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Information and Notices

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I

(Information)

COMMISSION

Ecu ⁽¹⁾

17 January 1990

(90/C 12/01)

Currency amount for one ecu:

Belgian and Luxembourg franc con.	42,6529	Spanish peseta	131,230
Belgian and Luxembourg franc fin.	42,6529	Portuguese escudo	179,155
German mark	2,03599	United States dollar	1,20174
Dutch guilder	2,29497	Swiss franc	1,81103
Pound sterling	0,727579	Swedish krona	7,40153
Danish krone	7,87863	Norwegian krone	7,84618
French franc	6,92384	Canadian dollar	1,39883
Italian lira	1516,78	Austrian schilling	14,3200
Irish pound	0,769904	Finnish markka	4,79856
Greek drachma	189,839	Japanese yen	174,914
		Australian dollar	1,51544
		New Zealand dollar	1,96171

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 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).

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

(90/C 12/02)

(Established on 16 January 1990 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
R I		A I	
Heraklion	No quotation	Athens	No quotation
Patras	No quotation	Heraklion	No quotation
Requena	No quotation	Patras	No quotation
Reus	No quotation (1)	Alcázar de San Juan	No quotation (1)
Villafranca del Bierzo	No quotation (1)	Almendralejo	2,316
Bastia	2,761	Medina del Campo	No quotation (1)
Béziers	3,229	Ribadavia	No quotation
Montpellier	3,235	Villafranca del Penedès	No quotation
Narbonne	3,261	Villar del Arzobispo	No quotation (1)
Nîmes	3,248	Villarrobledo	2,593
Perpignan	3,062	Bordeaux	3,918
Asti	3,745	Nantes	No quotation
Firenze	No quotation	Bari	3,075
Lecce	No quotation	Cagliari	No quotation
Pescara	No quotation	Chieti	No quotation (1)
Reggio Emilia	4,168	Ravenna (Lugo, Faenza)	3,488
Treviso	3,400	Trapani (Alcamo)	3,075
Verona (for local wines)	No quotation	Treviso	3,488
Representative price	3,271	Representative price	3,260
R II			
Heraklion	No quotation		
Patras	No quotation		
Calatayud	No quotation		
Falset	3,809		
Jumilla	No quotation (1)		
Navalcarnero	No quotation (1)		
Requena	No quotation		
Toro	No quotation		
Villena	No quotation (1)		
Bastia	No quotation		
Brignoles	No quotation		
Bari	3,311		
Barletta	No quotation		
Cagliari	No quotation		
Lecce	No quotation		
Taranto	3,163		
Representative price	3,514		
	ECU/hl		
R III		A II	
Rheinfalz-Rheinessen (Hügelland)	No quotation	Rheinfalz (Oberhaardt)	46,588
		Rheinhessen (Hügelland)	45,491
		The wine-growing region of the Luxembourg Moselle	No quotation (1)
		Representative price	46,410
		A III	
		Mosel-Rheingau	76,236
		The wine-growing region of the Luxembourg Moselle	No quotation (1)
		Representative price	76,236

(*) Since 1 September 1989, the Spanish prices published are to be multiplied by a factor of 1,24 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.

Standing invitation to tender pursuant to Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs
(90/C 12/03)

(See Official Journal of the European Communities No L 55 of 1 March 1988, page 31)

Tender No: 37

Date of Commission Decision: 15 January 1990

(ECU/100 kg)

Formula			A/C—D		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
	Butter < 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security			—		—	
Maximum aid amount	Butter ≥ 82 %		141	136	—	104
	Butter < 82 %		137	132	101	100
	Concentrated butter		184	178	142	141
Processing security			225	—	155	—

Communication of Decisions under sundry tendering procedures in agriculture
(milk and milk products)

(90/C 12/04)

(See notice in Official Journal of the European Communities No L 360 of 21 December 1982, page 43)

(ECU/100 kg)

Standing invitation to tender	Tender No	Date of Commission Decision	Use to which the butter is to be put	Maximum buying-in price	Maximum aid level	Processing security
Commission Regulation (EEC) No 1589/87 of 5 June 1987 on the sale by tender of butter to intervention agencies (OJ No L 146, 6. 6. 1987, p. 27)	58	15. 1. 1990	Butter with a fat content of less than 82 %:			
			— Spain	—		
			— Ireland	—		
			— Belgium, Denmark, Germany, Greece, France, Italy, Luxembourg, Netherlands, United Kingdom	—		
			Butter with a fat content of 82 % or more:			
			— Spain	302,92		
			— Ireland	288,41		
			— Belgium, Denmark, Germany, Greece, France, Italy, Luxembourg, Netherlands, United Kingdom	282,75		

II

(Preparatory Acts)

COMMISSION

Amended proposal for a Council Directive on the approximation of taxes on cigarettes*COM(89) 525 final**(Submitted by the Commission on 6 November 1989)*

(90/C 12/05)

ORIGINAL PROPOSAL (*)

AMENDED PROPOSAL

 THE COUNCIL OF THE EUROPEAN COMMUNITIES,

 THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 99 thereof,

Unchanged

Having regard to the proposal from the Commission,

Unchanged

Having regard to the opinion of the European Parliament,

Unchanged

Having regard to the opinion of the Economic and Social Committee,

Unchanged

Whereas Council Directive 72/464/EEC⁽¹⁾, as last amended by Directive 86/246/EEC⁽²⁾, lays down general provisions relating to excise duties on manufactured tobacco and special provisions relating to the structure of excise duties applicable to cigarettes;

Unchanged

Whereas Council Directive 79/32/EEC⁽³⁾ lays down the definitions of the different types of manufactured tobacco;

Unchanged

Whereas, in the case of cigarettes, harmonization, as provided for in Directive 72/464/EEC, of the ratio between the specific excise duty and the sum of the proportional excise duty and VAT does not make it possible to harmonize the rates of taxation;

Unchanged

(¹) COM(87) 325 final/2, 21. 8. 1987.

