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Information and Notices

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⁽¹⁾ Text with EEA relevance

I

(Information)

COMMISSION

Ecu ⁽¹⁾

(94/C 63/01)

Currency amount for one unit:

	28. 2. 1994	February ⁽²⁾		28. 2. 1994	February ⁽²⁾
Belgian and Luxembourg franc	40,0000	39,8427	United States dollar	1,11759	1,12909
Danish krone	7,56953	7,58409	Canadian dollar	1,49863	1,52314
German mark	1,94082	1,93639	Japanese yen	118,803	117,741
Greek drachma	280,085	280,545	Swiss franc	1,62929	1,61629
Spanish peseta	157,849	157,576	Norwegian krone	8,37530	8,39534
French franc	6,59455	6,58146	Swedish krona	8,92791	9,02458
Irish pound	0,787265	0,790844	Finnish markka	6,23843	6,27547
Italian lira	1884,77	1906,27	Austrian schilling	13,6454	13,6191
Dutch guilder	2,17642	2,17417	Icelandic krona	81,6578	81,9379
Portuguese escudo	195,976	196,789	Australian dollar	1,56064	1,58136
Pound sterling	0,755633	0,759562	New Zealand dollar	1,94481	1,95954
			South African rand	3,85613	3,92274

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) and an automatic fax answering service (No 296 10 97) providing daily data concerning calculation of the conversion rates applicable 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).

⁽²⁾ The monthly average of ecu exchange rates will be published at the end of each month.

**LIST OF DOCUMENTS FORWARDED BY THE COMMISSION TO THE COUNCIL
DURING THE PERIOD 14 TO 18. 2. 1994**

(94/C 63/02)

These documents may be obtained from the Sales Offices, the addresses of which are given on the back cover

Code	Catalogue No	Title	Date adopted by the Commission	Date forwarded to the Council	Number of pages
COM(94) 32	CB-CO-94-038-EN-C	<p>Proposal for a Council Decision on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol defining, for the period 1 December 1993 to 30 November 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of Mauritius on fishing in the waters of Mauritius (?)</p> <p>Proposal for a Council Regulation (EC) relating to the conclusion of the Protocol defining, for the period 1 December 1993 to 30 November 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of Mauritius on fishing off Mauritius (?)</p>	11. 2. 1994	14. 2. 1994	15
COM(93) 645	CB-CO-93-693-EN-C	Commission communication to the Council, the European Parliament and the Economic and Social Committee — Energy and economic and social cohesion	14. 2. 1993	15. 2. 1994	43
COM(94) 33	CB-CO-94-039-EN-C	Amended proposal for a European Parliament and Council Directive amending Directive 80/390/EEC coordinating the requirements for the drawing up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock-exchange listing, with regard to the obligation to publish listing particulars (?)	15. 2. 1994	15. 2. 1994	7
COM(94) 15	CB-CO-94-040-EN-C	Proposal for a Council Decision concerning the conclusion of the Cooperation Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on partnership and development (?)	15. 2. 1994	16. 2. 1994	24
COM(94) 31	CB-CO-94-037-EN-C	Proposal for a Council Regulation (EC) on special measures for farmers affected by the 1992/93 drought in Portugal (?)	15. 2. 1994	16. 2. 1994	13
COM(93) 650	CB-CO-93-706-EN-C	Proposal for a Council Decision relating to a multiannual programme (1994 to 1996) of work for cooperatives, mutual societies, associations and foundations in the Community (?)	16. 2. 1994	17. 2. 1994	42
COM(94) 34	CB-CO-94-041-EN-C	Amended proposal for a European Parliament and Council Regulation (EC) on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters (?) (?)	17. 2. 1994	17. 2. 1994	9

Code	Catalogue No	Title	Date adopted by the Commission	Date forwarded to the Council	Number of pages
COM(94) 45	CB-CO-94-052-EN-C	Proposal for a Council Regulation (EC) amending Regulation (EEC) No 3068/92 in respect of definitive anti-dumping duties on imports of potassium chloride originating in Belarus, Russia and Ukraine	17. 2. 1994	17. 2. 1994	19
COM(94) 12	CB-CO-94-013-EN-C	Proposal for a Council Decision concerning the rules for the participation of undertakings, research centres and universities in the specific programmes of research, technological development and demonstration of the European Community ⁽¹⁾ ⁽²⁾ ⁽³⁾ Proposal for a Council Decision concerning the rules for the participation of undertakings, research centres and universities in the specific programmes of research and training of the European Atomic Energy Community ⁽¹⁾ ⁽²⁾ ⁽³⁾ Proposal for a Council Decision concerning the rules for the dissemination of the research results from the specific programmes of research, technological development and demonstration of the European Community ⁽¹⁾ ⁽²⁾ ⁽³⁾	18. 2. 1994	18. 2. 1994	29
COM(94) 40	CB-CO-94-047-EN-C	Humanitarian aid — Annual report 1993	16. 2. 1994	18. 2. 1994	45
COM(94) 43	CB-CO-94-050-EN-C	Amended proposal for a Council Regulation (EC) laying down measures to prohibit the release for free circulation, export, re-export or placing under a suspensive procedure of counterfeit and pirated goods ⁽²⁾ ⁽³⁾ (Amendment to the proposal for a Council Regulation (EC) laying down measures to prohibit the release for free circulation, export or transit of counterfeit and pirated goods) ⁽²⁾ ⁽³⁾	18. 2. 1994	18. 2. 1994	14

⁽¹⁾ This document contains an impact assessment on business, and in particular on SME's.

⁽²⁾ This document will be published in the *Official Journal of the European Communities*.

⁽³⁾ Text with EEA relevance.

NB: COM documents are available by subscription, either for all editions or for specific subject areas, and by single copy, in which case the price is based pro rata on the number of pages.

GUIDELINES ON GOOD DISTRIBUTION PRACTICE OF MEDICINAL PRODUCTS FOR HUMAN USE

(94/C 63/03)

(Text with EEA relevance)

Introduction

These guidelines have been prepared in accordance with Article 10 of Council Directive 92/25/EEC of 31 March 1992 on the wholesale distribution of medicinal products for human use⁽¹⁾. They do not cover commercial relationships between parties involved in distribution of medicinal products nor questions of safety at work.

