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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 2244/85**  
**of 2 August 1985**  
**amending Regulation (EEC) No 801/85 allocating, for 1985, Community catch**  
**quotas in Greenland waters**

THE COUNCIL OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No 170/83  
of 25 January 1983 establishing a Community system  
for the conservation and management of fishery  
resources<sup>(1)</sup>, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 801/85<sup>(2)</sup> allocates  
Community catch quotas in Greenland waters for  
1985;

Whereas the Greenland authorities have now addition-  
ally allocated 15 000 tonnes of capelin to the Commu-  
nity, to be fished in 1985;

Whereas Regulation (EEC) No 801/85 should be  
amended accordingly,

HAS ADOPTED THIS REGULATION :

*Article 1*

In the Annex to Regulation (EEC) No 801/85, '15 000'  
is inserted in columns 3 and 4 opposite the entry  
'Capelin'.

*Article 2*

This Regulation shall enter into force on the 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.

Done at Brussels, 2 August 1985.

*For the Council*

*The President*

J. POOS

<sup>(1)</sup> OJ No L 24, 27. 1. 1983, p. 1.

<sup>(2)</sup> OJ No L 89, 29. 3. 1985, p. 7.

**COUNCIL REGULATION (EEC) No 2245/85**

of 2 August 1985

laying down certain technical measures for the conservation of fish stocks in the Antarctic

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources<sup>(1)</sup>, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 2 of Regulation (EEC) No 170/83, the conservation measures necessary to achieve the aims set out in Article 1 of that Regulation must be formulated in the light of the available scientific advice;

Whereas the Convention on the Conservation of Antarctic Marine Living Resources, hereinafter referred to as 'the Convention', was approved by Decision 81/691/EEC<sup>(2)</sup>;

Whereas the Convention entered into force for the Community on 21 May 1982;

Whereas the Commission for the Conservation of Antarctic Marine Living Resources established by the Convention adopted and notified on 5 October 1984 recommendations made by its Scientific Committee that a ban be imposed on fishing off the coasts of South Georgia and that a minimum mesh size be fixed for the zone covered by the Convention in respect of certain types of nets and certain species of fish;

Whereas, in the absence of objections to these recommendations from any of the Contracting Parties to the Convention, the said recommendations became binding on 5 April 1985 by virtue of Article IX (6) of that Convention;

Whereas the Community is now bound to implement these recommendations in respect of Community fishermen;

Whereas it may be necessary to adopt detailed rules for the implementation of this Regulation; whereas such rules must be adopted in accordance with the

procedure laid down in Article 14 of Regulation (EEC) No 170/83,

HAS ADOPTED THIS REGULATION:

*Article 1***Scope**

1. This Regulation shall apply to Community fishermen who take and retain on board, fish from resources to which the Convention applies by virtue of Article I thereof, except those fish resources occurring within waters subject to such coastal State jurisdiction as may exist in accordance with international law.
2. This Regulation shall be without prejudice to the provisions of the Convention and shall operate in furtherance of its objectives and principles and the provisions of the Final Act of the Conference at which it was adopted.

*Article 2***Prohibition on fishing**

Subject to Article 1, all fishing shall be prohibited within 12 nautical miles of the coasts of South Georgia.

*Article 3***Minimum mesh size**

It shall be prohibited to use or to haul any trawl, Danish seine or similar net any part of which is composed of meshes of a size smaller than those laid down in the Annex hereto when engaging in direct fishing for the species or groups of species referred to in the Annex.

*Article 4***Measurement of mesh sizes**

For the nets referred to in Article 3, the minimum mesh size provided for in the Annex shall be measured in accordance with rules to be adopted under the procedure referred to in Article 8.

<sup>(1)</sup> OJ No L 24, 27. 1. 1983, p. 1.

<sup>(2)</sup> OJ No L 252, 5. 9. 1981, p. 26.

*Article 5***Attachments to nets**

No device shall be attached to a net of the type referred to in Article 3 by means of which the mesh in any part of that net is obstructed or otherwise effectively diminished. However, the use of certain devices may be authorized under the procedure referred to in Article 8.

*Article 6***Use of gear**

When fishing directly for one of the species referred to in the Annex, vessels may not carry trawls, Danish seines or similar nets the mesh size of which is smaller than that laid down in the Annex unless they are properly lashed and stowed in such a way that they may not be readily used, that is to say:

- (a) nets shall be unshackled from their boards and their hauling or trawling cables and ropes;

- (b) nets carried on or above the deck must be lashed securely to a part of the superstructure.