(²) OJ No L 303, 31. 12. 1972, p. 1.

(³) OJ No L 164, 20. 6. 1986, p. 26.

(⁴) OJ No L 10, 16. 1. 1979, p. 8.

ORIGINAL PROPOSAL

AMENDED PROPOSAL

Whereas, for the purpose of establishing an internal market without frontiers, it is necessary to bring more closely together the rates of taxes on consumption;

Unchanged

Whereas, in the case of cigarettes, those taxes are made up of a mixed excise duty and VAT; whereas they display special characteristics, notably as regards their cumulative and multiplier effects; whereas, therefore, all the components of those taxes should be harmonized,

Unchanged

Whereas harmonization of all the components of the tax on cigarettes must be based on an average of those components in the Member States;

Whereas to establish a convergence process, it is necessary to fix target rates of excise duty on cigarettes;

Whereas the components of the tax based on that average cannot be applied immediately because of the diverse situations in the Member States;

Whereas those diverse situations should be evened out; whereas to that end, flexibility of those tax components should be introduced in the form of minimum rates in order to achieve an internal market without frontiers at 1 January 1993;

Whereas minimum and objective prices are contained in this Directive; whereas they should be adapted to the prices evolution; whereas these decisions shall be taken by the Council by means of a simplified procedure;

Whereas, for the purpose of applying this Directive, sufficient time should be allowed for there to be a movement from these minimum rates towards closer integration based on the target rates laid down in this Directive,

HAS ADOPTED THIS DIRECTIVE:

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 1

1. Not later than 31 December 1992, Member States shall apply to cigarettes approximated taxes on consumption subject to the conditions and within the limits laid down in this Directive.

1. Member States shall apply to cigarettes taxes on consumption according to the rules determined in this Directive.

2. This provision shall apply to the taxes which, pursuant to Directive 72/464/EEC, are levied on cigarettes and which comprise:

2. Unchanged

(a) a specific excise duty per unit of the product;

(b) a proportional excise duty calculated on the basis of the maximum retail selling price;

(c) a VAT proportional to the retail selling price.

ORIGINAL PROPOSAL

Article 2

Not later than 31 December 1992, each Member State shall apply:

- (a) a specific excise duty, the basic amount of which is fixed at ECU 19,5 per 1 000 cigarettes and which is to be adjusted in line with the general consumer price index in the Community, taking 1987 as the reference year;
- (b) a proportional excise duty, the rate of which is to be fixed in such a way that the combined incidence of this rate and the VAT rate lies between 52 % and 54 % of the retail selling price inclusive of all taxes.

Article 3

The provisions governing the periodic adjustment of the rates of the specific excise duty and the provisions governing the arrangement

AMENDED PROPOSAL

Article 2

In the longer term, each Member State shall apply the following target amounts and rates:

- (a) a specific excise duty the basic amount of which is fixed at ECU 21,5 per 1 000 cigarettes and which is to be adjusted in line with the general consumer price index in the Community, as indicated in the second paragraph of Article 3;
- (b) a proportional excise duty the rate of which is to be fixed in such a way that the combined incidence of this rate and the VAT rate amounts to 54 % of the retail selling price inclusive of all taxes.

Article 2a

Not later than 1 January 1993, each Member State shall apply:

- (a) a specific excise duty the basic amount of which may not be less than ECU 15 per 1 000 cigarettes and which is to be adjusted in line with the general consumer price index in the Community, as indicated in the second paragraph of Article 3;
- (b) a proportional excise duty the rate of which is to be fixed in such a way that the combined incidence of this rate and the VAT rate may not be less than 45 % of the retail selling price inclusive of all taxes.

Article 2b

Member States may adjust the excise duty rates and/or amounts applicable to cigarettes provided that they move closer to the target rates or amounts laid down in Article 2.

Article 3

Every two years, and for the first time not later than 31 December 1994, the Council, acting on the basis of a report and, where appropriate, a proposal from the Commission, shall examine the target rates of duty and the minimum rates and shall, acting unanimously, make the necessary adjustments.

Without prejudice to the first paragraph, every two years, and for the first time not later than 31 December 1994, the Council, acting by a qualified majority on a proposal from the Commission, and after consultation with the European Parliament, shall adjust the rates in order to maintain their real value.

Article 3a

The provision concerning methods of collection and time periods for payments shall be established before 1 January 1993 in directives adopted by the Council acting on proposals from the Commission.

ORIGINAL PROPOSAL

AMENDED PROPOSAL

Article 4

Articles 1, 4 (3) and (4) and Titles II and IIa of Directive 72/464/EEC shall cease to apply once Member States have brought into force the national provisions necessary to comply with this Directive.

Article 5

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 31 December 1992. They shall forthwith inform the Commission of any provision of national law which they adopt in the field governed by this Directive.

Article 6

This Directive is addressed to the Member States.

Article 4

Unchanged

Article 5

Unchanged

The provisions adopted pursuant to the first paragraph shall make express reference to this Directive.

Article 6

Unchanged

Amended proposal for a Council Directive on the approximation of taxes on manufactured tobacco other than cigarettes

COM(89) 525 final

(Submitted by the Commission on 6 November 1989)

(90/C 12/06)

ORIGINAL PROPOSAL (*)	AMENDED PROPOSAL
THE COUNCIL OF THE EUROPEAN COMMUNITIES,	THE COUNCIL OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community, and in particular Article 99 thereof,	Unchanged
Having regard to the proposal from the Commission,	Unchanged
Having regard to the opinion of the European Parliament,	Unchanged
Having regard to the opinion of the Economic and Social Committee,	Unchanged
Whereas Council Directive 72/464/EEC (?), as last amended by Directive 86/246/EEC (?), sets out in Title I general provisions relating to excise duties applicable to all groups of manufactured tobacco; whereas special provisions relating to cigarettes have already been adopted in Title II of that Directive; whereas special provisions still have to be adopted for other manufactured tobacco products;	Unchanged
Whereas Council Directive 79/32/EEC (*) lays down the definitions of the different types of manufactured tobacco;	Unchanged
Whereas, in order to establish an internal market without frontiers, the structures of excise duties and VAT need to be harmonized and their rates brought more closely into line;	Unchanged

(*) COM(87) 326 final/2, 21. 8. 1987.

