
Danish krone	8,09177	Canadian dollar	0,969273
French franc	6,85918	Portuguese escudo	118,617
Italian lira	1386,57	Austrian schilling	15,7002
Irish pound	0,722308	Finnish markka	4,64671
Greek drachma	91,7921	Japanese yen	181,794
		Australian dollar	0,883928
		New Zealand dollar	1,50850

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.

<sup>(1)</sup> 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).

**Communications of decisions under sundry tendering procedures in agriculture**

*(See notice in OJ No L 360, 21. 12. 1982, p. 43)*

(84/C 267/02)

Standing invitation to tender	Weekly invitation to tender	
	Date of Commission Decision	Maximum refund
Commission Regulation (EEC) No 1446/84 of 25 May 1984 opening an invitation to tender for the levy and/or refund for the export of common wheat to countries of zone IV c) and d) (OJ No L 140, 26. 5. 1984, p. 9)	—	No tender received
Commission Regulation (EEC) No 1447/84 of 25 May 1984 opening an invitation to tender for the levy and/or refund for the export of common wheat to countries of zones I, II a), III, IV a) and b), V, VI, VII, the German Democratic Republic and the Iberian Peninsula (OJ No L 140, 26. 5. 1984, p. 12)	4. 10. 1984	Tenders rejected
Commission Regulation (EEC) No 1604/84 of 6 June 1984 opening an invitation to tender for the levy and/or refund for the export of barley to countries of zones I, II a), III, IV, V, VI, VII a), VII c), the German Democratic Republic and the Iberian Peninsula (OJ No L 152, 8. 6. 1984, p. 36)	4. 10. 1984	27,98 ECU/tonne

Invitation to tender	Tender No	Date of Commission Decision	Minimum selling price
Commission Regulation (EEC) No 1923/84 of 5 July 1984 opening an invitation to tender for the sale of olive oil held by the Italian intervention agency (OJ No L 179, 6. 7. 1984, p. 11)	3	3. 10. 1984	Extra virgin olive oil: 348 311 Lit/100 kg Fine virgin olive oil: 341 338 Lit/100 kg Ordinary virgin olive oil: 325 125 Lit/100 kg Residue olive oil 5°: 166 123 Lit/100 kg
Commission Regulation (EEC) No 1578/84 of 6 June 1984 opening an invitation to tender for the sale of olive oil held by the Greek intervention agency (OJ No L 151, 7. 6. 1984, p. 25)	4	3. 10. 1984	Extra virgin olive oil: 20 558 Dr/100 kg Fine virgin olive oil: 20 528 Dr/100 kg Ordinary virgin olive oil: 20 478 Dr/100 kg Lampante virgin olive oil: 19 588 Dr/100 kg

**STATE AIDS**

*(Articles 92 to 94 of the Treaty establishing the European Economic Community)*

**Notice pursuant to the first subparagraph of Article 93 (2) of the Treaty to interested parties, other than the Member States, of aid which the French Government is reported to have given to a Rouen newsprint producer**

(84/C 267/03)

The Commission has decided to open the Article 93 (2) procedure in respect of aid which the French Government is reported to have given to a Rouen producer of newsprint and LWC magazine paper. It considers that this unnotified aid, amounting to some FF 2 300 million in grants and interest-free loans, is likely to affect trading conditions to an extent contrary to the common interest.

It is pointed out that the Article 93 (2) procedure has suspensory effect on aid proposals, which makes it illegal to grant the proposed aid before a final decision by the Commission, and that any aid granted illegally before such a final decision, or without prior notification at all, may be subject to a recovery order.

In accordance with the Article 93 (2) procedure, interested parties other than the Member States are hereby invited to submit their comments, within one month of the date of publication of this notice, to:

Commission of the European Communities,  
Rue de la Loi, 200,  
B-1049 Brussels.

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**Commission communication pursuant to Article 115 of the EEC Treaty**

(84/C 267/04)

By Decision dated 3 October 1984 the Commission has authorized the Benelux countries not to apply Community treatment to men's and boys' underpants and briefs, women's, girls' and infants' (other than babies') knickers and briefs, falling within subheading ex 60.04 B IV, of the Common Customs Tariff (category 13), originating in South Korea and in free circulation in the other Member States.

