

Official Journal

of the European Communities

ISSN 0378-6986

C 12

Volume 39

17 January 1996

English edition

Information and Notices

Notice No	Contents	Page
	I Information	
	Commission	
96/C 12/01	Ecu	1
96/C 12/02	Information procedure — technical regulations ⁽¹⁾	2
96/C 12/03	Recapitulation of current tenders, published in the <i>Supplement to the Official Journal of the European Communities</i> , financed by the European Community under the European Development Fund (EDF) or the European Communities budget (week: 9 to 13 January 1996)	3
	II Preparatory Acts	
	Commission	
96/C 12/04	Proposal for a Council Decision concerning the conclusion of the Cooperation Agreement between the European Community and the Socialist Republic of Vietnam	4
	Cooperation Agreement between the European Community and the Socialist Republic of Vietnam	5
96/C 12/05	Proposal for a Council Regulation amending Council Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops	11
96/C 12/06	Amended proposal for a European Parliament and Council Directive amending for the 16th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations	12

EN

<u>Notice No</u>	Contents (continued)	Page
96/C 12/07	Proposal for a Council Directive amending the Annex to Directive 85/73/EEC on the financing of veterinary inspections and controls of animal products covered by Annex A to Directive 89/662/EEC and by Directive 90/675/EEC	13
<hr/>		
	III <i>Notices</i>	
	Commission	
96/C 12/08	Amendment to notice of invitation to tender for the refund for the export of milled medium-grain and long-grain A rice to certain third countries	14
96/C 12/09	Organization of the 1997 European Young Consumer Competition — Prior information	14
96/C 12/10	Invitation to tender involving at the technical assistance for the publication of the first cohesion report on the economic and social cohesion of the European Union — Call for invitation to tender	15

I

(Information)

COMMISSION

Ecu ⁽¹⁾

16 January 1996

(96/C 12/01)

Currency amount for one unit:

Belgian and Luxembourg franc	38,8368	Finnish markka	5,71417
Danish krone	7,30447	Swedish krona	8,59525
German mark	1,88981	Pound sterling	0,840755
Greek drachma	310,150	United States dollar	1,29661
Spanish peseta	159,081	Canadian dollar	1,76923
French franc	6,45843	Japanese yen	137,221
Irish pound	0,812618	Swiss franc	1,52015
Italian lira	2046,92	Norwegian krone	8,28406
Dutch guilder	2,11646	Icelandic krona	85,4598
Austrian schilling	13,2903	Australian dollar	1,74042
Portuguese escudo	195,426	New Zealand dollar	1,95126
		South African rand	4,72324

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).

Information procedure — technical regulations

(96/C 12/02)

(Text with EEA relevance)

- Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations.
(OJ No L 109, 26. 4. 1983, p. 8).
- Directive 88/182/EEC of 22 March 1988 amending Directive 83/189/EEC.
(OJ No L 81, 26. 3. 1988, p. 75).

Notifications of draft national technical regulations received by the Commission.

Reference (1)	Title	End of three-month standstill period (2)
95-394-I	Regulation concerning the time validity of metric stamps applied to deformable-wall type volumetric measuring devices for gas, implementing Act No 236 of 29 July 1991 modifying the provisions of the Single Text of the Acts on weights and measures	9. 4. 1996
95-399-D	Technical rules for steam boilers — TRD 303 Annex 1 — 'Dimensioning spherical shells with sections cut out to protect against changing levels of deformative strain on perforated edges on the inside'	5. 3. 1996
95-400-D	Technical rules for steam boilers — TRD 415 — 'Fluid bed firing at steam boilers'	5. 3. 1996
95-401-D	Technical rules for steam boilers — [German designation TRD 451 Annex 1] — 'Equipment for the unpressurized storage of ammonia-water mixtures for steam boiler installations — storage tanks'	5. 3. 1996
95-402-D	Technical rules for steam boilers — TRD 451 Annex 2 — 'Plant for the storage in pressure vessels of ammonia-water mixtures for steam boiler installations — storage tanks'	5. 3. 1996
95-403-D	Technical rules for steam boilers — TRD 452 Annex 1 — 'Plant for the unpressurized storage of ammonia-water mixtures for steam boiler installations — setting up, equipment, operation'	5. 3. 1996
95-404-D	Technical rules for steam boilers — TRD 452 Annex 2 — 'Plant for the storage of ammonia-water mixtures in pressure vessels for steam boiler installations — setting up, equipment, operation'	5. 3. 1996
95-405-D	Technical rules for steam boilers — TRD 702 Annex 1 — 'Additional requirements pursuant to TRD 702 concerning steam boiler installations with Group II hot water heaters with automatic or partly automatic coal-burning firing systems'	5. 3. 1996
95-406-D	Technical rules for steam boilers — TRD 702 Annex 2 — 'Steam boiler installations with Group II hot water heaters; additional requirements'	5. 3. 1996
95-407-D	Approval regulation BAPT 211 ZV 11/26 GHz for digital radio relay equipment used in the 26 GHz range of the fixed radio service	5. 3. 1996
95-408-DK	The Power Current Order, section 113 (series) PVC-insulated cables with rated voltages up to and including 450/750 V	14. 3. 1996