(?) OJ No L 303, 31. 12. 1972, p. 1.

(?) OJ No L 164, 20. 6. 1986, p. 26.

(*) OJ No L 10, 16. 1. 1979, p. 8.

ORIGINAL PROPOSAL

AMENDED PROPOSAL

Whereas, in the case of manufactured tobacco other than cigarettes, an excise duty structure proportional to the retail selling-price is the structure best suited to achieving that objective;

Whereas a proportional excise duty displays special characteristics, notably with regard to its multiplier effect in combination with VAT; whereas, therefore, the incidence of the sum of the rates of those two taxes should be harmonized as a proportion of the retail selling prices of the products in question;

Whereas the incidence of taxation should be harmonized in the case of all products belonging to the same group of manufactured tobacco,

Whereas, in the case of manufactured tobacco other than cigarettes, an excise duty structure proportional to the retail selling prices is the structure best suited to achieving that objective, possibly following a transitional period for some Member States applying a different structure of taxation;

Unchanged

Unchanged

Whereas harmonization of the taxation of manufactured tobacco other than cigarettes must be based on an average level of taxation in the Member States;

Whereas to establish a convergence process, it is necessary to fix target rates of excise duty in respect of manufactured tobacco other than cigarettes;

Whereas taxation based on that average cannot be applied immediately, because of the diverse situations in the Member States;

Whereas those diverse situations should be evened out; whereas, to that end, flexibility of rates should be introduced in the form of minimum rates, in order to achieve an internal market at 1 January 1993;

Whereas, for the purpose of applying this Directive, sufficient time should be allowed for there to be a movement from these minimum rates towards closer integration based on the target rates laid down in this Directive;

Whereas, in order to enable those Member States which, on 31 December 1992, apply either purely specific taxation or mixed taxation to certain categories of manufactured tobacco other than cigarettes to move gradually towards a purely *ad valorem* structure, they should be permitted to apply to those categories a mixed structure (specific excise duty + *ad valorem* excise duty + VAT) during a period not exceeding five years, provided that the sum of the *ad valorem* components of that mixed structure is at least equal to the minimum rates laid down in this Directive,

ORIGINAL PROPOSAL

AMENDED PROPOSAL

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following groups of home-produced and imported manufactured tobacco shall be subject, in each Member State, to an *ad valorem* excise duty calculated on the basis of the maximum retail selling price of each product, freely determined by manufacturers and importers in accordance with Article 5 of Directive 72/464/EEC:

- (a) cigars and cigarillos;
- (b) smoking tobacco;
- (c) chewing tobacco;
- (d) snuff.

Article 2

For the purposes of this Directive, the definitions of the products referred to in Article 1 shall be those laid down in Articles 2, 4, 5, 6 and 7 respectively of Directive 79/32/EEC.

Article 3

1. Not later than 31 December 1992, each Member State shall apply an *ad valorem* rate of excise duty in such a way that the total tax burden resulting from the combination of excise duty and VAT is:

- for cigars and cigarillos: between 34 and 36 %
- for smoking tobacco: between 54 and 56 %
- for snuff and chewing tobacco: between 41 and 43 % of the retail selling price inclusive of all taxes.

2. These rates shall be effective for all products belonging to the group of manufactured tobacco concerned, without distinction within that group as to quality, presentation, origin of the products, the materials used, the characteristics of the firms involved or any other criterion.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Unchanged

Article 2

Unchanged

Article 3

1. In the longer term, each Member State shall apply a target *ad valorem* rate of excise duty in such a way that the total tax burden resulting from the combination of the excise duty and VAT is:

- for cigars and cigarillos: 36 %
- for smoking tobacco: 56 %
- for snuff and chewing tobacco: 43 %

of the retail selling price inclusive of all taxes.

2. Unchanged

Article 3a

1. By 1 January 1993 at the latest, each Member State shall apply an *ad valorem* rate of excise duty in such a way that the total tax burden resulting from the combination of the excise duty and VAT is not less than:

ORIGINAL PROPOSAL

AMENDED PROPOSAL

The provisions relating to the arrangements for collecting the duty and the time allowed for payment shall be laid down before 1 January 1989 in directives adopted by the Council acting on proposals from the Commission.

Article 4

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 31 December 1992. They shall forthwith inform the Commission of any provisions of national law which they adopt in the field governed by this Directive.

Article 6

This Directive is addressed to the Member States.

— for cigars and cigarillos: 25 %,
— for smoking tobacco: 50 %,
— for snuff and chewing tobacco: 37 %,
of the retail selling price inclusive of all taxes.

2. The rates referred to in paragraph 1 shall be applied on all the products belonging to the group of manufactured tobacco concerned in accordance with the provisions laid down in Article 3 (2).

Article 3b

By way of derogation from Article 3 (1), those Member States which, on 31 December 1992, impose either a purely specific tax or a mixed tax on certain categories of manufactured tobacco other than cigarettes may apply to those categories a mixed structure (specific excise duty + *ad valorem* excise duty + VAT) during a period not exceeding five years provided that the sum of the *ad valorem* components of that mixed structure is not less than the minimum rates laid down in Article 3a.

Article 3c

Member States may adjust their excise duty rates and/or amounts applicable to manufactured tobacco other than cigarettes, provided that they move closer to the target rates laid down in Article 3 (1).