Principle

The Community pharmaceutical industry operates at a high level of quality assurance, achieving its pharmaceutical quality objectives by observing Good Manufacturing Practice to manufacture medicinal products which must then be authorized for marketing. This policy ensures that products released for distribution are of the appropriate quality.

This level of quality should be maintained throughout the distribution network so that authorized medicinal products are distributed to retail pharmacists and other persons entitled to sell medicinal products to the general public without any alteration of their properties. The concept of quality management in the pharmaceutical industry is described in Chapter I of the Community Guide to Good Manufacturing Practice for medicinal products and should be considered when relevant for the distribution of medicinal products. The general concepts of quality management and quality systems are described in the CEN standards (series 29 000).

In addition, to maintain the quality of the products and the quality of the service offered by wholesalers, Directive 92/25/EEC provides that wholesalers must comply with the principles and guidelines of good distribution practice published by the Commission of the European Communities.

The quality system operated by distributors (wholesalers) of medicinal products should ensure that medicinal products that they distribute are authorized in accordance with Community legislation, that storage conditions are observed at all times, including during transportation, that contamination from or of other products is avoided, that an adequate turnover of the stored medicinal products takes place and that products are stored in appropriately safe and secure areas. In addition to this, the quality system should ensure that the right products are delivered to the right addressee within a satisfactory time period. A tracing system should enable any faulty product to be found and there should be an effective recall procedure.

Personnel

1. A management representative should be appointed in each distribution point, who should have defined authority and responsibility for ensuring that a quality system is implemented and maintained. He should fulfil his responsibilities personally. This person should be appropriately qualified: although a degree in Pharmacy is desirable, the qualification requirements may be established by the Member State on whose territory the wholesaler is located.
2. Key personnel involved in the warehousing of medicinal products should have the appropriate ability and experience to guarantee that the products or materials are properly stored and handled.
3. Personnel should be trained in relation to the duties assigned to them and the training sessions recorded.

Documentation

4. All documentation should be made available on request of competent authorities.

Orders

5. Orders from wholesalers should be addressed only to persons authorized to supply medicinal products as wholesalers in accordance with Article 3 of Directive 92/25/EEC or holders of a manufacturing or importing authorization granted in accordance with Article 16 of Directive 75/319/EEC⁽²⁾.

Procedures

6. Written procedures should describe the different operations which may affect the quality of the products or of the distribution activity: receipt and checking of deliveries, storage, cleaning and maintenance of the premises (including pest control), recording of the storage conditions, security of

⁽¹⁾ OJ No L 113, 30. 4. 1992, p. 1.

⁽²⁾ OJ No L 147, 9. 6. 1975, p. 13.

stocks on site and of consignments in transit, withdrawal from saleable stock, records, including records of clients orders, returned products, recall plans, etc. These procedures should be approved, signed and dated by the person responsible for the quality system.

Records

7. Records should be made at the time each operation is taken and in such a way that all significant activities or events are traceable. Records should be clear and readily available. They should be retained for a period of five years at least.
8. Records should be kept of each purchase and sale, showing the date of purchase or supply, name of the medicinal product and quantity received or supplied and name and address of the supplier or consignee. For transactions between manufacturers and wholesalers and between wholesalers (i. e. to the exclusion of deliveries to persons entitled to supply medicinal products to the public), records should ensure the traceability of the origin and destination of products, for example by use of batch numbers, so that all the suppliers of, or those supplied with, a medicinal product can be identified.

Premises and equipment

9. Premises and equipment should be suitable and adequate to ensure proper conservation and distribution of medicinal products. Monitoring devices should be calibrated.

Receipt

10. Receiving bays should protect deliveries from bad weather during unloading. The reception area should be separate from the storage area. Deliveries should be examined at receipt in order to check that containers are not damaged and that the consignment corresponds to the order.
11. Medicinal products subject to specific storage measures (e.g. narcotics, products requiring a specific storage temperature) should be immediately identified and stored in accordance with written instructions and with relevant legislative provisions.

Storage

12. Medicinal products should normally be stored apart from other goods and under the conditions specified by the manufacturer in order to avoid any deterioration by light, moisture or temperature.

Temperature should be monitored and recorded periodically. Records of temperature should be reviewed regularly.

13. When specific temperature storage conditions are required, storage areas should be equipped with temperature recorders or other devices that will indicate when the specific temperature range has not been maintained. Control should be adequate to maintain all parts of the relevant storage area within the specified temperature range.
14. The storage facilities should be clean and free from litter, dust and pests. Adequate precautions should be taken against spillage or breakage, attack by micro-organisms and cross contamination.
15. There should be a system to ensure stock rotation ('first in first out') with regular and frequent checks that the system is operating correctly. Products beyond their expiry date or shelf-life should be separated from usable stock and neither sold nor supplied.
16. Medicinal products with broken seals, damaged packaging, or suspected of possible contamination should be withdrawn from saleable stock, and if not immediately destroyed, they should be kept in a clearly separated area so that they cannot be sold in error or contaminate other goods.

Deliveries to customers

17. Deliveries should be made only to other authorized wholesalers or to persons authorized to supply medicinal products to the public in the Member State concerned.
18. For all supplies to a person authorized or entitled to supply medicinal products to the public, a document must be enclosed, making it possible to ascertain the date, the name and pharmaceutical form of the medicinal product, the quantity supplied, the name and address of the supplier and addressee.
19. In case of emergency, wholesalers should be in a position to supply immediately the medicinal products that they regularly supply to the persons entitled to supply the products to the public.
20. Medicinal products should be transported in such a way that:
 - a) their identification is not lost;
 - b) they do not contaminate, and are not contaminated by, other products or materials;

- c) adequate precautions are taken against spillage, breakage or theft;
 - d) they are secure and not subjected to unacceptable degrees of heat, cold, light, moisture or other adverse influence, nor to attack by micro-organisms or pests.
21. Medicinal products requiring controlled temperature storage should also be transported by appropriately specialized means.