(1) Year — registration number — Member State of origin.

(2) Deadline for comments from Commission and Member States.

(3) The usual information procedure does not apply to 'Pharmacopoeia'.

(4) No standstill period as the Commission has accepted the grounds for urgent adoption.

The Commission would point out that, under the terms of its communication of 1 October 1986 (OJ No C 245, 1. 10. 1986, p. 4), it considers that if a Member State adopts a technical regulation which comes under the provisions of Directive 83/189/EEC without communicating the draft to the Commission or respecting the standstill obligation, that regulation cannot be enforced against third parties under the terms of the legal system of the Member State in question. The Commission therefore considers that litigants have a right to expect national

courts to refuse to implement national technical regulations that have not been notified as required by Community law.

Information on these notifications can be obtained from the national administrations, a list of which was published in *Official Journal of the European Communities* No C 67 of 17 March 1989.

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

(week: 9 to 13 January 1996)

(96/C 12/03)

Invitation to tender No	Number and date of 'S' Journal	Country	Subject	Final date for submission of bids
4112	S 5, 9. 1. 1996	Ethiopia	ET-Addis Ababa: fertilizers	1. 3. 1996
4113	S 5, 9. 1. 1996	Ethiopia	ET-Addis Ababa: fertilizer	12. 3. 1996
3946	S 6, 10. 1. 1996	Chad	TD-N'Djamena: miscellaneous equipment	26. 3. 1996

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Decision concerning the conclusion of the Cooperation Agreement between the European Community and the Socialist Republic of Vietnam

(96/C 12/04)

COM(95) 305 final — 95/0173(CNS)

(Submitted by the Commission on 28 June 1995)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 113, 130Y, in conjunction with the first sentence of Article 228 (2) and the first subparagraph of paragraph 3 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, under Article 130U of the Treaty, Community policy in the sphere of development cooperation should foster the sustainable economic and social development of the developing countries, their smooth and gradual integration into the world economy and the campaign against poverty in those countries;

Whereas the Community should approve, for the attainment of its aims in the sphere of external relations, the Cooperation Agreement between the European Community and the Socialist Republic of Vietnam,

HAS DECIDED AS FOLLOWS:

Article 1

The Cooperation Agreement between the European Community and the Socialist Republic of Vietnam is hereby approved on behalf of the Community.

The text of this Agreement is attached to this Decision.

Article 2

The President of the Council shall, on behalf of the Community, give the notification provided for in Article 20 of the Agreement ⁽¹⁾.

Article 3

The Commission, assisted by representatives of the Member States, shall represent the Community in the Joint Commission provided in Article 14 of the Agreement.

Article 4

This Decision shall be published in the *Official Journal of the European Communities*.

