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Information and Notices

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I

(Information)

COMMISSION

Ecu (*)

14 November 1989

(89/C 287/01)

Currency amount for one ecu:

Belgian and Luxembourg franc con.	43,0882	Spanish peseta	129,993
Belgian and Luxembourg franc fin.	43,1879	Portuguese escudo	175,866
German mark	2,05521	United States dollar	1,10745
Dutch guilder	2,31901	Swiss franc	1,81456
Pound sterling	0,699813	Swedish krona	7,16744
Danish krone	7,98308	Norwegian krone	7,69348
French franc	6,97640	Canadian dollar	1,29550
Italian lira	1504,48	Austrian schilling	14,4711
Irish pound	0,773091	Finnish markka	4,75264
Greek drachma	183,959	Japanese yen	159,307
		Australian dollar	1,40629
		New Zealand dollar	1,88310

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.

(*) Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ No L 189, 4. 7. 1989, 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).

Recapitulation of current tenders, published in the *Supplement to the Official Journal of the European Communities*, financed by the European Economic Community under the European Development Fund (EDF) or the European Communities budget

(week: 7 to 11 November 1989)

(89/C 287/02)

Invitation to tender No	Number and date of 'S' Journal	Country	Subject	Final date for submission of bids
3110	S 215, 8. 11. 1989	Gambia	GM-Banjul: drugs and medical supplies	10. 1. 1990
3125	S 216, 9. 11. 1989	Mali	ML-Bamako: medicines	8. 1. 1990
3126	S 216, 9. 11. 1989	Ethiopia	ET-Addis Ababa: chemicals	19. 12. 1989
3123	S 216, 9. 11. 1989	Liberia	LR-Liberia: complete rehabilitation of a stacker-reclaimer	15. 1. 1990
3132	S 217, 10. 11. 1989	Cape Verde	CV-Praia: vehicles and topographic material	11. 1. 1990
3024	S 217, 10. 11. 1989	Burundi	BI-Bujumbura: roadworks	30. 1. 1990
3130	S 218, 11. 11. 1989	Angola	AO-Luanda: polyethylene	11. 1. 1990
3129	S 218, 11. 11. 1989	Angola	AO-Luanda: various supplies	9. 1. 1990

Commission communication pursuant to Article 18 (3) of Council Regulation (EEC) No 4257/88 of 19 December 1988, applying generalized tariff preferences for 1989 in respect of certain industrial products originating in developing countries

(89/C 287/03)

Pursuant to Article 18 (3) of Council Regulation (EEC) No 4257/88 of 19 December 1988 (OJ No L 375, 31. 12. 1988), the Commission gives notice that the following tariff ceilings have been reached:

(in Ecu)			
Order No	Description	Origin	Amount of ceiling
10.0100	Sodium dichromate	Mexico	380 000
10.0500	New pneumatic tyres and inner tubes of rubber of a kind used on bicycles and motorcycles	Brazil	3 700 000

DECISION No 138**of 17 February 1989**

concerning the interpretation of Article 22 (1) (c) (i) of Regulation (EEC) No 1408/71 in the case of organ transplants or other forms of surgery requiring tests on biological samples while the person concerned is not present in the Member State where the tests are carried out

(89/C 287/04)

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

Having regard to Article 81 of Council of Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, under which it is made responsible for dealing with all administrative questions and questions of interpretation arising from Council of Regulation (EEC) No 1408/71 and subsequent Regulations;

Whereas Article 22 (1) (c) of Regulation (EEC) No 1408/71 refers to the case of an insured person going to the territory of the Member State to which he has been authorized to go for treatment;

Whereas in certain cases tests on biological samples that are indispensable before and/or after an organ transplant or other forms of surgery can be carried out only in the Member State to which the person concerned has been authorized by the competent institution to go for treatment but are not carried out during the stay of the person concerned in the territory of that Member State;

Whereas these tests on biological samples form an integral part of the whole range of pre- and post-operative examinations, of the surgery and of all the services provided pursuant to the legislation of the Member State to which the insured person has been authorized to go and whereas all the costs pertaining to these benefits must be borne by the competent institution;

Whereas, consequently, the interpretation of Article 22 (1) (c) of Regulation (EEC) No 1408/71 should be clarified to specify that it also covers the tests on biological samples carried out in a Member State other than the competent State before and/or after an organ transplant or surgery duly authorized by the competent institution, even if such tests are not carried out during the stay of the person concerned in the territory of the other Member State;

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

HAS DECIDED AS FOLLOWS:

1. Tests on biological samples carried out by a Member State other than the competent State which are duly authorized by the competent institution shall be covered by Article 22 (1) (c) of Regulation (EEC) No 1408/71, even if these tests are not carried out during the stay of the person concerned in the territory of the other Member State.