Returns

Returns of non-defective medicinal products

22. Non-defective medicinal products which have been returned should be kept apart from saleable stock to prevent redistribution until a decision has been reached regarding their disposal.
23. Products which have left the care of the wholesaler, should only be returned to saleable stock if:
- a) the goods are in their original unopened containers and in good condition;
 - b) it is known that the goods have been stored and handled under proper conditions;
 - c) the remaining shelf life period is acceptable;
 - d) they have been examined and assessed by a person authorized to do so. This assessment should take into account the nature of the product, any special storage conditions it requires, and the time elapsed since it was issued. Special attention should be given to products requiring special storage conditions. As necessary, advice should be sought from the holder of the marketing authorization or the Qualified Person of the manufacturer of the product.
24. Records of returns should be kept. The responsible person should formally release goods to be returned to stock. Products returned to saleable stock should be placed such that the 'first in first out' system operates effectively.

Emergency plan and recalls

25. An emergency plan for urgent recalls and a non-urgent recall procedure should be described in writing. A person should be designated as responsible for execution and co-ordination of recalls.
26. Any recall operation should be recorded at the time it is carried out and records should be made

available to the competent authorities of the Member States on whose territory the products were distributed.

27. In order to ensure the efficacy of the emergency plan, the system of recording of deliveries should enable all destinées of a medicinal product to be immediately identified and contacted. In case of recall, wholesalers may decide to inform all their customers of the recall or only those having received the batch to be recalled.
28. The same system should apply without any difference to deliveries in the Member States having granted the authorization for wholesaling and in other Member States.
29. In case of batch recall, all customers (other wholesalers, retail or hospital pharmacists and persons entitled to sell medicinal products to the public) to whom the batch was distributed should be informed with the appropriate degree of urgency. This includes customers in other Member States than the Member State having granted the wholesaling authorization.
30. The recall message approved by the holder of the marketing authorization, and, when appropriate, by the competent authorities, should indicate whether the recall should be carried out also at retail level. The message should request that the recalled products be removed immediately from the saleable stock and stored separately in a secure area until they are sent back according to the instructions of the holder of the marketing authorization.

Counterfeit medicinal products

31. Counterfeit medicinal products found in the distribution network should be kept apart from other medicinal products to avoid any confusion. They should be clearly labelled as not for sale and competent authorities and the holder of marketing authorization of the original product should be informed immediately.

Special provisions concerning products classified as not for sale

32. Any return, rejection, and recall operation and receipt of counterfeit products should be recorded at the time it is carried out and records should be made available to the competent authorities. In each case, a formal decision should be taken on the disposal of these products and the decision should be documented and recorded. The person responsible for the quality system of the wholesaler and, where relevant, the holder of the marketing authorization should be involved in the decision making process.

Self inspections

33. Self inspections should be conducted (and recorded) in order to monitor the implementation of and compliance with this guideline.

Provision of information to Member States in relation to wholesale activities

34. Wholesalers wishing to distribute or distributing medicinal products in Member State(s) other than the Member State in which the authorization was

granted should make available on request to the competent authorities of the other Member State(s) any information in relation to the authorization granted in the Member State of origin, namely the nature of the wholesaling activity, the address of sites of storage and distribution point(s) and, if appropriate, the area covered. Where appropriate, the competent authorities of this (these) other Member State(s) will inform the wholesaler of any public service obligation imposed on wholesalers operating on their territory.

Commission communication on adjustments to refunds fixed in advance for milk and milk products for export during the 1994/95 milk year

(94/C 63/04)

1. The third subparagraph of Article 5 (3) of Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽¹⁾, as last amended by Regulation (EEC) No 1344/86 ⁽²⁾, makes provision for deciding that the refunds fixed in advance may be adjusted when intervention prices are altered.

Those concerned within the Community are hereby informed that the Commission, taking account of the present market situation, intends to make use of that provision from the beginning of the 1994/95 milk year in order to permit the establishment of contracts on that basis for deliveries to be made after the beginning of that marketing year i. e., 1 July 1994. The measures in question are to be adopted by a management committee procedure.

2. The level of the adjustments will be calculated in line with the change in the intervention prices in ecus and will apply to refunds fixed in advance up to and including 30 June 1994.

The application of these negative adjustments will be obligatory for all products exported from the beginning of the 1994/95 milk year.

⁽¹⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 36.

Notice pursuant to Article 4 of Council Regulation (EEC) No 479/92 of 25 February 1992 on the application of Article 85 (3) of the EC Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) ⁽¹⁾

(94/C 63/05)

(Text with EEA relevance)

In accordance with Article 4 of Regulation (EEC) No 479/92, the Commission invites interested parties to send their comments concerning the attached draft Commission Regulation (EC) on the application of Article 85 (3) of the EC Treaty to categories of agreements in the field of maritime transport by 31 March 1994 to:

Commission of the European Communities,
Directorate-General for Competition,
Division IV/D-3,
Rue de la Loi 200,
B-1049 Brussels.

⁽¹⁾ OJ No L 55, 29. 2. 1992, p. 3.

Draft of a Commission Regulation (EC) on the application of Article 85 (3) of the EC Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Regulation (EEC) No 479/92
of 25 February 1992 on the application of Article 85 (3)
of the Treaty to certain categories of agreements,
decisions and concerted practices between liner shipping
companies (consortia), and in particular Article 1
thereof,

Having published a draft of this Regulation,

Having consulted the Advisory Committee on Restrictive
Practices and Dominant Positions in Maritime
Transport,

Whereas Regulation (EEC) No 479/92 empowers the
Commission to apply Article 85 (3) of the Treaty by
regulation to certain categories of agreements, decisions
and concerted practices between shipping companies
relating to the joint operation of liner transport services
(consortia);

Whereas such agreements, decisions or concerted
practices, through the cooperation they bring about
between the shipping companies that are parties thereto,
are liable to restrict competition within the common
market and to affect trade between Member States and
may therefore fall within the prohibition contained in
Article 85 (1) of the Treaty;

Whereas the analysis carried out by the Commission of
consortium agreements indicates that a large number of
agreements may nevertheless normally be regarded as
fulfilling the requirements of Article 85 (3); whereas this
category of consortia should be defined in this Regu-
lation;

Whereas in drafting this Regulation, the Commission has
taken due account of the special features of maritime
transport; whereas those features will also constitute a
major factor in any Commission assessment of consortia
not covered by this block exemption;