Article 4

Every two years, and for the first time not later than 31 December 1994, the Council, acting on the basis of a report and, where appropriate, a proposal from the Commission, shall examine the target rates of duty and the minimum rates and shall, acting unanimously, make the necessary adjustments.

Article 4a

Provisions concerning methods of collection and time periods for payments shall be established before 1 January 1993 in directives adopted by the Council acting on a proposal from the Commission.

Article 5

Unchanged

The provisions adopted pursuant to the first paragraph shall make express reference to this Directive.

Article 6

Unchanged

Amended proposal for a Council Directive on the approximation of the rates of excise duty on alcoholic beverages and on the alcohol contained in other products

COM(89) 527 final

(Submitted by the Commission on 6 November 1989)

(90/C 12/07)

ORIGINAL PROPOSAL ⁽¹⁾	AMENDED PROPOSAL
THE COUNCIL OF THE EUROPEAN COMMUNITIES,	THE COUNCIL OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community, and in particular Article 99 thereof,	Unchanged
Having regard to the proposal from the Commission,	Unchanged
Having regard to the opinion of the European Parliament,	Unchanged
Having regard to the opinion of the Economic and Social Committee,	Unchanged
Whereas Council Directives ... lay down provisions relating to the structures of excise duties applicable respectively to alcohol, wine, beer and intermediate products;	Unchanged
Whereas for the purpose of establishing an internal market without frontiers it is necessary to apply common rates of excise duty to each of these products;	Whereas, to establish a convergence process, it is necessary to fix target rates of excise duty on alcohol, wine, beer and intermediate products;
Whereas it is necessary to provide for the periodic adjustment of those common rates;	Whereas it is necessary to make provision for adjustment of these target rates in order to take account of the requirements of sectoral policies;
	Whereas these target rates cannot be applied immediately because of the diverse situations in Member States; whereas, therefore, flexibility of rates should be introduced in the form of minimum rates in order to achieve an internal market without frontiers on 1 January 1993;
	Whereas the minimum and objective rates should be adapted to the trend in prices, and that it is pointed out these decisions shall be taken by the Council under a simplified procedure;
Whereas a reduced rate should be applied to undenatured alcohol used in the preparation of perfumes, toiletries and cosmetics;	Unchanged

⁽¹⁾ COM(87) 328 final.

ORIGINAL PROPOSAL

Whereas the excise duty on intermediate products should be charged by reference to their volume;

Whereas different rates of excise duty should be applied to still wine and sparkling wine;

Whereas the excise duty on beer should be charged by reference to the original gravity of the product,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Not later than 31 December 1992 Member States shall apply common rates of excise duty on alcoholic beverages and on the alcohol contained in other products in accordance with this Directive.

Article 2

The products covered by this Directive are:

- alcohol and alcoholic beverages as defined in Directive . . . ,
- intermediate products as defined in Directive . . . ,
- wine as defined in Directive . . . ,
- beer as defined in Directive . . .

Article 3

The common rates of excise duty laid down in this Directive shall be adjusted periodically in accordance with provisions to be established before 1 January 1989 in a directive adopted by the Council acting on a proposal from the Commission.

AMENDED PROPOSAL

Whereas the most appropriate method of levying excise duty on intermediate products is based on volume;

Whereas the consumption pattern of sparkling wine differs from that of still wine; whereas, in line with practices in Member States, different rates should be applied to these two types of product;

Whereas the method of taxation for beer differs from that for wine in a large number of Member States; whereas, however, there must be some balance between the levels of taxation resulting from these different methods;

Whereas the only possible basis for levying excise duty on the alcohol contained in other beverages is the volume of pure alcohol;

Whereas, lastly, Member States may unilaterally adjust their rates of excise duty provided that they move closer to the target rates;

HAS ADOPTED THIS DIRECTIVE:

Article 1

Member States shall apply target rates of excise duty on alcoholic beverages and on the alcohol contained in other products in accordance with the rules laid down in this Directive.

Article 1a

Not later than 1 January 1993 Member States shall apply minimum rates of excise duty in accordance with the rules laid down in the Directive.

Article 2

Unchanged

Article 3

Every two years, and for the first time not later than 31 December 1994, the Council, acting on the basis of a report and, where appropriate, a proposal from the Commission, shall examine the target rates and the minimum rates and shall, acting unanimously, make the necessary adjustments.

ORIGINAL PROPOSAL

AMENDED PROPOSAL

Article 4

1. The common rate of excise duty on alcohol contained in alcoholic beverages other than those referred to in Articles 5 to 7 below and on the alcohol contained in foodstuffs shall be ECU 1 271 per hectolitre of pure alcohol.

2. A reduced rate of ECU 424 per hectolitre of pure alcohol shall be applied to undenatured ethyl alcohol contained in perfumes, toiletries and cosmetics.

Article 5

The common rate of excise duty on intermediate products shall be ECU 85 per hectolitre of product.

Article 6

The common rate of excise duty on wine shall be:

- as regards still wine, ECU 17 per hectolitre of product,
- as regards sparkling wine, ECU 30 per hectolitre of product.

Article 4

Without prejudice to the first paragraph, every two years, and for the first time not later than 31 December 1994, the Council, acting by a qualified majority on a proposal from the Commission, and after consultation with the European Parliament shall adjust the rates in order to maintain their real value.

The target rates of excise duty on the alcohol contained in beverages other than those referred to in Articles 5, 6 and 7 and on the alcohol contained in foodstuffs shall be ECU 1 398,1 per hectolitre of pure alcohol.

Article 4a

The minimum rate of excise duty on the alcohol contained in beverages other than those referred to in Articles 5a, 6a and 7a and on the alcohol contained in foodstuffs shall be ECU 1 118,5 per hectolitre of pure alcohol.

Article 5

The target rate of excise duty on intermediate products shall be ECU 93,5 per hectolitre of product.

