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I

(Information)

COMMISSION

Ecu ⁽¹⁾

15 December 1998

(98/C 392/01)

Currency amount for one unit:

Belgian and Luxembourg franc	40,3842	Finnish markka	5,95303
Danish krone	7,45059	Swedish krona	9,52430
German mark	1,95791	Pound sterling	0,700208
Greek drachma	328,596	United States dollar	1,18160
Spanish peseta	166,594	Canadian dollar	1,82262
French franc	6,56604	Japanese yen	137,467
Irish pound	0,788312	Swiss franc	1,58157
Italian lira	1938,81	Norwegian krone	9,25312
Dutch guilder	2,20664	Icelandic krona	82,2867
Austrian schilling	13,7739	Australian dollar	1,89420
Portuguese escudo	200,790	New Zealand dollar	2,25496
		South African rand	7,13132

⁽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).

Information procedure — technical regulations

(98/C 392/02)

(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 L 109, 26.4.1983, p. 8).
- Directive 88/182/EEC of 22 March 1988 amending Directive 83/189/EEC (OJ L 81, 26.3.1988, p. 75).
- Directive 94/10/EC of the European Parliament and the Council of 23 March 1994 materially amending for the second time Directive 83/189/EEC (OJ L 100, 19.4.1994, p. 30).

Notifications of draft national technical regulations received by the Commission.

Reference (1)	Title	Echeance (2)
98/549/UK	Introduction of requirements for emergency parachute recovery systems, S896	24.2.1999
98/550/D	Guideline concerning the requirements pertaining to steel strip tanks having a volume of up to 1 000 litres (German designation: StawaR)	25.2.1999
98/551/D	Draft Provincial Order on requirements pertaining to plant for storing and racking slurry, liquid manure, silage percolating juices, solid manure and silage (German designation: JGSF-Verordnung)	26.2.1999
98/546/S	Administrative provisions of the (Swedish) National Maritime Administration amending the Decree of the National Maritime Administration (Swedish designation: SJÖFS 1996:11) on bow doors and inner bow doors with associated equipment on ro-ro passenger vessels	26.2.1999
98/547/NL	Amendment to the Fertiliser Act in respect of the introduction of a system of poultry rights	26.2.1999
98/548/E	Regulations on recreational and gambling machines in the Autonomous Community of the Murcia Region	4.2.1999
98/542/UK	Amendments to BCAR Section S anticipating introduction of a JAA microlight definition, S901	24.3.1999
98/543/L	Preliminary draft grand ducal regulation on gas-fired combustion installations	22.2.1999
98/545/E	Draft Royal Decree amending regulations on oil installations and Supplementary Technical Instructions MI-IP03 and MI-IP04.	1.3.1999
98/539/UK	The Motor Vehicles (Approval) (Amendment) Regulations	19.2.1999
98/540/B	Regional Town-planning Regulations (French designation — RRU) — Title III of the draft Regional Town-planning Regulation: 'Nuisances connected with the carrying out of works and the operating conditions for building sites'	22.2.1999
98/541/B	Regional Town-planning Regulations (French designation — RRU) — Title V of the draft Regional Town-planning Regulations: 'Thermal Insulation of Buildings'	22.2.1999
98/536/A	Order of the Federal Minister for Work, Health and Social Affairs concerning protecting the health of donors and the quality assurance of blood and blood constituents (Order on blood donation)	18.2.1999
98/537/I	Draft Decree on the production of vinegar	19.2.1999
98/538/A	Fifth draft of an act concerning the production, storage, conducting and use of combustible gas (Carinthian Gas Act (German designation: K-GG))	25.2.1999
98/532/B	Order of the College of the French Community Commission laying down the means and procedure for obtaining safety certification for accommodation establishments in existence on 1 January 1991 and laying down the specific fire safety standards in these accommodation establishments (Hotel status)	17.2.1999

Reference ⁽¹⁾	Title	Echeance ⁽²⁾
98/533/B	Draft Order of the Walloon Government laying down the means and procedure for obtaining safety certification for accommodation establishments in existence on 1 January 1991 and laying down the specific fire safety standards in these accommodation establishments	17.2.1999
98/534/F	Draft decree on food supplements for human consumption	17.2.1999

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

⁽²⁾ Period during which the draft may not be adopted.