Whereas consortia, as defined in this Regulation,
generally help to improve the productivity and quality of
available liner shipping services by reason of the rational-
ization they bring to the activities of member companies
and through the economies of scale they allow in the

operation of vessels and utilization of port facilities; whereas they also help to promote technical and economic progress by facilitating and encouraging the development and utilization of containers;

Whereas users of the shipping services provided by consortia generally obtain a fair share of the benefits resulting from the improvements in productivity and service quality which they bring about; whereas these benefits may also take the form of an improvement in the frequency of sailings and port calls, or an improvement in scheduling as well as better quality and personalized services through the use of more modern vessels and other equipment including port facilities; whereas users can benefit effectively from consortia only if there is sufficient competition in the trades in which the consortia operate;

Whereas these agreements should therefore benefit from a block exemption, provided they do not give the companies concerned the possibility of eliminating competition in a substantial part of the trade in question; whereas in order to take account of the constant fluctuations in the maritime transport market and the frequent changes made by the parties to the terms of consortium agreements or to the activities covered by the agreements, the purpose of this Regulation is to clarify the conditions to be met by consortia in order to benefit from the block exemption it grants;

Whereas, for the purpose of establishing a joint service, a basic feature inherent in consortia is the ability to make capacity adjustments;

Whereas the block exemption granted by this Regulation covers both consortia operating within a liner conference and consortia operating outside such conferences, except that it does not cover the joint fixing of freight rates in the case of the latter;

Whereas in the case of consortia operating within a conference, the joint fixing of rates forms part of the activities of conferences which benefit from the block exemption granted to liner conferences by Council Regulation (EEC) No 4056/86⁽¹⁾; whereas non-conference consortia which do not jointly fix rates benefit from the block exemption granted by this Regulation in respect of activities which relate to the joint operation of liner transport services provided they meet the conditions and obligations set out in this Regulation; whereas non-conference consortia which jointly fix rates must submit an application for individual exemption

which the Commission will examine applying the accelerated procedure provided for in Article 12 of Regulation (EEC) No 4056/86; whereas an individual exemption may often be granted to such consortia, even if they fix rates, in view of the increased competition they provide in relation to rates or quality of service with regard to liner conferences operating on the routes in question; whereas an individual exemption may also be granted to consortia operating in trades where there are no liner conferences, provided they satisfy the conditions of Article 85 (3); whereas, in this final case, a favourable view may, in principle, be taken in view of the technical and economic advantages of consortia and the benefits they normally offer to shippers.

Whereas the first of the conditions attaching to the block exemption should be to ensure that a fair share of the benefits resulting from the improved efficiency, as well as the other benefits offered by consortia, are passed on to transport users;

Whereas this requirement of Article 85 (3) should be regarded as being met when a consortium is in one or more of the three situations described below:

- there is effective price competition between members of the conference within which the consortium operates as a result of independent rate action, or
- there exists within the conference within which the consortium operates a sufficient degree of competition in terms of services provided between consortium members and other conference members that are not members of the consortium, as a result of the fact that the conference agreement expressly allows consortia to offer their own service arrangements, e.g. the provision by the consortium alone of a just-in-time delivery service or an advanced electronic data interchange (EDI) service allowing users to be kept informed at all times of the whereabouts of their goods, or a significant increase in the frequency of sailings and calls in the service offered by a consortium compared with that offered by the conference, or
- consortium members are subject to effective, actual or potential competition from non-consortium lines, whether or not a conference operates in the trade in question;

Whereas, in order to satisfy this same requirement of Article 85 (3), provision should be made for a further condition aimed at promoting individual competition as to service quality between consortium members as well as

⁽¹⁾ OJ No L 378, 31. 12. 1986, p. 4.

between consortium members and other shipping companies operating in the trade;

Whereas in respect of that requirement it is also necessary to provide that the block exemption applies in certain limited cases only to those consortia which comprise a limited number of shipping lines so that they operate in such circumstances as are in fact the most likely to allow the benefits of a joint service to be passed on to transport users without causing an unreasonable reduction in the supply of available transport services, which would be detrimental to transport users; whereas, moreover, it does not appear necessary in such cases to have a greater number of shipping lines than the number laid down in this Regulation in order to operate a joint service; whereas, however, in calculating this number, it is not necessary to take into account consortium members which carry out all their maritime transport activities, including those carried on outside the consortium, solely as non-vessel-operating carriers;

Whereas it should be a condition that consortia and their members do not, in respect of a given route, apply rates and conditions of carriage which are differentiated solely by reference to the country of origin or destination of the goods carried and thus cause within the Community deflections of trade that are harmful to certain ports, shippers, carriers or providers of services ancillary to transport, unless such rates or conditions can be economically justified.

Whereas the aim of the conditions should also be to prevent consortia from imposing restrictions of competition which are not indispensable to the attainment of the objectives justifying the grant of the exemption; whereas, to this end, consortium agreements should contain a provision enabling each shipping line party to the agreement to withdraw from the consortium provided it gives reasonable notice; whereas, however, provision should be made in the case of highly integrated, high-investment consortia for a longer notice period in order to take account of the more extensive reorganization entailed in the event of a member leaving; whereas it should also be stipulated that, where a consortium operates with a joint marketing structure, each member must have the right to engage in independent marketing activities provided it gives reasonable notice;

Whereas exemption must be limited to consortia which do not have the possibility of eliminating competition in a substantial part of the services in question;

Whereas in order to determine whether real and effective competition exists, account should be taken both of direct trade between the ranges of ports covered by a

consortium as well as of any competition from other liner services sailing from ports which may be substituted for those of the consortium and also, where appropriate, of other modes of transport;

Whereas, however, for the purposes of the block exemption and for reasons of legal certainty, reference should be made to the share held by the consortium of the direct trade between the ranges of ports it covers;

Whereas this Regulation is therefore applicable only on condition that this share of the trade held by a consortium does not exceed a given size;

Whereas the share of the trade held by a consortium operating within a conference should be smaller in view of the fact that the agreements in question are superimposed on existing restrictive agreements in the trade;