2. In this case the competent institution shall use form E 112 to authorize the tests and the dispatch of biological samples to the other Member State.

Upon agreement between the competent institution and the institution of the place of stay, form E 112 and the biological samples must be sent to the hospital ordering the tests.

3. This Decision shall be published in the *Official Journal of the European Communities*. It shall be applicable from the first day of the fourth month following its publication.

The Chairman of the Administrative Commission

B. DÍEZ RODRÍGUEZ

Commission communications pursuant to Article 9 (9) of Council Regulation (EEC) No 3420/83 of 14 November 1983

(89/C 287/05)

By virtue of Article 9 (1) of Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level (⁽¹⁾), the Commission has adopted, with effect from 9 November 1989, the following changes to the import arrangements applied in Italy with regard to certain State-trading countries:

Opening, on an exceptional basis for 1989, of quotas for the import of:

— *Hungary*

Aluminous cement (CN-code 2523 30 00) 1 738 tonnes

— *Czechoslovakia*

Flat-rolled products of iron or non-alloy steel, of a width not exceeding 500 mm, not clad, plated or coated, cold-rolled (cold-reduced), of a thickness of less than 3 mm and having a minimum yield point of 275 MPa, containing by weight less than 0,25 % of carbon:

— 'Electrical' (CN code 7211 30 31) 250 tonnes

— Other (CN code 7211 30 39) 1 580 tonnes

By virtue of Article 9 (1) of Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level (⁽¹⁾), the Commission has adopted the following change(s) to the import arrangements applied in the United Kingdom with regard to the German Democratic Republic with effect from 10 November 1989.

The amounts of the following quotas given in Annex VIII (k) (United Kingdom) to Council Decision of 6 November 1989 and applied to the German Democratic Republic are on an exceptional basis modified for 1989 as follows:

Category	Units	Amounts	
		Old	New
40	tonnes	—	12,5
67	tonnes	38	25,5

(⁽¹⁾) OJ No L 346, 8. 12. 1983, p. 6.

List of opinions on investment programmes**Article 54 of the Treaty establishing the European Coal and Steel Community**

(89/C 287/06)

(See Official Journal of the European Communities No C 238 of 16 of September 1989)

- 7/89 *AFIM, SpA, Nave (Brescia)*
— Concentration of reinforcing bar production at the Nave works
- 8/89 *Acciaierie del Sud SpA, Casoria*
— Concentration of reinforcing bar production at the Casoria works
- 9/89 *Altos Hornos de Vizcaya SA, Baracaldo*
Echevarri works
— Continuous tinplate annealing plant
- 10/89 *Ensidesa SA, Madrid*
Avilés works
— Continuous annealing plant for tinned and cold-rolled sheet
- 11/89 *Sidmar NV, Gent*
— Walking beam furnace ahead of the hot wide strip mill
- 12/89 *Sidmar NV, Gent*
— Modernization of blast furnace B
— Modernization of the finishing section of the hot wide strip mill
- 13/89 *Stahlwerke Peine-Salzgitter AG, Salzgitter*
Peine Works
— Walking beam furnace ahead of the heavy section mill
- 14/89 *SA Hullera Vasco-Leonesa, Madrid*
Ciñera-Matallana colliery
— Accessing of new reserves
- 15/89 *Sheerness Steel Company, Sheerness*
— Modernization of an electric furnace
- 16/89 *Charbonnages de France, Rueil-Malmaison,*
Carmaux Colliery:
— Development of and increasing output from the Sainte Marie pillar
- 17/89 *Neue Maxhütte Stahlwerke GmbH,*
Rosenberg Works:
— Alterations to iron making,
— Modernization of rolling mill,
— Other measures.
-

List of bodies entrusted by each Member State with quality inspections of fresh fruit and vegetables

(89/C 287/07)

Published pursuant to Commission Regulation (EEC) No 3078/89 (OJ No L 294 of 13 October 1989, p. 18)

Fresh fruit and vegetables:

- (1) imported from non-member countries (list provided for in Article 3 (1) of Regulation 80/63/EEC),
- (2) marketed within the Community (list provided for in Article 1 (4) of Regulation (EEC) No 2638/69),
- (3) exported to non-member countries (list provided for in Article 1 (2) of Regulation (EEC) No 496/70),

