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Information and Notices

<u>Notice No</u>	<u>Contents</u>	<u>Page</u>
<i>I Information</i>		
Commission		
98/C 50/01	Ecu.....	1
98/C 50/02	List of documents forwarded by the Commission to the Council during the period 2 to 6.2.1998.....	2
98/C 50/03	Prior notification of a concentration (Case No IV/M.1101 — Hermes/Sampo/PGB — FCIC) ⁽¹⁾	3
98/C 50/04	Prior notification of a concentration (Case No IV/M.1125 — Cereol/Sofiproteol — Saipol) ⁽¹⁾	4
98/C 50/05	Authorisation for State aid pursuant to Articles 92 and 93 of the EC Treaty — Cases where the Commission raises no objections ⁽¹⁾	5
<hr/>		
<i>II Preparatory Acts</i>		
Commission		
98/C 50/06	Proposal for a Council Directive on the marketing of propagating material of ornamental plants.....	8

EN

1

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

<u>Notice No</u>	Contents (continued)	Page
	III <i>Notices</i>	
	Commission	
98/C 50/07	Cooperation in higher education and vocational education and training between the European Community and the United States of America (DG XXII 07/98) (*)	17
98/C 50/08	Notice of open competition	20

EN

(*) Text with EEA relevance

I

(Information)

COMMISSION

Ecu ⁽¹⁾

16 February 1998

(98/C 50/01)

Currency amount for one unit:

Belgian and Luxembourg franc	40,7805	Finnish markka	5,99323
Danish krone	7,52983	Swedish krona	8,80626
German mark	1,97602	Pound sterling	0,662148
Greek drachma	311,698	United States dollar	1,08632
Spanish peseta	167,435	Canadian dollar	1,56854
French franc	6,62319	Japanese yen	137,007
Irish pound	0,792819	Swiss franc	1,58711
Italian lira	1949,43	Norwegian krone	8,22399
Dutch guilder	2,22728	Icelandic krona	78,2911
Austrian schilling	13,9038	Australian dollar	n.a.
Portuguese escudo	202,338	New Zealand dollar	n.a.
		South African rand	5,36805

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 fax answering service (No 296 10 97/296 60 11) 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 L 379, 30.12.1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ L 189, 4.7.1989, p. 1).

Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ L 349, 23.12.1980, p. 34).

Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ L 349, 23.12.1980, p. 27).

Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ L 345, 20.12.1980, p. 23).

Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ L 345, 20.12.1980, p. 1).

Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ L 311, 30.10.1981, p. 1).

**LIST OF DOCUMENTS FORWARDED BY THE COMMISSION TO THE COUNCIL
DURING THE PERIOD 2 TO 6.2.1998**

(98/C 50/02)

*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(97) 707	CB-CO-97-727-EN-C	Amended proposal for a Council recommendation concerning European cooperation in quality assurance in higher education ^(*)	2.2.1998	2.2.1998	10
COM(98) 45	CB-CO-98-047-EN-C	Communication from the Commission to the European Parliament and the Council on the final report concerning preparatory actions in the field of trans-European networks: integrated broadband communications launched in 1993 within the framework of the Communication from the Commission on the subject, dated 22 July 1993 ^(*)	2.2.1998	2.2.1998	25
COM(98) 47	CB-CO-98-053-EN-C	Report on the implementation of Regulation (EEC) No 3118/93 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State (cabotage) ^(*)	4.2.1998	4.2.1998	20
COM(98) 55	CB-CO-98-055-EN-C	Proposal for a Council Regulation (EC) imposing a definitive anti-dumping duty on imports of stainless steel fasteners and parts thereof originating in the People's Republic of China, India, the Republic of Korea, Malaysia, Taiwan and Thailand	4.2.1998	4.2.1998	37
COM(98) 56	CB-CO-98-056-EN-C	Proposal for a Council Regulation (EC) imposing a definitive anti-dumping duty on imports of glyphosate originating in the People's Republic of China and collecting definitively the provisional duty imposed	4.2.1998	4.2.1998	28
COM(97) 693	CB-CO-97-716-EN-C	Proposal for a Council and Commission Decision on the conclusion of the Partnership and Cooperation Agreement between the European Communities and their Member States and Turkmenistan	6.2.1998	6.2.1998	84
COM(98) 26	CB-CO-98-044-EN-C	Proposal for a Council Decision on measures of financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs): the growth and employment initiative	21.1.1998	6.2.1998	31
COM(98) 52	CB-CO-98-054-EN-C	Youth for Europe — Interim evaluation report ^(*)	6.2.1998	6.2.1998	32

^(*) This document contains an impact assessment on business, and in particular on SMEs.

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

^(*) 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.

Prior notification of a concentration**(Case No IV/M.1101 — Hermes/Sampo/PGB — FCIC)**

(98/C 50/03)

(Text with EEA relevance)

1. On 5 February 1998, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89⁽¹⁾ by which the undertakings Hermes Versicherungsbeteiligungs GmbH ('Hermes'), controlled by Allianz, Insurance Company of Finland Ltd. ('ICF'), controlled by Sampo, and Finnish Guarantee Board ('FGB'), controlled by Republic of Finland, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Finnish Credit Insurance Company ('FCIC'), the newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- Hermes: credit insurance, guarantee insurance and fidelity/loss of profit insurance,
- ICF: non-life and life-insurance, reinsurance,
- FGB: credit guarantees and state guarantees.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax ((32-2) 296 43 01 or 296 72 44) or by post, under reference IV/M.1101 — Hermes/Sampo/FGB — FCIC, to:

European Commission,
Directorate-General for Competition (DG IV),
Directorate B — Merger Task Force,
Avenue de Cortenberg/Kortenberglaan 150,
B-1040 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989. Corrigendum: OJ L 257, 21.9.1990, p. 13.