⁽³⁾ No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

⁽⁴⁾ No standstill period since the measure concerns technical specifications or other requirements linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1(9) of Directive 93/189/EEC.

⁽⁵⁾ Information procedure closed.

The Commission draws attention to the judgment given on 30 April 1996 in the 'CIA Security' case (C-194/94), in which the Court of Justice ruled that Articles 8 and 9 of Directive 83/189/EEC are to be interpreted as meaning that individuals may rely on them before the national court which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgment confirms the Commission's communication of 1 October 1986 (OJ C 245, 1.10.1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, so that they are unenforceable against individuals.

Information on these notifications can be obtained from the national administrations, a list of which was published in *Official Journal of the European Communities* C 324 of 30 October 1996.

Authorisation for State aid

Measures not constituting aid in the meaning of Article 4(c) of the ECSC Treaty

(98/C 392/03)

(Text with EEA relevance)

Date of adoption: 1.7.1998

Member State: Germany (Bremen)

Aid No: N 337/98

Title: Injection of risk capital to the equity of Stahlwerke Bremen GmbH by its public shareholder Hanseatische Industriebeteiligungen GmbH

Objective: Investment (ECSC steel)

Budget: DEM 60 million

Aid intensity: The measure does not represent State aid

Date of adoption: 14.10.1998

Member State: Germany (Lower Saxony)

Aid No: NN 83/98

Title: Preussag Stahl AG — Purchase of the company by public authorities

Objective: Steel

Budget: DEM 1 060 million

Aid intensity: Measure not constituting aid

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

Cases where the Commission raises no objections

(98/C 392/04)

(Text with EEA relevance)

Date of adoption: 3.6.1998

Member State: Germany (Saxony-Anhalt)

Aid No: N 142/98

Title: Privatisation of Maschinenbau Halberstadt GmbH

Objective: Mechanical engineering

Legal basis:

— Treuhandgesetz vom 17.6.1990

— 'Gesetz zur abschließenden Erfüllung der verbleibenden Aufgaben der Treuhandanstalt' vom 9.8.1994

Aid intensity: DEM 46,657 million

Duration: 3 years

— Landskapslag om lån, räntestöd och understöd ur landskapets medel samt om landskapsgaranti

Budget: FIM 120 million (ECU 20 million); the aid is FIM 48 million (ECU 8 million)

Aid intensity: 40 % gross

Date of adoption: 28.10.1998

Member State: France

Aid No: N 511/98

Title: Aid scheme for the early cessation of activity of seafarers of the commercial fleet

Objective: Social accompanying measure for economic redundancies (shipping)

Legal basis:

— Avenant n° 10 à la convention du 25 avril 1985 relative à la mise en place d'un système de cessation anticipée d'activité au bénéfice des marins du commerce privés d'emploi, entre l'État et l'Union nationale interprofessionnelle pour l'emploi dans l'industrie et le commerce (Unedic)

— Avenant n° 11 au protocole d'accord du 14 janvier 1985 relatif à la mise en place d'un système de cessation anticipée d'activité du personnel navigant de la flotte française de commerce, entre partenaires sociaux

Budget: FRF 40 million per year (approximately ECU 6 million)

Aid intensity: Partial coverage of replacement income granted to seafarer upon redundancy; amount of aid varies according to the age and wage level of seafarer at the date of admission to the aid scheme

Duration: 3 years (1998-2000)

Date of adoption: 3.6.1998

Member State: Germany (Saxony)

Aid No: NN 15/98 (ex N 842/97)

Title: Autek Schaltanlagenbau GmbH

Objective: Restructuring

Legal basis:

— Treuhandgesetz vom 17.6.1990

— Treuhandnachfolgegesetz vom 9.8.1994

— Treuhandunternehmensübertragungsverordnung vom 20.12.1994

Aid intensity: DEM 1 020 500

Duration: 1997-1999

Date of adoption: 14.10.1998

Member State: Finland

Aid No: N 18/98

Title: Aid for the investment in an electricity cable from Sweden to Åland

Objective: Replacement of an existing electricity cable from Sweden to Åland by a new cable

Legal basis:

— Maakuntalaki maakunnan varoista myönnettävistä lainoista, korkotuesta ja avustuksista sekä maakunnan takauksesta

Date of adoption: 13.11.1998

Member State: Germany (Rhineland-Palatinate)

Aid No: N 476/98

Title: Fisheries promotion — notification of an amendment of an existing approved aid measure (NN 75/88)

Objective: To conserve and multiply fish stocks, ensure restocking, strengthen the structure of fisheries enterprises and improve the possibilities of recreational

fishing, collect figures and information on the biology and economics of fishing and expand the scientific bases of fisheries-related disciplines

Legal basis: Article 40(2) of the regional law on fisheries of 9 December 1974 (GVBl, p. 601), as last amended by the law of 12 March 1996 (GVBl, p. 159), BS 793-1, in connection with Article 5 of the *Land* order on duties applicable in fisheries management (detailed list of duties) and on the tax on fisheries of 25 April 1997 (GVBl, p. 132), as last amended by the order of 2 April 1996 (GVBl, p. 201), BS 2013-1-30, and in accordance with the current regulation and Article 23 and 44 of the successive regulations implementing the Financial Regulation of 20 January 1983 (Min.Bl, p. 82), Council Regulation (EEC) No 2080 of 20 July 1983 (OJ L 193,

31.7.1993, p. 1) — FIFG — and Council Regulation (EC) No 3699/93 of 21 December 1993 (OJ L 346, 31.12.1993, p. 1)

Budget: DEM 40 000 (approximately ECU 20 284,5) in 1998 and 1999 respectively

Aid intensity: 35 % of the eligible proven costs or 5 % of the total costs to be subsidised

Duration: Unspecified

Conditions: Those laid down in Council Regulation (EC) No 3699/93 and in the guidelines for the examination of State aid to fisheries and aquaculture (OJ C 100, 27.3.97)

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

Cases where the Commission raises no objections

(98/C 392/05)

(Text with EEA relevance)

Date of adoption: 19.7.1995

Member State: United Kingdom

Aid No: N 142/95

Title:

UK shipbuilding aid schemes

(a) shipbuilding intervention fund

(b) shipbuilders' relief

(c) export credit guarantees

(d) home credit guarantees

(e) regional selective assistance

Objective: Shipbuilding

Legal basis: Seventh Directive on aid to shipbuilding (90/684/EEC; OJ L 380, 31.12.1990)

Aid intensity: As determined by the seventh Directive

Duration: From 1.1.1995 to 31.12.1995

Date of adoption: 26.7.1995

Member State: Belgium (Flanders)

Aid No: N 605/95

Title: Six chemical tankers

Objective: Operating aid to secure a contract for the construction of six small chemical tankers for the Flemish group of yards VSM

Legal basis: Seventh Directive on aid to shipbuilding as prolonged by Council Directive 94/73/EC

Budget:

For aid under the ceiling:

— Grant to VSM: BEF 126,6 million (ECU 3,3 million)

— Guarantee: not applicable

Aid intensity: 9 % of contract value before aid

Date of adoption: 26.11.1996

Member State: Spain

Aid No: N 791/96

Title: Prolongation of the Spanish aid scheme for prospecting R&D, environmental protection and investment in non-energy sector

Legal basis: Ayudas a la exploración, investigación y desarrollo tecnológicos, y actividades mineras no energéticas

Duration: 1997 to 2002

Budget: DEM 1 463 700

Aid intensity: 14,86 %

Date of adoption: 8.6.1998

Member State: Greece

Aid No: N 212/98

Title: Prolongation of shipbuilding aid legislation until 31 December 1998

Objective: Shipbuilding

Aid intensity: 9 % and 4,5 % of contract value

Date of adoption: 25.3.1998

Member State: Belgium (Flemish Region)