		Telephone	Telex	Telefax
	KINGDOM OF BELGIUM			
(1) (2) (3)	Service d'inspection des matières premières ministère de l'agriculture avenue du Boulevard 21 (neuvième étage) B-1210 Bruxelles	02/211 72 11	AGRILA 23 655 22 033	02/211 72 16
(1) (2) (3)	Office national des débouchés agricoles et horticoles (ONDAH) place de Louvain 4, boîtes 6 et 7 B-1000 Bruxelles	02/210 17 11	AFZET B 21 381	02/218 46 67
	Dienst voor inspectie van de grondstoffen Ministerie van Landbouw Bolwerklaan 21 (9e verdieping) B-1210 Brussel	02/211 72 11	AGRILA 23 655 22 033	02/211 72 16
	Nationale Dienst voor afzet van land- en tuinbouw- produkten (NDALTP) Leuvenseplein 4, bussen 6 en 7 B-1000 Brussel	02/210 17 11	AFZET B 21 381	02/218 46 67
	KINGDOM OF DENMARK			
(1) (2) (3)	Statens Plantetilsyn Gersonsvej 13 DK-2900 Hellerup	31620787		31621956
	FEDERAL REPUBLIC OF GERMANY			
(1) (2) (3)	Bundesamt für Ernährung und Forstwirtschaft Adickesallee 40 Postfach 18 02 03 D-6000 Frankfurt/Main 18	(0 69) 15 64-0	411 165	(0 69) 1 56 44 45
	Landesdienststellen			
	<i>Baden-Württemberg</i>			
(1) (2) (3)	Regierungspräsidium Stuttgart Referat 36 Breitscheidstraße 4 Postfach 10 60 27 D-7000 Stuttgart 10	(07 11) 20 50-1	721 604 télétext: 7 111 442	(07 11) 22 02 22
(1) (2) (3)	Regierungspräsidium Karlsruhe Referat 36 Schloßplatz 1-3 Postfach 53 43 D-7500 Karlsruhe 1	(07 21) 1 35-1		(07 21) 1 35 62 11

		Telephone	Telex	Telefax
(1) (2) (3)	Regierungspräsidium Tübingen Referat 36 Nauklerstraße 47 Postfach D-7400 Tübingen 1	(0 70 71) 28-1	7 262 818 télétext: 707117	(0 70 71) 2 32 29
(1) (2) (3)	Regierungspräsidium Freiburg Referat 36 Bertoldstraße 43 Postfach D-7800 Freiburg i. Br.	(07 61) 2 04-1	772 869 télétext: 761 145	(07 61) 2 04 41 68
	<i>Bavaria</i>			
(1) (2) (3)	Bayerische Landesanstalt für Ernährung Am Neudeck 6 Postfach 90 01 20 D-8000 München 90	(0 89) 62 43-0	5 213 186	(0 89) 65 98 88
	<i>Berlin</i>			
	Bezirksämter der Stadtbezirke Charlottenburg, Kreuzberg, Neukölln, Reinickendorf, Schöneberg, Spandau, Steglitz, Tempelhof, Tiergarten, Wedding, Wilmersdorf und Zehlendorf zu erreichen über:			
(1) (2) (3)	Senator für Wirtschaft und Arbeit Martin-Luther-Straße 105 D-1000 Berlin 62	(0 30) 7 83-1	183 798	(0 30) 7 83 84 55
	<i>Bremen</i>			
(1) (2)	Senator für Wirtschaft, Technologie und Außenhandel Bahnhofsplatz 29 D-2800 Bremen 1	(04 21) 3 61-1	244 804	(04 21) 3 61 21 57
(1) (2) (3)	Gartenbaukammer Bremen Paul-Feller-Straße 25 D-2800 Bremen	(04 21) 55 00 29		
(1) (2)	für Bremen: Stadt- und Polizeiamt Am Wall 201 D-2800 Bremen 1	(04 21) 3 61-1	244 804	
(1) (2)	für Bremerhaven: Magistrat der Stadt Bremerhaven Ortspolizeibehörde Stadthaus D-2850 Bremerhaven	(04 71) 5 99-1		
	<i>Hamburg</i>			
(1) (2) (3)	Behörde für Wirtschaft und Landwirtschaft Alter Steinweg 4 Postfach 11 21 09 D-2000 Hamburg 11	(0 40) 3 49 12-1	211 100	(0 40) 34 91 26 20
	<i>Hesse</i>			
(1) (2) (3)	Hessisches Landesamt für Ernährung, Landwirtschaft und Landentwicklung — Abt. Ernährung — Untermainkai 27—28 Postfach 16 03 52 D-6000 Frankfurt/Main 16	(0 69) 27 14-0	414 528	(0 69) 2 71 41 23
	<i>Lower Saxony</i>			
(1) (2) (3)	Landwirtschaftskammer Hannover Johannsenstraße 10 Postfach 2 69 D-3000 Hannover 1	(05 11) 16 65-0	922 892	(05 11) 1 66 55 09

