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COMMISSION

ECU [1]

12 October 1984

(84/C 273/01)

Currency amount for one unit:

Belgian and Luxembourg franc con.	45,2509	United States dollar	0,720097
Belgian and Luxembourg franc fin.	45,6937	Swiss franc	1,83877
German mark	2,24130	Spanish peseta	124,973
Dutch guilder	2,52538	Swedish krona	6,28968
Pound sterling	0,588218	Norwegian krone	6,42326
Danish krone	8,10829	Canadian dollar	0,950239
French franc	6,87116	Portuguese escudo	117,376
Italian lira	1384,03	Austrian schilling	15,7341
Irish pound	0,721540	Finnish markka	4,61762
Greek drachma	91,2650	Japanese yen	178,584
		Australian dollar	0,865501
		New Zealand dollar	1,48290

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 amended by Regulation (EEC) No 2626/84 (OJ No L 247, 16. 9. 1984, 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).

FORWARD PROGRAMME FOR STEEL FOR THE FOURTH QUARTER OF 1984

(84/C 273/02)

1. The Community economy

The recovery in economic activity in the Community, which had been the dominant feature of 1983, showed some signs of hesitancy in the first half of 1984. Construction investment remained weak, with high interest rates and limits on public expenditure being important contributory factors. Consumer demand continued to be restrained in some countries by the effects of adjustment policies and in others by the loss of income resulting from labour disputes. These disputes also caused a significant decline in industrial production and consequential renewed growth of imports. However, the effect on total demand was to some extent attenuated by the continued growth of exports which benefited from a further improvement in competitivity and, more particularly, from the unexpectedly rapid rate of expansion in the US economy. In addition, investment in equipment recovered sharply, reflecting higher rates of capacity utilization and the improved financial position of enterprises.

Real gross domestic product in the Community in the first half of 1984 is expected to have grown, on average, at an annual rate of less than 2 %, only slightly faster than in the previous half-year. This modest rate of growth was not sufficient, given the combined effects of productivity gains and the continued expansion of the labour-force, to prevent a further increase in unemployment, and the unemployment rate is estimated to have averaged 11,1 % of the civilian labour force, compared to 10,7 % in the previous half-year. The general weakness of commodity prices, particularly oil, and the moderate rate of growth of unit labour costs, continued to exert a favourable effect on inflation. The rate of increase in consumer prices over the preceding 12 months was estimated to be less than 7,5 % in June 1984, taking the Community average compared to a rate of 8 % in January. Although the trade balance (fob/cif) of the Community deteriorated in the first quarter of the year, reflecting in part the loss of domestic output mentioned earlier, the trade deficit was still 400 million ECU less than for the same quarter of last year.

In the second half of 1984, there could well be a modest strengthening of growth with the principal stimuli arising, as in the first half of this year, from increased investment and the continued buoyancy of external demand. In addition, it is expected that some of the output lost earlier in the year in those countries hit by industrial disputes will be made good thus helping to reduce import growth. Whilst the acceleration in the rate of growth should be sufficient to halt the downward trend in employment, some further, albeit slower, rise in unemployment appears inevitable as a result of the persistent expansion of the labour force. However, the underlying trend of inflation should continue downwards and the trade account could well show renewed improvement.

2. Steel market review

The improved output of the steel industry in the first half of the year noted in the QIII report has been confirmed to date (early September). Out-turn figures for crude steel production in QI and QII total 61,2 million tonnes. July shows 9,8 million tonnes, August is estimated at 8,3 million and September may reach 9,5 million tonnes — a total of 27,6 million tonnes for the quarter, rather higher than the original estimate of 27 million tonnes (Table 3). The table also puts these higher rates of output into the perspective of previous performance over the last 18 months. If overall industrial performance and that of the principal steel-consuming sectors is examined over a similar period, then a more profound analysis of recent trends is possible. The relevant indicators have consistently shown improvement during the latter half of 1983, achieving a peak early in 1984. Increasing steel demand has followed closely behind this trend (Table 3 reveals this in terms of associated crude steel production). The lags between orders, production and consumption are each of the order of three to six months and from time to time stock movements (at users and merchants) distort the regularity of this cycle.

