

# Official Journal

## of the European Communities

ISSN 0378-6986

C 281

Volume 31

4 November 1988

English edition

## Information and Notices

<u>Notice No</u>	Contents	Page
	<b>I Information</b>	
	<b>Commission</b>	
88/C 281/01	ECU — Rate of interest applied by the European Monetary Cooperation Fund for its operations in ECU (November 1988) .....	1
88/C 281/02	ECU .....	2
88/C 281/03	ECU .....	3
88/C 281/04	Average prices and representative prices for table wines at the various marketing centres .....	4
88/C 281/05	Conversion rate to be used for sales of alcohol by invitation to tender .....	5
88/C 281/06	Administrative Commission of the European Communities on social security for migrant workers — Rates for conversion of currencies pursuant to Council Regulation (EEC) No 2615/79 .....	6
88/C 281/07	Republication — Decision No 135 of 1 July 1987 concerning the granting of benefits in kind provided for in Article 17 (7) and Article 60 (6) of Regulation (EEC) No 574/72 and the concepts of urgency within the meaning of Article 20 of Regulation (EEC) No 1408/71 and of extreme urgency within the meaning of Articles 17 (7) and 60 (6) of Regulation (EEC) No 574/72 .....	7
88/C 281/08	Commission notice on procedures for the type-approval and registration of vehicles previously registered in another Member State .....	9
	<b>Court of Justice</b>	
88/C 281/09	Judgment of the Court of 27 September 1988 in Joined Cases 89, 104, 114, 116, 117 and 125 to 129/85 A. Ahlström Osakeyhtiö and Others v. Commission of the European Communities ( <i>Concerted practices between undertakings established in non-member countries affecting selling prices to purchasers established in the Community</i> ) .....	16

<u>Notice No</u>	Contents (continued)	Page
88/C 281/10	Judgment of the Court of 27 September 1988 in Case 65/86 (reference for a preliminary ruling made by the Bundesgerichtshof): Bayer AG and Maschinenfabrik Hennecke GmbH v. Heinz Süllhöfer ( <i>Interpretation of Articles 30 and 85 of the EEC Treaty — Lawfulness of a clause contained in a licensing agreement stipulating that no challenge be made to the validity of certain industrial property rights</i> ) . . . . .	17
88/C 281/11	Judgment of the Court of 27 September 1988 in Case 313/86 (reference to the Court for a preliminary ruling by the Commission de Première Instance de Sécurité Sociale des Alpes-Maritimes): O. Lenoir v. Caisse d'Allocations Familiales des Alpes-Maritimes ( <i>Article 77 of Regulation (EEC) No 1408/71 — Payment of family benefits in another Member State</i> ) . . . . .	17
88/C 281/12	Judgment of the Court of 27 September 1988 in Case 165/87: Commission of the European Communities v. Council of the European Communities ( <i>International Convention on the Harmonized Commodity Description and Coding System — Action for annulment — Legal basis</i> ) . . . . .	18
88/C 281/13	Judgment of the Court (Fifth Chamber) of 27 September 1988 in Case 189/87: (reference for a preliminary ruling made by the Bundesgerichtshof): Athanasios Kalfelis v. Bankhaus Schröder, Münchmeyer, Hengst und Co., trading under the corporate name of HEMA Beteiligungsgesellschaft mbH KG, and Others ( <i>Articles 5 (3) and 6 (1) of the Brussels Convention — Plurality of defendants — Concept of tort, delict and quasi-delict</i> ) . . . . .	18
88/C 281/14	Judgment of the Court of 27 September 1988 in Case 235/87: (reference to the Court for a preliminary ruling by the Conseil d'État of the Kingdom of Belgium): Annunziata Matteucci v. Communauté Française of Belgium and Commissariat Général aux Relations Internationales of the Communauté Française of Belgium ( <i>Non-discrimination — Vocational training — Aid for training</i> ) . . . . .	19
88/C 281/15	Judgment of the Court of 27 September 1988 in Case 302/87: European Parliament v. Council of the European Communities ( <i>Capacity of the Parliament to bring an action for annulment</i> ) . . . . .	19
88/C 281/16	Judgment of the Court of 5 October 1988 in Case 238/87: (reference for a preliminary ruling made by the High Court of Justice of England and Wales, Chancery Division, Patents Court) AB Volvo v. Erik Veng (UK) Ltd ( <i>Abuse of a dominant position — Refusal by the proprietor of a registered design to grant a licence</i> ) . . . . .	20
88/C 281/17	Case 264/88: Action brought on 28 September 1988 by Marcellino Valle Fernandez v. Commission of the European Communities . . . . .	20

---

II *Preparatory Acts*

.....

---

III *Notices*

**Commission**

88/C 281/18	Notice of invitation to tender for the award of first processing and market preparation contracts in respect of leaf tobacco . . . . .	21
-------------	--	----

## I

(Information)

## COMMISSION

## Rate of interest applied by the European Monetary Cooperation Fund for its operations in ECU: 7,25 % for November 1988

ECU (1)

3 November 1988

(88/C 281/01)

Currency amount for one unit:

Belgian and Luxembourg franc con.	43,4404	Spanish peseta	136,559
Belgian and Luxembourg franc fin.	43,8700	Portuguese escudo	171,549
German mark	2,07270	United States dollar	1,16917
Dutch guilder	2,33763	Swiss franc	1,74030
Pound sterling	0,656835	Swedish krona	7,19388
Danish krone	7,99242	Norwegian krone	7,71708
French franc	7,07638	Canadian dollar	1,43118
Italian lira	1541,66	Austrian schilling	14,5701
Irish pound	0,775978	Finnish markka	4,89764
Greek drachma	170,663	Japanese yen	145,292
		Australian dollar	1,41204
		New Zealand dollar	1,86321

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.

(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).

ECU (\*)  
2 November 1988  
(88/C 281/02)

Currency amount for one unit:

Belgian and Luxembourg franc con.	43,4558	Spanish peseta	136,587
Belgian and Luxembourg franc fin.	43,8896	Portuguese escudo	171,560
German mark	2,07297	United States dollar	1,16472
Dutch guilder	2,33771	Swiss franc	1,74417
Pound sterling	0,656662	Swedish krona	7,18925
Danish krone	7,98999	Norwegian krone	7,70871
French franc	7,07685	Canadian dollar	1,42632
Italian lira	1540,93	Austrian schilling	14,5718
Irish pound	0,775602	Finnish markka	4,90581
Greek drachma	170,632	Japanese yen	145,206
		Australian dollar	1,41367
		New Zealand dollar	1,85702

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 'ccc' 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.

(\*) 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).

ECU <sup>(1)</sup>

1 November 1988

(88/C 281/03)

Currency amount for one unit:

Belgian and Luxembourg franc con.	43,4731	Spanish peseta	136,920
Belgian and Luxembourg franc fin.	43,8964	Portuguese escudo	171,468
German mark	2,07328	United States dollar	1,15975
Dutch guilder	2,33840	Swiss franc	1,74484
Pound sterling	0,656262	Swedish krona	7,17303
Danish krone	7,98949	Norwegian krone	7,70245
French franc	7,07619	Canadian dollar	1,42011
Italian lira	1540,72	Austrian schilling	14,5768
Irish pound	0,775438	Finnish markka	4,89645
Greek drachma	170,552	Japanese yen	145,548
		Australian dollar	1,41346
		New Zealand dollar	1,85470

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.

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

## Average prices and representative prices for table wines at the various marketing centres (\*)

(88/C 281/04)

(Established on 3 November 1988 for the application of Article 30 (1) of Regulation (EEC) No 822/87)

Type of wine and the various marketing centres	ECU per % vol/hl	Type of wine and the various marketing centres	ECU per % vol/hl
<b>R I</b>		<b>A I</b>	
Heraklion	No quotation	Athens	No quotation
Patras	No quotation	Heraklion	No quotation
Requena	No quotation (1)	Patras	No quotation
Reus	No quotation	Alcázar de San Juan	2,923
Villafranca del Bierzo	No quotation (1)	Almendralejo	2,825
Bastia	No quotation	Medina del Campo	No quotation (1)
Béziers	2,587	Ribadavia	No quotation
Montpellier	2,555	Vilafranca del Penedés	No quotation
Narbonne	2,683	Villar del Arzobispo	No quotation (1)
Nîmes	2,555	Villarrobledo	2,834
Perpignan	2,746	Bordeaux	3,060
Asti	2,870	Nantes	No quotation
Firenze	1,934	Bari	1,934
Lecce	No quotation	Cagliari	2,371
Pescara	No quotation	Chieti	No quotation
Reggio Emilia	2,682	Ravenna (Lugo, Faenza)	2,464
Treviso	No quotation	Trapani (Alcamo)	2,059
Verona (for local wines)	No quotation	Treviso	No quotation
Representative price	2,592	Representative price	2,587
<b>R II</b>			ECU/hl
Heraklion	2,361	<b>A II</b>	
Patras	No quotation	Rheinfalz (Oberhaardt)	41,731
Calatayud	No quotation	Rheinhessen (Hügelland)	No quotation (1)
Falset	No quotation	The wine-growing region of the Luxembourg Moselle	No quotation (1)
Jumilla	2,996	Representative price	41,731
Navalcarnero	No quotation (1)		
Requena	No quotation	<b>A III</b>	
Toro	No quotation	Mosel-Rheingau	59,294
Villena	3,292	The wine-growing region of the Luxembourg Moselle	No quotation (1)
Bastia	No quotation	Representative price	59,294
Brignoles	No quotation		
Bari	2,121		
Barletta	2,059		
Cagliari	No quotation		
Lecce	No quotation		
Taranto	No quotation		
Representative price	2,349		
	ECU/hl		
<b>R III</b>			
Rheinfalz-Rheinhessen (Hügelland)	99,809		

(\*) Since 1 September 1988, the Spanish prices published are to be multiplied by a factor of 1,35 for the ratio between the Community and Spanish guide prices, in accordance with Regulation (EEC) No 481/86 of 25 February 1986.