		Telephone	Telex	Telefax
(1) (2) (3)	Landwirtschaftskammer Weser-Ems Mars-la-Tour-Straße 1-13 Postfach 25 49 D-2900 Oldenburg	(04 41) 8 01-0	25 639	(04 41) 80 11 80
(1) (2)	Bezirksregierung Hannover Dezernat 503 Am Waterlooplatz 11 Postfach 2 03 D-3000 Hannover 1	(05 11) 1 06-0	922 845 télétext: 5 118 474	(05 11) 1 06 33 33
(1) (2)	Bezirksregierung Lüneburg Dezernat 503 Auf der Hude 2 Postfach 25 20 D-2120 Lüneburg	(0 41 31) 15-0	2 182 187 télétext: 413 140	(0 41 31) 15 29 02
(1) (2)	Bezirksregierung Braunschweig Dezernat 503 Bohlweg 38 Postfach 32 74 D-3300 Braunschweig	(05 31) 4 84-0	952 821 télétext: 5 318 214	(05 31) 4 84 32 16
(1) (2)	Bezirksregierung Weser-Ems Dezernat 503 Theodor-Tantzen-Platz 8 Postfach 24 47 D-2900 Oldenburg	(04 41) 79 90	25 804	(04 41) 7 99 20 04
	<i>North Rhine-Westphalia</i>			
(1) (2) (3)	Landwirtschaftskammer Rheinland Endenicher Allee 60 D-5300 Bonn 1	(02 28) 7 03-0		(02 28) 70 34 98
(1) (2) (3)	Landwirtschaftskammer Westfalen-Lippe Schorlemer-Straße 26 Postfach 59 25 D-4400 Münster	(02 51) 599-1 23 76-1	892 806	(02 51) 59 93 62
(1) (2)	Landesamt für Ernährungswirtschaft und Jagd Nordrhein-Westfalen Tannenstraße 24b D-4000 Düsseldorf 30	(02 11) 45 66-0	8 584 035	(02 11) 4 56 64 52
	<i>Rhineland-Palatinate</i>			
(1) (2)	Landwirtschaftskammer Rheinland-Pfalz Burgenlandstraße 7 D-6550 Bad Kreuznach	(06 71) 79 30-1	42 737 télétext: 671 922	
(1) (2) (3)	Bezirksregierung Koblenz Stresemannstraße 3-5 Postfach 2 69 D-5400 Koblenz	(02 61) 1 20-1	862 822	(02 61) 1 40 47
(1) (2) (3)	Bezirksregierung Trier Mustorstraße 14 D-5500 Trier	(06 51) 71 08-1	472 777	(06 51) 7 10 83 44
(1) (2) (3)	Bezirksregierung Rheinhessen-Pfalz Friedrich-Ebert-Straße 14 D-6730 Neustadt/Weinstraße	(0 63 21) 8 50-1	454 857 télétext: 6 321 927	(0 63 21) 85 06 21
	<i>Saarland</i>			
(1) (2) (3)	Der Minister für Wirtschaft Abteilung E — Landwirtschaft Am Ludwigsplatz 6 Postfach 10 10 D-6600 Saarbrücken	(06 81) 5 00 62 27	télétext: 681 966	

