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Information and Notices

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I

(Information)

COMMISSION

Ecu ⁽¹⁾

31 August 1989

(89/C 225/01)

Currency amount for one ecu:

Belgian and Luxembourg franc con.	43,4397	Spanish peseta	129,946
Belgian and Luxembourg franc fin.	43,5007	Portuguese escudo	173,604
German mark	2,07729	United States dollar	1,05957
Dutch guilder	2,34133	Swiss franc	1,79120
Pound sterling	0,675100	Swedish krona	7,01171
Danish krone	8,06916	Norwegian krone	7,56003
French franc	6,99899	Canadian dollar	1,24743
Italian lira	1490,60	Austrian schilling	14,6327
Irish pound	0,778295	Finnish markka	4,68754
Greek drachma	178,855	Japanese yen	153,267
		Australian dollar	1,38506
		New Zealand dollar	1,79588

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).

Pilot scheme to provide financial aid for translations of contemporary literary works

(89/C 225/02)

The Commission of the European Communities has decided to launch a pilot scheme in 1989 to promote the wider circulation of contemporary literary works representative of European culture by providing financial support for translation.

The scheme is being organized on the following lines:

1. Assistance will be granted for the translation of contemporary literary works typical of the culture that produced them and likely to interest a wide European reading public.

In exceptional cases, assistance may be granted for works of importance to European culture written by authors from non-Community countries belonging to the Council of Europe.

2. 'Contemporary literary works' means literature published for the first time in the twentieth century, preference being given to works published for the first time after 1945. By way of exception, works published at the end of the nineteenth century will also be considered.

3. Priority will be given in descending order, to the translation of:

- works written in one of the Community's minority languages into the more widely spoken languages;
- works written in one of the Community's minority languages into other minority languages;
- works written in a widely spoken Community language into Community minority languages;
- works written in a widely spoken Community language into other widely spoken Community languages, the main emphasis being on less widely translated literature.

4. Assistance will be granted for works whose publication on the European market is not considered viable without a Community grant.

5. Assistance may be granted for the translation of extracts from literary works to enable a publisher

wishing to publish a book written in one of the minority languages, but unable to read it in the original, to appraise its literary value and saleability more accurately.

6. The procedure is as follows:

- applications for grants from publishers intending to publish translations covered by sections 1 and 2 must be sent in by 1 December 1989. They must be sent both to the Commission (typewritten, in triplicate) and to the appropriate liaison office listed in Annex 2 (typewritten, in duplicate). The closing date is final and will not be extended. Proof of the date of submission will be the postmark,

- applications must be submitted on the standard form; typed reproductions of the form will not be accepted. The particulars listed in Annex 2 must be attached to the form and sent to the Commission and the liaison office, bound together in a single file (A4 maximum size). Application forms can be obtained from any of the offices listed in Annex 2, or from the Commission's Cultural Activities Division, Office JECL 2/116, 200 rue de la Loi, B-1049 Brussels, Belgium,

- the decision whether or not to grant financial assistance will be taken by the Commission no later than 1 March 1990, after consulting the advisory group of experts, subject to funds being available.

7. The grant will cover the full amount of the translator's fees negotiated in accordance with standard practice in the country concerned. Works translated must be published within the year following that in which the grant was paid. In the event of non-publication, all advances must be repaid.

8. This pilot scheme will take effect from the date of its publication in the *Official Journal of the European Communities* and will run on a trial basis for five years. A new notice will be published each year.

*ANNEX 1***Particulars required in support of applications from publishers wishing to publish the translation of a contemporary literary work**

- Assessment of the potential market
 - evidence that Community support will be of substantial help in ensuring the commercial viability of the translation
 - agreement in principle between the copyright holder(s) and the publisher of the translation
 - scheduled dates for completion and publication, price estimates, draft translation contract, confirmation of the qualifications and skill of the translator
 - marketing plans
 - evidence that the publisher has received no other public financing
 - confirmation that the translator and the Community contribution will both be clearly acknowledged.
-

ANNEX 2

LIAISON OFFICES

1. BELGIUM

Commissie van Advies tot bevordering van de Nederlandse letterkunde — Administratie voor Kunst,
Koloniënstraat 29-31,
B-1000 Brussel;

Commission des lettres de la Communauté française,
Galerie Ravenstein 4/28,
B-1000 Bruxelles;

Herrn Roger Havenith,
Chaussée Romaine 733 boîte 3,
B-1020 Brüssel

2. DENMARK

Komitéen vedrørende litteraturudveksling med udlandet,
Fru Ulla S. Ipsen,
Kulturministeriet,
Nybrogade 2,
DK-1203 København K

3. FEDERAL REPUBLIC OF GERMANY

Europäisches Übersetzerkollegium in Straelen,
D-4172 Straelen — Niederrhein 1

4. GREECE

Κα' Αλκηστis Σουλογιάννη,
Τμήμα Γραμμάτων
Υπουργείο Πολιτισμού,
Ερμού 17,
GR-101 86 Αθήνα