**General provisions***Article 7*

This Regulation shall not apply to fishing operations conducted solely for the purpose of scientific investigation or to fish, crustaceans and molluscs caught in the course of such operations.

*Article 8*

Detailed rules for the implementation of this Regulation shall be adopted in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 170/83.

*Article 9*

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

However, Articles 3 to 6 shall apply from 1 September 1985.

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

Done at Brussels, 2 August 1985.

*For the Council*

*The President*

J. POOS

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*ANNEX***Minimum mesh size provided for in Article 3**

| Species                         | Type of net                            | Minimum mesh size |
|---------------------------------|--|-------------------|
| <i>Notothenia rossii</i>        | Trawls, Danish seines and similar nets | 120 mm            |
| <i>Dissostichus eleginoides</i> | Trawls, Danish seines and similar nets | 120 mm            |
| <i>Notothenia gibberifrons</i>  | Trawls, Danish seines and similar nets | 80 mm             |
| <i>Notothenia kempfi</i>        | Trawls, Danish seines and similar nets | 80 mm             |
| <i>Notothenia squamifrons</i>   | Trawls, Danish seines and similar nets | 80 mm             |
| <i>Champscephalus gunnari</i>   | Trawls, Danish seines and similar nets | 80 mm             |

## COMMISSION REGULATION (EEC) No 2246/85

of 6 August 1985

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1018/84<sup>(2)</sup>, and in particular Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2159/85<sup>(5)</sup> and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC)

No 974/71<sup>(6)</sup>, as last amended by Regulation (EEC) No 855/84<sup>(7)</sup>,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 5 August 1985;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2159/85 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 7 August 1985.

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

Done at Brussels, 6 August 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 107, 19. 4. 1984, p. 1.

<sup>(3)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(4)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(5)</sup> OJ No L 203, 1. 8. 1985, p. 8.

<sup>(6)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(7)</sup> OJ No L 90, 1. 4. 1984, p. 1.

## ANNEX

## to the Commission Regulation of 6 August 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal

| <i>(ECU/tonne)</i> |   |                                      |
|--------------------|---|--------------------------------------|
| CCT heading No     | Description                               | Levies                               |
| 10.01 B I          | Common wheat, and meslin                  | 108,79                               |
| 10.01 B II         | Durum wheat                               | 173,59 <sup>(1)</sup> <sup>(5)</sup> |
| 10.02              | Rye                                       | 110,22 <sup>(6)</sup>                |
| 10.03              | Barley                                    | 102,13                               |
| 10.04              | Oats                                      | 78,86                                |
| 10.05 B            | Maize, other than hybrid maize for sowing | 94,08 <sup>(2)</sup> <sup>(3)</sup>  |
| 10.07 A            | Buckwheat                                 | 0                                    |
| 10.07 B            | Millet                                    | 50,98 <sup>(4)</sup>                 |
| 10.07 C            | Grain sorghum                             | 105,48 <sup>(4)</sup>                |
| 10.07 D I          | Triticale                                 | (7)                                  |
| 10.07 D II         | Canary seed ; other cereals               | 0 <sup>(5)</sup>                     |
| 11.01 A            | Wheat or meslin flour                     | 165,31                               |
| 11.01 B            | Rye flour                                 | 167,31                               |
| 11.02 A I a)       | Durum wheat groats and meal               | 282,15                               |
| 11.02 A I b)       | Common wheat groats and meal              | 178,53                               |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

<sup>(2)</sup> In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

<sup>(4)</sup> Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

<sup>(5)</sup> Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

<sup>(6)</sup> The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

<sup>(7)</sup> The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

## COMMISSION REGULATION (EEC) No 2247/85

of 6 August 1985

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1018/84<sup>(2)</sup>, and in particular Article 15 (6) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2160/85<sup>(5)</sup> and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient

provided for in Article 2b (2) of Regulation (EEC) No 974/71<sup>(6)</sup>, as last amended by Regulation (EEC) No 855/84<sup>(7)</sup>,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 5 August 1985;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 7 August 1985.

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

Done at Brussels, 6 August 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 107, 19. 4. 1984, p. 1.

<sup>(3)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(4)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(5)</sup> OJ No L 203, 1. 8. 1985, p. 11.

<sup>(6)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(7)</sup> OJ No L 90, 1. 4. 1984, p. 1.