Article 5a

The minimum rate of excise duty on intermediate products shall be ECU 74,8 per hectolitre of product.

Article 6

The target rate of excise duty on wine shall be:

- as regards still wine, ECU 18,7 per hectolitre of product,
- as regards sparkling wine, ECU 33 per hectolitre of product.

Article 6a

The minimum rate of excise duty on wine shall be:

- as regards still wine, ECU 9,35 per hectolitre of product,
- as regards sparkling wine, ECU 16,5 per hectolitre of product.

ORIGINAL PROPOSAL

AMENDED PROPOSAL

Article 7

The common rate of excise duty on beer shall be ECU 1,32 per hectolitre/degree Plato of finished product at a temperature of 15 °C.

Article 7

The target rate of excise duty on beer shall be ECU 1,496 per hectolitre/degree Plato of finished product.

Article 7a

The minimum rate of excise duty on beer shall be ECU 0,748 per hectolitre/degree Plato of finished product.

Article 7b

With effect from 1 January 1993, Member States may adjust their excise-duty rates provided that they move closer to the target rates laid down in this Directive:

Article 8

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 31 December 1992. They shall forthwith inform the Commission of any provisions of national law which they adopt in the field governed by this Directive.

Article 8

Unchanged

Article 9

This Directive is addressed to the Member States.

Article 9

Unchanged

Proposal for a Council Decision proposing the adoption of a Community action programme for the development of continuing vocational training

COM(89) 567 final

(Submitted by the Commission on 20 November 1989)

(90/C 12/08)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 128 thereof,

Having regard to the Commission proposal,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas the fundamental objectives of a common vocational training policy set forth in the second principle of Decision 63/266/EEC⁽¹⁾ refer, in particular, to the need to promote basic and advanced vocational training and, where appropriate, retraining, suitable for the various stages of working life; whereas the 10th principle of Decision 63/266/EEC states that special measures may be taken in respect of special problems concerning special sectors of activity or specific categories of person;

Whereas the European Council affirmed that completion of the internal market must go hand in hand with improved access to vocational training (Hanover, 27 and 28 June 1998); whereas it stressed that Community action should help to develop available human resources and the preparation of future changes and technical adjustment; whereas the reform of training systems, including continuing vocational training, will play a vital role in achieving these objectives (Rhodes, 2 and 3 December 1988); whereas it noted the agreement reached by the Council on continuing vocational training (Madrid, 26 and 27 June 1989);

Whereas on 15 March 1989 the European Parliament adopted a resolution on the social dimension of the internal market⁽²⁾ in which it emphasized investment in

training and making the most of human resources; whereas, in particular, it considered that vocational training and the management of human resources are decisive factors in the adaptation of undertakings and their capacity to respond to change, and that consequently it is essential to encourage them to invest in these areas;

Whereas in its resolution of 5 June 1989 on continuing vocational training⁽³⁾ the Council stressed that continuing vocational training plays an important role in the strategy for achieving, by 1992, both the internal market, including its social dimension, and economic and social cohesion, as a determining factor in economic and social policy; whereas it considered that all workers should, in the light of requirements, have access to continuing vocational training, and benefit therefrom; whereas it requested the Member States, with due regard for the powers under national law of the parties concerned, to take or promote a number of measures; whereas it requested the Commission to lay before it as soon as possible an action programme on continuing vocational training;

Whereas the acceleration of technical, economic and industrial change against a background of increased competition and the advent of the completion of the internal market demand at this juncture reinforcement of the anticipatory and adaptational role played by continuing vocational training and the reinforcement of existing measures;

Whereas equality as regards access to continuing vocational training is essential to promote equal treatment for men and women;

Whereas the monitoring of changes in qualifications is an essential factor in developing initial and continuing vocational training operations adapted to the requirements of the labour market;

⁽¹⁾ OJ No 63, 20. 4. 1963, p. 1338/63.

⁽²⁾ OJ No C 96, 17. 4. 1989, p. 61.

⁽³⁾ OJ No C 148, 15. 6. 1989, p. 1.

Whereas cooperation between Member States is likely to enable them to reinforce continuing vocational training arrangements open to all workers, to contribute to developing human resources through training and investment in human resources, to make a significant contribution to access to continuing vocational training for all workers, and to promote the European dimension so as to give vitality to the functions of anticipation, adaptation and the promotion of social advancement through continuing vocational training; whereas such cooperation should be based on existing measures in force in the Member States, while respecting the diversity of national legal systems and national practices, and the powers under internal law of the parties concerned and contractual autonomy;

Whereas the Community can make a significant contribution to cooperation between Member States by developing an action programme with the aim of supporting and supplementing the policies and activities developed by and in the Member States in the area of continuing vocational training; whereas this action programme should be organized in such a way that it interacts with the tasks and actions of the European Social Fund⁽¹⁾, the Eurotecnet⁽²⁾ and Comett⁽³⁾ programmes, the IRIS network⁽⁴⁾ on vocational training for women with a view to 1992, and experimental schemes promoted by the SMEs⁽⁵⁾;

Whereas this programme should be designed to mobilized all the parties concerned in the development of continuing vocational training and promote the coherence of new measures introduced by and in the Member States; whereas it should therefore include two complementary parts, a common framework of general principles and a number of transnational measures; whereas the common framework of general measures is designed to promote the coherence of measures adopted by the public authorities in the Member States, especially with a view to bringing about a significant improvement in access to continuing vocational training; whereas the transnational measures are intended to give a significant Community impetus to the Member States' efforts to promote the development of continuing vocational training and make sure that the Community makes a significant contribution to the activities developed by and in the Member States in this field;

Whereas on 6 March 1987 the two sides of industry at Community level (UNICE, CEEP, ETUC) adopted a joint opinion on training and motivation; whereas they are presently working on a new joint opinion setting out their policy as regards continuing vocational training; whereas, accordingly, it is appropriate to associate them closely with the implementation of the action programme with a view to establishing synergy with work on the social dialogue,

HAS DECIDED AS FOLLOWS:

Article 1

An action programme for the development of continuing vocational training in the Community is hereby adopted for the period 1 July 1990 to 31 December 1993. Its aim is to support and complement the policies and activities developed by and in the Member States in the area of continuing vocational training. It is so designed as to involve all the parties concerned (undertakings, training bodies, the two sides of industry and public authorities) and to make their efforts on the following objectives converge.