TABLE 1

Industrial production expectations in the main industrial groups in the Community (1) (2)
(not seasonally adjusted — Greece not included)

(1984)

	January	February	March	April	May	June	July
Total industry	+ 7	+ 10	+ 13	+ 8	+ 7	+ 1	− 1
Consumer goods	+ 2	+ 10	+ 10	+ 5	+ 3	− 4	− 3
Capital goods	− 1	− 2	+ 3	+ 4	+ 1	+ 3	+ 2
Metal processing	+ 13	+ 25	+ 24	+ 7	+ 10	+ 4	− 2
Manufacture of metal articles	− 5	+ 2	+ 2	0	+ 2	− 2	− 2
Mechanical engineering	0	+ 10	+ 9	+ 12	+ 11	+ 7	+ 3
Electrical engineering	+ 7	+ 7	+ 14	+ 16	+ 7	− 1	+ 8
Motor vehicles manufacture	+ 5	+ 9	+ 10	− 8	− 13	− 22	− 6

(1) Net balances, i.e. differences between the percentages of respondents giving positive and negative replies.

(2) This data is extracted from the business surveys carried out among managements in the Community: the surveys represent the invividual expectations of business managers numbering about 20 000 across the Community.

Source: Commission Services.

If demand in the last few months has been supported by the delayed effect of this peak in consumption, what are now the possibilities of the level of industrial activity being maintained or moving forward to a higher level in the coming months? Labour unrest in the Federal Republic of Germany and the United Kingdom have confused the picture during the summer but it is possible to adjust for their effects especially as the German dispute has been resolved. A review of order input and production expectations of the steel-using sectors shows that there is a drift away from the optimistic tone of the surveys of the spring months towards a more cautious estimate of future activity. In Table 1, production expectations by sector are shown since January, and the July figures show a decline on those of March/April.

Sector forecasts of activity levels in QIV prepared by national trade associations, and statistically weighted to give a Community average, are less clear (Table 2). Some confidence is expressed for most sectors with the principal exception of 'other means of transport' — (ships, aircraft and railway rolling stock). However, on closer examination of the supporting data, it becomes evident that this optimism must be viewed with caution. The second quarter's poor showing in Table 2 is largely the result of the industrial problems in the Federal Republic of Germany and the United Kingdom. Likewise it has been confirmed by national sources that the German engineering and automotive industries (a major component in the weighting of the indicators) will be busy until the end of the year making up the backlog of business deferred during the period of the dispute. On this occasion, therefore, the figures of this table for QIV should be treated with some reserve. Other indicators and data analyzed by the Commission tend to support the industrialists' views summarized in Table 1.

TABLE 2

Indicators of activity (EUR-9)

(not seasonally adjusted)

	QIV/1983	QII/1984	QIII/1984	QIV/1984
Manufacture of metal articles	100,0	95,9	86,7	101,7
Mechanical engineering	100,0	92,7	88,6	102,1
Electrical engineering	100,0	94,4	86,2	103,0
Motor vehicles	100,0	88,5	82,1	101,0
Other means of transport	100,0	97,1	86,4	96,7
Building and civil engineering	100,0	102,4	103,1	102,6

Source: Commission Services.

NB.: These indexed predictions of the level of activity of various steel-consuming sectors indicate trends both quarter on quarter and year on year. They are derived by weighting similar national data provided by the trade associations of the principal steel-consuming industries. Therefore the trends shown in this table do not necessarily reflect precisely the balance of expectations shown in Table 1.

The principal message of the range of indicators for steel conversion shows little expectation of growth in QIV/84 but no decline and therefore suggests a certain stability of demand in the quarter for the products associated with the industries concerned after an unusually active QIII: by contrast the forecast for construction is quite negative. Production expectations for construction and civil engineering are surveyed separately from the other user sectors shown in Table 1, but the net balance of respondents is strongly negative at minus 42 % and 46 % for QI and QII/84 respectively. As civil works normally have a lead time from six to 18 months, this does not augur well for the products linked to the industry, namely sections, reinforcement and certain flat products.

A further uncertain factor in determining QIV demand is the movement of stocks. The Commission has estimated a small stock build in the last few quarters. This may have been understated and, if this is the case and a stock draw commences in the late autumn, then despite stable consumption, production might be adversely affected.