## ANNEX

to the Commission Regulation of 6 August 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

| CCT heading No | Description                               | (ECU/tonne)  |                 |                  |                  |
|----------------|---|--------------|-----------------|------------------|------------------|
|                |   | Current<br>8 | 1st period<br>9 | 2nd period<br>10 | 3rd period<br>11 |
| 10.01 B I      | Common wheat, and meslin                  | 0            | 0               | 0                | 0                |
| 10.01 B II     | Durum wheat                               | 0            | 1,21            | 1,21             | 0                |
| 10.02          | Rye                                       | 0            | 0               | 0                | 0                |
| 10.03          | Barley                                    | 0            | 0               | 0                | 0                |
| 10.04          | Oats                                      | 0            | 0               | 0                | 0                |
| 10.05 B        | Maize, other than hybrid maize for sowing | 0            | 0               | 0                | 0,67             |
| 10.07 A        | Buckwheat                                 | 0            | 0               | 0                | 0                |
| 10.07 B        | Millet                                    | 0            | 0               | 0                | 0                |
| 10.07 C        | Grain sorghum                             | 0            | 0               | 0                | 5,66             |
| 10.07 D        | Other cereals                             | 0            | 0               | 0                | 0                |
| 11.01 A        | Wheat or meslin flour                     | 0            | 0               | 0                | 0                |

## B. Malt

| CCT heading No | Description  | (ECU/tonne)  |                 |                  |                  |                  |
|----------------|--|--------------|-----------------|------------------|------------------|------------------|
|                |  | Current<br>8 | 1st period<br>9 | 2nd period<br>10 | 3rd period<br>11 | 4th period<br>12 |
| 11.07 A I (a)  | Unroasted malt, obtained from wheat, in the form of flour                            | 0            | 0               | 0                | 0                | 0                |
| 11.07 A I (b)  | Unroasted malt, obtained from wheat, other than in the form of flour                 | 0            | 0               | 0                | 0                | 0                |
| 11.07 A II (a) | Unroasted malt, other than that obtained from wheat, in the form of flour            | 0            | 0               | 0                | 0                | 0                |
| 11.07 A II (b) | Unroasted malt, other than that obtained from wheat, other than in the form of flour | 0            | 0               | 0                | 0                | 0                |
| 11.07 B        | Roasted malt   | 0            | 0               | 0                | 0                | 0                |

**COMMISSION REGULATION (EEC) No 2248/85**  
**of 25 July 1985**

**on detailed rules for administrative assistance with the exportation of Emmentaler cheese subject to quota restrictions that qualifies for special treatment on importation into the United States of America**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for the exportation of agricultural products which may benefit from special import treatment in a third country<sup>(1)</sup>, and in particular Article 1 (2) thereof,

Whereas the Community and the United States of America have agreed under the GATT to allow importation into the United States of cheese of Community origin subject to quota restrictions with effect from 1 January 1980; whereas this agreement was approved by Council Decision 80/272/EEC<sup>(2)</sup>;

Whereas the United States of America has committed itself to take all necessary measures so that the management of the quota by the administration will be such as to permit its maximum utilization; whereas in the light of experience it appears to be appropriate to strengthen administrative cooperation with the United States of America to ensure that the quota of Emmentaler cheese of Community origin is fully utilized; whereas the cheese concerned should therefore be accompanied by a certificate issued by the competent authorities in the Community;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For exportation to the United States of America (including Puerto Rico and Hawaii) of Emmentaler cheese of subheading 04.04 A of the Common Customs Tariff and subheading No 117.60.25 of the Tariff Schedule of the United States that is subject to quota restrictions the competent authority of the exporting Member State shall issue at the exporter's request a certificate corresponding to the model given in the Annex hereto.

<sup>(1)</sup> OJ No L 334, 28. 12. 1979, p. 8.

<sup>(2)</sup> OJ No L 71, 17. 3. 1980, p. 129.

*Article 2*

1. Forms shall be printed on white paper of format 210 × 296 millimetres and shall be worded in English. Each certificate shall be given a serial number by the issuing authority. Exporting Member States may require that the certificates issued on their territory be worded in their official language, or in one of their official languages, in addition to English.

2. Each certificate shall be made out in an original and in at least two copies. The copies shall bear the same serial number as the original. The original and the copies shall be completed in typescript or by hand, in block letters in ink.

*Article 3*

1. The certificate and its copy shall be issued by the authority designated for this purpose by the exporting Member State.

2. The issuing authority shall retain a copy of the certificate. The original and the other copy shall be presented at the Community customs office at which the export declaration is lodged.

3. The customs office mentioned in paragraph 2 shall complete the appropriate section on the original and return it to the exporter or to his representative. It shall retain the copy.

*Article 4*

The certificate shall not be valid until it has been duly stamped by the customs office. It shall cover the quantity of Emmentaler cheese indicated thereon and must be presented to the customs authorities of the United States of America. However, a quantity exceeding by no more than 5 % that indicated on the certificate shall be regarded as covered by it.