Every European Community worker must have access to vocational training and be able to benefit from it throughout his working life. The conditions of access to such training may not include discrimination on grounds of nationality.

The public authorities, undertakings or the two sides of industry, each within their own sphere of competence, must set up continuing and permanent training systems enabling every individual to undergo retraining, more especially through leave for training purposes, to improve his skills or to acquire new skills, particularly in the light of technical developments.

Article 2

The objectives of the programme are:

- (a) to encourage greater investment in continuing vocational training and an improved return from it, in particular by developing innovatory partnerships designed to encourage greater awareness among the public authorities (especially in the regions), undertakings (in particular SMEs), the two sides of industry and individual workers, of the benefits accruing from investment in training;
- (b) to support innovations in training management, training methods and training facilities, particularly with a view to developing training schemes for those categories of workers, economic sectors or regions of the Community which are currently lagging

⁽¹⁾ OJ No L 185, 15. 12. 1988, p. 9, and OJ No L 374, 31. 12. 1988, p. 21.

⁽²⁾ OJ No C 186, 25. 6. 1983, p. 1.

⁽³⁾ OJ No L 13, 17. 1. 1989, p. 28.

⁽⁴⁾ OJ No L 342, 4. 12. 1987, p. 35.

⁽⁵⁾ OJ No L 239, 16. 8. 1989, p. 33.

behind in terms of participation and training investment;

- (c) to promote the strategic planning and design of schemes which take account explicitly of the consequences of the completion of the internal market, in particular by supporting transnational and trans-frontier partnerships and the exchange of information and experience;
- (d) to contribute to greater effectiveness of training mechanisms and their capacity to respond to changes in the Community labour market, by reinforcing measures at all levels to monitor and analyse the development of continuing vocational training, identifying better ways of forecasting requirements in terms of qualifications and occupations and ensuring a general and effective dissemination of information on these trends.

Article 3

The programme includes two complementary parts which respect the principle of subsidiarity:

- (a) a common framework of general principles designed to support and complement the policies and measures adopted by the Member States, bearing in mind the responsibilities of the parties concerned under national law, with a view to promoting the development of continuing vocational training, as set forth in Article 5;
- (b) a number of transitional measures implemented at Community level, designed to support and complement activities developed by and in the Member States, as described in Article 6 and the Annex.

Article 4

For the purposes of this decision:

- the phrase 'continuing vocational training' is used in a general sense to denote any vocational training engaged in by a worker in the European Community throughout his working life. The training operations are intended to perform one of three functions, within an undertaking or outside it, as appropriate:
 - to ensure permanent adaptation to the changing nature and content of occupations, and hence the improvement of skills and qualifications imperative for strengthening the competitiveness of European undertakings and their staff,

- to promote social conditions to enable large numbers of workers to overcome their lack of qualifications and thereby to improve their situation,

- to anticipate the consequence of the completion of the internal market and to overcome the difficulties arising in sectors of undertaking undergoing economic or technological restructuring,

- the word 'undertaking' is used to denote all types of economic activity, including large and small businesses, regardless of their legal status or the economic sector in which they operate,

- the phrase 'training body' is used to denote all types of public, semi-public or private establishment engaged in vocational training, further training, updating or retraining activities, regardless of the way in which they are referred to in the Member States. By extension, the phrase 'training body' also denotes professional associations and autonomous economic organizations (in particular Chambers of Commerce and Industry and/or their equivalents) which organize training courses for third parties,

- the word 'worker' is used to denote any person obtaining an income from their employment, including the self-employed.

Article 5

1. The common framework of general principles and the transnational measures provided for in Article 6 contribute to promoting the convergence of measures, provisions and new initiatives adopted by the Member States, in accordance with their national legal systems and practices, bearing in mind the responsibilities of the parties concerned under national law, while respecting contractual bargaining systems, which seek:

- (a) to promote the European dimension of schemes to give impetus to the functions of anticipation, adaptation and social advancement assured by continuing vocational training;
- (b) to ensure, in concertation with labour and management, that the least qualified workers, whatever their status, benefit from continuing vocational training measures, enabling them to obtain a basic qualification;
- (c) to promote real equality of opportunity for men and women as regards access to continuing vocational training;
- (d) to strengthen incentives for undertakings, particularly small businesses, to invest in continuing vocational training;

- (e) to seek, after consulting management and labour, to improve at all levels the forecasting of trends in qualifications and to achieve greater convergence between the objectives of vocational training and employment;
- (f) to improve, by procedures adapted to national conditions and customs, and, if necessary, in stages, the supply of continuing vocational training and to reinforce existing arrangements for continuing vocational training, in order to meet the specific needs of small and medium-sized businesses and the demands of labour and management at all levels in relation to the development of new forms of partnership;
- (g) to ensure that all workers who are nationals of Member States are afforded equal treatment as regards access to continuing vocational training;
- (h) to promote the individual right to continuing vocational training according to conditions to be laid down by each Member State.

2. Within two years of the date of this Decision and subsequently on an annual basis, the Member States shall send to the Commission a report on the steps taken to implement this common framework of general principles, including information on current arrangements to promote continuing vocational training, the levels of such training and financing methods. These reports and summaries thereof will be assessed with the national authorities in consultation with labour and management.