Aid No: N 675/97

Title: Environmental aid to Sidmar (ECSC steel)

Legal basis: Vlarem II

Budget: BEF 52 000 000

Aid intensity: 15 %

Duration: Three years

Date of adoption: 1.7.1998

Member State: Germany (North Rhine-Westphalia)

Aid No: N 197/98

Title: Environmental aid to Thyssen Krupp Stahl, AG (ECSC steel)

Legal basis: Richtlinie des BMU zur Förderung von Investitionen mit Demonstrationscharakter zur Verminderung von Umweltbelastungen vom 4. Februar 1997

Budget: DEM 2 179 391

Aid intensity: 16,5 %

Date of adoption: 3.6.1998

Member State: Germany (Saxony-Anhalt)

Aid No: N 108/98

Title: Investment aid to Rohrwerke Muldenstein GmbH

Objective: To improve product quality (non-ECSC steel, large welded tubes)

Legal basis: 'Verbesserung der regionalen Wirtschaftsstruktur' vom 6.10.1969 (BGBl. IS. 1861), zuletzt geändert durch das Gesetz zur Änderung der Gesetze über die Gemeinschaftsaufgaben vom 23.12.1971 (BGBl. IS. 2140) in Verbindung mit den Regelungen des jeweiligen Rahmenplans

Date of adoption: 14.7.1998

Member State: Austria (Östliche Obersteiermark)

Aid No: N 253/98

Title: Investment aid to Voest-Alpine Stahlrohr Kindberd GmbH, non-ECSC steel (seamless tubes)

Legal basis: Förderprogramm zur Strukturenerneuerung der Steirischen Finalgüter und Grundstoffindustrie

Budget: ATS 131 million

Aid intensity: 25 % (ATS 42 million)

Forward estimate for the 1998/99 wine year

(98/C 392/06)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1627/98 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas Article 31(1) of Regulation (EEC) No 822/87 stipulates that a forward estimate must be drawn up each year in order to determine the resources and assess the requirements of the Community, including foreseeable imports from and exports to third countries;

Whereas, pursuant to Commission Regulation (EEC) No 2396/84 ⁽³⁾, as last amended by Regulation (EEC) No 3373/89 ⁽⁴⁾, the forward estimate must be drawn up on the basis of all the information available, and in particular that forwarded by the Member States;

Whereas the Member States have forwarded information to the Commission on harvest and stock declarations relating to wine products in accordance with Commission Regulation (EEC) No 1294/96 ⁽⁵⁾, consolidating the provisions on the subject, as last amended by Regulation (EC) No 225/97 ⁽⁶⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS ESTIMATE:

The forward estimate for the 1998/99 wine year for the Community shall be as shown in the Annex hereto.

⁽¹⁾ OJ L 84, 27.3.1987, p. 1.

⁽²⁾ OJ L 210, 28.7.1998, p. 8.

⁽³⁾ OJ L 224, 21.8.1984, p. 14.

⁽⁴⁾ OJ L 325, 10.11.1989, p. 19.

⁽⁵⁾ OJ L 166, 5.7.1996, p. 14.

⁽⁶⁾ OJ L 37, 7.2.1997, p. 1.

Annex

COMMUNITY FORWARD ESTIMATE FOR THE 1998/99 WINE YEAR

(in 1 000 hl)