(1) Quotation not taken into account in accordance with Article 10 of Regulation (EEC) No 2682/77.

**Conversion rate to be used for sales of alcohol by invitation to tender**

(88/C 281/05)

*(Article 15 of Regulation (EEC) No 1915/86)*

Currency	= ... ECU	1 ECU = ... national currency
1 Bfr	0,0207096	48,2869
1 Dkr	0,111981	8,93007
1 DM	0,427144	2,34113
1 FF	0,127359	7,85183
1 £ Irl	1,14430	0,873900
1 Fl	0,379097	2,63785
1 £	1,35800	0,736377
100 Lit	0,0579677	17,2510 <sup>(1)</sup>
100 Dra	0,525884	1,90156 <sup>(1)</sup>
100 Pta	0,649657	1,53927 <sup>(1)</sup>
100 Esc	0,520835	1,91999 <sup>(1)</sup>

<sup>(1)</sup> 1 ECU = 100 × ... national currency.

**ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES  
ON SOCIAL SECURITY FOR MIGRANT WORKERS**

**Rates for conversion of currencies pursuant to Council Regulation (EEC) No 2615/79**

(88/C 281/06)

Article 107 (1), (2), (3) and (4) of Regulation (EEC) No 574/72

Reference period: October 1988

Application period: first quarter 1989

	Brussels (Bfrs)	Frankfurt (DM)	Amsterdam (Fl)	London (£)	Copenhagen (Dkr)	Paris (FF)	Milan/Rome (Lit)	Dublin (£ Irl)	Athens (Dr)	Madrid (Pta)	Lisbon (Esc)
Bfrs 100	100	4,77002	5,37844	1,50970	18,3784	16,2740	3 554,25	1,78247	390,332	315,186	393,716
DM 100	2 096,43	100	112,755	31,6496	385,290	341,171	74 512,1	37,3681	8 183,01	6 607,63	8 253,96
Fl 100	1 859,28	88,6879	100	28,0694	341,705	302,578	66 083,3	33,1410	7 257,34	5 860,17	7 320,26
£ 1	66,2385	3,15959	3,56260	1	12,1736	10,7796	2 354,28	1,18068	258,550	208,774	260,791
Dkr 100	544,117	25,9545	29,2650	8,21451	100	88,5493	19 339,2	9,69871	2 123,86	1 714,98	2 142,27
FF 100	614,479	29,3108	33,0493	9,27676	112,931	100	21 840,1	10,9529	2 398,50	1 936,75	2 419,30
Lit 1 000	28,1354	1,34206	1,51324	0,424758	5,17083	4,57874	1 000	0,501504	109,821	88,6786	110,773
£ Irl 1	56,1020	2,67608	3,01741	0,846969	10,3107	9,13001	1 994,00	1	218,984	176,825	220,882
Dr 100	25,6192	1,22204	1,37791	0,386773	4,70841	4,16927	910,571	0,456655	100	80,7481	100,867
Pta 100	31,7273	1,51340	1,70644	0,478986	5,83098	5,16330	1 127,67	0,565530	123,842	100	124,916
Esc 100	25,3990	1,21154	1,36607	0,383448	4,66794	4,13343	902,744	0,452730	99,1405	80,0541	100

1. Regulation (EEC) No 2615/79 determines that the rate of conversion into a national currency of amounts shown in another national currency shall be the rate calculated by the Commission and based on the monthly average, during the reference period defined in paragraph 2, of the exchange rates of those currencies, which are notified to the Commission for the purposes of the European Monetary System.

2. The reference period shall be:

- the month of January for rates of conversion applicable from 1 April following,
- the month of April for rates of conversion applicable from 1 July following,
- the month of July for rates of conversion applicable from 1 October following,
- the month of October for rates of conversion applicable from 1 January following.

The rates for the conversion of currencies shall be published in the second *Official Journal of the European Communities* ('C' series) of the months of February, May, August and November.



## REPUBLICATION

## DECISION No 135

of 1 July 1987

concerning the granting of benefits in kind provided for in Article 17 (7) and Article 60 (6) of Regulation (EEC) No 574/72 and the concepts of urgency within the meaning of Article 20 of Regulation (EEC) No 1408/71 and of extreme urgency within the meaning of Articles 17 (7) and 60 (6) of Regulation (EEC) No 574/72

(88/C 281/07)

So as not to create confusion by a series of corrections, the Administrative Commission decided, during its meeting of 1 July 1988, to republish the present Decision. This cancels and replaces the publications in *Official Journal of the European Communities* No C 64 of 9 March 1988 and *Official Journal of the European Communities* No C 118 of 5 May 1988.

THE ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY FOR MIGRANT WORKERS,

Having regard to Article 81 (a) of Council Regulation (EEC) No 1408/71 of 14 June 1971, under which it is made responsible for dealing with all administrative questions or matters of interpretation arising from the provisions of Regulation (EEC) No 1408/71 and subsequent Regulations,

Having regard to Article 20 of Regulation (EEC) No 1408/71,

Having regard to Article 17 (7) and Article 60 (6) of Council Regulation (EEC) No 574/72 of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71, as last amended by Council Regulation (EEC) No 3811/86 of 11 December 1986,

Whereas Decision No 116, published in the *Official Journal of the European Communities* No C 193 of 20 July 1983, must be supplemented as from 1 January 1986 following the accession of Spain and Portugal;

Whereas the benefits referred to in Article 17 (7) and in Article 60 (6) of Regulation (EEC) No 574/72 should be specified;

Acting in accordance with the provisions of Article 80 (3) of Regulation (EEC) No 1408/71,

HAS DECIDED AS FOLLOWS:

1. The benefits referred to in the first sentence of Article 17 (7) and in Article 60 (6) of Regulation (EEC) No 574/72 are those provided for by the legislation of the place of residence or of stay, the granting of which is subject to the prior authorization of the institution implementing this legislation.

2. For the application of the first sentence of Article 17 (7) and of the first sentence of Article 60 (6) of Regulation (EEC) No 574/72, the institution of the place of residence or of stay which gives prior authorization for the granting of a benefit in kind should inform the competent institution of its decision (using the E 114 form) if:

2.1 the benefit is mentioned in the list below:

- (a) surgical appliances, orthopaedic appliances and supporting apparatus including orthopaedic corsets of reinforced material, and any additional parts, accessories and aids;
- (b) orthopaedic footwear and remedial footwear (non-orthopaedic);
- (c) maxillary and facial prostheses, wigs;
- (d) ocular prostheses, contact lenses, magnifying and telescopic spectacles;
- (e) hearing aids;
- (f) dental prostheses (fixed and removable) and obturators for use in the buccal cavity;
- (g) invalid vehicles (manually operated or motorized), wheelchairs and other mechanical means permitting the disabled to move about, guide dogs for the blind;
- (h) renewal of the items supplied as benefits mentioned in the preceding paragraphs;
- (i) spa treatment;
- (j) accommodation and medical treatment:
  - in a convalescent home, a sanatorium, an institute or home for handicapped persons (the blind, deaf mutes, mentally handicapped, etc.) or an open-air sanatorium,