Whereas, however, it is appropriate to offer consortia which exceed the limits laid down in this Regulation by a given percentage but which continue to be subject to effective competition in the trades in which they operate a simplified procedure so that they may benefit from the legal certainty afforded by block exemptions; whereas such a procedure must also enable the Commission to carry out effective monitoring and simplify the administrative control of agreements;

Whereas, however, consortia which exceed the latter limit may benefit from exemption by individual decision provided they satisfy the tests of Article 85 (3), taking account of the special features of maritime transport;

Whereas the scope of this block exemption does not cover agreements which are restrictive of competition concluded between a consortium, or one of its members, and non-conference lines operating in the same trade;

Whereas certain obligations should also be attached to the exemption; whereas in this respect transport users must at all times be in a position to familiarize themselves with the conditions for the provision of the maritime transport services jointly operated by members of the consortium; whereas provision should be made for real and effective consultations between the consortia and transport users on the activities covered by the agreements; whereas this Regulation also seeks to specify what is meant by real and effective consultations and what main procedural stages are to be followed for such consultations; whereas provision is made for mandatory consultation having regard to the extent to which the market in question is open; whereas maintenance of this requirement in the event of amendment of this Regu-

lation will have to be reviewed in the light of market trends;

Whereas such consultations are likely to secure a more efficient operation of maritime transport services which takes account of users' requirements; whereas, consequently, certain restrictive practices which could ensue from such consultations should be exempted;

Whereas the Commission should be immediately informed of arbitration awards and recommendations made by conciliators which are accepted by the parties in order to allow it to check that they do not exempt consortia from the conditions and obligations laid down by this Regulation and do not infringe Articles 85 and 86;

Whereas this Regulation should provide, in accordance with Article 3 of Regulation (EEC) No 479/92, that it applies with retroactive effect to agreements, decisions and concerted practices which were in existence at the date of its entry into force, provided they meet the conditions and obligations established in this Regulation;

Whereas this Regulation should provide that, for the duration of the specified period, the prohibition laid down in Article 85 (1) of the Treaty does not apply to consortium agreements existing at the date of its entry into force and not satisfying the conditions of Article 85 (3) as specified in Articles 5 to 8 of this Regulation, if they have been modified in the six months following the entry into force of this Regulation in order to meet its conditions and if the amendments are notified to the Commission;

Whereas provision should be made for fair and positive treatment of consortia which exist at the time of entry into force of this Regulation and which, whilst exceeding the limits on the share of trade and the restrictions on the number of participating shipping lines laid down by this Regulation as a condition for exemption, satisfy the other conditions of this Regulation;

Whereas it is necessary to specify, in accordance with Article 6 of Regulation (EEC) No 479/92, the cases in which the Commission may withdraw from companies the benefit of the block exemption;

Whereas no applications under Article 12 of Council Regulation (EEC) No 4056/86 need be made in respect of agreements automatically exempted by this Regulation; whereas, however, when real doubts exist, companies may request the Commission to declare whether their agreements comply with this Regulation;

Whereas this Regulation is without prejudice to the application of Article 86 of the Treaty,

HAS ADOPTED THIS REGULATION:

TITLE I

DEFINITIONS AND SCOPE

Article 1

Definitions

For the purposes of this Regulation:

- '*consortium*' means an agreement or arrangement between at least two vessel-operating carriers which provide international liner services for the sole carriage of cargo, chiefly by container, in a particular trade, the object of which is to bring about cooperation in the joint operation of a maritime transport service which improves the service offered individually by each of its members and the purpose of which is to rationalize their operations by means of technical, operational and/or commercial arrangements, with the exception of price fixing,
- '*service arrangement*' means a contractual arrangement concluded between one or more transport users and an individual member of a consortium or a consortium itself under which a user, in return for an undertaking to have the latter transport a certain quantity of goods over a given period of time receives an individual undertaking from the consortium member or the consortium to provide an individualized service of a given quality and which is specially tailored to its needs,
- '*transport users*' means any undertaking (e.g. shipper, consignee, forwarder, etc.) which has entered into, or demonstrated an intention to enter into, a contractual arrangement with a consortium (or one of its members) for the shipment of goods, or any association of shippers or forwarding agents,
- '*independent rate action*' (IRA) means the right of a conference member to offer, on a case-by-case basis and in respect of specific goods, freight rates which differ from those laid down in the conference tariff, provided prior notice is given to the other conference members,
- '*force majeure*' means external circumstances, beyond the control of individuals and seen as unavoidable even though every effort has been made, which make it impossible to carry out the act in question and which, even if not entailing absolute impossibility, involve abnormal difficulties.

*Article 2***Scope**

This Regulation shall apply to consortia only in so far as they provide international liner transport services from or to one or more Community ports.

TITLE II

EXEMPTIONS

*Article 3***Exemptions**

1. Pursuant to Article 85 (3) of the EC Treaty and subject to the conditions and obligations laid down in this Regulation, it is hereby declared that Article 85 (1) shall not apply to the activities listed in paragraph 2 of this Article when provided for in consortia agreements as defined in Articles 1 and 2 of this Regulation.

2. This declaration of non-applicability shall apply only to the following activities:

- (a) the joint operation of liner shipping transport services which comprise solely one or more of the following activities:
 - i) the coordination and/or joint fixing of sailing timetables;
 - ii) the exchange of space or slots on vessels;
 - iii) the pooling of vessels and/or port installations;
 - iv) one or more joint operations offices;
 - v) the provision of containers and/or container rental contracts;
- (b) the joint operation or use of part terminals and related contracts (e.g. lighterage or stevedoring contracts);
- (c) the participation in a tonnage and/or revenue pool or in a net revenue pool;
- (d) the joint exercise of voting rights held by the consortium in the conference within which its members operate, in so far as the vote being jointly exercised concerns the consortium's own activities;
- (e) the joint marketing structure and/or the issue of a joint bill of lading.

3. The declaration of non-applicability of Article 85 (1) referred to in Article 3 (1) and (2) of this Regulation shall not apply to a consortium when either the consortium or its members are parties to arrangements entailing a significant limitation or a significant reduction in the use of the capacities of its members.

The declaration of non-applicability shall, however, apply when the total available capacity of the members of a consortium is reduced in order to adjust to seasonal or cyclical changes in demand in the trade or to the use of more efficient vessels by members of the consortium.