*Article 5*

The Member States shall take all necessary measures to check the origin, type, composition and quality of the Emmentaler cheeses for which certificates are issued.

*Article 6*

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

It shall apply from 1 September 1985.

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

Done at Brussels, 25 July 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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|             |  |
|-------------|--|
| 1 Exporter  | <b>CERTIFICATE</b><br><b>FOR THE EXPORT OF EMMENTALER CHEESE</b><br><b>TO THE UNITED STATES OF AMERICA</b> |
| 2 Consignee | No <span style="float: right;">ORIGINAL</span><br>3 Issuing authority                                      |

## NOTES

- A This certificate must be made out in one original and at least two copies.
- B The description of the cheese must include the type in addition to any brand or trade name.
- C The original and one copy must be produced for certification to the customs office with which the export declaration is lodged.
- D The original must be produced to the customs authorities of the United States of America.

|  |                             |
|--|-----------------------------|
| 4 Marks and numbers — Number and kind of packages — Description of cheese  | 5 Gross mass (weight) in kg |
|  | 6 Net mass (weight) in kg   |
|  | 7 Invoice(s) No(s)          |
| 8 THE ISSUING AUTHORITY hereby certifies that the cheese described above<br>— was produced in the Community from raw materials of Community origin<br>— is of sound and fair marketable quality.<br><br>Place and date :<br><br><div style="display: flex; justify-content: space-around;"> <span>(Signature)</span> <span>(Stamp)</span> </div>   |                             |
| 9 CERTIFICATION BY THE COMPETENT CUSTOMS OFFICE IN THE COMMUNITY<br>Authorization for the export to the United States of America of the cheese covered by this certificate has been given.<br><br>Export declaration :<br>— type :<br>— number :<br>— date of acceptance :<br><br><div style="display: flex; justify-content: space-around;"> <span>(Signature)</span> <span>(Stamp)</span> </div> |                             |



## COMMISSION REGULATION (EEC) No 2249/85

of 2 August 1985

**amending Regulation No 467/67/EEC fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1025/84 <sup>(2)</sup>, and in particular Article 19 thereof,

Whereas Article 2 (1) and (2) of Commission Regulation No 467/67/EEC <sup>(3)</sup>, as last amended by Regulation (EEC) No 1548/84 <sup>(4)</sup>, fixed the processing costs to be taken into consideration for certain processing stages; whereas, as a result of changes in prices, processing costs for these stages have also changed and these changes should be taken into account;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 2 (1) and (2) of Regulation No 467/67/EEC, '45,00 ECU' is hereby replaced by '47,13 ECU'.

*Article 2*

This Regulation shall enter into force on 1 September 1985.

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

Done at Brussels, 2 August 1985.

*For the Commission*

*The President*

Jacques DELORS

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 107, 19. 1. 1984, p. 13.

<sup>(3)</sup> OJ No L 204, 24. 8. 1967, p. 1.

<sup>(4)</sup> OJ No L 148, 5. 6. 1984, p. 16.

## COMMISSION REGULATION (EEC) No 2250/85

of 2 August 1985

fixing, for 1985/86 marketing year, the threshold prices for rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1025/84 <sup>(2)</sup>, and in particular Articles 14 (5) and 15 (4) thereof,

Whereas, under Article 14 (2) of Regulation (EEC) No 1418/76, the threshold price for husked rice calculated for Rotterdam must be fixed in such a way that, on the Duisburg market, the selling price for imported husked rice corresponds to the target price; whereas this aim is attained when the components referred to in the second subparagraph of paragraph 2 of the said Article are deducted from the target price;

Whereas, pursuant to Article 14 (3) of the said Regulation, the threshold prices for milled rice are calculated by adjusting the threshold price for husked rice, account being taken of the monthly increases to which it is subject, on the basis of the conversion rates, processing costs and the value of by-products and by increasing the amounts thus obtaining by an amount for the protection of the industry;

Whereas the amount for the protection of the industry was fixed by Council Regulation (EEC) No 1263/78 <sup>(3)</sup>; whereas the components used for adjusting the threshold price for milled rice were fixed by Commission Regulation No 467/67/EEC <sup>(4)</sup>, as last amended by Regulation (EEC) No 2249/85 <sup>(5)</sup>;

Whereas, under Article 15 (1) of Regulation (EEC) No 1418/76 the threshold price for broken rice must be

set between a lower limit of 130 % and an upper limit of 140 % of the threshold price for maize applicable during the first month of the marketing year; whereas the Council has not to date adopted cereal prices for the 1985/86 marketing year, in accordance with Article 3 (1) of Regulation (EEC) No 2727/75 <sup>(6)</sup>, whereas the Commission, in compliance with the tasks entrusted to it by the Treaty, is obliged to adopt the precautionary measures essential to ensure continuity of operation of the common agricultural policy in the sector in question;