TABLE 3

Crude steel supply and demand (EUR-10)

(million tonnes)

	Realized out-turn						Forecast
	QII/1983	QIII/1983	QIV/1983	QI/1984 (1)	QII/1984 (1)	QIII/1984 (1)	QIV/1984
Real consumption	25,47	22,09	24,80	27,20	27,01	23,50	26,50
Stock change	+ 0,20	+ 0,30	+ 1,00	+ 0,50	+ 0,50	+ 0,35	— 0,50
Imports	2,88	2,44	2,45	2,01	2,60	2,55	2,40
Exports	5,58	5,54	5,60	5,10	5,50	5,70	5,50
Production	28,37	25,49	28,90	30,78	30,41	27,00	29,00

(1) Estimated.

Source: Commission Services.

With this background, product forecasts for quota products have been made for QIV/84 which are illustrated in detail in the last column of Table 4 (the figures are nominal, based on application of abatement rates to basic references and will be increased effectively in due course by quota supplements which have been allowed for in the estimated calculations of total demand).

Some comment by product may be of interest to explain the scenario behind the bald statistics of Table 4. Flat products other than quarto plates — that is category I in its various forms — should continue to benefit from maintained levels of activity in tube manufacture, re-rolling and the growing use of precoated flat products (Ic and Id) for many light industrial and consumer goods. Production and deliveries could achieve levels at or near that of QII, although the performance of the automotive sector is somewhat uncertain and for this reason quotas for cold-reduced sheet have been set at a conservative level. Despite the improvement in industrial investment mentioned earlier, quarto plates (category II) will show only a marginal improvement over the last few quarters as the sales of this product continue to be bedevilled by the poor prospects for shipbuilding, tank farms, process plant and public works. Heavy sections (category III) are also dependent on several of these user sectors and again the better overall investment climate has failed to revive the order books for this product. The outlook for wire rod (category IV) is always difficult to determine unless demand trends in the two sub-sectors which comprise the main outlets for the product are moving in unison. Such is not the case at the moment: the outlook for reinforcement mesh is not good, while the wire drawing trade is still in comparatively good shape. The quotas and abatement rates fixed for wire rod are a compromise to take account of these divergent trends but with the emphasis placed on the poor prospects for reinforcement mesh. There is no such dilemma in the case of reinforcing bars (category V), used solely in construction and civil engineering where market prospects are poor. The Commission estimates for the product reflect this. Finally, the most diverse product of all; category VI — merchant bars — covering at one extreme commercial quality light angle sections and at the other engineering steel round bars made to demanding specifications. Prospects are not discouraging in many of the sub-sectors covered by the wide range of this product, especially in mechanical and electrical engineering, and light steel fabrication. Hence the estimate is based on fairly stable demand with a possibility of some expansion in this market.

The sum of these estimates is brought together in the steel balance (Table 3), where total production output is estimated in crude steel equivalent. The figure for QIV/84 of 29 million tonnes represents some 23 million tonnes of converted finished Treaty products, of which quota products form only a proportion, albeit a predominant one (see comment below). A stock draw of 0,5 million tonnes has been allowed for. Comments on the export market and import trends quantified in the table are given below.

The strength of the American recovery should continue to ensure that the Community's exports to the United States are maintained at a satisfactory level in the fourth quarter, albeit within the limits of the US/Community arrangement. Prospects for other export markets are also encouraging including Scandinavia, the economy of which has benefited from the same international factors which have stimulated the Community's economic activity. Exports to developing countries in Latin America and Africa are also expected to be substantial. Improved levels of commodity exports are enabling these countries once more to import steel to assist their development and industrialization plans. There is a certain negative seasonal effect arising from the onset of winter, and therefore exports will probably not achieve the level of the third quarter; so a slightly lower figure of 5,50 million tonnes has been estimated for QIV/84.

The development of imports will show a slight decline compared with the previous quarter and can be estimated in the order of 2,4 million tonnes. This is in conformity with traditional seasonal trends. Compared to last year, imports subject to basic prices have been relatively stable.

The upward trend in the prices for the majority of flat products, which has been evident from the beginning of the year, continues. This is particularly marked in the case of coated sheet and stainless sheet.