⁽¹⁾ The date of entry into force of the Cooperation Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

COOPERATION AGREEMENT**between the European Community and the Socialist Republic of Vietnam**

THE COUNCIL OF THE EUROPEAN UNION,

of the one part,

THE GOVERNMENT OF VIETNAM,

of the other part,

hereafter referred to as 'the Parties',

WELCOMING the increase in trade and cooperation which have taken place since the normalization of relations in November 1990 between the European Community on the one hand, hereinafter referred to as 'the Community', and the Socialist Republic of Vietnam on the other, hereinafter referred to as 'Vietnam';

RECOGNIZING the importance of further strengthening the links and enhancing the relations between the Community and Vietnam;

REAFFIRMING the importance which the Community and Vietnam attach to the respect for human rights and democratic principles and the principles of the United Nations Charter and the respect for national independence and sovereignty;

RECOGNIZING the steps taken by Vietnam to normalize its relations with all partners, both regional and international and underlining those measures of cooperation which could assist the process of regional cooperation;

RECOGNIZING the responsibility of all States in accordance with basic international principles and practices to accept back those of its citizens who have left their country for one reason or another;

HAVING REGARD to the important new opportunities for trade in textiles and clothing through bilateral contractual rights and obligations between the Community and Vietnam;

INSPIRED by their common will to consolidate, deepen and diversify their relations in areas of mutual interest on the basis of equality, non-discrimination, mutual benefit and reciprocity;

RECOGNIZING the positive consequences of the ongoing process of economic reform in Vietnam to secure the transition to a market economy and the commitment to continue with this process;

DESIROUS of creating favourable conditions for a substantial development and diversification of trade between the Community and Vietnam;

HAVING REGARD to uphold the principles and practices which promote free and unhindered two-way trade in a stable, transparent and non-discriminatory manner, taking into account the different economic conditions of each Party;

HAVING REGARD to the need to create favourable conditions for direct investment;

HAVING REGARD to the need to support Vietnam in efforts to achieve sustainable economic development and to improve the living conditions of the poorer sections of the population;

CONSIDERING the importance attached by the Community and Vietnam to the protection of the environment on a global and at a local level and to the sustainable use of natural resources, and recognizing the linkage between the environment and development;

HAVE DECIDED, as Parties, to conclude this Agreement and to this end have designated as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN UNION;

THE GOVERNMENT OF VIETNAM;

WHO, having exchanged their full powers, found in good and due form;

HAVE AGREED AS FOLLOWS:

*Article 1***Basis**

Respect for human rights and democratic principles is the basis for the cooperation between the Parties and for the provisions of this Agreement, and it constitutes an essential element of the Agreement.

*Article 2***Objectives**

The principal objectives of this Agreement are:

1. To secure the conditions and to promote the increase and development of two-way trade and investment between the two Parties in their mutual interest taking into account their respective economic situations.
2. To support the sustainable economic development of Vietnam, and the improvement of the living conditions of the poorer sections of the population.
3. To enhance economic cooperation in the mutual interest, including support to the Government of Vietnam's ongoing efforts to restructure its economy and to move towards a market economy.
4. To support environmental protection and the sustainable management of natural resources.

*Article 3***Most-favoured-nation treatment**

The Community and Vietnam shall grant each other most-favoured-nation treatment in their trade in conformity with the provisions of the General Agreement on Tariffs and Trade (GATT) 1994.

The provisions of this Article shall not apply to preferences accorded by either Party under an arrangement establishing a customs union, a free trade area or an area of preferential treatment.

*Article 4***Trade and commercial cooperation**

1. The Parties undertake to develop and diversify their commercial exchanges and to improve market access to the highest possible degree in a manner taking into account their respective economic situations.

2. The Parties within the current framework of their respective laws and regulations, are committed to a policy for improving the terms of access for their products to each other's markets. In this context, they shall grant each other the most favourable conditions for imports and exports and they agree to examine ways and means of eliminating barriers to trade between them, notably non-tariff barriers, taking account of their different systems and the work already done in this connection by international organizations.

3. The provisions of paragraphs 1 and 2 shall not limit the right of either Party to apply measures which are necessary for the protection of its essential security interests or for the protection of public health or morals and the protection of environment and animal or plant life or health. In respect of the latter such measures shall not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on trade.