Whereas under these circumstances the Commission has adopted prices to be used for calculation of levies in the cereals sector; whereas these prices, including that for maize, are given in Article 2 of Commission Regulation (EEC) No 2124/85 <sup>(7)</sup>; whereas that for maize must, in accordance with the abovementioned provision, be used for determination of the threshold price for broken rice;

Whereas in order to prevent imports of broken rice acting as a brake on the normal disposal of Community production throughout the Community market, the threshold price for broken rice should be set at 135 % of the price applicable for maize, i.e. at 227,58 ECU per tonne;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The threshold prices for husked rice, round grain milled rice and long grain milled rice are hereby fixed in ECU per tonne at :

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 107, 19. 4. 1984, p. 13.

<sup>(3)</sup> OJ No L 156, 14. 6. 1978, p. 14.

<sup>(4)</sup> OJ No 204, 24. 8. 1967, p. 1.

<sup>(5)</sup> See page 13 of this Official Journal.

<sup>(6)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(7)</sup> OJ No L 198, 30. 7. 1985, p. 31.

| Month          | Threshold price |                         |                        |
|----------------|-----------------|-------------------------|------------------------|
|                | Husked rice     | Round grain milled rice | Long grain milled rice |
| September 1985 | 541,63          | 720,69                  | 791,81                 |
| October 1985   | 545,75          | 726,01                  | 797,78                 |
| November 1985  | 549,87          | 731,33                  | 803,75                 |
| December 1985  | 553,99          | 736,65                  | 809,72                 |
| January 1986   | 558,11          | 741,97                  | 815,69                 |
| February 1986  | 562,23          | 747,29                  | 821,66                 |
| March 1986     | 566,35          | 752,61                  | 827,63                 |
| April 1986     | 570,47          | 757,93                  | 833,60                 |
| May 1986       | 574,59          | 763,25                  | 839,57                 |
| June 1986      | 578,71          | 768,57                  | 845,54                 |
| July 1986      | 582,83          | 773,89                  | 851,51                 |
| August 1986    | 582,83          | 773,89                  | 851,51                 |

*Article 2*

The threshold price for broken rice is hereby fixed at 307,23 ECU per tonne.

*Article 3*

This Regulation shall enter into force on 1 September 1985.

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

Done at Brussels, 2 August 1985.

*For the Commission*

*The President*

Jacques DELORS

**COMMISSION REGULATION (EEC) No 2251/85****of 6 August 1985****fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 3 to 9 June 1985**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1311/85 of 23 May 1985 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom <sup>(1)</sup>, and in particular Article 5 thereof,

Whereas, under Article 3 of Regulation (EEC) No 1311/85, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Commission Regulation (EEC) No 2187/85 of 31 July 1985 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom <sup>(2)</sup>, the amounts to be charged on departure from the territory of the United Kingdom of the products listed in the Annex

to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 3 to 9 June 1985 should be fixed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Pursuant to Article 3 of Regulation (EEC) No 1311/85, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 2187/85 which left the territory of the United Kingdom during the week 3 to 9 June 1985 shall be those set out in the Annex.

*Article 2*

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

It shall apply with effect from 3 June 1985.

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

Done at Brussels, 6 August 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 137, 27. 5. 1985, p. 20.

<sup>(2)</sup> OJ No L 203, 1. 8. 1985, p. 76.

## ANNEX

**Amounts to be levied on products which left the territory of the United Kingdom during  
the week 3 to 9 June 1985**

(ECU/100 kg net weight)

| CCT<br>heading<br>No                        | Description  | Amount   |
|---|--|----------|
| 1   | 2  | 3        |
| ex 02.01 A II a)<br>and<br>ex 02.01 A II b) | Meat of adult bovine animals, fresh, chilled or frozen :   |          |
|   | 1. Carcases, half-carcases or 'compensated' quarters   | 26,26474 |
|   | 2. Separated or unseparated forequarters   | 21,01179 |
|   | 3. Separated or unseparated hindquarters   | 31,51769 |
|   | 4. Other :   |          |
|   | aa) Unboned (bone-in)  | 21,01179 |
| bb) Boned or boneless                       | 35,98269   |          |
| ex 02.06 C I a)                             | Meat salted, in brine, dried or smoked, of adult bovine animals :                                  |          |
|   | 1. Unboned (bone-in)   | 21,01179 |
|   | 2. Boned or boneless   | 29,94180 |
| ex 16.02 B III b) 1                         | Other prepared or preserved meat or meat offal, containing meat or offal of adult bovine animals : |          |
|   | aa) Uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :                       |          |
|   | 11. Containing 80 % or more by weight of beef meat excluding offals and fat                        | 29,94180 |
|   | 22. Other  | 21,01179 |