Unfortunately, the market for structural sections continues to be very low with the result that prices are at an unsatisfactory level over the Community as a whole, although a rather better price level obtains in the United Kingdom where demand is relatively stronger. Wire rod, which has shown a good price progression during the first half of the year, has shown a less favourable tendency of late, mainly because of the continuing recession in the building industry. This affects the demand for qualities used for reinforcement mesh, representing a substantial proportion of wire rod deliveries. It follows that the demand for straight reinforcing bar also remains depressed and here we have seen some small variations in price which have been dependent more on the fluctuating price of scrap than on the actual state of the market. Prices for merchant bar and wire rod for wire drawing applications are doing better because of increased activity in the engineering industries.

The minimum prices introduced for certain steel products at the beginning of the year, and adjusted in April, are now under review, the Commission having examined the development of costs and other economic factors with a view to a possible revision before the end of this year. The Commission has indicated that an upward movement of the order of 15 to 20 ECU is likely for flat products and consultations will take place with interested parties, including the Consultative Committee, during the month of September.

The prices of imported steel have not, in general, exerted any undue pressure on price levels in the Community over recent months and the trend towards higher export prices, with the dollar maintaining its position as a very strong currency, is continuing with a good effect on the prices obtained for business during the fourth quarter.

3. **Commission action in the market**

Abatement rates for QIV/84 have recently been published by the Commission in line with the steel market estimates described in Part 2 of this report. Sales forecasts for the fourth quarter of a calendar year are particularly at risk owing to the need to compile them during a holiday period after the summer break in industrial activity. With this uncertainty in mind and some evidence of product weakness, the abatement rates once again represent a conservative assessment of demand in the quarter.

In these circumstances, the normal seasonal factor of a substantially increased order load in the quarter has been largely discounted as a comparison with the abatement rates for QIII will demonstrate. If this view should prove to be too pessimistic, then the Commission will exercise the option contained in the current Decision to modify the abatement rates later, which is possible until the end of the first week of November. In fact, the Commission used the same power in late July in a similar situation and relaxed the rates for several quota products to meet improved demand in some market sectors.

Performance against the production quotas over the recent past is shown in Table 4. It may be worth recalling that the products subject to quota (itemized in the table) do not include all forms of finished steel subject to the provisions of the ECSC Treaty. Certain important products are still produced freely without quota restrictions, notably tin plate, electrical and stainless sheet and permanent way material. These non-quota products amount to some 10 % of Community production. Furthemore a number of non-Treaty products (e.g. forgings and seamless tube) utilize semi-finished steel which is also not subject to the quota system. It is necessary to bear these points in mind when examining the trends in crude steel, finished products as a whole, and the quota products.

TABLE 4

Production quotas against out-turn

('000 tonnes)

Product category	Production (finished steel products)				Production quotas					
	Q III/ 1983	Q IV/ 1983	Q I/ 1984	Q II/ 1984	Q III/ 1983	Q IV/ 1983	Q I/ 1984	Q II/ 1984 (¹)	Q III/ 1984 (¹)	Q IV/ 1984 (¹)
I(a). (hot-rolled coil)	4 699	5 273	5 146	5 448	4 690	5 197	5 078	4 213	3 927	4 141
I(b). (uncoated sheef)	3 316	3 721	3 688	3 785	3 637	3 739	3 653	3 687	3 464	3 520
I(c). (galvanized sheet)	810	951	931	974	885	920	846	905	894	926
I(d). (other coated sheet)	587	680	750	758	798	852	846	823	696	806
II. (reversing mill plate)	1 054	1 170	1 322	1 304	1 236	1 290	1 359	1 179	1 179	1 247
III. (heavy sections)	959	1 141	1 151	1 046	1 360	1 384	1 304	1 193	1 028	1 008
IV. (wire rod)	2 350	2 718	2 744	2 972	2 423	2 643	2 689	2 839	2 563	2 563
V. (reinforced bars)	1 706	1 818	1 841	1 843	1 976	2 003	1 942	1 836	1 709	1 741
VI. (merchant bars)	1 766	2 141	2 359	2 249	2 315	2 348	2 372	2 265	2 119	2 265

(¹) Quotas without supplements, see text.