- where the length of stay in a preventorium seems likely to exceed 20 days in the opinion of the attending physician or, if the legislation of the country in which the person concerned happens to be so requires in such cases, in the opinion of the medical consultant of the institution of the place of stay or of the place of residence, or where, contrary to the original opinion of the abovementioned physician or consultant, the length of stay exceeds 20 days;
- (k) functional or occupational rehabilitation;
- (l) any subsidy granted to cover part of the costs of the benefits listed in paragraphs (a) to (k) above,
- and
- 2.2 the expected or actual cost of that benefit exceeds the following flat rate amount:
- (a) Bfrs 20 000 for the institution of the place of residence in Belgium;
- (b) Dkr 3 600 for the institution of the place of residence in Denmark;
- (c) DM 1 000 for the institution of the place of residence in Germany;
- (d) DR 50 000 for the institution of the place of residence in Greece;
- (e) Pta 50 000 for the institution of the place of residence in Spain;
- (f) FF 2 900 for the institution of the place of residence in France;
- (g) Irl £ 300 for the institution of the place of residence in Ireland;
- (h) Lit 590 000 for the institution of the place of residence in Italy;
- (i) Lfrs 20 000 for the institution of the place of residence in Luxembourg;
- (j) Fl 1 100 for the institution of the place of residence in the Netherlands;
- (k) Esc 60 000 for the institution of the place of residence in Portugal;
- (l) £ 350 for the institution of the place of residence in the United Kingdom.
3. It shall not be necessary to inform the competent institution as laid down in paragraph 2 in the following cases:
- (a) the application of Article 22 (1) (c) and 55 (1) (c) of Regulation (EEC) No 1408/71;
- (b) reimbursement on the basis of lump sums;
- (c) the waiving of reimbursement of expenditure;
- (d) where the competent institution is in the United Kingdom.
4. The urgent cases referred to in Article 20 of Regulation (EEC) No 1408/71 and the cases of extreme urgency referred to in Article 17 (7) and Article 60 (6) of Regulation (EEC) No 574/72 shall be those in which the provision of one of the benefits mentioned in paragraph 1 of the present Decision cannot be postponed without endangering the life or health of the person concerned. If one of the items mentioned in paragraph 1 (a) to (g) of paragraph 2.1 of the present Decision is accidentally broken or damaged, extreme urgency shall mean that the replacement of the appliance or other benefit in question is necessary.
5. The provisions of paragraphs 1 to 4 of the present Decision shall apply: to the cases provided for in Articles 19, 22, 25 (1) and 3 (i), 31 (a), 52 (a) and 55 (1) of Regulation (EEC) No 1408/71 and in Articles 17 (7), 20 (5), 21 (2), 22 (2) and (3), 23, 26 (3), 27, 31 (2) and (3), 60 (6), 62 (7) and 63 (2) and (3) of Regulation (EEC) No 574/72.
6. This Decision, which replaces Decision No 116 of 15 December 1982, shall be published in the *Official Journal of the European Communities*. It shall apply from the 20th day after its publication.

*The Chairman of the  
Administrative Commission*

A. TRIER

**Commission notice on procedures for the type-approval and registration of vehicles previously registered in another Member State**

(88/C 281/08)

**I. Introduction**

This notice sets out the principles of Community law governing the conditions for the type-approval<sup>(1)</sup> and registration in the Member States of vehicles imported from other Member States. It describes the rights which individuals derive from the direct applicability of Community law when importing a vehicle previously registered in another Member State of the Community, and the procedural guarantees to which they are entitled in such a case. The principles here set out are, however, without prejudice to restrictions on the direct or indirect import of vehicles from third countries which are applied by certain Member States.

**II. General**

Every year thousands of Community citizens apply in the Member State in which they live to register a vehicle previously registered in another Member State.

It may be:

- a vehicle imported by the applicant on transferring his residence;
- a second-hand vehicle imported from another Member State by a dealer or by the applicant himself;
- a vehicle bought new on the market in another Member State and which the applicant has imported either himself or via a third party, usually to take advantage of a lower pre-tax purchase price in that State, the vehicle being temporarily registered there in order to deliver it by road.

Although these three situations are very different in many respects, in particular from the point of view of taxation, they do raise similar problems as regards the conditions governing type-approval and registration in the importing Member State. In this notice, an 'imported vehicle' means any vehicle that is imported from another Member State in which it was previously registered.

Over the past few years the Commission has received numerous complaints about the procedures for the type-approval and registration of imported vehicles in the Member States that raise doubts as to the compatibility of such procedures with Community law, and in particular with Articles 30 and 36 of the EEC Treaty, which deal with the free movement of goods.

The Commission has approached the Member States concerned on numerous occasions in order to improve these procedures. It has therefore been able to establish a number of general principles on the basis of which it can assess the compatibility with Articles 30 and 36 of the Treaty of procedures introduced by the Member States for the type-approval and registration of imported vehicles.

Moreover, the Court of Justice has had the opportunity to pronounce on various aspects of these procedures in three recent judgments: that of 12 June 1986 in Case 50/85 (*Schloh v. Auto Contrôle Technique*), that of 11 June 1987 in Case 406/85 (*Goffette and Gilliard*), and that of 17 June 1987 in Case 154/85 (*Commission v. Italy*). These judgments largely confirmed the principles that the Commission had itself established and added important details as regards some specific aspects of the matter.

In accordance with its commitment in the 'White Paper on completing the internal market' (paragraphs 155 and 156), the Commission is therefore able to state the principles governing the application of Articles 30 and 36 of the Treaty to procedures introduced by the Member States for the type-approval and registration of imported vehicles.

This notice is therefore in line with the aim of transparency of Community law as laid down in the 'White Paper'. It relates to an aspect of the completion of the internal market by 1992 that is of importance for Community citizens. As the Court said in its judgment of 5 May 1982 in Case 15/81 (*Gaston Schul*): it is essential that not only commerce as such but also private persons conducting an economic transaction across national frontiers should be able to enjoy the benefits of the common market, which involves the removal of all barriers to intra-Community trade in order to merge the national markets into a single market and thus bring about conditions as close as possible to those of a genuine internal market.

In this context, it seemed advisable to include in this notice information on matters which, although they are not legally related to the subject, inevitably arise for any individual who imports a vehicle previously registered in another Member State.

Moreover, it should be mentioned that several Member States apply restrictions on the import of vehicles originating in third countries, particularly those originating in Japan. Such restrictions, which would be to no avail if they were not also applied to vehicles from other Member States, are not affected by the application of the principles set out in this notice.

<sup>(1)</sup> To the extent that Member States make such approval a condition of registration.

### III. Compatibility with Community law of procedures for the type-approval and registration of imported vehicles

The type-approval and registration in a Member State of a vehicle previously registered in another Member State raises two problems, a distinction between which needs to be drawn:

- the first concerns the examination of the technical characteristics of the vehicle and the relevant documents (infra, A),
- the second concerns the inspection of the physical conditions of the vehicle at the time of importation (infra, B).

Certain procedural guarantees also have to be provided for the person applying to register the vehicle in case registration is refused (infra, C).

#### A. Examination of the technical characteristics of the vehicle and the relevant documents (type-approval)

Motor vehicles must generally satisfy certain technical requirements that are laid down in the form of mandatory provisions. At the moment, these provisions are largely, but not fully, harmonized at Community level.

The cornerstone of harmonization in this sector is Council Directive 70/156/EEC<sup>(1)</sup>, which provides for a Community type-approval procedure known as 'EEC type-approval' for which the manufacturer or his authorized agent may apply. When it is fully operational, EEC type-approval will mark the completion of the procedure whereby a Member State certifies that a vehicle type satisfies the technical requirements of the separate Directives listed in the EEC type-approval certificate, the model of which is set out in Annex II to Directive 70/156/EEC. In this way, it will be possible for vehicles that satisfy the harmonized technical requirements to be freely put on the road anywhere in the Community with the certificate of conformity issued by the manufacturer or his authorized agent who applied for 'EEC type-approval'.

Pending the adoption of the last three separate Directives (on tyres, weights and dimensions, and safety glass), manufacturers are only able to carry out 'national type-approval' of their products although this does cover some aspects of 'EEC type-approval' (partial EEC type-approval), these varying in number depending upon the vehicle model. In this context, account must be taken of the 'optional' nature of the separate Directives, which means that the Member States are able to maintain or adopt national requirements in addition to the harmonized requirements and in some cases enables manufacturers to decide whether they wish to base their models on the harmonized requirements or the national requirements.

If the application for registration in a Member State is made at a time when the vehicle is already registered in another Member State, the technical characteristics of that vehicle will in principle already have been checked in the other Member State. This check, which is carried out as part of 'national type-approval', is intended to ensure compliance with the technical requirements applicable — either harmonized or national, as the case may be. The outcome of this check is set out in the type conformity certificate issued by the manufacturer or his authorized agent.

However, as the Court stated in its Judgment of 11 June 1987 in Case 406/85 (*Goffette and Gilliard*), the introduction by a Member State of a procedure for the type-approval of vehicles imported from another Member State where they have already undergone type-approval is not in itself incompatible with Articles 30 and 36 of the Treaty, provided that certain conditions are met. Although Member States are entitled, in the absence of full harmonization at Community level, to invoke Article 36 in order to adopt provisions and provide for checks to guarantee road safety, they may only do so in compliance with the conditions laid down by this Article, as interpreted by the Court. In this respect, two aspects of the procedures for the type-approval and registration of imported vehicles deserve special attention:

- the first is a matter of substance since it relates to the question of what technical requirements the imported vehicle is required to satisfy;
- the second is a matter of proof that concerns the documents relating to the technical characteristics of the vehicle.