TITLE III

SPECIAL CONDITIONS

*Article 4***Conditions attaching to exemption**

The exemption provided for in Article 3 of this Regulation shall apply only if the consortium agreements satisfy the conditions set out in Articles 5 to 8.

*Article 5***Condition for the grant of exemption**

The exemption provided for in Article 3 shall apply only if the consortium is in one or more of the three situations described below:

- there is effective price competition between the members of the conference within which the consortium operates due to the fact that the consortium or its members are expressly authorized by the conference agreement, whether or not by virtue of a legal obligation, to apply independent rate action to any freight rate provided for in the conference tariff, or
- there exists within the conference within which the consortium operates a sufficient degree of effective competition between conference members in terms of services provided, due to the fact that the conference agreement expressly allows the consortium to offer its own service arrangements, irrespective of type, concerning the frequency and quality of transport services provided as well as freedom at all times to adapt the services it offers in response to specific requests from transport users, or
- whether or not a conference operates in the trade in question, the consortium members are subject to effective competition, actual or potential, from shipping lines which are not members of that consortium.

*Article 6***Conditions relating to share of trade**

In order to benefit from the exemption provided for in Article 3, a consortium must possess, in respect of the ranges of ports it covers, a share of the direct trade of under 30 %, calculated by reference to the volume of goods carried (freight tonnes or twenty-foot equivalent units) when it operates within a conference, and under 35 % when it operates outside a conference. Provided it satisfies this condition, it shall not be subject to any limit on the number of shipping lines which can be party to the agreement.

The exemption provided for in Article 3 shall continue to apply if the share of the trade referred to in the first subparagraph of this Article is exceeded during any period of two consecutive calendar years by not more than one tenth.

Where one of the limits specified in this Article is exceeded, the exemption envisaged by Article 3 shall continue to apply for a period of six months following the end of the calendar year during which it was exceeded.

*Article 7***Opposition procedure**

1. The exemption provided for in Articles 3 and 10 shall also apply to consortia whose share of the trade exceeds the limit laid down in Article 6 but does not, however, exceed 50 % of the direct trade, on condition that not more than six shipping lines participate in the consortium, that the agreements in question are notified to the Commission in accordance with the provisions of Commission Regulation (EEC) No 4260/88 ⁽¹⁾ and that the Commission does not oppose such exemption within a period of six months.

2. The period of six months shall run from the date on which notification is received by the Commission. Where, however, the notification is made by registered post, the period shall run from the date shown on the postmark of the place of posting.

3. Paragraph 1 shall apply only if:

- (a) express reference is made to this Article in the notification or in a communication accompanying it; and
- (b) the information furnished with the notification is complete and in accordance with the facts.

4. The benefit of paragraph 1 may also be claimed for agreements notified before the entry into force of this Regulation by submitting a communication to the Commission referring expressly to this Article and to the notification. Paragraphs 2 and 3 (b) shall apply *mutatis mutandis*.

5. The Commission may oppose the exemption. It shall oppose the exemption if it receives a request to do so from a Member State within three months of the forwarding to the Member State of the notification referred to in paragraph 1 or of the communication referred to in paragraph 4. This request must be justified on the basis of considerations relating to the competition rules of the Treaty.

6. The Commission may withdraw its opposition to the exemption at any time. However, where the opposition was raised at the request of a Member State and this request is maintained, it may be withdrawn only after consultation of the Advisory Committee on Restrictive Practices and Dominant Positions.

7. If the opposition is withdrawn because the enterprises concerned have shown that the conditions of Article 85 (3) are fulfilled, the exemption shall apply from the date of notification.

8. If the opposition is withdrawn because the enterprises concerned have amended the agreement so that the conditions of Article 85 (3) are fulfilled, the exemption shall apply from the date on which the amendments take effect.

9. If the Commission opposes exemption and its opposition is not withdrawn, the effects of the notification shall be governed by the provisions of Section II (rules of procedure) of Regulation (EEC) No 4056/86.

*Article 8***Conditions attaching to exemption**

Eligibility for the exemption provided for in Article 3 and 10 shall be subject to the following conditions:

Conditions relating to the agreement

- 1. The consortium must allow each of its members to offer, on the basis of an individual contract, its own individualized service arrangements specially tailored to the requirements of transport users.
- 2. The consortium agreement must give member companies the right to withdraw from the consortium without penalty subject to notice of, in principle, six

⁽¹⁾ OJ No L 376, 31. 12. 1988, p. 1.

months which may be given after an initial period of 18 months starting from the entry into force of the agreement.

However, in the case of a highly integrated consortium which has a net revenue pool and a high level of investment due to the need of its members to use reefer vessels specifically adapted to the specialized nature of the trades in which it operates, the notice period shall be six months, which may be given after an initial period of 24 months starting from the entry into force of the agreement.

3. Where a consortium operates with a joint marketing structure, each member of the consortium must be free to engage in independent marketing subject to a period of notice of six months.

Non-discrimination condition

4. Neither the consortium nor consortia members shall, within the common market, cause detriment to certain ports, users or carriers by applying to the carriage of the same goods and in the area covered by the agreement rates and conditions of carriage which differ according to the country of origin or destination or port of loading or discharge, unless such rates or conditions can be economically justified.

TITLE IV

SPECIAL OBLIGATIONS

Article 9

Obligations attaching to exemption

The following obligations shall be attached to the exemption provided for in Article 3:

1. *Consultations*

There shall be real and effective consultations between users or their representative organizations, on the one hand, and the consortium, on the other hand, for the purpose of seeking solutions on all important matters, other than purely operational matters of minor importance, concerning the conditions and quality of scheduled maritime transport services offered by the consortium or its members.

These consultations shall take place whenever requested by any of the abovementioned parties.

Real and effective consultations shall mean, except in cases of *force majeure*, consultation prior to the implementation of the measure forming the subject of the consultation. If, for reasons of *force majeure*, the

members of the consortium are obliged to put a decision into effect before consultations have taken place, any consultations requested shall take place within 10 working days of date of the request. Save in the case of such *force majeure*, to which reference shall be made in the notice announcing the measure, no public announcement of the measure shall be made before the consultations.