		Telephone	Telex	Telefax
	<i>Schleswig-Holstein</i>			
(1) (2) (3)	Überwachungsstelle für Milcherzeugnisse und Handelsklassen Holstenplatz 1—2 Postfach 30 65 D-2300 Kiel 1	(04 31) 5 96-1	299 817	
	FRENCH REPUBLIC			
(1) (2) (3)	Ministère de l'économie, des finances et du budget — direction générale de la concurrence, de la consommation et de la répression des fraudes 13, rue Saint-Georges F-75436 Paris Cedex 09	(1) 4285 13 50	643910 F FIREP	(1) 42804766
(1)	— direction générale des douanes 93, rue de Rivoli F-75056 Paris	(1) 260 33 00	220200 DOUANX	
	IRELAND			
(1) (2) (3)	Department of Agriculture and Food Agriculture House Kildare Street IRL-Dublin 2	(01) 78 90 11 (ext. 3000/3083)	93607 AGRI EI	61626 ou 612890
	ITALIAN REPUBLIC			
(2)	Azienda di Stato per gli interventi nel mercato agricolo (AIMA) via Palestro 81 I-00100 Roma (for products despatched between the various forwarding areas in Italy)	474991	613 003 620 331	
(1) (2) (3)	Istituto nazionale per il commercio estero (ICE) via Liszt, 21 I-00100 EUR Roma (for products despatched between the various forwarding areas in Italy and other Community forwarding areas)	5 99 21	613 231 610 178 612 282 612 614 610 160	
	GRAND DUCHY OF LUXEMBOURG			
(1) (2) (3)	Administration des services techniques de l'agriculture service de l'horticulture, service de contrôle des fruits et légumes 16, route d'Esch boîte postale 1904 L-1019 Luxembourg	44 32 32	2537 AGRIM LU	
	KINGDOM OF THE NETHERLANDS			
(2) (3)	Kwaliteitscontrolebureau voor groenten en fruit (KCB) Groothertoginnelaan 6 Postbus 29736 NL-2502 LS 's-Gravenhage	070-46 96 57	31371	070-457824
(1) (2) (3)	Rijksdienst voor de keuring van vee en vlees van het Ministerie van landbouw en visserij Sectie Groenten en Fruit Murenstraat 30 Postbus 30724 NL-2500 GS 's-Gravenhage	070-61 18 59	32 040	070-649902
(2)	Algemene Inspectiedienst Ministerie van landbouw en visserij Klooterraderstraat 25 Postbus 234 NL-6460 AE Kerkrade	045-466265	56545	045-461011

		Telephone	Telex	Telefax
	UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND			
(1) (2) (3)	Ministry of Agriculture, Fisheries and Food Ergon House c/o Nobel House 17 Smith Square UK-London SW1P 3HX, UK	01-2383000	21 271	01-238 6591
(1) (2) (3)	Department of Agriculture and Fisheries for Scotland Pentland House 47 Robbsloan UK-Edinburgh EH11 3AW	031-5568400	72 162 727 478	031-2446001/2/3
(1) (2) (3)	Department of Agriculture for Northern Ireland Dundonald House Upper Newtownards Road UK-Belfast BT4 3SB	0232 650 111	74 578	0232-659856
(1) (2) (3)	Welsh Office Agriculture Department Cathays Park UK-Cardiff CF1 3NQ	0222 825 111	498 228	0222-8253562
	HELLENIC REPUBLIC			
(1) (2) (3)	Υπουργείο Γεωργίας — Διεύθυνση ΠΑΠ δενδροκηλευτικής, — Τμήμα Τυποποίησης και Ποιοτικού Ελέγχου Πρωτογενούς Παραγωγής Αχαρνών 2, Αθήνα.	01 329 13 02		
	KINGDOM OF SPAIN			
(1) (2) (3)	— Servicio Oficial de Inspección y Vigilancia del Comercio Exterior (SOIVRE) Secretaría de Estado de Comercio Ministerio de Economía y Hacienda Paseo de la Castellana, 162 E-28046 Madrid (for products despatched between the various forwarding areas in Spain and other Community forwarding areas)	(091) 259 27 09	45 952 COSO E	91-4576231
(2)	— Subdirección General de Defensa contra Fraudes Dirección General de Política Alimentaria Ministerio de Agricultura Pesca y Alimentación Paseo Infanta Isabel, nº 1 E-28014 Madrid (for products despatched between various forwarding areas in Spain)	(091) 467 24 00 ext. 323	23 425 AGRIM E 27 422 AGRIM E	91-3475006
	PORTUGUESE REPUBLIC			
(1) (2) (3)	Portugal Continental Instituto da Qualidade Alimentar Rua de Alexandre Herculano nº 6, 4º andar P-1100 Lisboa	5291 86/9	52 320 IQA-P	
(1) (2) (3)	Região Autónoma da Madeira Direcção dos Serviços de Comércio e Indústria Agrícola Avenida Zarco P-9000 Funchal (Madeira)	2 51 53	72 105	
(1) (2) (3)	Região Autónoma dos Açores Direcção Regional de Agricultura da Região Autónoma dos Açores Vinha Brava P-9700 Angra do Heroísmo (Açores)	2 39 79	82 155 GRAZOR-P	

II

(Preparatory Acts)

COMMISSION

Re-examined proposal for a Council Directive concerning minimum safety and health requirements for the use of personal protective equipment by workers at work ⁽¹⁾

COM(89) 519 final — SYN 126

(Submitted by the Commission pursuant to Article 149.2(d) of the EEC Treaty on 18 October 1989)

(89/C 287/08)

⁽¹⁾ OJ No C 115, 8. 5. 1989, p. 27.