In examining the performance trends indicated in the table, readers should take account of the double line separating quota details between QI/84 and QII/84. This point was fully explained in the report for QIII/84 but it may be useful to restate the fact that the recent quota figures (after QI/84) do not include quota supplements and authorized carry-over tonnage and thus understate the total quota tonnage available to producers.

Apart from the action postponed under 'prices' above, and the fixing of the abatement rates, the Commission has taken one other initiative since the last report which has a direct influence on the market. Decision No 1836/81/ECSC, extending the ECSC price system to steel merchants and stockholders, has been extended to coincide with the remaining life of the current quota system (i.e. until the end of 1985). Member States have the responsibility of monitoring the behaviour of the merchant firms in their territories. In this way the Commission is seeking to make the price rules of the Treaty effective over the widest possible field and thus strengthen the effect of the other surveillance measures introduced to monitor the flows of steel trade in the Community such as the issues of certificates of accompaniment and reporting by producers of movements of steel between Member States.

4. **Employment**

The first seven months of 1984 saw a further decline in employment in the Community steel industry. As compared with December 1983, the workforce was down by 19 400, including job losses of 9 400 in Germany and 4 400 in France.

For the Community as a whole, the monthly figures for workers leaving the industry have so far been slightly lower than in 1983. In the Federal Republic and France, however, the pace of job losses has increased and there is no sign of any reversal of this trend in the near future. According to Commission estimates, the workforce of the Community steel industry is likely to fall by around 150 000 over the period 1983 to 1986. Assuming that job losses for 1984 are likely to be broadly the same in absolute terms as the figures for 1983, a net decline in the workforce of around 70 000 can be expected over the years 1985 and 1986.

With a view to ensuring the continuation of the measures implemented to assist steelworkers affected by the restructuring in 1981 (during which time special resources totalling 212 million ECU were allocated under the 'social measures — steel' programme), the Commission took the step in 1983 of proposing new appropriations to finance a second multiannual programme of special measures to cover the period 1983 to 1986, costing an estimated 330 million ECU in all. The Council has agreed in principle during the session of 23 July 1984 to transfer from the EC to the ECSC budget some 62,5 million ECU to cover the financing of complementary social measures with effect from 1 January 1983.

Changes in workforce

Throughout the period 1980 to 1983, labour turnover remained high, though the numbers entering and leaving declined in absolute terms precisely because of the substantial reduction in the volume of employment in the industry over that period.

Workers entering and leaving employment in the steel industry (thousands):

	Total	Entering	%	Leaving	%
1980	192	59	30,7	133	69,3
1981	145	48	33,1	97	66,9
1982	118	41	34,7	77	65,3
1983	111	38	34,2	73	65,8

As can be seen from the above, the ratio of leavers to entrants remained stable over this period at around 2 : 1.

Retirements

Since 1980, there has been a steady and very substantial increase in the significance of retirements as a proportion of all workers leaving the industry. This trend is accounted for by the cutback in recruitment.

The following figures illustrate this point for the Community as a whole.

	Leavers	Retirements		Early retirements	
	Total	Number	% of leavers	Number	% of retirements
1980	133 117	18 451	13,9	No figures available	
1981	97 008	23 181	23,9	19 760	85,2
1982	76 443	19 533	25,6	16 897	86,5
1983	72 734	20 279	27,9	17 706	87,3

It should also be noted that early retirement currently accounts for the majority of retirements in all Member States, the percentages being as follows:

- United Kingdom: 97 %,
- France: 95 %,
- Belgium: 93 %,
- Federal Republic of Germany: 85 %,
- Luxembourg and Italy: 77 %,
- Netherlands: 66 %.

At the end of 1983, less than 1 % of steelworkers were over 60 years of age, 14,8 % were aged between 50 and 55 and 5,5 % between 55 and 59. Over the period 1984 to 1986, therefore, the vast majority of those affected by the manpower reductions which will unfortunately have to be implemented will be workers still below retirement age.