The consultations shall take place in accordance with the following procedural stages:

- prior to the consultation, details of the subject-matter of the consultation shall be notified in writing by the consortium to the other party,
- an exchange of views shall take place between the parties either in writing or at meetings or both in the course of which the representatives of the consortium members and of the shippers taking part will have authority to reach a common point of view and the parties shall use their best efforts to achieve that end,
- where no common point of view can be reached despite the efforts of both parties, the disagreement shall be acknowledged and publicly announced. It may be brought to the Commission's attention by any of the parties,
- a reasonable period for the completion of consultations may be set, if possible by common agreement, between the two parties. That period shall, in principle, be not less than one month, save in exceptional cases or by agreement between the parties.

2. *Disclosure of conditions of transport*

The conditions concerning the maritime transport services provided by the consortium and its members, including those relating to the quality of such services and all relevant modifications, shall be made available on request to transport users at reasonable cost and shall be available for examination without cost at the offices of the consortium members or the consortium itself and their agents.

3. *Notification of arbitration awards to the Commission*

Arbitration awards and recommendations of conciliators which have been accepted by the parties and which concern disputes which relate to consortia practices covered by this Regulation shall be notified forthwith to the Commission.

4. *Obligation to inform*

Any consortium claiming the benefit of this Regulation must be able, on being so requested and on being given one month's prior notice by the Commission to demonstrate that the conditions and obligations imposed by Articles 5 to 9 (1) to (3) of this Regulation are met and must submit to it the consortium agreement in question within this period.

Article 10

Exemption for agreements between transport users and consortia concerning the use of scheduled maritime transport services

Agreements, decisions and concerted practices between transport users or their representative organizations, the 'Shippers' Councils', on the one hand, and a consortium, on the other hand, concerning the conditions and quality of liner transport services provided by the consortium and all general questions connected with such services, in so far as they are envisaged by Article 9 (1), are hereby exempted from the prohibition laid down in Article 85 (1) of the Treaty.

TITLE V

MISCELLANEOUS PROVISIONS

Article 11

Professional secrecy

1. Information acquired as a result of the application of Articles 7 and 9 (3) shall be used only for the purposes of this Regulation.
2. The Commission and the authorities of the Member States, their officials and other servants shall not disclose information acquired by them as a result of the application of this Regulation and of the kind covered by the obligation of professional secrecy.
3. The provisions of paragraphs 1 and 2 shall not prevent publication of general information or studies which do not contain information relating to particular enterprises or associations of enterprises.

Article 12

Withdrawal of block exemption

The Commission may withdraw the benefit of this Regulation, pursuant to Article 6 of Council Regulation

(EEC) No 479/92, where it finds in a particular case that an agreement, decision or concerted practice exempted under this Regulation nevertheless has certain effects which are incompatible with the conditions laid down by Article 85 (3) or are prohibited by Article 86 of the Treaty, in particular:

- where, in a given trade, competition from outside the conference within which the consortium operates or from outside a particular consortium is not sufficient,
- where a consortium repeatedly fails to comply with the obligations provided for in Article 9 of this Regulation,
- where the behaviour of a consortium produces effects that are incompatible with Article 86 of the Treaty.

Article 13

Final provisions

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*. It shall be valid for a period of five years starting from the date of its entry into force.

It shall apply with retroactive effect to agreements, decisions and concerted practices which were in existence at the date of its entry into force, from the time when the conditions of application of this Regulation were fulfilled.

In the case of agreements, decisions and concerted practices which were in existence on the date of entry into force of this Regulation and did not on that date meet the conditions and obligations set out herein, the prohibition laid down in Article 85 (1) of the Treaty shall not apply to the period before they were amended in order to satisfy these conditions, provided such amendment is made within six months of such entry into force and is communicated to the Commission within the same six months.

However, during a period of six months following the entry into force of this Regulation, the opposition procedure provided for in Article 7 may be applied to consortia which, whilst exceeding the share of trade and the restrictions on the number of participating shipping lines laid down in that Article, nevertheless satisfy the other conditions set out in this Regulation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Communication of decisions under sundry tendering procedures in agriculture

(94/C 63/06)

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

Invitation to tender	Tender No	Date of Commission Decision	Minimum selling price
Commission Regulation (EC) No 215/94 of 31 January 1994 opening an invitation to tender for the sale of olive oil held by the Spanish intervention agency (OJ No L 27, 1. 2. 1994, p. 49)		22. 2. 1994	Virgin olive oil: ECU 200,00/100 kg Ordinary virgin olive oil: ECU 191,99/100 kg Lampante virgin olive oil: ECU 183,66/100 kg

II

(Preparatory Acts)

COMMISSION

Amended proposal for a Council Regulation (EC) setting the terms under which fishing vessels flying a third country flag may land directly and market their catches at Community ports ⁽¹⁾

(94/C 63/07)

(Text with EEA relevance)

COM(94) 19 final — 94/0021(CNS)

(Submitted by the Commission pursuant to Article 189A (2) of the EC Treaty on 4 February 1994)

The Commission proposal is hereby amended as follows:

1. the title of the proposal is replaced by the following:

'Proposal for a Council Regulation (EC) setting the terms under which fishing vessels flying a third country flag may land directly and market their catches and fishery products at Community ports';

2. in Article 2, point 1, 'fishing' is deleted;

3. in the first indent to Article 2, point 1, 'and whatever methods or gear are employed,' is deleted;

4. in the second indent to Article 2, point 1, 'whether or not any processing, preservation or packaging is carried out on board on these products;' is deleted;

5. the following third indent is added to Article 2, point 1:

'— a vessel on board which fishery products are subject to one or more of the following operations prior to packaging: filleting or slicing, skinning, mincing, freezing and/or processing.';

6. Article 5 (2) is replaced by the following paragraph:

'Fishery products landed directly from a vessel as indicated in Article 1 that are listed in Annex II to Regulation (EEC) No 3759/92 may not be placed on the Community market at a free-at-border price below the threshold price set by Article 16 (2) of that Regulation for triggering private storage aid.'

(¹) OJ No C 219, 13. 8. 1993, p. 16.