#### 1. Technical requirements to be satisfied by the imported vehicle

Member States may not make the registration of a vehicle imported from another Member State where it has been previously type-approved and registered conditional upon its conformity with an approved type or upon its strict compliance with requirements in force on their territory. As the Court stated in its Judgment of 28 January 1986 in Case 188/84 (*Commission v. France*), it would be contrary to the principle of proportionality for national regulations to require that imported products literally and exactly meet the technical requirements or characteristics laid down for products manufactured in the Member State in question if the imported products guarantee the same level of safety for users. The Court has consistently held that it is for the national authorities that invoke Article 36 of the Treaty to prove, in each specific case, that a measure that hinders intra-Community trade is necessary for the effective

<sup>(1)</sup> OJ No L 42, 23. 2. 1970.

protection of an interest referred to by that provision and, in particular, that import of the product concerned would constitute a serious risk to human health and life.

It cannot reasonably be argued that the mere fact that a vehicle has been type-approved in another Member State and possibly, but not necessarily, has certain technical characteristics that differ from those laid down in law in the importing Member State or those of the equivalent type approved in that State constitutes a serious risk to human health and life.

It follows that Member States may not object to the type-approval and registration of a vehicle previously type-approved and registered in another Member State, for reasons relating to the technical characteristics of that vehicle unless safety reasons are involved, in which case they must state them in detail and substantiate them. The fact that a vehicle type-approved and registered in another Member State does not correspond to a type approved in the importing Member State or that its technical characteristics differ from those laid down in law in that State does not of itself constitute adequate grounds under Article 36 of the EEC Treaty for refusing the type-approval and registration of the vehicle concerned.

## 2. Documents relating to the technical characteristics of the vehicle

In its Judgment of 11 June 1987 in Case 406/85 (*Goffette and Gilliard*), the Court of Justice ruled that, at the present stage in the development of Community law, 'Articles 30 and 36 of the EEC Treaty are to be interpreted as meaning that an approval procedure laid down in a Member State for vehicles imported from another Member State and already approved for use in that State only complies with the Treaty if:

- the testing procedure does not entail unreasonable costs or delays and the public authorities ensure that those conditions are fully met where the manufacturer or his authorized agent has the task of carrying out the necessary checks;
- the importer may, as an alternative to the checking procedure, produce documents issued in the exporting Member State where those documents provide the necessary information based on tests already carried out.'

### (a) Alternative

As regards the documentation on the technical characteristics of the vehicle that the applicant is required to produce in support of his application, it follows that Member States must offer the alternative between:

- the production of a document issued by the manufacturer or his authorized agent in the importing Member State which describes the vehicle in terms of the most similar type that has been approved in that State;
- the production of documents (certificate of conformity and the documents to which it refers, registration certificate) issued in the exporting Member State, provided that they contain the information required.

Certain other conditions, as described below, also have to be satisfied in both cases.

### (b) Action by the manufacturer or his authorized agent

If the Member States delegate certain public-law functions, such as the issue of documents needed for the type-approval and registration of an imported vehicle, to manufacturers or their authorized agents, they are required to ensure that these persons carry out these functions in a manner compatible with the requirements of the free movement of goods within the Community. In particular, manufacturers or their authorized agents are required to issue the documents requested of them:

- without presentation of the vehicle, since their action concerns the technical characteristics of the vehicle at the time it is first put on the road and not its physical condition at the time of importation;
- without requiring the presentation of commercial documents relating to the vehicle (sales invoice, VAT receipt, etc.);
- at reasonable costs and within reasonable periods of time: according to the Commission, the cost should not under any circumstances exceed 100 ECU and the period should not be more than three weeks.

### (c) Acceptance of documents prepared in the exporting Member State

If the documents prepared in the exporting Member State contain the information required for registration in the importing Member State, the latter is required to accept these documents in the form and manner in which they are legally valid in the Member State in which they were prepared. In particular, Member States are not empowered to make the acceptance of documents issued in other Member States conditional upon their being validated or authenticated or on their compliance with a model laid down by the importing Member State (cf. ruling of the Court of 17 June 1987 in Case 154/85 — *Commission v. Italy*).

### B. Inspection of the physical condition of the vehicle (roadworthiness tests)

Council Directive 77/143/EEC <sup>(1)</sup> lays down various measures for harmonizing the roadworthiness testing of motor vehicles. However, this Directive applies to certain categories of vehicle only and, at the moment, does not cover motor cars (cf., however, the proposal for a Directive in this field <sup>(2)</sup>). At the present state of Community law, Member States are thus at liberty to lay down roadworthiness tests for vehicles not covered by the above Directive, subject to the provisions of the Treaty.

As the Court held in its Judgment of 12 June 1986 in Case 50/85 (*Schlob v. Auto Contrôle Technique*), roadworthiness testing is a formality which makes the registration of imported vehicles more difficult and more expensive and consequently amounts to a measure having an effect equivalent to a quantitative restriction. Nevertheless, Article 36 may justify such a formality on grounds of the protection of human health and life, provided that it is established, (a) that the test at issue is necessary for the attainment of that objective and (b) that it does not constitute a means of arbitrary discrimination or a disguised restriction on trade between Member States.

As far as (a) is concerned, the Court indicated that roadworthiness testing may be regarded as necessary for the protection of human health and life where the vehicle in question has already been put on the road, i. e. if it has previously been registered in the exporting Member State, even if only provisionally. In such cases, roadworthiness testing performs a useful function inasmuch as it makes it possible to check that the vehicle has not been damaged or modified and that it is in a good state of repair.

As far as (b) is concerned, the Court stressed that the roadworthiness testing of imported vehicles cannot be justified under Article 36 if it is established that such testing is not required in the case of vehicles of local origin presented for registration in the same circumstances. If that were the case, it would become apparent that the measure in question was not in fact inspired by a concern for the protection of human health and life but in reality constituted a means of arbitrary discrimination in trade between Member States.

It follows that, at the present state of Community law, Member States may not inspect the physical state of a vehicle previously registered in another Member State for the purpose of registering it unless such an inspection is also called for, in the same circumstances, where the registration of a vehicle previously registered on its territory is changed.

<sup>(1)</sup> OJ No L 47, 18. 2. 1977.

<sup>(2)</sup> OJ No C 133, 31. 5. 1986, p. 3.

### C. Procedural guarantees for the person applying for registration

On a very large number of occasions, the Commission has found that, whatever the grounds for refusing to register a vehicle previously registered in another Member State, these grounds are not always made clear to the person applying for registration. For the person applying for registration, failure to understand the exact problem regarding the registration of the vehicle and, consequently, his inability to do anything about it, constitute a handicap that is at least as great as trying to solve the actual problem.

In this respect, the Commission would draw attention to Article 14 of Directive 70/156/EEC which provides that 'All decisions taken pursuant to the provisions adopted in implementation of this Directive and refusing or withdrawing type approval, or refusing registration or prohibiting sale or use, shall state in detail the reasons on which they are based. A decision shall be notified to the party concerned, who shall at the same time be informed of the remedies available to him under the laws in force in the Member States and of the time limits for the exercise of such remedies'.

This Article is one of the general provisions of Directive 70/156/EEC, the entry into force of which is not affected by the delay in the implementation of 'EEC type-approval'. The Commission therefore considers that the procedural guarantees provided for in that Article should be extended to any person applying for registration, whatever the legal grounds for the registration.

### IV. Examples

A number of examples are provided below in order to provide a detailed illustration of how the above principles are to be applied in practice.

1. Mr X, resident in Member State A, goes to Member State B in order to buy a new vehicle. He orders from a dealer established in B a vehicle intended for the market in Member State A. The vehicle is thus supplied to him together with a certificate of conformity with a type that has been approved in Member State A. In this instance the authorities in Member State A are required to register that vehicle under the same conditions as if the vehicle had been bought from a dealer established in Member State A.
2. Mr Y, resident in Member State A, buys, in Member State B, a new vehicle intended for the market in Member State B (i. e. conforming to a type that has been approved in Member State B). The vehicle is registered in B, on a temporary basis ('transit' plate), and imported into A. Mr Y contacts the official representative of the maker of the vehicle for Member State A, and requests from him a certificate of conformity or equivalent document. The manufacturer's representative confirms that the vehicle is

similar to a type that has been approved in A, except for a few details: in particular the vehicle is fitted with a three-way catalytic converter meeting the new European standards, whereas the similar vehicles marketed in A are not fitted with an exhaust system of this type. The manufacturer's representative thus issues a document certifying that the vehicle corresponds to the type that has been approved in A, apart from the small number of points that he mentions. Mr Y submits this document together with his application for registration. Since the points mentioned by the manufacturer's representative do not raise any safety problem, the vehicle must be registered forthwith.