The said Decision is applicable from 18 September to 31 December 1984.

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## II

*(Preparatory Acts)*

## COMMISSION

**Proposal for a Council Regulation amending Regulation (EEC) No 3796/81 on the common organization of the market in fishery products***COM(84) 483 final**(Submitted by the Commission to the Council on 19 September 1984)**(84/C 267/05)*

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, under Article 20 (1) of Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products <sup>(1)</sup>, customs duties on imports of dried and salted cod are suspended in their entirety;

Whereas, moreover, the Community has granted, in the framework of international commitments and fishery agreements, tariff concessions for salted cod in particular,

Whereas the prospects of development of Community production should in the short term substantially change the supply conditions of the Community market;

Whereas it now therefore seems no longer justified, in order to avoid disturbance of market equilibrium, to maintain the total, permanent and quantitatively

unlimited suspension of Common Customs Tariff duties on the products in question;

Whereas Regulation (EEC) No 3796/81 should therefore be amended,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 20 (1) of Regulation (EEC) No 3796/81 is hereby replaced by the following:

'1. The Common Customs Tariff duties applicable to the products listed in the table below shall be suspended in their entirety, as follows:

CCT heading No	Description
03.01 B I c) 1	Tuna for their industrial manufacture of products falling within heading No 16.04 <sup>2</sup>

*Article 2*

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 1985.

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

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

**Proposal for a Council Directive amending Directive 69/335/EEC concerning indirect taxes on the raising of capital**

*COM(84) 403 final*

*(Submitted by the Commission to the Council on 20 September 1984)*

(84/C 267/06)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 99 and 100 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 indirect taxes on the raising of capital were harmonized at Community level by Council Directive 69/335/EEC <sup>(1)</sup>, as last amended by Directive 74/553/EEC <sup>(2)</sup>; whereas Council Directive 73/80/EEC <sup>(3)</sup> fixed common rates for such taxes;

Whereas the economic effects of capital duty are detrimental to the regrouping and development of undertakings; whereas such effects are particularly harmful in the present economic situation in which there is a paramount need for priority to be given to stimulating investment;

Whereas the best solution for attaining these objectives would be to abolish capital duty; whereas, however, the losses of revenue which would result from such a measure are unacceptable for certain Member States; whereas the Member States must therefore be given the opportunity to exempt from, or subject to, capital duty all or part of the transactions coming within its scope, it being understood that a single rate of tax must be charged within one and the same Member State;

Whereas there should be mandatory exemption for the transactions currently subject to the reduced rate of capital duty and for those in respect of which the charging of capital duty is at present optional,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 69/335/EEC is hereby amended as follows:

1. The introductory phrase in Article 4 (2) is replaced by the following:

'2. The following transactions may, to the extent that they were taxed at the rate of 1 % as at 1 July 1984, continue to be subject to capital duty:'.

2. Article 7 is replaced by the following text:

*Article 7*

1. Member States shall exempt from capital duty the transactions referred to in this Directive which were as at 1 July 1984 exempted or taxed at a rate of 0,50 % or less.

2. Member States may exempt from capital duty, or charge at a single rate not exceeding 1 %, transactions other than those referred to in paragraph 1.'

3. The introductory phrase in Article 8 is replaced by the following:

'Member States shall exempt from capital duty the transactions referred to in Article 4 (1) and (2) concerning:'.

4. Articles 6 and 9 are deleted.

5. Article 7 becomes Article 6; Article 8 becomes Article 7; Articles 10 to 15 become Articles 8 to 13.

*Article 2*

Directive 73/80/EEC is hereby repealed.

*Article 3*

Member States shall take the measures necessary to comply with this Directive not later than 1 January 1986. They shall forthwith inform the Commission thereof.

*Article 4*

This Directive is addressed to the Member States.

<sup>(1)</sup> OJ No L 249, 3. 10. 1969, p. 25.

<sup>(2)</sup> OJ No L 303, 13. 11. 1974, p. 9.