4. The Parties agree to promote the exchange of information concerning mutually beneficial market opportunities and to hold consultations in a constructive spirit on the issues of tariff, non-tariff, services, health, safety or environmental measures, and technical requirements. Training programmes should take place in these fields as part of economic cooperation between the two Parties.

5. The Parties agree to improve cooperation in customs matters between the respective authorities, especially with regard to the possibility of professional training, the simplification and harmonization of customs procedures, and the prevention, investigation and suppression of infractions of customs regulations.

6. The Parties agree to consult each other on any dispute which may arise in connection with trade or trade-related matters.

*Article 5***Investments**

The Parties shall encourage an increase in mutually beneficial investment by establishing a favourable climate for private investments including better conditions for the transfer of capital and exchange of information on investment opportunities. In particular the Parties will, where appropriate, support agreements on the promotion and protection of investments between the Member States of the European Union and Vietnam on the basis of the principles of non-discrimination and reciprocity.

*Article 6***Intellectual property rights**

1. In so far as their competencies, regulations and policies permit, the Parties will:
 - (a) aim to improve the conditions for adequate and effective protection and reinforcement of intellectual, industrial and commercial property rights in conformity with the highest international standards;
 - (b) cooperate to secure these objectives, including, where appropriate, through the means of technical assistance.
2. The Parties agree that they shall avoid discriminatory treatment in relation to intellectual property rights and to engage, if necessary, in consultations if problems affecting trade relations arise.

*Article 7***Economic cooperation**

1. The Parties undertake, in their mutual interests and in accordance with their respective policies and objectives, to foster economic cooperation of the widest possible scope in order to contribute to the expansion of their respective economies and their developmental needs.
2. The Parties agree that economic cooperation shall involve three broad fields of action:
 - (a) improving the economic environment in Vietnam by facilitating access to Community know-how and technology;
 - (b) facilitating contacts between economic operators and other measures designed to promote commercial exchanges and direct investments;
 - (c) reinforcing mutual understanding of their respective economic and social environment as a basis for effective cooperation.
3. In the broad fields described above, the aims shall be in particular:
 - (a) to assist Vietnam in its continued efforts to achieve successfully the transition to a market economy and thus to improve the economic environment and business climate;
 - (b) to encourage cooperation between their respective economic sectors, particularly between private sectors.
4. The Parties, within the limits of their financial means and of their respective procedures, will determine together and to their mutual advantage the areas and priorities for economic cooperation programmes and activities.

*Article 8***Science and technology**

- The Parties shall, in accordance with their mutual interest and the aims of their strategy in this area, promote scientific and technological cooperation including in such practical areas as standards and quality control with a view to:
- (a) fostering the transfer of know-how, technology and disseminating information and expertise;
 - (b) opening up opportunities for future economic, industrial and trade cooperation.

*Article 9***Development cooperation**

1. The Community recognizes Vietnam's need for development assistance and is prepared to enhance its cooperation by providing such assistance through specific projects and programmes in accordance with the priorities set out in Council Regulation EEC No 443/92 in order to contribute to Vietnam's own efforts and strategies to achieve sustainable economic development and the social progress of its people.
2. Projects and programmes will be targeted towards the poorer sections of the population, including those areas receiving returning citizens and towards social and economic infrastructure development. Particular attention will be given to balanced agricultural development with participation of the groups to be targeted. Cooperation in this area will also cover the promotion of employment in rural towns, and of the role of women in development, with appropriate emphasis on their education and family welfare.
3. Particular attention will be paid to actions to enhance regional economic integration within Vietnam.
4. The development cooperation will concentrate on mutually agreed priorities and will pursue project and programme efficiency and sustainability.

*Article 10***Regional cooperation**

1. The cooperation between the Parties in this field may with their mutual agreement extend to actions undertaken within the context of cooperation with other countries in the South-East Asia region and shall not prejudice the right of each Party to conduct cooperation with other partners in the region.

2. Particular attention will be paid to:

- (a) promotion of intraregional trade;
- (b) support for regional projects and initiatives;
- (c) studies promoting regional links and communications.