## COMMISSION REGULATION (EEC) No 2252/85

of 6 August 1985

fixing for Great Britain the level of the variable slaughter premium for sheep  
and the amounts to be charged on products leaving region 5

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
1837/80 of 27 June 1980 on the common organization  
of the market in sheepmeat and goatmeat<sup>(1)</sup>, as last  
amended by Regulation (EEC) No 1312/85<sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No  
1633/84 of 8 June 1984 laying down detailed rules for  
applying the variable slaughter premium for sheep and  
repealing Regulation (EEC) No 2661/80<sup>(3)</sup>, and in  
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country  
which grants the variable slaughter premium, in region  
5, within the meaning of Article 3 (5) of Regulation  
(EEC) No 1837/80; whereas it is necessary therefore  
for the Commission to fix, for the week beginning 15  
July 1985, the level of the premium and the amount  
to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84  
stipulates that the level of the variable slaughter  
premium is to be fixed each week by the Commis-  
sion;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84  
lays down that the amount to be charged on products  
leaving region 5 shall be fixed weekly by the Commis-  
sion;

Whereas it follows from the application of the rules  
laid down in Article 9 (1) of Regulation (EEC) No  
1837/80 and in Article 4 (1) and (3) of Regulation

(EEC) No 1633/84 that the variable slaughter premium  
for sheep certified as eligible in the United Kingdom,  
and the amounts to be charged on products leaving  
region 5 of the aforesaid Member State during the  
week beginning 15 July 1985, shall be set out in the  
Annexes hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

For sheep or sheepmeat certified as eligible in the  
United Kingdom in region 5, within the meaning of  
Article 3 (5) of Regulation (EEC) No 1837/80, for the  
variable slaughter premium during the week beginning  
15 July 1985 the level of the premium shall be  
equivalent to the amount fixed in Annex I.

*Article 2*

For products referred to in Article 1 (a) and (c) of  
Regulation (EEC) No 1837/80 which left the territory  
of region 5 during the week beginning 15 July 1985,  
the amounts to be charged shall be equivalent to those  
fixed in Annex II hereto.

*Article 3*

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

It shall apply with effect from 15 July 1985.

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

Done at Brussels, 6 August 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 183, 16. 7. 1980, p. 1.

<sup>(2)</sup> OJ No L 137, 27. 5. 1985, p. 22.

<sup>(3)</sup> OJ No L 154, 9. 6. 1984, p. 27.

*ANNEX I*

**Level of variable slaughter premium for certified sheep in region 5 for the week commencing 15 July 1985**

| Description                  | Premium   |
|------------------------------|---|
| Certified sheep or sheepmeat | 81,599 ECU per 100 kilograms of estimated or actual dressed carcase weight <sup>(1)</sup> |

<sup>(1)</sup> Within the weight limits laid down by the United Kingdom.

## ANNEX II

Amount to be charged for products leaving region 5 during the week commencing  
15 July 1985

(ECU/100 kg)

| CCT heading No              | Description  | Charge      |
|-----------------------------|--|-------------|
|                             |  | Live weight |
| 01.04 B                     | Live sheep and goats other than pure-bred breeding animals   | 38,352      |
|                             |  | Net weight  |
| 02.01 A IV a)               | Meat of sheep or goats, fresh or chilled :   |             |
|                             | 1. Carcases or half-carcases   | 81,599      |
|                             | 2. Short forequarters  | 57,119      |
|                             | 3. Chines and/or best ends   | 89,759      |
|                             | 4. Legs  | 106,079     |
|                             | 5. Other :   |             |
|                             | aa) Unboned (bone-in)  | 106,079     |
|                             | bb) Boned or boneless  | 148,510     |
| 02.01 A IV b)               | Meat of sheep or goats, frozen :   |             |
|                             | 1. Carcases or half-carcases   | 61,199      |
|                             | 2. Short forequarters  | 42,839      |
|                             | 3. Chines and/or best ends   | 67,319      |
|                             | 4. Legs  | 79,559      |
|                             | 5. Other :   |             |
|                             | aa) Unboned (bone-in)  | 79,559      |
|                             | bb) Boned or boneless  | 111,382     |
| 02.06 C II a)               | Meat of sheep or goats, salted in brine, dried or smoked :   |             |
|                             | 1. Unboned (bone-in)   | 106,079     |
|                             | 2. Boned or boneless   | 148,510     |
| ex 16.02 B III b) 2 aa) 11) | Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal : |             |
|                             | — unboned (bone-in)  | 106,079     |
|                             | — boned or boneless  | 148,510     |