<sup>(3)</sup> OJ No L 103, 18. 4. 1973, p. 15.

**Proposal for a Council Directive on the approximation of the laws of the Member States relating to quick-frozen foodstuffs for human consumption**

*COM(84) 489 final*

*(Submitted by the Commission to the Council on 24 September 1984)*

(84/C 267/07)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 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 manufacture of, and trade in, quick-frozen foodstuffs intended for human consumption ('quick-frozen foodstuffs') are assuming ever more importance in the Community;

Whereas the disparities between the laws of the Member States relating to quick-frozen foodstuffs hamper the free movement thereof; whereas they create unequal conditions of competition; whereas they therefore have a direct effect on the establishment and functioning of the common market;

Whereas it is therefore necessary to approximate these laws;

Whereas it is in any case appropriate to lay down the general principles which any quick-frozen foodstuffs must satisfy;

Whereas special provisions over and above the general principles may, where necessary, be adopted for certain categories of quick-frozen foodstuffs, in accordance with the procedure applicable to each of these categories;

Whereas quick-freezing is intended to preserve the intrinsic characteristics of foodstuffs by a quick-freezing process; whereas it is necessary to attain a temperature not exceeding  $-18^{\circ}\text{C}$  at the centre of the product;

Whereas at  $-18^{\circ}\text{C}$  all microbiological or enzymatic activity likely to impair the quality of a foodstuff is suspended; whereas it is therefore necessary to maintain a temperature not exceeding this value, subject to a certain technically inevitable tolerance,

during the storage and distribution of quick-frozen foodstuffs before their sale to the ultimate consumer;

Whereas upward fluctuations are necessary on technical grounds and may therefore be tolerated provided they are in accordance with good commercial practice and do not jeopardize the quality of the products;

Whereas, if there has been a break in the cold chain, the product in question should be examined in order to avoid unjustified losses whilst at the same time assuring the protection of consumers;

Whereas certain items of technical equipment at present used in retailing of quick-frozen foods do not perform sufficiently well in order to ensure that the temperature limits imposed by the present Directive are respected entirely in all cases; whereas it is therefore necessary to provide for a transitional arrangement allowing for existing material to be used for its normal lifetime;

Whereas this Directive need merely state the objectives to be attained as regards both the equipment used for the quick-freezing process and the temperatures to be adhered to in the installations and appliances for storage, handling and distribution;

Whereas it is incumbent on the Member States to ensure by means of official checks that the equipment used is suitable for the purpose intended;

Whereas such checking renders superfluous any system of official certification for trade purposes;

Whereas it is desirable to provide for the possibility of using cryogenic fluids in direct contact with quick-frozen foodstuffs; whereas these fluids must be sufficiently inert not to impart to the foodstuffs any constituents in quantities liable to constitute a hazard to human health, nor to give rise to an unacceptable change in the composition of foodstuffs, nor to impair their organoleptic characteristics;

Whereas, in order to attain this objective, it is necessary to adopt a list of these substances and to lay down criteria for their purity and conditions for their use;

Whereas quick-frozen foodstuffs intended for the ultimate consumer are subject, as far as their labelling is concerned, to the rules laid down by Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (1); whereas the present Directive need therefore merely lay down the particulars which are specific to the case of quick-frozen foodstuffs;

Whereas, to facilitate trade, rules for the labelling of quick-frozen foodstuffs not intended for supply in the frozen state to the ultimate consumer should also be adopted;

Whereas, in order to simplify and speed up the procedure, the Commission should be assigned the task of adopting implementing measures of a technical nature;

Whereas, in all cases in which the Council empowers the Commission to implement the rules laid down for foodstuffs, a procedure establishing close cooperation between the Member States and the Commission within the Standing Committee on Foodstuffs set up by Council Decision 69/414/EEC (2) should be laid down,

HAS ADOPTED THIS DIRECTIVE:

#### Article 1

1. This Directive shall apply to quick-frozen foods intended for human consumption, hereinafter referred to as 'quick-frozen foodstuffs'.