Prior notification of a concentration
(Case No IV/M.1125 — Cereol/Sofiproteol — Saipol)

(98/C 50/04)

(Text with EEA relevance)

1. On 10 February 1998, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89⁽¹⁾ by which the undertakings Cereol France ('Cereol') belonging to the group Eridania Beghin-Say and Sofiproteol acquire within the meaning of Article 3(1)(b) of the Regulation joint control of the undertaking Saipol.

2. The business activities of the undertakings concerned are:

- Cereol: processing of oilseed, production and marketing of seed oil, meal and bio-fuel,
- Sofiproteol: financing of activities throughout the oilseed sector, production of bio-fuel,
- Saipol: processing of oil seed, production of oil in France.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax ((32-2) 296 43 01 or 296 72 44) or by post, under reference IV/M.1125 — Cereol/Sofiproteol — Saipol, to:

European Commission,
Directorate-General for Competition (DG IV),
Directorate B — Merger Task Force,
Avenue de Cortenberg/Kortenberglaan 150,
B-1040 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989. Corrigendum: OJ L 257, 21.9.1990, p. 13.

Authorisation for State aid pursuant to Articles 92 and 93 of the EC Treaty

Cases where the Commission raises no objections

(98/C 50/05)

(Text with EEA relevance)

Date of adoption: 4.6.1997

Member State: Italy

Aid No: N 108/97

Title: Shipbuilding aid

Objective: Support for shipyards

Legal basis: Legge 22 febbraio 1994 n. 132

Aid intensity: 9 % of vessel contract price before aid (lower intensity of 4,5 % for vessels costing less than ECU 10 million and for ship conversions)

Duration: 1996 and 1997

Title: Aid measures of the *Land* of Saxony-Anhalt to promote wind-power installations — extension and increase in budget

Objective: Promotion of renewable energy

Legal basis: Richtlinie über die Gewährung von Zuwendungen für die Errichtung von Windenergieanlagen vom 19.9.1991

Budget: DEM 10 million (ECU 5 million) per year

Aid intensity: 30 % gross

Duration: 1997 to 2002

Conditions: Annual report

Date of adoption: 19.8.1997

Member State: Gemany (Saxony)

Aid No: N 121/97

Title: Programme of the land of Sachsen for support of SMEs in the framework of the URBAN joint initiative for the city Chemnitz/Brühl-Nordviertel

Objective: Support of new and existing enterprises in the city of Chemnitz/Brühl-Nordviertel in the *Land* Sachsen

Legal basis: Bestimmungen über die Gewährung von Zuwendungen im Rahmen des Unterprogramms 3.1 'Einleitung neuer wirtschaftlicher Tätigkeiten/produktive Investitionen und ergänzende Infrastrukturen' des Operationellen Programms für die Stadt Chemnitz/Brühl-Nordviertel

Budget: DEM 2 million (ECU 1 million)

Aid intensity: Investment grants up to 50 % of eligible costs

Duration: Three years; 1997 to 1999

Conditions: Annual reports

Date of adoption: 22.8.1997

Member State: Germany (Saxony-Anhalt)

Aid No: N 435/97

Title: Aid programme of the *Land* of Saxony-Anhalt to promote apprenticeships

Objective: Vocational training aid

Legal basis: Richtlinien über die Gewährung von Zuwendungen für die Schaffung von Ausbildungsplätzen durch teilweise Fremdausbildung in Ausbildungskooperationen bzw. Verbänden

Budget: DEM 2,7 million (some ECU 1,4 million) and DEM 1 million (some ECU 500 000) of commitment appropriations each year

Aid intensity: Maximum ECU 200 000 per firm

Duration: 1997 to 2001

Conditions: Annual report

Date of adoption: 19.8.1997

Member State: Germany (Saxony-Anhalt)

Aid No: N 399/97

Date of adoption: 9.9.1997

Member State: Germany (Bavaria)

Aid No: N 437/97

Title: Directive for implementing the Bavarian regional aid programmes for industry — Amendment of an existing scheme

Objective: Regional development and development of SMEs

Legal basis: Richtlinie zur Durchführung der bayerischen regionalen Förderungsprogramme für die gewerbliche Wirtschaft

Budget:

- 1997: DEM 175,5 million (ECU 90 million)
- 1998: DEM 175,5 million (ECU 90 million)
- 1999: DEM 116,75 million (ECU 60 million)

Aid intensity:

- Regions assisted under the joint Federal/*Länder* scheme ('Gemeinschaftsaufgabe'): 18 % gross for large firms, 28 % gross for SMEs
- Other regions: 15 % gross for small firms, 7,5 % for SMEs

Duration: 1997 to 1999

—————

Date of adoption: 24.9.1997

Member State: Germany (Parts of North-Rhine-Westphalia and Saarland)

Aid No: N 320/A/97

Title: Investment loan scheme in favour of coal mining areas by Kreditanstalt für Wiederaufbau (KfW)

Objective: Regional; promoting structural change in regions dependent on coal mining

Legal basis: Decision of Federal Government; KfW-Merkblatt

Budget: Loan volume: DEM 500 million (ECU 250 million) total

Aid intensity: 3,5 % gross

Duration: Three years

Conditions: Annual report

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Date of adoption: 24.9.1997

Member State: Germany (Berlin)