**COMMISSION REGULATION (EEC) No 2253/85****of 6 August 1985****amending for the second time Regulation (EEC) No 2036/85 introducing a countervailing charge on pears originating in Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1332/84<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2036/85 of 23 July 1985<sup>(3)</sup>, as amended by Regulation (EEC) No 2154/85<sup>(4)</sup>, introduced a countervailing charge on pears originating in Spain;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a

charge introduced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of pears originating in Spain must be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EEC) No 2036/85, '7,84 ECU' is hereby replaced by '9,78 ECU.'

*Article 2*

This Regulation shall enter into force on 7 August 1985.

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

Done at Brussels, 6 August 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 130, 16. 5. 1984, p. 1.

<sup>(3)</sup> OJ No L 192, 24. 7. 1985, p. 12.

<sup>(4)</sup> OJ No L 199, 31. 7. 1985, p. 40.

## COMMISSION REGULATION (EEC) No 2254/85

of 6 August 1985

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1018/84<sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 1025/84<sup>(4)</sup>, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(5)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(6)</sup>, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 2127/85<sup>(7)</sup>, as last amended by Regulation (EEC) No 2243/85<sup>(8)</sup>;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984<sup>(9)</sup> as amended by Regulation (EEC) No 2744/75<sup>(10)</sup> as regards products falling within sub-heading 23.02 A of the Common Customs Tariff;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71<sup>(11)</sup> as last amended by Regulation (EEC) No 855/84<sup>(12)</sup>,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 5 August 1985;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74<sup>(13)</sup> the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to amended Regulation (EEC) No 2127/85 are hereby altered to the amounts set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 7 August 1985.

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

Done at Brussels, 6 August 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.  
<sup>(2)</sup> OJ No L 107, 19. 4. 1984, p. 1.  
<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.  
<sup>(4)</sup> OJ No L 107, 19. 4. 1984, p. 13.  
<sup>(5)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.  
<sup>(6)</sup> OJ No L 263, 19. 9. 1973, p. 1.  
<sup>(7)</sup> OJ No L 198, 30. 7. 1985, p. 38.  
<sup>(8)</sup> OJ No L 209, 6. 8. 1985, p. 39.  
<sup>(9)</sup> OJ No L 107, 19. 4. 1984, p. 15.  
<sup>(10)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(11)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(12)</sup> OJ No L 90, 1. 4. 1984, p. 1.

<sup>(13)</sup> OJ No L 168, 25. 6. 1974, p. 7.

## ANNEX

to the Commission Regulation of 6 August 1985 altering the import levies on products processed from cereals and rice

(ECU/tonne)

| CCT heading No                | Import levies                              |                       |
|-------------------------------|--|-----------------------|
|                               | Third countries<br>(other than ACP or OCT) | ACP or OCT            |
| 11.01 E I <sup>(2)</sup>      | 173,39                                     | 167,35                |
| 11.01 E II <sup>(2)</sup>     | 97,85                                      | 94,83                 |
| 11.02 A V a) 1 <sup>(2)</sup> | 138,45                                     | 132,41                |
| 11.02 A V a) 2 <sup>(2)</sup> | 173,39                                     | 167,35                |
| 11.02 A V b) <sup>(2)</sup>   | 97,85                                      | 94,83                 |
| 11.02 B II c) <sup>(2)</sup>  | 151,77                                     | 148,75                |
| 11.02 C V <sup>(2)</sup>      | 151,77                                     | 148,75                |
| 11.02 D V <sup>(2)</sup>      | 97,85                                      | 94,83                 |
| 11.02 E II c) <sup>(2)</sup>  | 173,39                                     | 167,35                |
| 11.02 F V <sup>(2)</sup>      | 173,39                                     | 167,35                |
| 11.02 G II                    | 75,77                                      | 69,73                 |
| 11.04 C II a)                 | 138,98                                     | 114,80 <sup>(5)</sup> |
| 11.04 C II b)                 | 170,23                                     | 146,05 <sup>(5)</sup> |
| 11.08 A I                     | 138,98                                     | 118,43                |
| 11.08 A IV                    | 138,98                                     | 118,43                |
| 11.08 A V                     | 138,98                                     | 59,21 <sup>(5)</sup>  |
| 17.02 B II a) <sup>(3)</sup>  | 251,20                                     | 154,48                |
| 17.02 B II b) <sup>(3)</sup>  | 184,92                                     | 118,43                |
| 17.02 F II a)                 | 258,55                                     | 161,83                |
| 17.02 F II b)                 | 179,04                                     | 112,55                |
| 21.07 F II                    | 184,92                                     | 118,43                |
| 23.03 A I                     | 328,46                                     | 147,12                |

<sup>(2)</sup> For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

<sup>(3)</sup> Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

<sup>(5)</sup> In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrowroot falling within subheading 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading 11.08 A V.