Article 11

Environmental cooperation

1. The Parties recognize the need to take full account of environmental protection as an integral part of economic and development cooperation. Moreover, they underline the importance of environmental issues and sustainable development and assert their will to establish cooperation in protecting and improving the environment with particular emphasis on water, soil and air pollution, erosion, deforestation and sustainable management of natural resources, taking into account the work done in international forums.

2. Particular attention will be paid to:

- (a) the protection and conservation of natural forests and their sustainable management;
- (b) the importance of the energy/environment linkage;
- (c) the finding of practical solutions to rural energy problems;
- (d) the protection of the urban environment;
- (e) the prevention of industrial pollution;
- (f) the protection of the marine environment and its ecological systems;
- (g) the increase of management capacity of the central and local environmental agencies.

Article 12

Information and communication

The Parties will cooperate in the fields of information and communication to create better mutual understanding and to strengthen the ties between the two regions.

Article 13

Drug abuse control

1. The Parties affirm their resolve, in conformity with their respective competencies, to increase the efficiency of policies and measures to prevent the production and distribution of all kinds of drugs, narcotics and psycho-

tropic substances, as well as preventing and reducing drug abuse, taking into account work done in this connection by international bodies.

2. Cooperation between the Parties shall comprise the following:

- (a) training, education, health promotion and rehabilitation of addicts, including projects for the reintegration of addicts into work and social environments;
- (b) measures to encourage alternative economic opportunities;
- (c) technical, financial and administrative assistance in the monitoring of precursors trade, prevention, treatment and reduction of drug abuse;
- (d) technical assistance in and training for the prevention of money laundering;
- (e) exchange of relevant information.

Article 14

Joint Commission

1. The Parties agree to establish a Joint Commission whose tasks are to:

- (a) ensure the proper functioning and implementation of the Agreement and the dialogue between the two Parties;
- (b) make suitable recommendations for promoting the objectives of the Agreement;
- (c) establish priorities in relation to the possible actions necessary to achieve the aims of the Agreement.

2. The Joint Commission shall be composed of representatives of both sides, at the senior official level. The Joint Commission shall normally meet every other year, alternately in Brussels and in Hanoi, on a date fixed by mutual agreement. Extraordinary meetings may also be convened by agreement between the Parties.

3. The Joint Commission may set up specialized subgroups to assist in the performance of its tasks and to coordinate the formulation and implementation of projects and programmes within the framework of the Agreement.

4. The agenda for meetings of the Joint Commission shall be determined by agreement between the Parties.

5. The Parties agree that it shall also be the task of the Joint Commission to ensure the proper functioning of any sectoral agreements concluded or which may be concluded between the Community and Vietnam.

6. The organizational structures and operational regulations of the Joint Commission will be determined and agreed upon by the two Parties.

Article 15

Future developments

1. The Parties may, by mutual consent, improve this Agreement in order to enhance the level of cooperation and add to it by means of agreements on specific sectors or activities.

2. Within the framework of this Agreement, either of the Parties may put forward suggestions for expanding the scope of the cooperation, taking into account the experience gained in its application.

Article 16

Other Agreements

Without prejudice to the relevant provisions of the Treaties establishing the European Communities, neither this Agreement nor any action taken thereunder shall in any way affect the powers of the Member States of the European Union to undertake bilateral activities with Vietnam in the framework of economic cooperation or to conclude, where appropriate, new economic Cooperation Agreements with Vietnam.

Article 17

Facilities

To facilitate cooperation within the framework of this Agreement, the Vietnamese authorities will grant to Community officials and experts the guarantees and

facilities necessary for the performance of their functions. The detailed provisions will be set out by way of a separate exchange of letters.

Article 18

Territorial application

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in the Treaty and, on the other, to the territory of Vietnam.

Article 19

Annexes

The Annexes attached to this Agreement shall form an integral part of the Agreement.

Article 20

Entry into force and renewal

1. This Agreement shall enter into force on the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.

2. This Agreement is concluded for a period of five years. It shall be automatically renewed on a yearly basis unless one of the Parties denounces it six months before its expiry date.

Article 21

Authentic texts

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Vietnamese languages, each text being equally authentic.