5. SPAIN

Federación de Gremios de Editores de España,
C/Juan Ramón Jiménez, 45-9º Izd.,
E-28036 Madrid

6. FRANCE

Direction du livre et de la lecture,
27, avenue de l'Opéra,
F-75001 Paris

7. IRELAND

Arts Council,
70 Merrion Square,
IRL-Dublin

8. ITALY

Sottocomitato consultivo per gli incentivi alle traduzioni di opera italiane in lingue straniere,
Direzione generale relazioni culturali,
Ministero affari esteri,
Piazzale Farnesina,
I-00194 Roma

9. LUXEMBOURG

Service de littérature du ministère des affaires culturelles,
19-21, rue Goethe,
L-1637 Luxembourg

10. NETHERLANDS

Stichting tot bevordering van de vertaling van Nederlands letterkundig werk,
Singel 464,
NL-1017 AV Amsterdam

11. PORTUGAL

Instituto Português do Livro e da Leitura,
Av. de Berna, 13/4º,
PT-1000 Lisboa

12. UNITED KINGDOM

Dr Alastair Niven,
Director of Literature,
Arts Council of Great Britain,
105 Piccadilly,
UK-London W1U 0AU

COURT OF JUSTICE

**ORDER OF THE PRESIDENT
of the Second Chamber of the Court
of 31 July 1989**

**in Case 206/89 R: S., supported by Union
Syndicale-Bruxelles v. Commission of the European
Communities ⁽¹⁾**

(Application for suspension of operation)

(89/C 225/03)

(Language of the case: French)

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

In Case 206/89 R: S., represented by Thierry Demaseure, Michel Deruyver and Gérard Collin, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of Yvette Hamilius, 11, Boulevard Royal, against the Commission of the European Communities (Agents: Henri Etienne and Sean Van Raepenbusch), application for an interim measure in the form of suspension of the operation of the Commission's decision of 6 June 1989, refusing to recruit the applicant as a member of its temporary staff on the grounds that he is not physically fit, F. Schockweiler, Judge, acting as President of the Second Chamber of the Court of Justice of the European Communities, made an order on 31 July 1989, the operative part of which is as follows:

1. *The application for suspension of the operation of the decision is dismissed as inadmissible.*
2. *Costs are reserved.*

⁽¹⁾ OJ No C 216, 22. 8. 1989.

**Action brought on 31 July 1989 by the Ivo-Martin-Henri
Van Gerwen against the Commission of the European
Communities**

(Case 237/89)

(89/C 225/04)

An action against the Commission of the European Communities was brought before the Court of Justice of

the European Communities on 31 July 1989 by Ivo-Martin-Henri Van Gerwen, residing at 17 Piazza Parrocchiale, Angera (Varese), 21021 Italy, represented by Marcel Slusny, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of Ernest Arendt, 4 Avenue Marie-Thérèse.

The applicant claims that the Court should:

1. declare null and void the implied decision rejecting his complaint;
2. fix the date of the reinstatement which he should have been granted; and take account of the steps determined by his reinstatement;
- 2 (a) order the Commission to pay sums equivalent to the net remuneration which he would have received had he in fact been reinstated on 15 September 1969 or on such later date as is determined in accordance with the principles laid down by the Judgment of the Court in Case 785/79, *Pizzolo v. Commission* [1983] ECR 1343;
3. fix the provisional amount at B frs 5 million or such amount as is finally determined in the course of the proceedings;
4. fix the interest at 8 %;
5. order the Commission to pay the expatriation allowance provided for in Article 4 of Annex VII to the Staff Regulations for the period during which the applicant was not reinstated by the Commission;
6. determine the amounts due at one million Belgian francs or such sum as is finally determined in the course of the proceedings;
7. order the Commission to pay by way of damages the sum of B frs 5 million for the whole period during which he was unable to take part in the *ad hoc* committee procedure or such sum as is finally determined in the course of the proceedings;
8. order the Commission to pay interest at the rate of 8 % on the sum of B frs 5 million or such sum as is finally determined in the course of the proceedings;
9. appoint one or three experts for the purposes of determining the date on which the applicant could have been reinstated, in principle 15 September 1969;
10. order the Commission to pay the costs.

Contentions and main arguments adduced in support:

The applicant maintains that he should have been reinstated, after taking leave on personal grounds, on 15 September 1969 or, failing that, on such later date as is determined on the basis of the principles laid down in the case-law of the Court applying Article 40 (4) (d) of the Staff Regulations.

Action brought on 31 July 1989 by the Commission of the European Communities against the Italian Republic

(Case 239/89)

(89/C 225/05)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 31 July 1989 by the Commission of the European Communities, represented by D. R. Gilmour, a member of its Legal Department, acting as Agent, with an address for service in Luxembourg at the office of Georgios Kremlis, Centre Wagner, Kirchberg.