COMMON POSITION OF THE COUNCIL

REVISED COMMISSION PROPOSAL FOLLOWING AMENDMENTS BY THE EUROPEAN PARLIAMENT AT THE SECOND READING ON 13 SEPTEMBER 1989

Grounds and recitals unchanged

Articles 1 to 5 unchanged

Article 6(1) third indent

replaced by:

Annexes I, II, III and IV, which are for guidance, contain useful information for determining these rules.

Article 7 (1)

Replaced by:

1. The employer shall inform the workers and/or their representatives of all measures to be taken with regard to the health and safety aspects of personal protective equipment; he shall consult them and allow their participation in accordance with Articles 10 and 11 of Directive 89/391/EEC and on the basis of the provisions of Annexes I, II, III and IV.

Article 8, beginning

Replaced by:

Amendments of a strictly technical nature to Annexes I, II, III and IV with regard to:

(rest unchanged)

Articles 9 and 10 unchanged

Annexes

Reinstatement of Annex III as included in the initial and amended Commission proposals.

Re-examined proposal for a Council Directive concerning the minimum safety and health requirements for the use of work equipment by workers at work ⁽¹⁾

COM(89) 521 final — SYN 125

(Submitted by the Commission pursuant to Article 149.2(d) of the EEC Treaty on 18 October 1989)

(89/C 287/09)

⁽¹⁾ OJ No C 106, 26. 4. 1989, p. 13.

COMMON POSITION OF THE COUNCIL

REVISED COMMISSION PROPOSAL FOLLOWING AMENDMENTS BY
THE EUROPEAN PARLIAMENT AT THE SECOND READING ON 13
SEPTEMBER 1989

Grounds and recitals unchanged

Articles 1 to 3 unchanged

Article 4, paragraph 1 (b)

Replaced by:

(b) Work equipment which, if already provided to workers in the undertaking and/or establishment by 31 December 1992, complies with the minimum requirements laid down in the Annex no later than two years after that date.

Article 4, paragraph 2

Add:

In selecting the work equipment which he proposes to use, the employer shall pay particular attention to the hazards this equipment presents to the safety and health of the workers, taking into account the specific characteristics and the working conditions of the undertaking.

Articles 5, 6 and 7 unchanged

Article 8, paragraph 1

Replaced by:

1. The employer shall inform the workers and/or their representatives of all measures to be taken with regard to safety and health in the use of work equipment; he shall consult them and allow their participation in accordance with Articles 10 and 11 of Directive 89/391/EEC and on the basis of the provisions of in the Annex.

III

(Notices)

COMMISSION

Notice of invitation to tender for the sale for export of 6 595 842 kilograms of baled tobacco from the 1986 and 1987 crops held by the Italian intervention agency (AIMA)

(89/C 287/10)

Pursuant to Commission Regulation (EEC) No 3389/73 of 13 December 1973 laying down the procedure and conditions for the sale of tobacco held by intervention agencies ⁽¹⁾, as last amended by Regulation (EEC) No 3263/85 ⁽²⁾, the Commission hereby invites tenders for the export of six lots of baled tobacco from the 1986 and 1987 crops held by the Italian intervention agency.

The numbers of the lots, the places of storage, the varieties and grades in the lots, their weight, the form in which they are put up, the amount of the security and the price of samples and the daily charge for delay in removal of the tobacco are set out in the Annex hereto.

I. Tenders

1. Tenders are to be submitted in respect of the lots listed in the Annex hereto. Tenders may not be submitted for part of a lot.
2. Tenders must be submitted or given, against receipt of delivery, to the Commission of the European Communities, 200 rue de la Loi, B-1049 Brussels.
3. Tenders must reach the Commission not later than 3 p.m. (Brussels time) on 2 February 1990.
4. Tenders must be enclosed in a sealed envelope marked 'Tenders for DG VI-E-4 tobacco sale. To be opened only at the meeting of the Group' and itself enclosed in an envelope addressed to the Commission.
5. Tenders must include the name and address of the tenderer and give:
 - (a) the numbers of the lots to which they relate;
 - (b) the price tendered for each lot in Italian lire per kilogram.
6. Each tender must be accompanied by proof that the security required under heading II below has been provided.