Aid No: N 480/97

Title: Amendment and extension of the R & D aid scheme for SMEs in Berlin

Objective: To strengthen R & D activities by SMEs

Legal basis:

- Senatsbeschuß Nr. 1291/92 vom 28.1.1992
- Richtlinien für die Gewährung von Zuwendungen zur Förderung von Forschung und Entwicklung bei kleinen und mittleren Unternehmen
- §§ 23 i.V.m. 44 und 44a Landeshaushaltssatzung

Budget: 1997 to 1999: DEM 17,26 million (ECU 8,75 million), including DEM 7,5 million (ECU 3,8 million) in ERDF financing each year

Aid intensity:

- West Berlin: 40 % gross
- East Berlin: 45 % gross

Duration: Until end 1999

Conditions: Annual report

—————

Date of adoption: 1.10.1997

Member State: Germany (Mecklenburg-Western Pomerania)

Aid No: N 788/96

Title: Venture capital fund of the *Land* of Mecklenburg-Western Pomerania

Objective: Aid for high-tech SMEs

Legal basis: Operationelles Programm der Gemeinschaftsinitiative KMU des Landes Mecklenburg-Vorpommern

Budget: DEM 6,8 million

Aid intensity: As a rule, up to DEM 500 000 per holding

Duration: Indefinite

—————

Date of adoption: 1.10.1997

Member State: Germany (Saxony-Anhalt)

Aid No: NN 131/96

Title: GMB Magnete Bitterfeld GmbH

Objective: Privatisation and restructuring of GMB Magnete Bitterfeld (sector: easting magnets)

Legal basis:

- Treuhandgesetz vom 17.6.1990
- Treuhandnachfolgesetz vom 9.8.1994
- Treuhandunternehmensübertragungsverordnung vom 20.12.1994

Aid intensity: DEM 5,8 million (ECU 2,9 million)

Duration: 1996 to 1998

—————

Date of adoption: 3.12.1997

Member State: France

Aid No: N 281/97

Title: Restructuring of Ateliers et chantiers du Havre (ACH)

Objective: Restructuring — Coverage of social plan

Legal basis: Ad hoc

Budget: FRF 21,848 million

Aid intensity: 100 % of social measures

Date of adoption: 3.12.1997

Member State: France

Aid No: N 584/97

Title: Aid for Sextant Avionique

Objective: Development of a flight-management system for Airbus aircraft (with subsequent testing) (Aerospace)

Legal basis: Lois de finances annuelles

Budget: FRF 350 million (approximately ECU 53 million); loan of FRF 140 million (approximately ECU 21 million)

Aid intensity: Repayable advance of 40 %

Duration: 1997 to 1999

Conditions: Annual report

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Directive on the marketing of propagating material of ornamental plants

(98/C 50/06)

*COM(97) 708 final — 97/0367(CNS)**(Submitted by the Commission on 17 December 1997)*

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 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 production of ornamental plants occupies an important place in the agriculture of the Community;

Whereas satisfactory results in the cultivation of ornamental plants depend to a large extent on the quality and health of the material used for their propagation;

Whereas the establishment of harmonised conditions at Community level will ensure that purchasers throughout the Community receive propagating material which is healthy and of good quality;

Whereas, so far as they relate to plant health, such harmonized conditions must be consistent with Council Directive 77/93/EEC of 21 December 1996 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Directive .../EC⁽²⁾;

Whereas it is appropriate to establish Community rules for all genera and species of ornamental plants in the Community, with the exception of those covered by Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein⁽³⁾;

Whereas, without prejudice to the plant health provisions of Directive 77/93/EEC, it is not appropriate to apply the Community rules on the marketing of propagating material when it is shown that such material and plants are intended for export to third countries, as the rules applicable there may be different from those contained in this Directive;

Whereas the determination of plant health and quality standards for a particular genus and species of ornamental plant requires lengthy and detailed technical and scientific consideration; whereas a procedure should accordingly be established for the determination of these standards;

Whereas in the first instance it is the responsibility of the suppliers of propagating material to ensure that their products fulfil the conditions laid down in this Directive;

Whereas the competent authorities of the Member States must, when carrying out controls and inspections, ensure that suppliers fulfil those conditions;

Whereas Community control measures should be introduced to ensure uniform application in all the Member State of the standards laid down in this Directive;

Whereas it is in the interests of the purchasers of propagating material that the names of varieties or of groups of plants be known and that their identity be safeguarded;

⁽¹⁾ OJ L 26, 31.1.1977, p. 20.

⁽²⁾ OJ L ...

⁽³⁾ OJ L 61, 3.3.1997, p. 1.