The applicant claims that the Court should:

- declare that, by refusing to pay interest pursuant to Article 11 of Regulation (EEC) No 2891/77 on the sum of Lit 14 083 260, the Italian Republic has failed to fulfil its obligations under the EEC Treaty;
- order the Italian Republic to pay the costs.

Contentions and main arguments adduced in support:

The Commission considers that Article 11 of Council Regulation (EEC) No 2891/77 of 19 December 1977 ⁽¹⁾, as interpreted by the Court of Justice in its judgment of 22 February 1989 in Case 54/87, *Commission v. Italy*, is applicable.

⁽¹⁾ OJ No L 336, 27. 12. 1977, p. 1.

Action brought on 31 July 1989 by the Commission of the European Communities against the Italian Republic

(Case 240/89)

(89/C 225/06)

An action against the Italian Republic was brought before the Court of Justice of the European

Communities on 31 July 1989 by the Commission of the European Communities, represented by Dimitrios Gouloussis and Giuliano Marengo, members of its Legal Department, acting as Agents, with an address for service in Luxembourg at the office of Georgios Kremlis, Centre Wagner, Kirchberg.

The applicant claims that the Court should:

- declare that, by failing to adopt by 1 January 1987 measures implementing Council Directive 83/477/EEC of 19 September 1983 on the protection of workers from the risks related to exposure to asbestos at work ⁽¹⁾ other than measures relating to asbestos-mining activities, the Italian Republic has failed to fulfil its obligations under the EEC Treaty;
- order the Italian Republic to pay the costs.

Contentions and main arguments adduced in support:

In its memorandum of 5 February 1988 the Italian authorities acknowledged that Directive 83/477/EEC had not yet been implemented as it should have been. Since then they have not notified the adoption of the requisite measures. The deadline laid down by the Directive is 1 January 1987, except for asbestos-mining activities, for which the deadline is 1 January 1990. Consequently, leaving aside mining activities, the Italian Republic has failed to implement the Directive within the prescribed period.

⁽¹⁾ OJ No L 263, 24. 9. 1983, p. 25.

Reference for a preliminary ruling by the First Section of the First Chamber of the Tribunal de Grande Instance de Paris by Judgment of that court of 15 July 1989 in the case of Société d'Application et de Recherches en Pharmacologie Sàrl v. Chambre Syndicale des Raffineurs et Conditionneurs de Sucre en France and Others

(Case 241/89)

(89/C 225/07)

Reference has been made to the Court of Justice of the European Communities by judgment of the First Section of the First Chamber of the Tribunal de Grande Instance (Regional Court), Paris, of 5 July 1989, which was received at the Court Registry on 1 August 1989, for a preliminary ruling in the case of Société d'Application et de Recherches en Pharmacologie Sàrl v. Chambre Syndicale des Raffineurs et Conditionneurs de Sucre en France and others on the following question:

Are Article 10-1 of Law No 88.14 of 5 January 1988 and the Decree of 11 March 1988 compatible with Article 30 of the Treaty of Rome, inasmuch as they prohibit any statement alluding to the physical, chemical or nutritional characteristics of sugar or to the word sugar in the labelling or advertising of artificial sweeteners?

Action brought on 2 August 1989 by the Commission of the European Communities against the French Republic

(Case 244/89)

(89/C 225/08)

An action against the French Republic was brought before the Court of Justice of the European Communities on 2 August 1989 by the Commission of the European Communities, represented by its Legal Adviser, Robert Caspar Fischer and Patrick Hetsch, a member of its Legal Department, acting as Agents, with an address for service in Luxembourg at the office of Georgios Kremlis, also a member of the Commission's Legal Department, Wagner Centre, Kirchberg.

The applicant claims that the Court should:

1. declare, in accordance with the second paragraph of Article 169 of the EEC Treaty, that by not ensuring compliance with the quotas allocated to it for the year

1986 for catches of other species in Norwegian waters and of redfish in Faroese waters, the French Republic has failed to fulfil its obligations under Article 5 (2) of Regulation (EEC) No 170/83 ⁽¹⁾ and Article 10 (2) of Regulation (EEC) No 2057/82 ⁽²⁾ in conjunction with Article 1 of Regulation (EEC) No 3730/85 ⁽³⁾ and Article 1 of Regulation (EEC) No 3732/85 ⁽⁴⁾;

2. order the French Republic to pay the costs.

Contentions and main arguments adduced in support:

The Commission contends that the French Republic which, like all the Member States, bears the main responsibility for regulating fishing activities, did not adopt, in accordance with the applicable Community provisions, all the measures necessary to implement Article 5 (2) of Council Regulation (EEC) No 170/83 and, in particular, those measures which arise from the duty to determine the date on which catches of the species in question, made by French fishing vessels, should have been deemed to have exhausted the applicable quotas, and to provisionally prohibit as from that date all fishing activities, a duty which is imposed by Article 10 (2) of Regulation (EEC) No 2057/82.

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽³⁾ OJ No L 361, 31. 12. 1985, p. 66.

⁽⁴⁾ OJ No L 361, 31. 12. 1985, p. 76.