3. Mr Z transfers his domicile from Member State B to Member State A. He therefore requests that his personal vehicle, which had been registered in B for three years, be registered in A. He appends to his application for registration the documents that he has in his possession: certificate of conformity issued in B (and possibly the descriptive note to which it refers) and the certificate of registration in B. The authorities in Member State A confirm that the vehicle at issue differs from the closest type that has been approved in A: different engine capacity (1 100 cc instead of 1 000 cc), four doors instead of two, higher gear ratios. These differences do not raise any safety problem and may therefore not delay registration. On the other hand, the vehicle is not fitted with a rear fog lamp, although that accessory is mandatory in Member State A. Mr Z is notified of this problem, who has a rear fog lamp fitted. The vehicle is resubmitted for registration and must this time be registered without delay.

#### V. Various matters relating to import of a vehicle previously registered in another Member State

##### A. In what Member State must a vehicle be registered?

The taxation systems applicable to vehicles still vary considerably from one Community Member State to another. An individual therefore cannot register his vehicle in the Member State of his choice as this would mean that all vehicles would be registered in the Member State with the lowest tax rates.

In principle, everyone has to register his vehicle in the Member State in which he has his normal residence. If the vehicle was acquired or imported under the general conditions of taxation in force on the domestic market of that Member State, it may be temporarily imported into other Member States exempt of the taxes applied by those States under the conditions laid down in Council Directive 83/182/EEC (1).

This Directive defines 'normal residence' as 'the place where a person usually lives, that is for at least 185 days in each calendar year, because of personal and occupa-

tional ties or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where he is living'. Additional, more specific rules are laid down for persons whose occupational ties are situated at a place other than that of their personal ties.

A Member State which grants the temporary duty-free import of a vehicle obviously cannot demand that the vehicle be registered on its territory.

##### B. What taxes are payable on import of a vehicle?

The answer to this question obviously depends on the circumstances in which the vehicle is being imported.

If the vehicle is being imported in connection with a transfer of normal residence of the vehicle owner, Community law provides for exemption from the taxes payable on the purchase of the vehicle, provided the vehicle was acquired under the general conditions of taxation in force on the domestic market of another Member State and that it has actually been used by the person concerned, in that state, for at least six months (cf. Council Directive 83/183/EEC (2)).

If the vehicle was purchased in the exporting Member State with a view to import into and registration in another Member State, it will usually have been exempt from purchase tax in the exporting Member State and will therefore be taxed on import into the importing Member State (cf. Sixth Council Directive 77/388/EEC (3)). In this case, the vehicle can obviously only be registered temporarily in the exporting Member State ('customs', 'transit' plates, etc.).

In all other cases, and in particular if the vehicle was purchased secondhand, any tax imposed on the vehicle in the importing Member State must take account of the VAT already paid on the vehicle in the exporting Member State so as to avoid double taxation (cf. Commission communication on the decisions of the Court of 5 May 1982 and 21 May 1985 (*Gaston Schul cases*) (4) relating to import by an individual of used goods purchased in another Member State from an individual).

The approximation of rates of VAT by reducing the difference between the rates applied by the Member States has been identified as a priority objective by the Commission (4).

##### C. How long is temporary registration valid?

It is for the Member State which issues a temporary registration ('customs', 'transit' plates, etc.) to determine the period of validity of the registration, which therefore

(1) OJ No L 105, 23. 4. 1983, p. 64.

(2) OJ No L 145, 13. 6. 1977, p. 1.

(3) OJ No C 13, 21. 1. 1986.

(4) OJ No C 250, 18. 9. 1987, p. 3.

(1) OJ No L 105, 23. 4. 1983, p. 59.

varies from one Member State to another and according to the registration series concerned. The Commission furthermore considers that the authorities of the importing Member State may not initiate legal proceedings for exceeding the period of validity of a temporary registration if the delay in the final registration of the vehicle is due to them.

**D. Is an imported vehicle covered by the manufacturer's guarantee?**

Each manufacturer's distribution network outlets normally provide the minimum level of guarantee, free service and service following a recall laid down by the manufacturer, whatever the place of purchase of the vehicle within the common market (cf. Commission Regulation (EEC) No 123/85 on presentation of the guarantee documents signed by a member of the official distribution network (<sup>1</sup>)).

(<sup>1</sup>) OJ No L 15, 18. 1. 1985, p. 16.

**E. What action should be taken if difficulty is encountered in importing or registering a vehicle?**

Any person who finds that the principles set out in this notice are not complied with, or who encounters any difficulties in importing, or registering, a vehicle from another Member State, is asked to contact the Commission either directly through the:

Secretariat-General  
rue de la Loi, 200  
B-1049 Brussels

or through one of its information offices, a list of which is given below.

Furthermore, the principles set out in this notice may be relied upon in all actions brought before any national court, relating to the approval or registration of an imported vehicle. Articles 30 and 36 of the EEC Treaty are provisions of the Treaty with direct effect and which confer rights on individuals which national courts are obliged to uphold.

*Information offices*

**Belgium**

*Brussels*

Rue Archimède 73, 1040 Bruxelles  
Archimedestraat 73, 1040 Brussel  
Tel. 235 11 11  
Telex 26657 COMINF B  
Telecopy 235 01 66

**Denmark**

*Copenhagen*

Højbrohus  
Østergade 61  
Postbox 144  
1004 København K  
Tel. 14 41 40  
Telex 16402 COMEUR DK  
Telecopy 11 12 03

**France (See Annex II)**

*Paris*

61, rue des Belles-Feuilles  
75782 Paris Cedex 16  
Tel. 45 01 58 85  
Telex Paris 611019 F COMEUR  
Telecopy 47 27 26 07

*Marseille (Suboffice attached to Paris Office)*

CMCI/Bureau 320  
2, rue Henri Barbusse  
13241 Marseille CEDEX 01  
Tel. 91 46 00  
Telex 402 538 EURMA  
Telecopy 90 98 07

**Federal Republic of Germany**

*Bonn*

Zitelmannstraße 22  
5300 Bonn  
Tel. 23 80 41  
Telex 886648 EUROP D  
Telecopy 23 80 48

*Berlin (Suboffice attached to Bonn Office)*

Kurfürstendamm 102  
1000 Berlin 31  
Tel. 892 40 28  
Telex 184015 EUROP D  
Telecopy 892 20 59

*Munich (Suboffice attached to Bonn Office)*

Erhardtstraße 27  
8000 München  
Tel. 202 10 11  
Telex 5 218 135  
Telecopy 202 10 15

**Greece**

*Athens*

2, Vassilissis Sofias  
PO Box 11002  
Athina 10674  
Tel. 724 39 82 (3 lines)  
Telex 219324 ECAT GR  
Telecopy 722 37 15



**Ireland***Dublin*

39 Molesworth Street  
Dublin 2  
Tel. 71 22 44  
Telex 93 827 EUCO EI  
Telecopy 71 26 57

**Italy***Rome*

Via Poli 29  
00187 Roma  
Tel. 678 97 22  
Telex 610184 EUROMA I  
Telecopy 679 16 58

*Milan* (Suboffice attached to Rome Office)

Corso Magenta 61  
20123 Milano  
Tel. 80 15 05/6/7/8  
Telex 316002 EURMIL I  
Telecopy 481 85 43

**Luxembourg***Luxembourg*

Bâtiment Jean Monnet  
Rue Alcide De Gasperi  
2920 Luxembourg  
Tel. 430 11  
Telex 3423/3446/3476 COMEUR LU  
Telecopy 43 01 44 33

**The Netherlands***The Hague*

Lange Voorhout 29  
Den Haag  
Tel. 46 93 26  
Telex 31094 EURCO NL  
Telecopy 64 66 19

**Portugal***Lisbon*

Centre Européen Jean Monnet  
56 rua do Salitre  
1200 Lisboa  
Tel. 154 11 44  
Telex 0404/18810 COMEUR P  
Telecopy 155 43 97

**Spain***Madrid*

Calle de Serrano 41  
5ª Planta  
Madrid 1  
Tel. 435 17 00/435 15 28  
Telex 46818 OIPE E  
Telecopy 276 03 87

**Switzerland***Geneva*

Case postale 195  
37-39 rue de Vermont  
1211 Genève 20  
Tel. 34 97 50  
Telex 28261 et 28262 ECOM CH  
Telecopy 34 23 31

**United Kingdom***London*

8 Storey's Gate  
London SW1P 3AT  
Tel. 222 81 22  
Telex 23208 EURUK G  
Telecopy 222 09 00

*Belfast* (Suboffice attached to London Office)

Windsor House  
9/15 Bedford Street  
Belfast BT2 7EG  
Tel. 24 07 08  
Telex 74117 CECBEL G  
Telecopy 24 82 41

*Cardiff* (Suboffice attached to London Office)

4 Cathedral Road  
Cardiff CF1 9SG  
Tel. 37 16 31  
Telex 497727 EUROPA G  
Telecopy 39 54 89

*Edinburgh* (Suboffice attached to London Office)