Article 6

In order to give a significant Community impetus to the efforts of the Member States to develop continuing vocational training and to ensure a genuine Community contribution to the activities developed by and in the Member States, the Commission shall implement the following transnational measures:

1. support for innovation in continuing vocational training;
2. analysis, monitoring and evaluation of the development of continuing vocational training and

improved access to it; forecasting of changes with regard to qualifications and occupations;

3. supplementary back-up measures.

Detailed provisions regarding these measures are set out in the Annex.

Article 7

From 1 January 1991, the annual appropriations needed to cover the Community contribution to the schemes provided for in the programme will be set out in the annual budgetary procedure. These appropriations are intended for the financing of various schemes set out in detail in the Annex, including the appropriate measures taken to ensure technical assistance at Community level, continuous monitoring and evaluation of the programme.

The appropriations considered necessary to cover the first two years of the programme will form part of future budgets in accordance with the financial perspectives for 1988 to 1992 (decided in June 1988 by the three Institutions jointly) and their adjustments.

Article 8

1. The Commission shall secure the cooperation of the European Centre for the Development of Vocational Training (Cedefop), on the terms set out in Council Regulation EEC No 337/75⁽¹⁾.

2. Before 30 June 1992 the Commission shall present to the Council, the European Parliament, the Economic and Social Committee and the Advisory Committee on Vocational Training an interim report on the launch phase and, before 30 June 1994, a final report on the implementation of the programme.

Article 9

The Commission shall implement the programme in accordance with the provisions set out in the Annex.

Article 10

This Decision is addressed to the Member States.

⁽¹⁾ OJ No L 39, 13. 2. 1975, p. 1.

ANNEX

COMMUNITY ACTION PROGRAMME FOR THE DEVELOPMENT OF CONTINUING VOCATIONAL TRAINING

The following measures are to be implemented:

ACTION I

Support for innovation in continuing vocational training*(a) Achieving synergy in innovation*

The Community could support activities at Community level and the operation of a European network of transnational operations with a view to stimulating all possible forms of partnership between the parties concerned, to improve the design, organization and assessment of continuing vocational training operations with particular reference to the general objectives of the programme and to encourage the transfer of knowledge and know-how in the Community. It is up to the Member States to ensure the establishment and financing of the transnational operations as such and to present in the Community support frameworks measures to be financed jointly by the European Social Fund. The aim of assistance from the programme is to develop and improve links between operations at Community level through animation and collaboration activities and dissemination of information and experience. Under the heading of organization, Community assistance could be granted for:

- (i) an exchange scheme to promote the rapid dissemination of innovations in continuing vocational training while promoting the European dimension of certain training operations aimed at bringing about a significant improvement in access to continuing vocational training; the Community could provide support in the form of grants for training courses in firms or training bodies in another Member State, for full-time instructors, staff, in human resources departments, staff representatives in firms and training specialists in regional consortia;
- (ii) preparatory work on the design and development of transnational or cross-frontier continuing vocational training pilot schemes, in close liaison with firms and groups of firms in various Member States with a view to promoting the transfer of information and know-how in the Community, while giving priority to the needs of small businesses, and explicitly taking into account the consequences of completing the internal market, in particular: workers' geographical mobility; promotion of equal opportunities for men and women; forecasting of trends in occupations and qualifications and development of training at Community level.

(b) European sectoral surveys of training plans

The Community could support sectoral surveys of training plans which would examine the following topics: methods of drawing up training plans at firm level; cost-effectiveness evaluation of training at firm level; firm-level agreements and practices; techniques used to develop training and improve the access of workers who have few qualifications; are working part-time and on an insecure basis.

(c) Community financial contribution

The contribution will be limited to the costs directly incurred under (a) and (b). The Community could cover the management costs of the European network and cooperation activities (conferences, seminars and workshops) and the dissemination of knowledge (publications, video); and with respect to organizational activities: grants for training courses — the Community contribution would be limited to the direct costs of mobility and could not exceed a ceiling of ECU 7 500 per grant and per beneficiary for training courses of up to three months. Preparatory work on the design and development of transnational or cross-frontier continuing vocational training pilot schemes: the Community contribution would be limited to 50 % of eligible expenditure incurred up to a ceiling of ECU 100 000 per year and per project for transnational or cross-frontier projects for a maximum of two years.

The Community could cover the design, implementation and assessment costs of sectoral surveys, up to a ceiling of ECU 0,5 million, throughout their duration.

ACTION II

Analysis, monitoring, assessment and forecasting(a) *Analysis and monitoring mechanism on the implementation of the common framework of general principles*

In support of reports presented by the Member States on the implementation of the common framework of general principles, through Eurostat the Community, while improving existing statistical instruments and data collection, plans to launch a survey on training and continuing vocational training. This survey should provide *inter alia* basic information on the number of beneficiaries of training, length of courses, level of qualifications, costs of training and methods of financing.

(b) *Analysis of contractual policy on continuing vocational training*

The Community plans to support the preparation of a coherent table for the analysis of practices, contractual arrangements and collective agreements on continuing training agreed at all levels concerned in collective bargaining in the Member States. It will be used to identify and disseminate innovatory contractual agreements.

To encourage the dissemination of innovatory contractual agreements the Community could award support grants for exchanges of those involved in the social process (members of socio-professional organizations) to employers'/workers' organizations or joint bodies in other Member States.

(c) *Forecasting trends in qualifications and occupations*

Drawing on work developed by Cedefop in this field, and with its assistance, a network of highly specialized experts in the analysis and forecasting of trends in qualifications and occupations could be made responsible for work aimed at promoting the comparability and convergence of methodologies relating to the analysis of training needs and changes on the labour market, and the development of a common analysis table.

(d) *Community financial contribution*

This will be limited to the direct costs entered into under (a), (b) and (c). The Community could cover the cost of the Eurostat survey analysis tables on contractual agreements and forecasting trends in qualifications and occupations. With respect to grants for exchanges, the Community financial contribution will be limited to the direct costs of mobility and must not exceed ECU 7 500 per grant per beneficiary, for exchanges of up to three months.