2. For the purposes of this Directive, 'quick-frozen foodstuffs' means foodstuffs put up for sale which have undergone a suitable freezing process known as 'quick-freezing' whereby the temperature zone of maximum crystallization is spanned as rapidly as necessary, depending on the type of product, with the result that the temperature at the centre of the product is  $-81^{\circ}\text{C}$  or lower.

For the purposes of this Directive, ice-cream and other edible ices shall not be regarded as quick-frozen foodstuffs.

3. This Directive shall apply without prejudice to Community provisions relating to:

- (a) the common organization of markets in the agricultural or fisheries sectors;
- (b) veterinary hygiene.

#### Article 2

The designation 'quick-frozen foodstuffs' and the adjective 'quick-frozen' shall be applied only to the products defined in Article 1 (2).

#### Article 3

1. Raw materials used in the manufacture of quick-frozen foodstuffs must be of sound merchantable quality.

2. The quick-freezing operation must be carried out with the aid of appropriate equipment.

It shall take place immediately after preparation of the product to be processed.

#### Article 4

1. A list of cryogenic fluids authorized, to the exclusion of all others, for use in direct contact with quick-frozen foodstuffs shall be adopted in accordance with Article 100 of the Treaty.

This list may also specify:

- (a) the purity criteria to be satisfied by these fluids;
- (b) the maximum permissible content of the residues of these fluids in quick-frozen foodstuffs.

2. Any amendments to be made to the provisions of paragraph 1 in the light of developments in scientific and technical knowledge shall be adopted in accordance with the procedure laid down in Article 12, where appropriate after consultation with the Scientific Committee for Food.

#### Article 5

1. During storage and transport and in retail display cabinets, the temperature of quick-frozen foodstuffs shall, subject to the provisions of paragraphs 2 and 3, be maintained at  $-18^{\circ}\text{C}$  or lower at the centre of the product.

2. Upward fluctuations in accordance with good storage and distribution practices shall be permitted, on condition that they do not exceed:

- (a)  $3^{\circ}\text{C}$  during storage and transport other than local distribution;
- (b)  $6^{\circ}\text{C}$  during local distribution and in retail display cabinets.

3. Should the tolerances allowed in paragraph 2 be either accidentally or unforeseeably exceeded, the product in question shall be examined to determine the use to which it may be put.

(1) OJ No L 33, 8. 2. 1979, p. 1.

(2) OJ No L 291, 19. 11. 1969, p. 9.



*Article 6*

1. Member States shall conduct random official checks on:
- (a) the equipment used for quick-freezing;
  - (b) the temperatures of the quick-frozen foodstuffs during storage and transport and in retail display cabinets.
2. Member States shall not require that, prior to or during the marketing of quick-frozen foodstuffs, compliance with the conditions set out in paragraph 1 be attested by means of an official certificate.

*Article 7*

Quick-frozen foodstuffs intended for retail sale shall be packed by the manufacturer or packer in sealed packages which protect the products from any harmful influence and which must be delivered intact to the consumer.

*Article 8*

1. The sales name of quick-frozen foodstuffs intended for retail sale shall be supplemented by the terms 'quick-frozen' or 'quick-frozen foodstuff'.
2. The labelling of these foodstuffs must also state the period during which they may be stored in the home of the ultimate consumer, together with the storage temperature or type of storage equipment required.

*Article 9*

1. Subject to the provisions which may be laid down by the Community on this question, the labelling of quick-frozen foodstuffs not intended for retail sale shall contain only the following mandatory particulars:
- (a) the sales name defined in Article 5 of Directive 79/112/EEC and supplemented in accordance with Article 8 (1) of this Directive;
  - (b) the net quantity, except for products put up in bulk;
  - (c) the date of manufacture or some means of identifying the batch;
  - (d) the name or business name and address of the manufacturer or packer, or of a vendor established on the territory of the Community.
2. The particulars provided for in paragraph 1 (a) and (d) shall appear on the package or on a label attached to the package.

The particulars provided for in paragraph 1 (b) and (c) shall appear either:

- on the package or on a label attached to the package, or
- on the shipping documents for the product in question.