In witness whereof the undersigned plenipotentiaries have signed this Agreement.

*For the Council of the European Union
on behalf of the European Community*

For the Government of Vietnam

*ANNEX I***DECLARATIONS OF THE EUROPEAN COMMUNITY****Declaration of the European Community on the fifth recital of the preamble of the Cooperation Agreement**

The European Community declares that it is willing to consider within the framework of its development cooperation projects and whenever possible the opportunity to contribute to the economic reintegration of Vietnamese citizens returning to their country.

Declaration of the European Community concerning tariff adjustments

The European Community confirms that Vietnam has access to the Generalized system of preferences (GSP) autonomously put into effect by the European Community on 1 July 1971 on the basis of Resolution 21 (II) of the second United Nations Conference on Trade and Development held in 1968.

The Community is also willing to organize workshops in Vietnam for public and private users of the GSP with a view to ensuring maximum use of it.

Declaration of the European Community

In the course of the negotiations on the Cooperation Agreement between the European Community and Vietnam, the Community declared that subject to the provisions of Article 16 of the Agreement, the provisions of the Agreement shall replace provisions of agreements concluded between Member States of the European Union and Vietnam where such agreements are either incompatible with, or identical to the provisions of the Agreement.

*ANNEX II***Joint Declaration of the European Community and of the Government of Vietnam**

The Parties agree that for the purpose of this Agreement 'intellectual, industrial and commercial property' includes, in particular, protection of copyright (including computer software) and related rights; trade and service marks; geographical indications, including indications of origin; industrial designs; patents; layout designs of integrated circuits as well as protection of undisclosed information and protection against unfair competition.

*ANNEX III***Declaration of the Socialist Republic of Vietnam**

The Government of the Socialist Republic of Vietnam declares that the repatriation of its citizens will be carried out on the basis of mutual agreement between Vietnam and the country concerned in order to ensure the principles of orderly repatriation in conditions of safety, dignity, in accordance with international acceptable practices and the Comprehensive Plan of Action (CPA) 1989, with financial assistance from the international community.

Declaration by the European Community

1. The European Community recalls the importance that it and its Member States attach to the principle of readmission of nationals to their countries of origin, reference to which is made in the fifth recital of the preamble to the Agreement.
 2. The European Community points out that the provisions of that Agreement in no way affect the obligations in the matter deriving from bilateral agreements concluded between the Socialist Republic of Vietnam and its Member States.
-

Proposal for a Council Regulation amending Council Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops

(96/C 12/05)

COM(95) 497 final — 95/0265(CNS)

(Submitted by the Commission on 26 October 1995)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

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

Whereas Article 7 (4) of Regulation (EEC) No 1765/92 ⁽¹⁾ provides that land set aside may be used for the provision of materials for the manufacture within the Community of products not primarily intended for human or animal consumption, provided that effective control systems are applied;

Whereas in order to ensure compliance with point 7 of the Memorandum of Understanding on certain oilseeds between the European Economic Community and the United States of America within the framework of the GATT ⁽²⁾, it is necessary to provide for the possibility of reducing the amount of by-products which may be

produced and put to a feed or food use, if the total quantity of such by-products would otherwise exceed 1 million tonnes annually expressed in soya bean meal equivalents;

Whereas it is therefore necessary to amend Regulation (EEC) No 1765/92,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is added to Article 7 (4) of Regulation (EEC) No 1765/92:

'If the quantity of by-products for feed or food uses likely to be made available as a result of the cultivation of oilseeds on land set-aside under the first subparagraph will, on the basis of the forecast quantities covered by contracts made with producers, exceed 1 million tonnes annually expressed in soya bean meal equivalents, in order to limit such quantity to 1 million tonnes, the amount of the forecast quantity which may be produced under each contract and used for feed or food uses shall be reduced.'

Article 2

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 147, 18. 6. 1993, p. 25.