Whereas the characteristics specific to the industry operating in the ornamental plant sector are a complicating factor; whereas, accordingly, the objective stated above can best be achieved either through common knowledge of the variety or, in the case of varieties or groups of plants, through the availability of a description drawn up and kept by the suppliers;

Whereas, in order to ensure the identity and orderly marketing of propagating material, Community rules must be laid down concerning the separation of lots and marketing; whereas the labels should give the particulars needed both for official control and for the information of the grower;

Whereas rules should be established permitting, in the case of temporary supply difficulties, the marketing of propagating material subject to requirements less stringent than those contained in this Directive;

Whereas provisions should be made for authorising the marketing, within the Community, of propagating material produced in third countries, provided it always affords the same assurance as propagating material produced in the Community and complying with Community rules;

Whereas, in order to harmonise technical methods of examination used in the Member States and to compare propagating material in the Community with those produced in third countries, comparative trials should be carried out to check compliance of propagating material with the requirements of this Directive;

Whereas, in order to facilitate the effective operation of this Directive, the Commission should be entrusted with the task of adopting measures for its implementation; whereas such measures should be adopted by a procedure involving close cooperation between the Commission and the Member States within a standing committee on propagating material of ornamental plants;

Whereas Council Directive 91/682/EEC of 19 December 1991 on the marketing of ornamental plant propagating material and ornamental plants⁽¹⁾ established harmonised conditions at Community level to ensure that purchasers throughout the Community receive propagating material and ornamental plants which are healthy and of good quality;

Whereas Member States have expressed difficulties in the interpretation and transposition of the said Directive;

Whereas the said Directive was considered to be suitable for inclusion in the SLIM initiative (simpler legislation for the internal market) which was launched by the Commission in May 1996;

Whereas the ornamental plants SLIM team made various recommendations aimed at simplifying the said Directive; whereas those recommendations are contained in the communication from the Commission to the Council and the European Parliament on the SLIM initiative⁽²⁾;

Whereas those recommendations related to the persons to be controlled by the Directive, the species to be covered by the Directive, varietal authenticity, the inter-relationship with Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community and third country equivalence;

Whereas, after consideration of those recommendations it is desirable to amend certain provisions of the said Directive; whereas given the number of such amendments, the Directive should be recast in the interest of clarity,

HAS ADOPTED THIS DIRECTIVE:

TITLE I

FIELD OF APPLICATION

Article 1

This Directive shall apply to the marketing of propagating material of ornamental plants within the Community. It shall apply to all genera and species of ornamental plants, except those covered by Council Regulation (EC) No 338/97.

Article 2

1. This Directive shall not apply to propagating material shown to be intended for export to third countries, if properly indentified as such and kept sufficiently isolated, without prejudice to the health rules laid down by Directive 77/93/EEC.

2. Implementing measures for the first paragraph, with particular reference to indentification and isolation, may be adopted in accordance with the procedure laid down in Article 22.

⁽¹⁾ OJ L 376, 31.12.1991, p. 21.

⁽²⁾ COM(96) 559 final.

3. This Directive shall not apply to propagating material of plant species which is intended for non-ornamental purposes and which is covered by other Community legislation.

TITLE II

DEFINITIONS

Article 3

For the purpose of this Directive, the following definitions shall apply:

1. propagating material: seeds, parts of plants and all plant material intended for the propagation and production of ornamental plants;
2. supplier: any natural or legal person carrying out professionally at least one of the following activities with regard to propagating material of ornamental plants: reproducing, producing, preserving, treating, processing, importing from third countries, marketing;
3. marketing: the holding available or in stock, display with a view to sale, offering for sale, sale or delivery to another person;
4. responsible official body:

any State authority established:

 - either at national level, or
 - at regional level, under the supervision of national authorities, within the limits set by the constitution of the Member State concerned.

The bodies referred to above may, in accordance with their national legislation, delegate the tasks provided for in this Directive to be accomplished under their authority and supervision to any legal person, whether governed by public or by private law, which, under its officially approved constitution, is charged exclusively with specific public functions, provided that such person, and its members, has no personal interest in the outcome of the measures it takes.

Moreover, in accordance with the procedure laid down in Article 22, other legal persons established on behalf of the body referred to in subparagraph 1 and acting under the authority and supervision of such body may be approved, provided that such person has no personal interest in the outcome of the measures it takes.

Member States shall notify the Commission of their responsible official bodies. The Commission shall forward that information to the other Member States;

5. official measures: measures taken by the responsible official body;
6. official inspection; examination, including field and laboratory test and trials carried out by the responsible official body;
7. official statement: statement issued by, or under the responsibility of the responsible official body;
8. lot: a number of units of a single commodity, identifiable by its homogeneity of composition and origin;
9. laboratory: a public or private law entity carrying out analysis and proper diagnosis, enabling the supplier to monitor production quality.

TITLE III

REQUIREMENTS TO BE MET BY PROPAGATING MATERIAL

Article 4

1. Suppliers may market propagating material only if it meets the requirements laid down in this Directive.
2. Without prejudice to Directive 77/93/EEC, paragraph 1 shall not apply to propagating material intended for:
 1. trials or scientific purposes,
 2. selection work, or
 3. the conservation of genetic diversity.
3. Detailed rules for the application of paragraph 2 may be adopted in accordance with the procedure laid down in Article 22.
4. In accordance with the procedure laid down in Article 22, a list of species may be established, the seeds of which shall not be subject to the requirements of this Directive if intended for production of further propagating material and where there is no significant connection between the quality of such seeds and that of other propagating material deriving from it.

Article 5

Propagating material shall, where applicable, comply with the relevant plant health conditions laid down in Council Directive 77/93/EEC.

Article 6

1. Without prejudice to the provisions of Article 5, propagating material shall be of good merchantable quality, shall have satisfactory varietal identity and shall, at least on visual inspection, be substantially free from any harmful organisms and diseases impairing quality, or any signs or symptoms thereof, which reduce the usefulness of the propagating material.

2. Any propagating material of citrus species showing visible signs of symptoms of any harmful organisms or diseases at the stage of the growing crop shall be properly treated immediately on appearance or, where appropriate, shall be removed.