TABLE 5

Changes in workforce of Community steel industry (1973 to 1984 — excluding Greece)

(including apprentices)

('000 workers)

	Total EEC (excluding Greece)	Federal Republic of Germany	France	Italy	Netherlands	Belgium	Luxembourg	United Kingdom	Ireland	Denmark
YEARS (position at 31 December)										
1973	778,3	228,4	151,7	89,7	23,3	62,4	23,2	196,2	0,7 (¹)	2,7 (¹)
1974	795,7	232,0	157,8	95,7	25,1	63,7	23,5	194,4	0,8	2,7
1977	719,7	209,5	143,0	96,6	23,3	49,7	17,4	177,0	0,7	2,5
1978	685,5	202,8	131,6	95,6	21,3	48,5	16,8	165,4	0,8	2,7
1979	670,2	204,8	120,6	98,7	20,9	48,7	16,4	156,6	0,7	2,8
1980	597,8	197,4	104,9	99,6	21,0	45,2	14,9	112,1	0,5	2,2
1981	548,6	186,7	97,3	95,7	20,9	44,1	13,4	88,2	0,6	1,7
1982	513,6	175,9	95,2	91,5	20,2	41,7	12,4	74,5	0,6	1,6
1983	479,2	163,7	90,7	87,1	19,2	39,6	12,9	63,7	0,7	1,6
MONTHS (position at end of month)										
April 1983	499,0	171,0	92,5	92,0	20,0	40,5	12,3	68,6	0,6	1,4
May 1983	496,8	169,8	92,5	91,8	19,7	40,5	12,4	68,1	0,6	1,5
June 1983	493,4	167,8	92,9	91,3	19,9	40,5	12,0	67,0	0,6	1,5
July 1983	491,5	166,6	93,2	90,7	19,5	40,4	12,5	66,5	0,6	1,5
April 1984	464,4	158,4	85,2	85,6	18,7	39,3	12,6	62,3	0,7	1,6
May 1984 (*)	463,0	157,3	85,1	85,7	18,6	39,3	12,6	62,1	0,7	1,6
June 1984 (*)	462,1	156,1	85,7	85,4	18,6	39,4	12,6	62,0	0,7	1,6
July 1984 (*)	460,2	154,3	86,3	85,4	18,6	39,0	12,7	61,6	0,7	1,6
CHANGES 1979 to 1983										
1979 to 1980	— 72,4	— 7,4	— 15,7	+ 0,9	+ 0,1	— 3,5	— 1,5	— 44,5	— 0,2	— 0,6
1980 to 1981	— 49,2	— 10,7	— 7,6	— 3,9	— 0,1	— 1,1	— 1,5	— 23,9	+ 0,1	— 0,5
1981 to 1982	— 35,0	— 10,8	— 2,1	— 4,2	— 0,7	— 2,4	— 1,0	— 13,7	—	— 0,1
1982 to 1983	— 34,4	— 12,2	— 4,5	— 4,3	— 1,0	— 2,1	— 0,5	— 10,8	+ 0,1	—
CHANGES 1983 to 1984										
April	— 34,6	— 12,6	— 7,3	— 6,4	— 1,3	— 1,2	+ 0,3	— 6,3	+ 0,1	+ 0,2
May (*)	— 33,8	— 12,5	— 7,4	— 6,1	— 1,1	— 1,2	+ 0,2	— 6,0	+ 0,1	+ 0,1
June (*)	— 31,3	— 11,7	— 7,2	— 5,9	— 1,3	— 1,1	+ 0,6	— 5,0	+ 0,1	+ 0,1
July (*)	— 31,3	— 12,3	— 6,9	— 5,3	— 0,9	— 1,4	+ 0,2	— 4,9	+ 0,1	+ 0,1

(*) Provisional figures.

(¹) In part: estimated figures.

Communication of decisions under sundry tendering procedures in agriculture

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

(84/C 273/03)

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 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 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)	11. 10. 1984	Tenders rejected
Commission Regulation (EEC) No 1604/84 of 6 June 1984 opening an invitation to tender for the 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)	11. 10. 1984	27,99 ECU/tonne

COURT OF JUSTICE

Action brought on 4 September 1984 by Alphasteel Ltd against the Commission of the European Communities

(Case 224/84)

(84/C 273/04)

An action against the Commission of the European Communities was brought before the Court of Justice of the European Communities on 4 September 1984 by Alphasteel Ltd whose registered office is at 2 Raymond Buildings, Gray's Inn, London WC1 and whose headquarters are at 77 South Audley Street, London, with an address for service in Luxembourg at the Chambers of André Elvinger, of the Luxembourg Bar, 15 Côte d'Eich, who represents and assists it.