7. A tender, once submitted, may not be withdrawn.
8. Tenders not submitted in conformity with these rules will not be considered.

II. Security

1. To be valid, tenders must be accompanied by proof that security of ECU 0,339 per kilogram of tobacco has been lodged.
2. Such security must be lodged with the Azienda di Stato per gli interventi nel mercato agricolo, sezione specializzata per il tabacco (AIMA), via Duccio Galimberti 47, I-00136 Rome, for the equivalent in Italian lire of ECU 0,339 per kilogram of tobacco, converted using the representative rate of ECU 1 = Lit 1 690.
3. The security must be provided either in cash or in the form of a guarantee from a credit institution which meets the criteria laid down by Italy.
4. The security shall be released in accordance with Article 5 of Commission Regulation (EEC) No 3386/89 of 10 November 1989 opening an invitation to tender for the sale for export of baled tobacco held by the Italian intervention agency ⁽³⁾ where:
 - (a) the tender was not validly submitted;
 - (b) the tender is unsuccessful; or
 - (c) the successful tenderer has paid the price at which the contract was awarded and has furnished proof that quantities corresponding to the lots in respect of which the contract was awarded have been exported.

On application by the person concerned, the security is released by instalments in proportion to the quantities of tobacco in respect of which the proofs referred to in Article 7 (c) of Regulation (EEC) No 3389/73 have been provided.

⁽¹⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽²⁾ OJ No L 311, 22. 11. 1985, p. 22.

⁽³⁾ OJ No L 326, 11. 11. 1989, p. 16.

Moreover, where the country of destination is Switzerland or Austria, or if those countries are crossed in order to reach the country of destination, the release of the security shall be subject to proof that the product has been imported by a non-member country, unless lost *en route* as a result of *force majeure*.

Such proof shall be furnished in the same way as for the export refund.

5. Where the product purchased is subjected to market preparation before exportation, such operations shall be carried out under the supervision of the intervention agency holding the tobacco, which, when releasing the security, will take account of losses and of any quantities destroyed. The purchaser must notify the agency in writing of the treatment proposed.

III. Samples and examination of the tobacco

1. Prospective buyers may, on payment of the price shown in the Annex hereto, obtain from the warehouse samples of the tobacco put up for sale taken by the representatives of the intervention agencies concerned. The weight of the sample may not, however, exceed five kilograms for each grade in any one lot.
2. Persons wishing to examine *in situ* the raw tobacco put up for sale must send written notification to the intervention agencies concerned, indicating the places of storage and the lots. The intervention agency shall, where necessary, fix the date on which the sample shall be taken and shall inform the person concerned thereof.
3. The total of the samples and of the tobacco taken for examination may not however exceed 3 % of the bales in each lot.
4. AIMA shall provide all relevant information concerning the characteristics of the lots they hold. No complaint relating to the conditions of the sale by tender or to the characteristics of the tobacco put up for sale shall be entertained after the contracts have been awarded.

IV. Award of contracts

Contracts shall be awarded to the tenderer offering the best terms. Where two or more tenders are at identical prices and identical terms the contract shall be awarded by drawing lots.

Immediately after taking a decision, the Commission shall inform each tenderer of the result of his tender.

The result of the sale by tender shall be published in the *Official Journal of the European Communities*.

V. Payment and removal

1. The intervention agency concerned shall send the successful tenderer an invoice specifying a provisional amount corresponding to the price at which the tobacco was awarded to him at the latest 30 days after the publication of the result of the tender in the *Official Journal of the European Communities*.
2. The successful tenderer must, within two weeks following the date on which the invoice was sent (as indicated by the postmark), pay this amount to the AIMA account:
Tesoreria Provinciale di Roma c/c 416 — Gestione Finanziaria AIMA.
3. Immediately upon receipt of the provisional amount due in respect of the sale, the intervention agency concerned shall fix, in agreement with the successful tenderer, the date for the removal of the tobacco pursuant to Article 4 of Regulation (EEC) No 3386/89.

When the tobacco is removed it shall be weighed in the presence of the successful tenderer or his representative.

A certificate shall be signed by the representative of the intervention agency concerned and the successful tenderer or his representative.

The successful tenderer shall receive, on the basis of this certificate, a removal order authorizing him to withdraw the tobacco from the place of storage.