7 Alva Street  
Edinburgh EH2 4PH  
Tel. 225 20 58  
Telex 727420 EUEDING  
Telecopy 26 41 05

# COURT OF JUSTICE

## JUDGMENT OF THE COURT

of 27 September 1988

in Joined Cases 89, 104, 114, 116, 117 and 125 to 129/85  
A. Ahlström Osakeyhtiö and Others v. Commission of  
the European Communities <sup>(1)</sup>

*(Concerted practices between undertakings established in  
non-member countries affecting selling prices to  
purchasers established in the Community)*

(88/C 281/09)

*(Languages of the Case: German and English)*

In Joined Cases 89/85: (1) A. Ahlström Osakeyhtiö, Helsinki, (2) Joutseno-Pulp Osakeyhtiö, Joutseno, (3) Kymmene Oy, Helsinki, successor in title to Oy Kaukas AB, Lappeenranta, (4) Kemi Oy, Kemi, (5) Oy Metsä-Botnia AB, Kaskinen, (6) Metsäliiton Teollisuus Oy, Espoo, (7) Veitsiluoto Oy, successor in title to Oulu Oy, Oulu, (8) Oy Wilh. Schaumann AB, Helsinki, (9) Sunilä Osakeyhtiö, Sunila, (10) Veitsiluoto Oy, Kemi, (11) Finncell, Helsinki, (12) Enso-Gutzeit Oy, Helsinki, all Finnish undertakings, represented by A. von Winterfeld, Rechtsanwalt, Cologne, with an address for service in Luxembourg at the Chambers of E. Arendt, 4 Avenue Marie-Thérèse, v. Commission of the European Communities (Agents: A. McClellan, G. zur Hausen and P. J. Kuyper, assisted by S. Böse of the Belmont European Community Law Office in Brussels); 104/85: Bowater Incorporated, Darien, Connecticut, USA, represented by D. Vaughan Q.C. and by D.F. Hall, Solicitor of Linklaters and Paines, London, with an address for service in Luxembourg at the Chambers of Messrs Elvinger and Hoss, 15 Côte d'Eich, v. Commission of the European Communities (Agents: A. McClellan, B. Clarke-Smith and P. J. Kuyper, assisted by N. Forwood, Barrister-at-law); 114-85: The Pulp, Paper and Paperboard Export Association, Bethlehem, Pennsylvania, USA, comprising the United States undertakings: The Chesapeake Corporation, Crown Zellerbach Corporation, Federal Paper Board Company Inc, Georgia-Pacific Corporation, The Mead Corporation, Scott Paper Company, Weyerhaeuser Company, represented by M. Waelbroeck and A. Vandencastele, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of E. Arendt, 4 Avenue Marie-Thérèse, v. Commission of the European Communities (Agents: A. McClellan, B. Clarke-Smith and P. J. Kuyper, assisted by N. Forwood, Barrister-at-law), supported by the United Kingdom (Agent: S. Hay); 116/85: St Anne-Nackawic Pulp and Paper Company Limited, Nackawic, New Brunswick, Canada, represented by D. Voillemot, Avocat at the Cour d'Appel, Paris, with an address for service in

Luxembourg at the Chambers of J. Loesch, 8 Rue Zithe, v. Commission of the European Communities (Agents: A. McClellan, B. Clarke-Smith and P. J. Kuyper, assisted by N. Forwood, Barrister-at-law); 117/85: International Pulp Sales Company, New York, represented by I. Van Bael and J. F. Bellis, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of Messrs Elvinger and Hoss, 15 Côte d'Eich, v. Commission of the European Communities (Agents: A. McClellan, B. Clarke-Smith and P. J. Kuyper, assisted by N. Forwood, Barrister-at-law); 125/85: Westar Timber Limited, Canada, represented by C. Stanbrook (Barrister-at-law, London) of Stanbrook and Hooper, Brussels, and by M. Siragusa (of the Rome Bar) of Cleary, Gottlieb, Steen and Hamilton, 23 Rue de la Loi, Brussels, with an address for service in Luxembourg at the Chambers of Messrs Elvinger and Hoss, 15 Côte d'Eich, v. Commission of the European Communities (Agents: A. McClellan, K. Banks and P. J. Kuyper, assisted by N. Forwood, Barrister-at-law), supported by the United Kingdom (Agent: T. J. G. Pratt), 126/85: Weldwood of Canada Limited, Canada, represented by C. Stanbrook (Barrister-at-law, London) of Stanbrook and Hooper, Brussels, by Lord Rippon Q.C., M.P., and by J. M. Cochran III of Wilkie Farr and Gallagher, Paris, with an address for service in Luxembourg at the Chambers of Messrs Elvinger and Hoss, 15 Côte d'Eich, v. Commission of the European Communities (Agents: A. McClellan, P. J. Kuyper and K. Banks, assisted by N. Forwood, Barrister-at-law), supported by the United Kingdom (Agent: S. Hay); 127/85: MacMillan Bloedel Limited, Canada, represented by C. Stanbrook (Barrister-at-law, London) of Stanbrook and Hooper, Brussels, by P. Sambuc of Boden, Oppenhoff and Schneider and by Cleary, Gottlieb, Steen and Hamilton, with an address for service in Luxembourg at the Chambers of Messrs Elvinger and Hoss, 15 Côte d'Eich, v. Commission of the European Communities (Agents: A. McClellan, P. J. Kuyper and K. Banks, assisted by N. Forwood, Barrister-at-law), supported by the United Kingdom (Agent: S. Hay); 128/85: Canadien Forest Products Limited, Canada, represented by C. Stanbrook (Barrister-at-law, London) of Stanbrook and Hooper, Brussels, and by M. Siragusa (of the Rome Bar) of Cleary, Gottlieb, Steen and Hamilton, with an address for service in Luxembourg at the Chambers of Messrs Elvinger and Hoss, 15 Côte d'Eich, v. Commission of the European Communities (Agents: A. McClellan, P. J. Kuyper and K. Banks, assisted by N. Forwood, Barrister-at-law), supported by the United Kingdom (Agent: T. J. G. Pratt); 129/85: British Columbia Forest Products Limited, Canada, represented by C. Stanbrook (Barrister-at-law, London) of Stanbrook and Hooper, Brussels, with an address for service in Luxembourg at the chambers of Messrs Elvinger and Hoss, 15 Côte d'Eich, v. Commission of the European Communities (Agents: A. McClellan, P. J. Kuyper and K. Banks,

<sup>(1)</sup> OJ No C 127, 24. 5. 1985, OJ No C 148, 18. 6. 1985, OJ No C 152, 21. 6. 1985 and OJ No C 182, 20. 7. 1985.

assisted by N. Forwood, Barrister-at-law), supported by the United Kingdom (Agent: S. Hay) — application for a declaration that the Commission Decision of 19 December 1984 relating to a proceeding under Article 85 of the EEC Treaty (IV/29.725 — Wood pulp) (Official Journal No L 85, 1985, p. 1) is void — the Court, composed of: Lord Mackenzie Stuart, President, G. Bosco, O. Due, J. C. Moitinho de Almeida, and G. C. Rodríguez Iglesias (Presidents of Chambers), T. Koopmans, U. Everling, K. Bahlmann, Y. Galmot, C. N. Kakouris, R. Joliet, T. F. O'Higgins and F. A. Schockweiler, Judges; M. Darmon, Advocate General; H. A. Rühl, Principal Administrator, for the Registrar, gave a Judgment on 27 September 1988, the operative part of which is as follows:

1. *The submission relating to the incorrect assessment of the territorial scope of Article 85 of the Treaty and the incompatibility of Commission Decision IV/29.725 of 19 December 1984 with public international law is rejected;*
2. *Commission Decision IV/29.725 of 19 December 1984 is declared void in so far as it concerns the Pulp, Paper and Paperboard Export Association of the United States;*
3. *The submission relating to the exclusive application of the competition rules in the Free Trade Agreement between the Community and Finland is rejected;*
4. *The case is assigned to the Fifth Chamber for consideration of the other submissions;*
5. *The costs are reserved.*

#### JUDGMENT OF THE COURT

of 27 September 1988

in Case 65/86 (reference for a preliminary ruling made by the Bundesgerichtshof): Bayer AG and Maschinenfabrik Hennecke GmbH v. Heinz Süllhöfer <sup>(1)</sup>

*(Interpretation of Articles 30 and 85 of the EEC Treaty — Lawfulness of a clause contained in a licensing agreement stipulating that no challenge be made to the validity of certain industrial property rights)*

(88/C 281/10)

*(Language of the Case: German)*

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

In Case 65/86: reference to the Court under Article 177 of the EEC Treaty by the Bundesgerichtshof [Federal Court of Justice] for a preliminary ruling in the proceedings pending before that court between Bayer AG, Leverkusen, and Maschinenfabrik Hennecke GmbH, St Augustin-Birlinghofen, on the one hand, and Heinz Süllhöfer, a businessman residing at 58 Niederheinstraße, Düsseldorf, on the other — on the compatibility with Article 30 *et seq.* and Article 85 of the EEC