III

(Notices)

COMMISSION

EUROPEAN ECONOMIC INTEREST GROUPING

Notices published pursuant to Council Regulation (EEC) No 2137/85 of 25 July 1985 ⁽¹⁾ —
Formation

(94/C 63/08)

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| <p>1. Name of grouping: Groupement européen d'intérêt économique Euroterroirs</p> <p>2. Date of registration of grouping: 26. 1. 1994</p> <p>3. Place of registration of grouping:</p> <p>(a) Member State: F</p> <p>(b) Place: F-Paris</p> <p>4. Registration number of grouping: C 393 748 892</p> <p>5. Publication(s):</p> <p>(a) Full title of publication: Bulletin officiel des annonces civiles et commerciales (BODACC)</p> <p>(b) Name and address of publisher: Bulletin officiel des annonces civiles et commerciales (BODACC), 26, rue Desaix, F-75015 Paris</p> <p>(c) Date of publication: 13. 2. 1994</p> | <p>4. Registration number of grouping: C 393 326 855</p> <p>5. Publication(s):</p> <p>(a) Full title of publication: Bulletin officiel des annonces civiles et commerciales (BODACC)</p> <p>(b) Name and address of publisher: Bulletin officiel des annonces civiles et commerciales (BODACC), 26, rue Desaix, F-75015 Paris</p> <p>(c) Date of publication: 22. 1. 1994</p> |
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|---|---|
| <p>1. Name of grouping: Strategic Support Services Alliance S.3 A</p> <p>2. Date of registration of grouping: 20. 12. 1993</p> <p>3. Place of registration of grouping:</p> <p>(a) Member State: F</p> <p>(b) Place: F-Paris</p> | <p>1. Name of grouping: Interjuris Audit</p> <p>2. Date of registration of grouping: 17. 1. 1994</p> <p>3. Place of registration of grouping:</p> <p>(a) Member State: F</p> <p>(b) Place: F-Paris</p> <p>4. Registration number of grouping: C 392 826 772</p> <p>5. Publication(s):</p> <p>(a) Full title of publication: Bulletin officiel des annonces civiles et commerciales (BODACC)</p> <p>(b) Name and address of publisher: Bulletin officiel des annonces civiles et commerciales (BODACC), 26, rue Desaix, F-75015 Paris</p> <p>(c) Date of publication: 4. 2. 1994</p> |
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⁽¹⁾ OJ No L 199, 31. 7. 1985, p. 1.

Phare — actuator-driven slide valves

Notice of invitation to tender issued by the Commission of the European Communities on behalf of the Government of Bulgaria financed in the framework of the Phare Programme

(94/C 63/09)

Project title

Emergency Energy Supply 1992-1993, Bulgaria.
Contract No BG 92.07/02.01/B00

Tender number: 45817301 - approved by CEC

1. Participation and origin

Participation is open on equal terms to all natural and legal persons of the Member States of the European Community, or of Albania, Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, the Slovak Republic and Slovenia.

2. Subject

Supply in 1 lot of 14 pieces of complete actuator-driven slide valves with necessary accessories.

These slide valves (Dn 225; p = 100 bar, t = 540°C) with electric drive are necessary in the Thermal Power Plant (TPP) Russe in the steam pipes.

3. Invitation to tender dossier

The complete tender dossier may be obtained free of charge from:

- a) PROMPT, c/o Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH, for the attention of Mrs Schlick, Purchasing Dept., Dag-Hammarskjöldweg-Weg 1-5, D-65760 Eschborn am Taunus, tel. (49-61 69) 79 22 83, facsimile (49-61 69) 79 62 34;
- b) Commission of the European Communities, DG I, Operational Service Phare, for the attention of Mrs A. Krause, rue de la Loi 200 (AN 88-4/21), B-1049 Brussels, tel. (02) 295 16 65, facsimile (02) 295 75 02;
EC Delegation, 36 Dragan Tsankov Blvd, for the attention of Mr T. O'Sullivan, Interpret World Trade Center, Block A, third floor, BG-1056 Sofia, tel. (359-2) 739 84 15, facsimile (359-2) 73 83 95;

c) Offices in the Community:

D-53113 Bonn, Zitelfmannstraße 22 [Tel. (49) 228 53 00 90; Telefax (49) 22 85 30 09 50],

NL-2594 AG Den Haag, E.V.D., afdeling PPA, Bezuidenhoutseweg 151 [tel. (31-70) 379 88 11; telefax (31-70) 379 78 78],

L-2920 Luxembourg, bâtiment Jean Monnet, rue Alcide de Gasperi [tél. (352) 43 01 1; télécopieur (352) 43 01 44 33],

F-75007 Paris Cedex 16, 288, boulevard Saint-Germain [tél. (33) 1 40 63 38 38; télécopieur (33) 1 45 56 94 17],

I-00187 Roma, via Poli 29 [tel. (39-6) 678 97 22; telefax (39-6) 679 16 58],

DK-1787 København V, Dansk Industri, Projekt- og Licitationskontoret, afd. EMI [tlf. (45) 33 77 33 77; telefax (45) 33 77 33 00],

UK-London SW1P 3AT, Jean Monnet House, 8 Storey's Gate [tel. (44) 71 973 19 92; facsimile (44) 71 973 19 00],

IRL-Dublin 2, 39 Molesworth Street [tel. (353) 1 71 22 44; facsimile (353) 1 71 26 57],

GR-10674 Athens, Vassilissis Sofias 2 [τηλ. (30) 1 724 39 82, τηλεφάξ (30) 1 724 46 20],

E-28001 Madrid, calle de Serrano, 41, 5a planta [tel. (34-1) 435 17 00, 435 15 28; telefax (34-1) 576 03 87, 577 29 23],

P-1200 Lisboa, Centro Europeu Jean Monnet, Largo Jean Monnet 1-10º [tel. (351) 1 54 11 44; telefax (351) 1 55 43 97].

4. Tenders

Tenders should arrive at the latest on 4. 4. 1994 (12.00), local time, at:

PROMPT, c/o Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH, for the attention of Mrs Schlick, Purchasing Dept., Dag-Hammarskjöldweg-Weg 1-5, D-65760 Eschborn am Taunus.

Tenders will be opened in public session on 5. 4. 1994 (12.00), local time, at the same address.