Amended proposal for a European Parliament and Council Directive amending for the 16th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations

(96/C 12/06)

COM(95) 531 final — 94/0287(COD)

(Submitted by the Commission pursuant to Article 189a (2) of the EC Treaty on 27 October 1995)

Further to the opinion given by the European Parliament on 20 September 1995 on the proposal for a Council Directive amending for the 16th time Directive 76/769/EEC ⁽¹⁾ on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations and in accordance with the second paragraph of Article 189a of the Treaty on European Union, the Commission has decided to amend the aforementioned proposal as follows:

1. The text of the first paragraph of Article 2 is replaced by the following text:

‘Member States shall bring into force and publish the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 1997. They shall immediately inform the Commission thereof. They shall apply the provisions from 1 January 1998.’

2. The text of the right hand column of the Annex is replaced by the following text:

‘May not be used in the manufacturing or processing of non-ferrous metals.

By way of derogation, Member States may allow on their territories the use of hexachloroethane (HCE):

- in non-integrated foundries casting aluminium consuming no more than 1,5 kg per day HCE. In view of the development in knowledge and techniques in the field of substitutional products the Commission will carry out in agreement with the Member States a review of this exceptional rule before 31 December 1996;
- for grain refining in the production of the magnesium alloys AZ 81, AZ 91 and AZ 92. In view of the development in knowledge and techniques in the field of substitutional products the Commission will carry out in agreement with the Member States a review in 1996 of this exceptional rule.’

⁽¹⁾ OJ No C 382, 31. 12. 1994, p. 35.

Proposal for a Council Directive amending the Annex to Directive 85/73/EEC on the financing of veterinary inspections and controls of animal products covered by Annex A to Directive 89/662/EEC and by Directive 90/675/EEC

(96/C 12/07)

COM(95) 525 final — 95/0267(CNS)

(Submitted by the Commission on 7 November 1995)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 85/73/EEC of 29 January 1985 on the financing of veterinary inspections and controls of animal products covered by Annex A to Directive 89/662/EEC and by Directive 90/675/EEC ⁽¹⁾, as last amended by Directive 93/118/EC ⁽²⁾, and in particular Article 6 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, in the case of poultrymeat covered by Council Directive 71/118/EEC ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, the provisions on the minimum amount to be collected for ante-mortem and post-mortem inspections should be maintained;

Whereas the maintenance of those provisions is warranted both on the grounds of experience gained and by the concern for stable rules applying to national authorities and operators,

⁽¹⁾ OJ No L 32, 5. 2. 1985, p. 14.

⁽²⁾ OJ No L 340, 31. 12. 1993, p. 15.

⁽³⁾ OJ No L 55, 8. 3. 1971, p. 23.

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Chapter I of the Annex to Directive 85/73/EEC, 'Until 31 December 1995' is deleted from the introductory part of point 1 (e).

Article 2

1. By 31 December 1995 at the latest, the Member States shall introduce the laws, regulations and administrative provisions required to comply with this Directive. The shall immediately inform the Commission thereof.

The provisions adopted by the Member States shall contain a reference to this Directive or shall be accompanied by such a reference on their official publication. The way such reference is to be made shall be decided by the Member States.

2. The Member States shall forward to the Commission the main provisions of national law which they adopt within the scope of this Directive.

Article 3

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

III

(Notices)

COMMISSION

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

(96/C 12/08)

(Official Journal of the European Communities No C 271 of 17 October 1995)

On page 19, the text of paragraph 2 under heading I 'Subject', is amended as follows:

- '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 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, is approximately 30 000 tonnes.'

Organization of the 1997 European Young Consumer Competition**Prior information**

(96/C 12/09)

The European Commission plans to publish a call for tenders for the organization of the 1997 European Young Consumer Competition.

The call for tenders will be published during 1-2/1996. The estimated deadline for the submission of tenders is 20. 3. 1996. The estimated date for the opening of the bids to tender is 27. 3. 1996.

Date of dispatch of the notice: 4. 1. 1996.

Date of receipt by the Office for Official Publications of the European Communities:

The contracting authority is:

DG XXIV, Unit 5, Commission of the European Communities, 70, rue Joseph II, Office 4/15, B-1049 Brussels, tel. (32-2) 295 25 28/295 86 33, facsimile (32-2) 299 18 57, telex COMEU B 21877, telegraphic address: COMEUR Brussels.