Treaty of the insertion in a licensing agreement of a clause by which the licensee undertakes not to challenge the validity of certain technical rights to industrial property of an identical nature to those licensed to him and which had been granted to the licensor in several Member States of the European Community — the Court, composed of Lord Mackenzie Stuart, President, G. Bosco, J. C. Moitinho de Almeida and G. C. Rodríguez Iglesias (Presidents of Chambers), T. Koopmans, U. Everling, C. N. Kakouris, R. Joliet and F. A. Schockweiler, Judges; M. Darmon, Advocate General; D. Louterman, Administrator, acting for the Registrar, gave a Judgment on 27 September 1988, the operative part of which is as follows:

*A 'no-challenge clause' in a patent licensing agreement may, depending on the legal and economic context, have a restrictive effect upon competition within the meaning of Article 85 (1) of the Treaty. Such a clause however has no such restrictive effect upon competition where the licence which contains it has been granted for no consideration and the licensee accordingly does not have to suffer the competitive disadvantage of paying fees or where the license has been granted for consideration but relates to a technically outdated procedure not used by the undertaking which accepted the no-challenge obligation.*

#### JUDGMENT OF THE COURT

of 27 September 1988

in Case 313/86 (reference to the Court for a preliminary ruling by the Commission de Première Instance de Sécurité Sociale des Alpes-Maritimes): O. Lenoir v. Caisse d'Allocations Familiales des Alpes-Maritimes <sup>(1)</sup>

*(Article 77 of Regulation (EEC) No 1408/71 — Payment of family benefits in another Member State)*

(88/C 281/11)

*(Language of the Case: French)*

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

In Case 313/86: reference to the Court under Article 177 of the EEC Treaty by the Commission de Première Instance de Sécurité Sociale des Alpes-Maritimes [Social Security First Instance Appeals Board, Alpes-Maritimes] for a preliminary ruling in the proceedings pending before that tribunal between O. Lenoir and Caisse d'Allocations Familiales des Alpes-Maritimes [Family Allowance Fund, Alpes-Maritimes] — on the interpretation of Article 77 of Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community, as amended and updated by Council Regulation (EEC) No 2001/83 of 2 June 1983 (Official Journal No L 230, 1983, p. 6, Annex I) — the Court, composed of Lord Mackenzie Stuart, President, O. Due, J. C. Moitinho de Almeida and G. C.

<sup>(1)</sup> OJ No C 105, 3. 5. 1986.

<sup>(1)</sup> OJ No C 21, 28. 1. 1987.

Rodríguez Iglesias (Presidents of Chambers), T. Koopmans, U. Everling, Y. Galmot, C. N. Kakouris and T. F. O'Higgins, Judges; Sir Gordon Slynn, Advocate General; D. Louterman, Administrator, for the Registrar, gave a Judgment on 27 September 1988, the operative part of which is as follows:

*The terms of Article 77 of Regulation (EEC) No 1408/71, as contained in Annex I to Council Regulation (EEC) No 2001/83 of 2 June 1983, must be construed as meaning that they give to the person entitled to family benefits who is a national of a Member State and resides in the territory of another Member State entitlement to payment by the social security institutions of his country of origin only of 'family allowances', to the exclusion of other family benefits such as the 'rentrée scolaire' [schooling expenses] allowance and the 'salaire unique' [single wage] allowance provided for by French legislation.*

#### JUDGMENT OF THE COURT

of 27 September 1988

in Case 165/87: Commission of the European Communities v. Council of the European Communities (\*)

*(International Convention on the Harmonized Commodity Description and Coding System — Action for annulment — Legal basis)*

(88/C 281/12)

*(Language of the Case: French)*

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

In Case 165/87: Commission of the European Communities (Agent: Peter Gilsdorf) against Council of the European Communities (Agent: Bernhard Schloh) — application for the annulment of Council Decision 87/369/EEC of 7 April 1987 concerning the conclusion of the International Convention on the Harmonized Commodity Description and Coding System and of the Protocol of Amendment thereof (Official Journal No L 198, 1987, p. 1) — the Court, composed of Lord Mackenzie Stuart, President, G. Bosco, O. Due, J. C. Moitinho de Almeida and G. C. Rodríguez Iglesias (President of Chambers), T. Koopmans, U. Everling, K. Bahlmann, Y. Galmot, C. N. Kakouris, R. Joliet, T. F. O'Higgins and F. A. Schockweiler, Judges; C. O. Lenz, Advocate General; H. A. Rühl, Principal Administrator, for the Registrar, gave a Judgment on 27 September 1988, the operative part of which is as follows:

1. *The application is dismissed;*
2. *The parties are ordered to bear their own costs.*

(\*) OJ No C 204, 31. 7. 1987.

#### JUDGMENT OF THE COURT

(Fifth Chamber)

of 27 September 1988

in Case 189/87: (reference for a preliminary ruling made by the Bundesgerichtshof): Athanasios Kalfelis v. Bankhaus Schröder, Münchmeyer, Hengst und Co., trading under the corporate name of HEMA Beteiligungsgesellschaft mbH KG, and Others (\*)

*(Articles 5 (3) and 6 (1) of the Brussels Convention — Plurality of defendants — Concept of tort, delict and quasi-delict)*

(88/C 281/13)

*(Language of the Case: German)*

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

In Case 189/87: reference to the Court under the Protocol of 3 June 1971 concerning the interpretation by the Court of Justice of the Convention of 27 September 1968 on jurisdiction and the enforcement of judgments in civil and commercial matters by the Bundesgerichtshof [Federal Court of Justice] for a preliminary ruling in the proceedings pending before that court between Athanasios Kalfelis, furrier, and (1) Bankhaus Schröder, Münchmeyer, Hengst und Co., trading under the corporate name of HEMA Beteiligungsgesellschaft mbH KG in liquidation, (2) Bankhaus Schröder, Münchmeyer, Hengst International SA, Luxembourg, and (3) Ernst Markgraf, Prokurist at Bankhaus Schröder, Münchmeyer, Hengst und Co., Frankfurt am Main — on the interpretation of Article 5 (3) and Article 6 (1) of the Convention of 27 September 1968 — the Court (Fifth Chamber), composed of G. Bosco, President of the Chamber, U. Everling, Y. Galmot, R. Joliet and F. A. Schockweiler, Judges; M. Darmon, Advocate General; B. Pastor, Administrator, acting for the Registrar, gave a Judgment on 27 September 1988, the operative part of which is as follows:

1. *For the application of Article 6 (1) of the Convention there must exist between the various actions brought by the same plaintiff against different defendants a link such that it is expedient to determine those actions together in order to avoid the risk of irreconcilable judgments resulting from separate proceedings.*
2. (a) *The term 'tort, delict or quasi-delict' in Article 5 (3) of the Convention must be regarded as an independent concept covering all actions which seek to establish the liability of a defendant and which are not related to a 'contract' within the meaning of Article 5 (1).*

(\*) OJ No C 188, 17. 7. 1987.

(b) *A court which has jurisdiction under Article 5 (3) to entertain an action with regard to tortious matters does not have jurisdiction to entertain that action with regard to other matters not based on tort.*

*nationality of the Member State of residence. A bilateral agreement which reserves the scholarships in question to nationals of the two Member States, the parties to the agreement, cannot prevent the application of the principle of equality of treatment between national and Community workers established in the territory of one of those two Member States.*

### JUDGMENT OF THE COURT

of 27 September 1988

in Case 235/87: (reference to the Court for a preliminary ruling by the Conseil d'État of the Kingdom of Belgium): *Annunziata Matteucci v. Communauté Française of Belgium and Commissariat Général aux Relations Internationales of the Communauté Française of Belgium* <sup>(1)</sup>  
(*Non-discrimination — Vocational training — Aid for training*)

(88/C 281/14)

(*Language of the Case: French*)

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

In Case 235/87: reference to the Court under Article 177 of the EEC Treaty by the Conseil d'État [State Council] of the Kingdom of Belgium for a preliminary ruling in the proceedings pending before that court between Annunziata Matteucci, residing in Brussels, and (1) Communauté Française of Belgium and (2) Commissariat Général aux Relations Internationales [Foreign Relations Department] of the Communauté Française of Belgium — on the interpretation of the EEC Treaty, in particular Articles 7, 48, 59, 60 and 128 — the Court, composed of Lord Mackenzie Stuart, President, G. Bosco, O. Due, and G. C. Rodríguez Iglesias (Presidents of Chambers), T. Koopmans, C. N. Kakouris, R. Joliet, T. F. O'Higgins and F. A. Schockweiler, Judges; Sir Gordon Slynn, Advocate General; H. A. Rühl, Principal Administrator, acting for the Registrar, gave a Judgment on 27 September 1988, the operative part of which is as follows:

*Article 7 of Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community must be interpreted as meaning that it does not allow the authorities of a Member State to refuse to grant a scholarship to pursue studies in another Member State to a worker residing and in gainful employment in the territory of the first Member State but having the nationality of a third Member State on the ground that the worker does not have the*

### JUDGMENT OF THE COURT

of 27 September 1988

in Case 302/87: *European Parliament v. Council of the European Communities* <sup>(1)</sup>  
(*Capacity of the Parliament to bring an action for annulment*)

(88/C 281/15)

(*Language of the Case: French*)

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

In Case 302/87: *European Parliament* (Agents: F. Pasetti Bombardella, C. Pennera and J. Schoo) against *Council of the European Communities* (Agents: A. A. Dashwood, F. Van Craeynest and B. Laloux) — application for a declaration that Council Decision 87/373/EEC of 13 July 1987 laying down the procedures for the exercise of implementing powers conferred on the Commission is void — the Court, composed of Lord Mackenzie Stuart, President, G. Bosco, O. Due, J. C. Moitinho de Almeida and G. C. Rodríguez Iglesias (Presidents of Chambers), T. Koopmans, U. Everling, K. Bahlmann, Y. Galmot, C. N. Kakouris, R. Joliet, T. F. O'Higgins and F. A. Schockweiler, Judges; M. Darmon, Advocate General; J. A. Pompe, Deputy Registrar, for the Registrar, gave a Judgment on 27 September 1988, the operative part of which is as follows:

1. *The application is dismissed as inadmissible;*
2. *The European Parliament is ordered to pay the costs.*

<sup>(1)</sup> OJ No L 321, 1. 12. 1987.

<sup>(1)</sup> OJ No C 237, 3. 9. 1987.

**JUDGMENT OF THE COURT**

of 5 October 1988

in Case 238/87: (reference for a preliminary ruling made by the High Court of Justice of England and Wales, Chancery Division, Patents Court) AB Volvo v. Erik Veng (UK) Ltd <sup>(1)</sup>

*(Abuse of a dominant position — Refusal by the proprietor of a registered design to grant a licence)*

(88/C 281/16)

*(Language of the Case: English)*

In Case 238/87: reference to the Court under Article 177 of the EEC Treaty by the High Court of Justice of England and Wales, Chancery Division, Patents Court, for a preliminary ruling in the proceedings pending before that court between AB Volvo and Erik Veng (UK) Ltd — on the interpretation of Article 86 of the EEC Treaty — the Court, composed of Lord Mackenzie Stuart, President, G. Bosco, O. Due and J. C. Moitinho de Almeida (Presidents of Chambers), T. Koopmans, U. Everling, K. Bahlmann, Y. Galmot, R. Joliet, T. F. O'Higgins and F. A. Schockweiler, Judges; J. Mischo, Advocate General; D. Louterman, Administrator, for the Registrar, gave a judgment on 5 October 1988, the operative part of which is as follows:

*The refusal by the proprietor of a registered design in respect of body panels to grant to third parties, even in return for reasonable royalties, a licence for the supply of parts incorporating the design cannot in itself be regarded as an abuse of a dominant position within the meaning of Article 86.*

<sup>(1)</sup> OJ No C 227, 25. 8. 1987.

Action brought on 28 September 1988 by Marcellino Valle Fernandez v. Commission of the European Communities

(Case 264/88)

(88/C 281/17)

An action against the Commission of the European Communities was brought before the Court of Justice of the European Communities on 28 September 1988 by Marcellino Valle Fernandez, residing at 35 Chaussée de Tongres, B-4429 Rocourt, represented by Dirk Ramboer, of the Seraing Bar, with an address for service in Luxembourg at the Chambers of Aloyse May, 31 Grand Rue.

The applicant claims that the Court should:

1. Annul the decisions of 27 June 1988 of the Selection Board for Competition COM/D/577 confirming the decisions to reject his applications;
2. Make an appropriate order in relation to the damages to be awarded the applicant as compensation the amount of which will be assessed during the course of the proceedings.

*Contentions and main arguments adduced in support:*

The applicant claims that the decision of the Selection Board confirming the rejection of his applications must be regarded as void, in the first place because it was adopted outside the time-limit and secondly because it contains no statement of reasons.

Moreover, it is nowhere stated in the notice of competition which contains the general and specific conditions governing the competition that the submission of several applications for different areas is prohibited and bars admission to the competition. In consequence the applicant's rejection appears to be an infringement of the competition procedure and thus of the internal procedure for the recruitment of officials.

## III

*(Notices)*

## COMMISSION

**Notice of invitation to tender for the award of first processing and market preparation contracts  
in respect of leaf tobacco**

(88/C 281/18)

The Greek intervention agency (YDAGEP — Internal Market Division, Acharnon 241, Athens, tel.: 862 28 42) has issued an invitation to tender, within the meaning of Regulation (EEC) No 327/71 <sup>(1)</sup>, for the award of first processing and market preparation contracts in respect of 476 kilograms of leaf tobacco of the variety Mavra from the 1987 crop which it is holding.

---

<sup>(1)</sup> OJ No L 39, 17. 2. 1971, p. 3.

## UPDATED COMMUNITY TREATIES

Now available

The new abridged edition of the European Community treaties is out! This is an essential tool for anyone working regularly with the European Community. It contains all the main Community treaties in full, as amended over the years, but without many of the detailed annexes and addenda.

The new edition, published at the end of 1987, contains the Treaty of Paris, setting up the European Coal and Steel Community, the two Treaties of Rome, setting up the European Economic Community and Euratom, the Single European Act, two important Council decisions (on the direct election of the European Parliament and on the Community's own financial resources), a list of the decisions relative to the three enlargements of the European Community (accession of Denmark, Ireland and the United Kingdom in 1973, the accession of Greece in 1981 and the accession of Spain and Portugal in 1986), a list of other important Community decisions and the contents list of the complete edition of the Community Treaties.

The 650-page abridged edition is available in handy, pocket size (11,5 × 17 cm, and 2 cm thick) in all nine official languages of the European Community (Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish). It may be ordered from any of the European Community sales and subscription offices throughout the world or from the Office for Official Publications of the European Communities, rue Mercier 2 — L-2985 Luxembourg.

Cost (excluding postage and VAT) is 15,10 ECU, Bfrs 650, £ Irl 11,60, £ 10,60, US \$ 17,10.

Catalogue No CB-48-87-105-EN-C

ISBN 92-825-7657-4



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



STATISTICAL OFFICE OF THE EUROPEAN COMMUNITIES

EUROPE IN FIGURES

**Europe in figures** is a complete break from the traditional and often dry presentation of statistics. **Diagrams** and **tables** in full colour and **brief explanatory notes** in simple but precise language, highlight the important facts about Europe today.

**Europe in figures** is an indispensable tool for a factual understanding of Europe today — and tomorrow.

Easy to read, it is as useful to those in the professions and higher branches of management as it is to young people and students, as well as being of general interest to the wider public.

Under the heading '**To find out more**' the reader is referred to more specialized publications with which he can extend his knowledge of various subjects.

Its modest price (5 ECU) puts it within everyone's reach.

60 pp.

Published in: ES, DA, DE, GR, EN, FR, IT, NL, PT.

Catalogue number: CA-47-86-907-EN-C      ISBN: 92-825-7306-0

Price (excluding VAT) in Luxembourg:

ECU 5      IRL 3.60      UKL 3.30      USD 5.30      BFR 200



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

COMMISSION OF THE EUROPEAN COMMUNITIES

EUROPEAN CUSTOMS INVENTORY OF CHEMICALS

A guide to the tariff classification of chemicals in the combined nomenclature  
(English version)

This work includes:

- 32 000 chemical names (internationally accepted common names, systematic names and synonyms).
- Nine languages: Danish, German, English, Greek, Spanish, French, Italian, Dutch and Portuguese.

Features of this publication are:

- The classification (heading and subheading) of a chemical in the new customs tariff of the European Communities can be ascertained immediately from its name in any one of the nine languages.
- The nomenclature in this new tariff (combined nomenclature) is based on the nomenclature of the 'harmonized commodity description and coding system' which entered into force on 1 January 1988.
- The equivalent names in all nine languages (multilingual glossary) obtainable by means of a common key-number (CUS No).
- A means of finding the CAS number (chemical abstracts registry number).

640 pp.

Published in: ES, DA, DE, GR, EN, FR, IT, NL, PT.

Catalogue number: CB-52-88-348-EN-C ISBN: 92-825-7919-0

Price (excluding VAT) in Luxembourg:

per single-language volume:

ECU 33,75      BFR 1 450      DR 5 600      IRL 26,50      UKL 23,50      USD 42

per nine-volume set (nine languages):

ECU 232      BFR 10 000      DR 38 300      IRL 180      UKL 160      USD 285



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