Description	All wines			Quality wines psr			Table wines			Other wines		
	Total	Red and rosé	White	Total	Red and rosé	White	Total	Red and rosé	White	Total	Red and rosé	White
Total production:	164 112	82 134	81 978	63 937	33 417	30 520	88 206	48 167	40 039	11 969	550	11 419
— grape juice ⁽¹⁾	7 258	1 500	5 758	0	0	0	2 015	1 000	1 015	5 243	500	4 743
— vinification	156 854	80 634	76 220	63 937	33 417	30 520	86 191	47 167	39 024	6 726	50	6 676
Stocks at start of wine year:	119 186	59 927	59 259	71 159	35 384	35 775	46 027	23 839	22 188	2 000	704	1 296
— producers	75 082	38 938	36 144	48 130	24 685	23 445	26 344	14 205	12 139	608	48	560
— trade	44 104	20 989	23 115	23 029	10 699	12 330	19 683	9 634	10 049	1 392	656	736
Quantities available at start of wine year	276 040	140 561	135 479	135 096	68 801	66 295	132 218	71 006	61 212	8 726	754	7 972
Imports:												
— intra-Community												
— extra-Community	5 699									5 699		
Total quantities available	281 739			135 096			132 218			14 425		
Total home use:	151 719			55 926			81 641			14 152		
— human consumption	127 827			53 862			66 367			7 598		
— processing:	22 586			1 590			14 486			6 510		
of which distillation	18 973			1 590			10 873			6 510		
— grape spirit	4 000									4 000		
— Regulation (EEC) No 822/87	14 573			1 390			10 673			2 510		
— other	400			200			200					
of which vinegar	1 306						1 306					
of which vermouth	2 307						2 307					
— losses:	1 306			474			788			44		
— producers	753			259			485			9		
— trade	553			215			303			35		
Exports:												
— intra-Community												
— extra-Community	13 153			6 485			6 598			70		
Stocks at end of wine year:	116 867			72 685			43 979			203		
— producers												
— trade												
Variations in stocks	—2 319			1 526			—2 048			—1 797		
Self-sufficiency	1,14			1,17			1,21			0,58		
Consumption (litres <i>per capita</i>)	34,13			14,38			17,72			2,03		

(¹) Juice as well as the decrease in volume determined by the quantity used for concentrated must.

Prior notification of a concentration
(Case No IV/M.1347 — Deutsche Post/Securicor)

(98/C 392/07)

(Text with EEA relevance)

1. On 7 December 1998, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾, as last amended by Regulation (EC) No 1310/97 ⁽²⁾, by which the undertaking Deutsche Post AG (Deutsche Post) acquires, within the meaning of Article 3(1)(b) of the Regulation, by way of purchase of shares, joint control of the reorganised company, Securicor Group Limited, belonging to Securicor plc (Securicor), and joint control by way of joint management of Securicor Omega Express BV, Securicor Express Services Sàrl, Securicor Omega Express GmbH, Securicor Omega Express Sàrl and Securicor Omega Express NV, belonging to Securicor.

2. The business activities of the undertakings concerned are:

- Deutsche Post: national postal service in Germany; national and international parcel delivery service and express delivery service; contract logistics,
- Securicor: Security; distribution (including domestic and international express delivery and freight services and logistics); communication.

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 (No (32-2) 296 43 01 or 296 72 44) or by post, under reference IV/M.1347 — Deutsche Post/Securicor, 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, p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9.7.1997, p. 1; corrigendum: OJ L 40, 13.2.1998, p. 17.

Non-opposition to a notified concentration
(Case No IV/M.1244 — Bank America/Nationsbank)

(98/C 392/08)

(Text with EEA relevance)

On 21 August 1998, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EEC) No 4064/89. The full text of the decision is only available in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),
- in electronic form in the 'CEN' version of the CELEX database, under document number 398M1244. CELEX is the computerised documentation system of European Community law; for more information concerning subscriptions please contact:

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II

(Preparatory Acts)

COMMISSION

Amended proposal for a Council Directive amending for the second time Directive 90/394/EEC on the protection of workers from the risks related to exposure to carcinogens at work ⁽¹⁾

(98/C 392/09)

(Text with EEA relevance)

COM(1998) 665 final — 98/0093(SYN)

(Submitted by the Commission pursuant to Article 189a(2) of the EC Treaty on 13 November 1998)

⁽¹⁾ OJ C 123, 22.4.1998, S. 21.