3. In the case of citrus material the following requirements shall also be met:

1. it shall be derived from initial material which has been checked and found to show no symptoms of any viruses, virus-like organisms or diseases;

2. it shall have been checked and found to be substantially free of such viruses, virus-like organisms or diseases since the beginning of the last cycle of vegetation; and

3. in the case of grafting, it shall have been grafted onto rootstocks other than those susceptible to viroids.

4. In the case of flower bulbs the following requirement shall also be met:

— the propagating material shall be derived directly from material which, at the stage of the growing crop, has been checked and found to be substantially free from any harmful organisms and diseases, signs or symptoms thereof.

5. In accordance with the procedure laid down in Article 22, a schedule may be established for a particular genus or species, with a reference to the plant health conditions laid down in Directive 77/93/EEC applying to the genus or species concerned, and laying down any particular conditions concerning the quality with which propagating material must comply.

TITLE IV

REQUIREMENTS TO BE MET BY SUPPLIERS OF PROPAGATING MATERIAL

Article 7

Member States shall ensure that suppliers take all the necessary measures to guarantee compliance with the requirements set out in this Directive at all stages of production and marketing of propagating material.

Article 8

1. Suppliers who engage in the activities of reproduction, wholesale or import of propagating material must be officially accredited. The responsible official body may accredit such suppliers once it has verified that their production methods and establishments meet the requirements of this Directive with regard to the nature of the activities they carry out.

2. Suppliers who are already registered as producers within the meaning of Directive 77/93/EEC shall be deemed to be accredited for the purposes of this Directive. Such suppliers shall none the less comply with the requirements of this Directive.

3. The responsible official body shall accredit laboratories once it has verified that these laboratories, their methods and their establishments meet the requirements of this Directive to be specified according to the procedure laid down in Article 22, with regard to the testing activities they carry out.

4. The responsible official body shall take the necessary measures if the requirements referred to in paragraphs 1 and 3 cease to be met. To this end, it shall take particular account of the conclusions of any check carried out in accordance with Article 9.

5. The supervision and monitoring of suppliers, laboratories and their establishments shall be carried out regularly by or under the responsibility of the responsible official body, which shall at all reasonable times have free access to all parts of establishments, in order to ensure compliance with the requirements of this Directive. Implementing measures concerning supervision and monitoring may be adopted, in accordance with the procedure laid down in Article 22.

If such supervision and monitoring reveal that the requirements of this Directive are not being met, the responsible official body shall take appropriate action.

Article 9

1. Accredited suppliers shall either carry out themselves, or have carried out by another accredited supplier or the responsible official body, checks relating to the following, where appropriate:

- the identification of critical points in their production process on the basis of the production methods used,
- the establishment and implementation of methods for monitoring and checking the critical points referred to in the first indent,
- the taking of samples for analysis in an accredited laboratory,
- the keeping of a record of the data referred to in the first, second and third indents, as well as records on production, reproduction, buying, selling or delivery of propagating material. These documents and records shall be kept for a period of at least one year.

2. If the results of the checks referred to in paragraph 1 reveal the presence of one or more of the relevant harmful organisms contained in Directive 77/93/EEC or listed in any measures established pursuant to Articles 6(5), it shall be reported to the responsible official body. The accredited supplier shall carry out the measures indicated by that body. The accredited supplier shall keep records of all occurrences of harmful organisms on his premises and of all measures taken in relation to such occurrences.

3. Other suppliers shall be required only to keep a record of the receipt, buying selling or delivery of propagating material.

This paragraph shall not apply to suppliers whose activity in this connection is confined to the supply of small quantities of propagating material to non-professional final consumers.

4. Rules for the application of paragraph 2 above may be established in accordance with the procedure laid down in Article 22.

Article 10

1. While growing and during lifting or removal from the parent material, propagating material shall be kept in separate lots.

2. If thereafter propagating material of different lots are mixed during packaging, storage or transport, the supplier shall keep records including data relating to the compositions and origins of the individual lots.

3. Member States shall ensure compliance with the requirement referred to in paragraphs 1 and 2 by carrying out official inspections.

TITLE V

MARKETING AND LABELLING OF PROPAGATING MATERIAL

Article 11

1. Propagating material shall be marketed only in lots. However, in the case of propagating material intended for purposes other than further propagation, such material may be mixed, providing the conditions laid down in Article 10(2) are complied with.

2. Propagating material shall at all stages be accompanied by a label of other document made out by the accredited supplier. If an official statement appears on this label or other document, it shall be clearly separated from all other contents of the label or document.

3. In accordance with the procedure laid down in Article 22, requirements as to the label or document, referred to in paragraph 2 and the sealing or packaging of propagating material may be established.

4. In the case of retail supply of propagating material to a non-professional final consumer, requirements on labelling may be confined to appropriate product information.

Article 12

1. Propagating material may be marketed with a reference to a variety only if the variety concerned is:

- a variety legally protected by a plant variety right in accordance with provisions on the protection of new varieties, or
- a variety officially registered on a compulsory or voluntary basis, or
- a variety which is commonly known, or
- a variety entered on a list kept by a supplier with its detailed description and denomination. Such lists

shall be available, on request, to the responsible official body of the Member State concerned.

2. Each variety shall be described and, as far as possible, shall bear the same denomination in all the Member States, in accordance with implementing measures which may be adopted in accordance with the provisions of Article 22 or, in their absence, in accordance with accepted international guidelines.