The applicant claims that the Court should:

Declare that the methods for fixing quotas under Article 6 and the limits imposed on the grant of additional quotas by Article 14 of Decision No 234/84/ECSC contravene the requirement of equity under Article 58 of the (ECSC) Treaty and the principle of non-discrimination, and that those provisions therefore cannot serve as a valid basis for the decision on the quotas to be fixed and the additional quotas to be granted by virtue of Article 14;

Consequently, declare void the Commission's decision of 30 July 1984 fixing the quotas applicable to the applicant for the third quarter of 1984, and declare that the quotas should be fixed on an equitable basis without regard to the reference periods and limits laid down by the aforesaid provisions of Articles 6 and 14 of Decision No 234/84/ECSC;

Order the Commission of the European Communities to pay the costs.

Contentions and main arguments adduced in support:

The applicant alleges, in support of its action, the infringement of the ECSC Treaty and failure to observe the rules of law relating to its application. The individual decision of 30 July 1984 is based on general Decisions No 234/84/ECSC (1), No 1551/84/ECSC (2) and No 2114/84/ECSC (3), which themselves are vitiated by illegality. More precisely, Articles 6 and 14 of Decision No 234/84/ECSC infringe Article 58 (2) of the ECSC Treaty, under which quotas must be determined on an equitable basis, taking account of the principles set out in Articles 2, 3 and 4 of the Treaty.

(1) Decision No 234/84/ECSC of 31 January 1984 (OJ No L 29, 1. 2. 1984).

(2) Decision No 1551/84/ECSC of 30 May 1984 (OJ No L 148, 5. 6. 1984).

(3) Decision No 2114/84/ECSC of 23 July 1984 (OJ No L 195, 25. 7. 1984).

Action brought on 19 September 1984 by the Commission of the European Communities against the Italian Republic

(Case 235/84)

(84/C 273/05)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 19 September 1984 by the Commission of the European Communities, represented by Armando Toledano Laredo, Avvocato, and by Dr Enrico Traversa, of the Commission's Legal Department, acting as Agents, with an address for service in Luxembourg at the office of Manfred Beschel, also of the Commission's Legal Department, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that the Italian Republic, by failing to adopt within the period prescribed the measures necessary for the implementation of Council Directive 77/187/EEC on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses, has failed to fulfil its obligations under the EEC Treaty;
2. Order the Italian Republic to pay the costs.

Contention and main arguments adduced in support:

The binding nature of Directives, which is provided for by the third paragraph of Article 189 of the EEC Treaty, implies that they must be implemented uniformly throughout the Community and that, with that end in view, the Member States must adopt all the necessary implementing provisions within the period prescribed. In this case, the prescribed period expired on 16 February 1979 and the Italian Republic has still not adopted the provisions needed to comply with the second subparagraph of Article 3 (3) and with Article 6 (1) and (2) of the Directive.

Reference for a preliminary ruling by the Finanzgericht Düsseldorf by order of that court of 3 September 1984 in the case of Malt GmbH v. Hauptzollamt Düsseldorf

(Case 236/84)

(84/C 273/06)

Reference has been made to the Court of Justice of the European Communities by an order of the Fourth Senate of the Finanzgericht (Finance Court), Düsseldorf, of 3 September 1984, which was received at the Court Registry on 19 September 1984, for a preliminary ruling in the case of Malt GmbH, 21 Westring, D-4010 Hilden v. Hauptzollamt (Principal Customs Office) Düsseldorf on the following question:

Is the establishment in Regulation (EEC) No 481/82 (1) of 1 March 1982 of a monetary compensatory amount for beef and veal falling within subheading 02.01 A II a) 4 bb) of the Common Customs Tariff unlawful in so far as monetary compensatory amounts are also levied on the import of fresh, chilled or frozen beef and veal under a Community tariff quota (Regulation (EEC) No 3715/81 (2))?

(1) OJ No L 57, 1. 3. 1982, p. 1.
(2) OJ No L 373, 29. 12. 1981, p. 1.