INITIAL PROPOSAL

AMENDED PROPOSAL

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 118A thereof,

Having regard to Council Directive 90/394/EEC of 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work ⁽¹⁾, as amended for the first time by Directive 97/42/EC ⁽²⁾,

Having regard to the proposal from the Commission, drawn up following consultation with the Advisory Committee on Safety, Hygiene and Health Protection at Work,

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

Acting in accordance with the procedure referred to in Article 189c of the Treaty

Whereas Article 118A of the Treaty provides that the Council shall adopt, by means of directives, minimum requirements for encouraging improvements, especially in the working environment, to ensure a better level of protection of the safety and health of workers;

Whereas, under the terms of Article, such directives are to avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings,

⁽¹⁾ OJ L 196, 26.7.1990, p. 1.

⁽²⁾ OJ L 179, 8.7.1997, p. 4.

INITIAL PROPOSAL

Whereas germ cell mutagens are substances that can cause a permanent change in the amount or structure of the genetic material of a cell resulting in a change in the phenotypic characteristics of that cell, which may be transferred to descendent daughter cells;

Whereas because of their mechanism of action germ cell mutagens are likely to have carcinogenic effects;

Whereas vinyl chloride monomer is classified as a category 1 carcinogen under Council Directive 67/548/EEC;

Whereas, for the sake of consistency and clarity, the essential provisions of Council Directive 78/610/EEC on the approximation of the laws, regulations and administrative provisions of the Member States on the protection of health and safety of workers exposed to vinyl chloride monomer should be included in this Directive, without reducing the level of protection of the health and safety of workers;

Whereas Council Directive 78/610/EEC can be repealed after the entry into force of this Directive;

Whereas the carcinogenicity of oak and beech dusts has been confirmed in epidemiological studies on workers exposed; whereas, a large number of workers are exposed to a potential health risk;

Whereas Article 16 of Directive 90/394/EEC makes provision for the establishment of exposure limit values in respect of all carcinogens for which this is possible, on the basis of the available information, including scientific and technical data;

AMENDED PROPOSAL

Whereas the carcinogenicity of oak and beech dusts has been confirmed in epidemiological studies on workers exposed; whereas it is highly probable, that other types of hardwood dust can also cause cancer in humans; whereas therefore many workers are exposed to a serious potential risk of developing cancer;

Whereas the precautionary principle should be applied in the protection of workers' health; whereas therefore Directive 90/394/EEC should be extended to cover all types of hardwood dusts;

whereas further research is desirable in to the carcinogenicity of other woods dusts; whereas the Commission is to bring forward proposals to protect the health of workers where a risk is identified;

INITIAL PROPOSAL

Whereas it is appropriate to fix such limit values for wood dust; whereas the current limit values for vinyl chloride monomer should be reduced to reflect best minimum standards for technological practices which reflect feasibility factors while maintain the aim of ensuring the health of workers at work;

Whereas the respect of the minimum requirements on the protection of health and safety of workers from the specific risks related to carcinogens aims not only to ensure the protection of the health and safety of each individual worker but also to provide a level of minimum protection of all workers in the Community;

Whereas a consistent level of protection from the risks related to carcinogens has to be established for the Community as a whole and whereas that level of protection has to be set by a framework of general principles to enable Member States to apply the minimum requirements consistently;

Whereas this amendment constitutes a practical aspect of the realisation of the social dimension of the internal market;

Whereas, pursuant to Decision 74/325/EEC⁽¹⁾, the Advisory Committee on Safety, Hygiene and Health Protection at Work is to be consulted by the Commission with a view to drawing up proposals in this field,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 90/394/EEC, as amended for the first time by Directive 97/42/EC, is hereby amended as follows:

1. Article 1.4 shall be replaced by the following:

‘As regards asbestos, which is dealt with by a specific Directive, the provisions of this Directive shall apply when they are more favourable to safety and health at work.’