3. Where propagating material is marketed with a reference to a group of plants other than a variety referred to in paragraph 1, the supplier shall indicate the group of plants in such a way as to avoid confusion with any varietal denomination.

4. Except where the varietal aspects is explicitly mentioned in any implementing measures made pursuant to Article 6(5), (1), (2) and (3) shall not mean any extra responsibility for the responsible official body.

5. In accordance with the procedure laid down in Article 22:

- a system for the notification of varieties or species or interspecific hybrids to the responsible official bodies of the Member States may be set up,
- additional implementing provisions of the third and fourth indent of paragraph 1 may be adopted,
- it may be decided that a common catalogue of varieties may be established and published.

TITLE VI

PROPAGATING MATERIAL MEETING LESS STRINGENT REQUIREMENTS

Article 13

Without prejudice to the plant health rules laid down in Directive 77/93/ECC, in the event of temporary difficulties in the supply of propagating material satisfying the requirements of this Directive which cannot be overcome within the Community, rules may be adopted, in accordance with the procedure laid down in Article 22, concerning the marketing of propagating material meeting less stringent requirements.

TITLE VII

PROPAGATING MATERIAL PRODUCED IN THIRD COUNTRIES

Article 14

1. In accordance with the procedure laid down in Article 22, it shall be decided whether propagating material produced in a third country affords the same guarantees as propagating material produced in the Community and complying with the requirements and conditions of this Directive.

2. Pending the decision referred to in paragraph 1, propagating material may be imported from third countries by a supplier accredited as an importer.

3. The accredited importer shall ensure that the supplier of propagating material from the third country provides propagating material which affords the same guarantees as propagating material produced in the Community and complying with the requirements and conditions of this Directive.

4. The accredited importer shall notify the responsible official bodies of material imported pursuant to paragraph 3. The Member States shall make this information available on request to the Member States and the Commission.

5. The accredited importer shall keep documentary evidence of his contract with the supplier in the third country. Detailed implementing measures relating to the procedure to be followed and further requirements to be met by accredited importers may be established in accordance with the procedure laid down in Article 22.

TITLE VIII

CONTROL MEASURES AND GENERAL PROVISIONS

Article 15

1. Member States shall ensure that propagating material is officially inspected during production and marketing, at least by random checks, to verify compliance with the requirements and conditions of this Directive.

2. Where it is necessary to carry out laboratory tests to detect any harmful organisms and diseases, those tests shall be carried out in an accredited laboratory.

Article 16

In accordance with the procedure laid down in Article 22 detailed implementing procedures for the official inspection referred to in Article 8, 9, 10 and 15, including sampling methods, may be established.

Article 17

1. If, during the supervision and monitoring referred to in Article 8(5), the official inspection referred to in Article 15, or the trials referred to in Article 18, it is found that propagating material does not meet the requirements of this Directive, the responsible official body of the Member State shall take appropriate action to ensure that it does comply with the provisions of this Directive or, if that is not possible, to ban the marketing of that propagating material in the Community.

2. If it is found that propagating material marketed by a particular supplier does not comply with the requirements and conditions of this Directive, the Member State concerned shall ensure that appropriate measures are taken against that supplier. If the supplier is forbidden to market propagating material, the Member State shall notify the Commission and the responsible official bodies in the other Member States.

3. Any measures taken pursuant to paragraph 2 shall be withdrawn as soon as it has been established with sufficient certainty that the propagating material intended for marketing by the supplier will, in future, comply with the requirements and conditions of this Directive.

Article 18

1. Trials, or where appropriate tests, shall be carried out in the Member States on samples to check that propagating material comply with the requirements and conditions of this Directive, including those relating to plant health. The Commission may organise inspections of the trials by representatives of the Member States and of the Commission.

2. It may be decided in accordance with the procedure laid down in Article 22 that it is necessary to carry out Community trials or tests for the same purpose as mentioned in paragraph 1. The Commission may organise inspections of Community trials by representatives of the Member States and of the Commission.

3. The trials or tests referred to in paragraphs 1 and 2 shall be used to harmonise technical methods of exam-

ination of propagating material. Progress reports shall be made on the trials or tests and sent in confidence to the Member States and to the Commission.

4. The Commission shall ensure that, in appropriate cases, arrangements for coordinating, carrying out and inspecting the trials referred to in paragraph 1 and 2, and assessing their results, are made within the Committee set up by Article 22. When plant health problems occur, the Commission shall notify the Standing Committee on Plant Health. If necessary, specific arrangements shall be adopted. Propagating material produced in third countries shall be included in the trials.

Article 19

1. Member States shall ensure that propagating material produced in their territory and intended for marketing complies with the requirements of this Directive.

2. If it is found, at an official inspection, that propagating material cannot, by reason of non-compliance with a condition relating to plant health, be placed on the market, the Member State concerned shall take appropriate official measures to eliminate any consequent plant health risk.

Article 20

The marketing of propagating material which complies with the requirements and conditions of this Directive shall be subject to no restrictions as regards supplier, quality, plant health, labelling and packaging, other than those laid down in this Directive.

Article 21

On application by a Member State, which will be dealt with in accordance with the provisions laid down in Article 22, that State may be wholly or partially released from the obligation to apply the provisions of this Directive, save where this would run counter to the provisions laid down in Article 20.

TITLE IX

COMITOLOGY

Article 22

1. Where reference is made to the procedure laid down in this Article, the Commission shall be assisted by

a Committee, referred to as the Standing Committee on Propagating Material of Ornamental Plants, chaired by a representative of the Commission.