ACTION III

Supplementary accompanying measures

The accompanying measures will concern monitoring the implementation of the programme, technical assistance and assessment of the achievement of the general objectives of the programme and concertation with those responsible for training within the public authorities, the two sides of industry and firms.

The Community financial contribution could cover up to 100 % of actual expenditure incurred.

III

(Notices)

COMMISSION

Notice of invitation to tender for the refund for the export of milled medium-grain and long-grain A rice to certain third countries

(90/C 12/09)

I. Subject

1. An invitation to tender is hereby opened, for the export refund referred to in Article 4 of Regulation (EEC) No 1431/76, for Zones IIa and III as specified in Annex I to Regulation (EEC) No 1124/77 and for the German Democratic Republic, of milled medium-grain and long-grain A rice falling within CN codes 1006 30 63, 1006 30 65, 1006 30 94 and 1006 30 96.
2. The total quantity in respect of which there may be fixed a maximum export refund as provided in Article 1 (2), of Commission Regulation (EEC) No 584/75 (⁽¹⁾), as last amended by Regulation (EEC) No 379/89 (⁽²⁾), is approximately 15 000 tonnes.
3. The invitation to tender will be conducted in accordance with the provisions of Commission Regulation (EEC) No 105/90 of 16 January 1990 (⁽³⁾).

II. Time limits

1. The period for the receipt of tenders for the first of the weekly awards will begin on 26 January 1990 and will expire at 10 a.m. on 1 February 1990.
2. For the subsequent weekly awards, the period for the receipt of tenders will expire at 10 a.m. on the Thursday of each week. The last period for the receipt of tenders will begin on 15 June 1990 and will expire at 10 a.m. on 21 June 1990.

For the second and subsequent weekly awards, the period for the receipt of tenders will begin on the first working day following the expiry of the preceding period.

However for the period 30 March to 5 April 1990 the invitation to tender is suspended.

3. This notice is published only for the purposes of the present invitation to tender. Until such time as it is amended or replaced, its terms will apply to each weekly award held during the period of validity of this invitation.

III. Tenders

1. Tenders must be submitted in writing and may be delivered personally against a receipt or sent by registered post or by telex or telegram, but must in any event arrive not later than the time and date indicated in heading II above at one of the following addresses:

— Bundesanstalt für landwirtschaftliche Marktordnung (BALM), D-6000 Frankfurt am Main, Adickesallee 40 (telex 4-11475, 4-16044),

— Office national interprofessionnel des cereales, 21 avenue Bosquet, F-75326 Paris, Cedex 07 (telex Ofible A 270807),

— Ministero per il commercio con l'estero, direzione generale import-export, divisione II, viale Shakespeare, I-00100 Roma (telex Mincomes 610 083),

— Hoofdproduktschap voor Akkerbouwprodukten, Stadhoudersplantsoen 12, NL-Den Haag (telex Hovakker 32 579),

— Office belge de l'économie et de l'agriculture (OBEA), rue des Trèves 82, B-1040 Bruxelles (telex Obea 24 076),

— Intervention Board for Agricultural Produce, Fountain House, 2 Queens Walk, UK-Reading RG1 7QW, Berks (telex 848 302),

— The Department of Agriculture and Fisheries, Cereals Division, Agriculture House, Kildare Street, IRL-Dublin 2 (telex Agri EI 93 607),

— Direktoratet for Markedsordningerne Frederiksborggade 18, DK-1360 København K (telex 15 137 DK),

— Service d'économie rurale, office du blé, 113-115, rue de Hollerich, L-1741 Luxembourg (telex Agrim Lux 2537),

— Ministry of Agriculture, 2 Acharnon Street, GR-Athens (telex 216 185 and 216 186/yg gr).

— Servicio Nacional de Productos Agrarios (SENPA) c/Beneficencia 8, Madrid 28004 (telex 23427 SENPA E).

(⁽¹⁾) OJ No L 61, 7. 3. 1975, p. 25.

(⁽²⁾) OJ No L 44, 16. 2. 1989, p. 22.

(⁽³⁾) OJ No L 13, 17. 1. 1990, p. 6.

Tenders not submitted by telex or telegram must be enclosed in a sealed envelope marked: 'Tender under invitation to tender for the refund for the export of rice to certain third countries as provided for in Regulation (EEC) No 105/90 Confidential', itself enclosed in a further sealed envelope addressed as above.

Once submitted, no tender may be withdrawn before the Member State concerned has informed the tenderer of the result of the tender.

2. Every tender and the accompanying proof mentioned in Article 2 of Regulation (EEC) No 584/75 must be in the official language, or in one of the official languages, of the Member State of the competent authority to which it is submitted.

IV. Security for tender

The security for tender must be made out in favour of the competent authority concerned.

V. Award of contracts

The award will give the party concerned the right to be issued, in the Member State in which the tender was submitted, with an export licence for the quantity in question indicating the export refund specified in the tender for export as provided for in Regulation (EEC) No 105/90.

VI. General provisions

The rates to be used for the conversion to ecu of tenders made in national currencies are those which apply for the purposes of the common agricultural policy.

Amendment to the notice of invitation to tender for the refund for the export of milled medium-grain and long-grain A rice to certain third countries

(90/C 12/10)

(Official Journal of the European Communities No C 268 of 20 October 1989)

On page 6, the text of paragraph 1 under heading I 'Subject', is replaced by the following:

- '1. An invitation to tender is hereby opened for the export refund referred to in Article 4 of Regulation (EEC) No 1431/76, for Zones I, II (b), IV, V, VI and VIII (except Guyana, Madagascar and Suriname) as specified in Annex I to Regulation (EEC) No 1124/77, of milled medium-grain and long-grain A rice falling within CN codes 1006 30 63, 1006 30 65, 1006 30 94 and 1006 30 96.'
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