AMENDED PROPOSAL

Whereas workers must be effectively protected from the risks of developing cancer as a result of occupational exposure to wood dust; whereas the objective of this Directive is not to restrict the use of wood either by replacing wood with other materials or by replacing the use of certain type of wood with other types of wood;

⁽¹⁾ OJ L 185, 9.7.1974, p. 15. Decision as last amended as a result of the 1994 Act of Accession.

INITIAL PROPOSAL

AMENDED PROPOSAL

2. Items 5 to 7 shall be added to Annex I

'5. Work involving exposure to wood dusts from the following species: beech and oak.

6. A substance which meets the criteria for classification as a category 1 or 2 mutagen set out in Annex VI to Directive 67/548/EEC;

7. A preparation composed of one or more substances referred to in point (6) where the concentration of one or more of the individual substances meets the requirements for concentration limits for the classification of a preparation as a category 1 or 2 mutagen set out either:

— in Annex I to Directive 67/548/EEC, or

— in Annex I to directive 88/379/EEC where the substance or substances do not appear in Annex I to Directive 67/548/EEC or appear in its without concentration limits;

'5. Work involving exposure to all hardwood dusts.

3. In part A of Annex III the following agent shall be added:

Name of agent	EINECS ⁽¹⁾	CAS ⁽²⁾	Limit values		Notation	Derogations
			mg/m ³ ⁽³⁾	ppm ⁽⁴⁾		
Vinyl chloride monomer	200-831	75-01-4	7,77 ⁽⁵⁾	3 ⁽⁵⁾	—	—
			3,88 ⁽⁶⁾	1,5 ⁽⁶⁾		
Wood (oak and beech) dust			5,0 ⁽⁷⁾			
Hardwood dust			5,0 ⁽⁵⁾ ⁽⁷⁾ ⁽⁸⁾			

⁽¹⁾ EINECS: European Inventory of Existing Chemical Substances.

⁽²⁾ CAS: Chemical Abstract Service Number.

⁽³⁾ mg/m³ = milligrams per cubic metre of air at 20 °C and 101,3 KPa (760 mm mercury pressure).

⁽⁴⁾ ppm = parts per million by volume in air (ml/m³).

⁽⁵⁾ Measured or calculated in relation to a reference period of eight hours.

⁽⁶⁾ Overriding annual exposure limit measured or calculated as average value for one year.

⁽⁷⁾ Wood dust as total dust; it refers to that portion of dust that can possibly be inhaled. It is collected by a sampling device operating at an air intake velocity of 1,25 m/s ± 10 %.

⁽⁸⁾ Where other wood dusts are present in the mixture, the limit value shall apply to all wood dusts in the mixture.

INITIAL PROPOSAL

Article 2

Directive 78/610/EEC on the approximation of the laws, regulations and administrative provisions on the protection of health of workers exposed to vinyl chloride monomer shall be repealed with effect from ...

Article 3

On the basis of the latest available scientific data, the Commission may within five years of the date of this Directive present a proposal to the Council for the adoption of revised limit values for vinyl chloride monomer and wood (oak and beech) dust in accordance with Article 118A of the Treaty.

Article 4

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than ... They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

Article 5

This Directive is addressed to the Member States.

AMENDED PROPOSAL

Article 3

On the basis of the latest available scientific data, the Commission may within two years of the date of the adoption of this Directive present a proposal to the Council for the adoption of revised limit values for vinyl chloride monomer and hard wood dust in accordance with Article 118A of the Treaty.

Article 4

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than ... (3 years after adoption). They shall forthwith inform the Commission thereof.

III

(Notices)

COMMISSION

Commission Recommendation on banking charges for conversion to the euro

(98/C 392/10)

A working document of Commission services concerning implementation of Commission Recommendation 98/286/EC ⁽¹⁾ on banking charges for conversion to the euro will be publicly available on the Internet from 10 December 1998, at <http://europa.eu.int/comm/dg15> or on request to Directorate General XV at fax number (32-2) 295 07 50. The document will, initially, be available in English. Other language versions will be available shortly thereafter.

⁽¹⁾ OJ L 130, 1.5.1998.