2. The representative of the Commission shall submit to the Standing Committee a draft of the measures to be taken. The Standing Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the EC Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event, the Commission may defer application of the measures which it has decided for a period of not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the second subparagraph.

3. The Committee, at the request of the chairman or one of the Member States, may examine any questions relevant to the subject matter of this Directive.

Article 23

Amendments to the schedules established pursuant to Article 6(5) and to the conditions and detailed rules adopted for the implementations of this Directive shall be adopted in accordance with the procedure laid down in Article 22.

TITLE X

FINAL PROVISIONS

Article 24

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive no later than 31 December 19... They shall forthwith inform the Commission thereof.

2. When these measures are adopted by the Member States, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods for making such reference shall be adopted by the Member States.

3. Member States shall communicate to the Commission the text of the main provisions of domestic law they adopt in the field covered by this Directive.

Article 25

1. Directive 91/682/EEC is hereby repealed without prejudice to Member States' obligations in relation to period of transposition and implementation referred to in Part A of the Annex hereto.

2. References to the repealed Directive shall be understood as references to this Directive and shall be read in accordance with the correlation table in Part B of the Annex hereto.

Article 26

This Directive is addressed to the Member States.

ANNEX

PART A

Time limits for transposition into national law and implementation

Directive	Time limit for transposition	Time limit for implementation
91/682/EEC (OJ L 376, 31.12.1991, p. 21)	31 December 1992	Articles 5 to 11, 14, 15, 17, 19 and 24 (for all genera and species) 31 December 1993

PART B

Correlation Table

This Directive	Directive 91/682/EEC
Article 1	Article 1
Article 2	Article 2
Article 3	Article 3
Article 4	Article 8
Article 5	—
Article 6	Article 4 (in part)
Article 7	Article 5
Article 8	Article 6
Article 9	Article 5
—	Article 7
Article 10	Article 10
Article 11	Article 11
Article 12	Article 9
Article 13	Article 13
Article 14	Article 16
Article 15	Article 17
Article 16	Article 18
Article 17	Article 19
Article 18	Article 20
Article 19	Article 24
Article 20	Article 14
Article 21	—
Article 22	Article 21
Article 23	Article 23
Article 24	—
Article 25	—
Article 26	—

III

(Notices)

COMMISSION

COOPERATION IN HIGHER EDUCATION AND VOCATIONAL EDUCATION AND TRAINING BETWEEN THE EUROPEAN COMMUNITY AND THE UNITED STATES OF AMERICA (DG XXII 07/98)

(98/C 50/07)

(Text with EEA relevance)

Third call for proposals launching date: **17 February 1998.**

On 23 October 1995, the Council adopted a decision concerning the conclusion of an agreement for cooperation in higher education and vocational education and training between the European Community and the United States of America.

This call for proposals refers to the major component of the programme which concerns joint European Community/United States consortia projects. This component will be administered on behalf of the European Community by the European Commission Directorate-General for Education, Training and Youth (DG XXII) and, on behalf of the United States Government, by the Fund for the Improvement of Post-secondary Education (Fipse) of the United States Department of Education.

Objectives

The cooperation programme aims to add a new European Community/United States dimension to student-centred cooperation and to bring balanced benefits to both the European Community and the United States.

The essential objectives are:

- to promote mutual understanding between the peoples of the European Community and the United States including broader knowledge of their languages, cultures and institutions,

- to improve the quality of human resource development in both the European Community and the United States,

- to improve the quality of transatlantic student mobility, including the promotion of mutual understanding, recognition and thus portability of academic credits,

- to encourage the exchange of expertise in new developments in higher education and vocational education and training, for example, the use of new information technologies, for the mutual enrichment of practice in the European Community and the United States,

- to form or enhance partnerships among higher education, vocational education or training institutions, professional associations, public authorities, business and other associations as appropriate in both the European Community and the United States,

- to introduce an added-value dimension to transatlantic cooperation which complements bilateral cooperation between Member States of the European Community and the United States as well as other programmes and initiatives.

Scope of the programme

The objectives of the programme are to be achieved by promoting an innovative range of student-centred, higher education and training cooperative activities between the different regions of the European Community and the United States through the encouragement of joint projects undertaken by European Community/United States consortia.

The programme is a small-scale initiative supporting a limited number of original projects which can only or best be carried out through multilateral groupings. It is not intended to duplicate activities which are or can be carried out on a bilateral basis between the United States and the individual Member States of the European Community.

The consortia partnerships

Each joint consortium must involve a minimum total of six partners. There must be at least three active partners in the EC and three in the US. This combination must include at least two partner higher education or vocational education and training institutions in different Member States of the European Community (Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden, United Kingdom), and in different States of the United States. (For the purposes of this competition, US territories and the Commonwealth of Puerto Rico may be considered States). Third and subsequent partners may be other education and training institutions or other relevant organisations (e.g. businesses, NGOs, publishers, government departments, chambers of commerce, research institutes) in the same or other Member States and States. Programme funding, however, is intended only for academic/training institutions in each consortium and it is vital that all academic/training institutions participate fully in the consortium activities. In exceptional circumstances, in the case of the United States of America, two of the institutional partners may be autonomus campuses of a large State university with a third institutional partner from another State.

Partnerships may be newly formed or may build on existing links between two or more partners. Projects, however, must be new and innovative: not duplicating or simply extending existing activities.