4. On the basis of the weight recorded when the tobacco is removed, the intervention agency concerned shall immediately draw up the final invoice, which the successful tenderer must pay within two weeks of its being drawn up.
5. The successful tenderer shall be required to remove the tobacco no later than:
 - at the end of the fourth month following the date of the publication of the result of the tendering procedure in the *Official Journal of the European Communities* in respect of at least one-third of the lots,
 - at the end of the sixth month following the said date in respect of the remaining tobacco.

Except in cases of *force majeure*, after the date referred to above and in respect of the lots and parts of lots which relate to those dates, the successful tenderer must reimburse the intervention agency, in accordance with the following arrangements, the costs of storage and financing entailed by his delay:

- (a) for the first 60 days after the expiry of each of the abovementioned periods, he shall pay the intervention agency the amount shown in the last column of the Annex;
- (b) for the next 60 days thereafter he shall pay the said amount increased by 50 %;

- (c) on expiry of the period referred to under (b) he shall pay the amount referred to under (a) increased by 100 % and the Commission of the European Communities may decide to cancel the sale. In such a case the tenderer shall forfeit the security.
6. Each quantity of tobacco withdrawn in accordance with Article 4 of Regulation (EEC) No 3386/89 must be exported within 36 months of the final date fixed for its withdrawal.

In accordance with Article 10a (1) of Regulation (EEC) No 3389/73 such tobaccos shall not be eligible for export refunds.

7. Customs export formalities must be completed in Italy.
8. The courts of Rome shall have exclusive jurisdiction regarding any dispute which may arise between AIMA and the tenderer.

ANNEX

Lot No	Place of storage	Variety and year of — Crop-class	Packing and number of lots	Weight (kg)	Amount of security (Ecu)	Price of sample (Ecu/kg)	Daily charge for delay in removal of tobacco (Ecu/100 kg/ day)	
1	Vasto (CH) S. Cesarea (LE) Loc. Vitigliano Monteroni (LE) Torre S. Susanna Pianella (PE) Loc. Cerratina	Perustitza 1987 1 % A 82 % B 17 % C	Little bale	3 412				
				519 049				
				111 043				
				31 817	633 504		4,116	
	S. Cesarea (LE) Loc. Vitigliano Torre S. Susanna Monteroni (LE) Arnesano (LE)	Erzegovina 1987 1 % A 90 % B 9 % C	Little bale	1 563				
				334 330				
			18 545	370 504		3,712		
Nicola Manfredi (BN)	Bright 1987 82 % A 18 % B	Cartons	229 908					
			87 644					
			1 558				317 552	
			Total lot 1	51 920	1 321 560	448 009		0,056
2	Assisi (FG) Loc. Capodacqua Altavilla Silentina (SA)	Burley I 1986 51 % A 38 % B 11 % C	Cartons	293 875				
				219 864				
			63 556					
			Total lot 2	2 924	577 295	195 703	3,565	0,056
3	Trestina (PG) Aprilia (LT)	Burley I 1987 65 % A 32 % B 3 % C	Cartons	281 236				
				129 691				
			9 956					
			Total lot 3	2 183	430 883	146 069	3,565	0,056
4	Torre S. Susanna (BR)	Tsebelia 1987 45 % cl 1 I/II 30 % III 1 % IV 13 % cl 2 I/II 10 % III 1 % IV	Little bale	683 573				
				457 908				
				21 591				
			198 312					
			152 357					
			4 966					
			Total lot 4	59 365	1 518 707	514 842	4,401	0,056

Lot No	Place of storage	Variety and year of — Crop-class	Packing and number of lots	Weight (kg)	Amount of security (Ecu)	Price of sample (Ecus/kg)	Daily charge for delay in removal of tobacco (Ecu/100 kg/ day)
5	Torre S. Susanna (BR)	Tsebelia 1987	Little bale				
		45 % cl 1 I/II		683 573			
		30 % III		457 910			
		1 % IV		21 592			
		13 % cl 2 I/II		198 314			
		10 % III		152 359			
		1 % IV		4 966			
		Total lot 5	59 366	1 518 714	514 844	4,401	0,056
6	Trepuzzi (LE) Torre S. Susanna (Brindisi) Sutri (Viterbo)	Tsebelia 1986	Little bale				
		57 % I/II		704 376			
		41 % III		502 078			
		2 % IV		22 229			
		Total lot 6	48 957	1 228 683	416 523	4,613	0,056