Invitation to tender involving at the technical assistance for the publication of the first cohesion report on the economic and social cohesion of the European Union

Call for invitation to tender

(96/C 12/10)

1. **Awarding authority:** European Commission, Directorate-General for Regional Policy and Cohesion, CSM1 09/155, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel.

Tel. (32-2) 295 70 05. Facsimile (32-2) 299 46 84.

2. **Awarding authority:** Restricted invitation to tender. The Commission will select a limited number of candidates (which will probably be not more than 10) who will be invited to tender.

3. **Category of service and description:** Article 130b of the Maastricht Treaty requires the Commission to produce a report 'on the progress made towards economic and social cohesion and on the manner in which the various means provided for in this article have contributed to it'. The report 'shall, if necessary, be accompanied by appropriate proposals'.

Aided by independent consultancies, the Commission is conducting in-depth studies with a view to preparing the report. It will be drafted mostly in English (EN) for eventual translation into the other 10 official languages of the European Union.

The consultant will be called upon to provide:

- I. professional advice on the preparation of the text with a view to striking the appropriate balance between its level of comprehension to the intelligent reader and its technical (economics) coherence.
- II. translations of the text into all Community languages. It is envisaged that interim draft of key sections of the report will be translated into French (FR) and German (DE). The consultant will be responsible for maintaining parallel drafts of the text in EN, FR and DE during successive revisions.
- III. Desk-top publishing (DTP) of the 3 language versions.

All language versions have to be published as an official publication following the guidelines and procedures by the Office for Official Publications of

the European Communities. The publication will have a maximum content of approximately 250 pages of text. It will also include illustrations, divided as follows: an estimated 40 full-colour maps, 100 graphs and 100 tables in 2 colours. Some of the graphs and tables will be incorporated in the text, the rest in the form of an annex.

The publication of the first 3 language versions (EN, FR, DE) is anticipated for the end of July 1996 and the other language versions in the following 4 months.

The DTP-system that will be used must be compatible with the one used by the responsible Commission services, i.e. Microsoft Word for the text and Excel for the graphs. As for the maps, they have to be compatible with the ArcInfo format. The reports have to be presented in a draft and a final DTP-version for checking and final adjustment respectively. After agreement by the Commission, the final DTP-version shall be presented as a set of photographic films for offset printing following guidelines by the service or company that will perform the last-named task.

4. **Contract duration:** The final drafts of the studies should be presented progressively to the Commission beginning 2/1996. By the beginning of 5/1996, a first draft DTP version of the report in English must be presented and by the end of 7/1996 the final films for offset printing in the first 3 languages.

The time limits foreseen necessitate recourse to an accelerated procedure in accordance with Article 20 of Council Directive 92/50/CEE.

5. **Invitation to tender:** Interested parties may write to the address under 1 by 29.1.1996. The parties are selected on the basis of the following selection criteria and will be presented with the full terms of reference and all necessary information of the precise assessment of the aforementioned tasks.

6. **Selection criteria:** Candidates invited to tender will be selected on the basis of the following criteria:

-
- qualifications, technical competence and professional experience of the persons to be responsible for conducting the actual preparation of the publication (this also applies to subcontracting);
 - specific knowledge and experience in publishing similar reports of this extent within tight deadlines;
 - a description of hardware and software and methods which will be employed and proof of their compatibility with those used by the Commission;
 - ability to perform the publication within the deadlines (human and computer resources, back-up facilities, possibility to involve additional work stations, etc.).
7. **Information concerning the candidates:** to allow an assessment to be made in the light of the selection criteria under 6 above, candidates are to provide a sufficient number of documents giving evidence of their:
- financial capacity in the form of bankers' statements, extracts from balance sheets, or any other appropriate documents,
 - technical and professional competence;
 - experience within the context of similar work carried out.
8. **Other information:** All documents concerning this project including progress reports shall be submitted to the Commission in the contractor's working language and in French or English.
9. **Date of dispatch of the notice:** 12. 1. 1996.
10. **Date of receipt by the Office for Official Publications of the European Communities:** 12. 1. 1996.
-