3. The provisions of this Article shall not affect any more detailed or comprehensive Community metrological provisions.

*Article 10*

Member States shall not prohibit or restrict trade in any of the products defined in Article 1 for reasons related to their composition, manufacturing specifications, presentation or labelling.

*Article 11*

The sampling procedures and methods of analysis required for the monitoring of the conditions under which foodstuffs are quick-frozen and of the temperatures at which they are kept shall be laid down in accordance with the procedure provided for in Article 12.

*Article 12*

1. Where the procedure provided for in this Article is invoked, the matter shall be referred to the Standing Committee for Foodstuffs, hereinafter referred to as 'the Committee', by its chairman, acting either on his own initiative or at the request of the representative of a Member State.
2. The Commission representative shall submit to the Committee a draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a period to be determined by the chairman having regard to the urgency of the matter. It shall decide by a qualified majority, the votes of Member States being weighted as laid down in Article 148 (2) of the Treaty. The chairman shall not vote.
3. (a) The Commission shall adopt the measures proposed where these are in conformity with the opinion of the Committee.
- (b) Where the measures proposed are not in conformity with the opinion of the Committee or where no opinion is delivered, the Commission shall forthwith submit to the Council a proposal concerning the measures to be taken. The Council shall act by a qualified majority.

(c) If, upon the expiry of a period of three months from the date on which the matter is brought before the Council, the latter has failed to act, the proposed measures shall be adopted by the Commission.

*Article 13*

1. The Member States shall take the measures necessary to comply with this Directive. They shall forthwith inform the Commission thereof. Such measures shall be applied in such a way as to:

- permit not later than 1 May 1985 trade in products which comply with this Directive,
- prohibit on 1 May 1986 trade in products which do not comply with this Directive.

2. Notwithstanding paragraph 1, Member States may defer the entry into force of Article 5 (2) (b) until 1 January 1995.

*Article 14*

This Directive is addressed to the Member States.

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CEDEFOP

EUROPEAN CENTRE FOR THE DEVELOPMENT OF VOCATIONAL TRAINING

**TECHNOLOGICAL CHANGE, EMPLOYMENT, QUALIFICATIONS AND  
TRAINING**

The conference on 'Technological change, employment, qualifications and training' was jointly organized by Cedefop, the European Centre for the Development of Vocational Training, and the Commission of the European Communities, Directorate-General V (Employment, Social Affairs, Education). It took place in the Reichstag in Berlin from 24 to 26 November 1982. The author does not only report, here, in the conventional sense of a report but has also extracted, analyzed, ordered, synthesized and discussed within a general framework, all the written and oral contributions to the conference. These include plenary papers, papers for working groups, written reports on group activities, together with their presentation and all other oral contributions.

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

EUROPEAN REGIONAL DEVELOPMENT FUND  
EIGHTH ANNUAL REPORT (1982)

In 1982, as discussions continued on the proposed amendment of the ERDF Regulation presented in October 1981, a start was made with the specific regional development measures, known as 'non-quota measures', which had been adopted in October 1980 by the Council, and in November proposals for a second series of non-quota measures were unveiled.

The endowment for the Fund's quota section was increased in 1982 by only 14,25 % and available commitment appropriations amounted to 1 817 million ECU, 12,5 % up on 1981; virtually all these appropriations were committed (1 812 million ECU). Payments made in 1982 totalled 950 million ECU, or 92,2 % of available budget appropriations.

For the non-quota section, available commitment appropriations totalled 151 million ECU. Just under 33 million ECU were committed during the year, bringing to 73 million ECU the total committed since 1981 (close on 34 % of the amount set aside for the five-year period covered by the specific Community measures). Payments amounted to 22 million ECU.

112 pages.

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

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**THE AGRICULTURAL SITUATION IN THE COMMUNITY  
1983 REPORT**

This report is the ninth published version of the annual Report on the Agricultural Situation in the Community. It contains analyses and statistics on the general situation (economic environment and world market), the factors of production, the structures and situation of the markets in the various agricultural products, the obstacles to the common agricultural market, the position of consumers and producers, and the financial aspects. The general prospects and the market outlook for agricultural products are also dealt with.

427 pages.

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

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