Since one of the programme objectives is to draw on and amplify the experience of the intra-Community cooperation networks, previous experience as a partner in a European Community education/training programme (Socrates, Leonardo da Vinci) is an eligibility criterion for the European Community lead partner in an European Community/United States consortium. Details, including reference numbers, should be given regarding all such involvement(s).

Proposals developing links between different types of higher education and training institutions are particularly

welcomed as are proposals establishing business/industry and other links through partnerships with relevant organisations.

Consortia involving institutional partners in regions with fewer traditional transatlantic cooperation links will be especially welcomed.

The cooperative activities

Consortia may seek programme support for one or more types of activity as an integrated element of the project. Consortia should thus aim to pursue a coherent strategy rather than engage in diverse activities. A major component of each consortium (with rare and justified exceptions) will be student mobility.

Transatlantic cooperative activities eligible for support are:

- development of organisational frameworks for transatlantic student mobility, including work-placements, which will provide adequate language preparation and full academic recognition,
- structured exchanges of students, teachers, trainers and administrators in higher education institutions and vocational education and training establishments, including work placements as appropriate,
- joint development of innovative curricula, teaching materials, methods and modules including those exploiting the new education technologies,
- research internships at university, industry or government laboratories for graduate or undergraduate students in science and engineering, provided that students are also enrolled in courses which require class attendance,
- short intensive programmes of a minimum of three weeks,
- teaching assignments forming an integral part of the curriculum in a partner institution,

- other innovative projects, including the use of new technologies and distance learning, which aim to improve the quality and cost-effectiveness of transatlantic cooperation in higher education and vocational education and training.

Consortia activities should be student-centred. This requirement is intended to emphasise that the joint consortia projects should be concerned with teaching and learning activities and not with faculty research cooperation between the partners.

It should also be remembered that this is a transatlantic cooperation programme and that the main focus of activities should therefore be on transatlantic rather than intra-European or intra-America interactions.

The students

Students should benefit from the project through the introduction of an appropriate international (European Community/United States) perspective into their studies:

- for mobile students, this should include the development of a structured framework for transatlantic student exchanges between consortium partners,
- for non-mobile students, this may include providing some kind of 'virtual-mobility' through the use of the new educational technologies for students who do not have the opportunity to study abroad.

Other than in exceptional circumstances, there should be student mobility between each transatlantic partner institution during the life of the project, whether or not directly funded by the programme.

The objective of the student mobility component of the projects should be to develop structured opportunities designed to increase in the longer term the number of students studying abroad where full recognition is given by the home institution for studies successfully undertaken. Arrangements to be developed should aim at the full integration of students into the normal academic and cultural milieu of the host institution and

community. The study period abroad may include, as appropriate, a supervised, practical work placement where this is recognised as fulfilling part of the degree requirement. The content of the study programme must be agreed in writing by the home and host institution and the individual student concerned before his/her departure. This should indicate the home institution's assurance that the study abroad, if successfully completed, will be recognised as replacing a comparable period of study in the home institution.

A main objective of this programme is to encourage and enable students to spend transatlantic study periods in a country or region in which they can experience a different academic, cultural and linguistic milieu from their home region. It is important, therefore, that measures to be taken by the partner institutions for the cultural and linguistic preparation of students be clearly addressed in the proposal. All students should receive cultural preparation for their foreign stay and all students spending a study period in a country whose official language is not their own should receive preparation in the host country's language both before and after departure.

Financial considerations

Financial support will be awarded to successful consortia for up to a maximum of three years. Awards are intended to provide seed-funding for carrying out joint innovative projects which can be accomplished within three years or which can, once established, be continued without ongoing programme support. It is essential that proposals which focus on the establishment of ongoing cooperation indicate how-activities will be sustained beyond the funding period.

Consortium projects should be cost-effective. Activities benefiting, in the longer term, a substantial number of students will be highly competitive, whether these are in partner institutions or whether there is potential for spin-off effects beyond the institutions directly involved.

The European Commission (DG XXII) will provide funding for the direct use of the European Community partners, the United States Department of Education (Fipse) will provide funding for the direct use of the United States partners. (Additional support for the US partners' activities may come from other US agencies.) Funds will be provided via the EC and US lead partners respectively.

For a three-year project, the average level of funding for each consortium is envisaged to be in the region of ECU 100 000 for the European Community group and USD 130 000 for the United States group. The actual amount awarded in each case will depend on the number of consortium partners and their pre-existing cooperation links, as well as the type and level of activities which are to be undertaken.

In addition to the grant for consortium activities, the EC partners in each consortium may receive a sum designated for student mobility grants. For institutions on the EC side, it is envisaged that this sum will be calculated on the basis of up to ECU 10 000 per partner institution, spread over the life of the project.

Further information

The guidelines for applicants and application forms are available:

- at the Europa Server Internet address, downloadable at <http://europa.eu.int/en/comm/dg22/dg22.html>,
- at the main Commission Information Offices in the Member States,
- at the National Agencies for Socrates/Erasmus and the National Coordination Units for Leonardo (one in each Member State),
- on request sent by fax to (32-2) 295 57 19 European Commission, DG XXII, indicating your full postal address.

In both the European Community and the United States, proposals should be sent by registered post or delivered by hand at the latest by 17 April 1998.

Notice of open competition

(98/C 50/08)

The European Commission is organizing two open competitions COM/LA/1/98 for German language Translators (LA 7/LA 6) and COM/LA/2/98 for German language Assistant Translators (LA 8) ⁽¹⁾.

⁽¹⁾ OJ C 50 A, 17.2.1998.