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DECISION

of 25 July 1985

on a definition phase for a Community action in the field of telecommunications technologies — R & D programme in advanced communications technologies for Europe (RACE)

(85/372/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(2)</sup>,

Whereas the Community has as its task, by establishing a common market and progressively approximating the economic policies of Member States *inter alia* to promote throughout the Community a harmonious development of economic activities and closer relations between the Member States;

Whereas the Heads of State or of Government, meeting in Stuttgart, Athens, Fontainebleau and Brussels, emphasized the importance of telecommunications as a major source for economic growth and social development;

Whereas the European Parliament, in its assessment of the situation and development of telecommunications, stressed the key role of telecommunications for the future political, social and economic development of the Community;

Whereas on 17 December 1984 the Council agreed on the main elements of a Community telecommunica-

tions policy, including the objective of developing advanced telecommunications services and networks by actions at Community level;

Whereas, with the emergence of new services and the progressive convergence of telecommunications, data processing and entertainment, the evolution may develop towards a Europe-wide integrated broadband network (integrated broadband communications, IBC) capable of supporting a wide range of customers and service providers;

Whereas developments in telecommunications will benefit the international competitiveness of the European economies in general and of the telecommunications industries in particular;

Whereas, in response to the requirement of using fully the economic and market potential of telecommunications, the Commission has submitted a programme of action which has been recognized as a base for further work by the Council;

Whereas R & D can make a major contribution, notably by facilitating the evolution towards future integrated broadband communications in terms of transnational connections, and also at regional and local levels;

Whereas the Council approved, in its resolution of 25 July 1983 <sup>(3)</sup>, the principle of framework programmes for Community research, development and demonstra-

<sup>(1)</sup> OJ No C 175, 15. 7. 1985.

<sup>(2)</sup> OJ No C 188, 29. 7. 1985, p. 16.

<sup>(3)</sup> OJ No C 208, 4. 8. 1983, p. 1.

tion, the scientific and technical objectives for the period 1984 to 1987, and in particular the importance given to the goal of promoting industrial competitiveness;

Whereas the Council, on 4 June 1985, recognized the importance of the rapid establishment of a definition phase for the RACE programme (R & D programme in Advanced Telecommunications Technologies for Europe) in order to prepare a general European framework for the development of advanced systems of communications for the future and to promote technical and industrial cooperation;

Whereas the constitution or consolidation of a specifically European industrial potential in the technologies concerned is an urgent necessity; whereas the beneficiaries must be network operators, research establishments, undertakings, including small and medium-sized enterprises, and other bodies in the Community which are best suited to attain these objectives;

Whereas it will not be possible to define and examine a Community R & D programme in this sector until the definition phase produces the relevant conclusions;

Whereas the Treaty has not provided the specific powers necessary for the adoption of this Decision;

Whereas the Scientific and Technical Research Committee (Crest) has expressed its opinion,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

1. A definition phase for a Community action in the field of telecommunications technologies as described in the Annex is hereby adopted for a maximum period of 18 months beginning on 1 July 1985.
2. The activity is designed essentially to define precise objectives and to develop the approach to technological cooperation at Community level in concertation with public and private actions in the field of telecommunications technologies undertaken at national and international levels.

#### *Article 2*

1. The definition phase shall consist of two parts. Part I shall comprise analytical work required for the formulation of a reference model for integrated broadband communications (IBC) to be carried out by appropriate organizations, groups and other bodies and including, where required, contract work.

Part II shall comprise technology evaluation and exploration projects carried out by means of contracts, as required to clarify technology options and establish techno-economic feasibility of the reference model.

The contracts shall be concluded with network operators, research establishments, undertakings, including small and medium-sized enterprises, and other bodies established in the Community, hereinafter referred to as 'partners'. The work shall be carried out in the Community.

2. The projects of Part II shall be executed by means of shared cost contracts. The contractors shall bear a substantial proportion of the costs, normally at least 50 % of the total expenditure on any project.

In exceptional cases as specified in Article 6 (3), different conditions from those laid down in this paragraph may be adopted in accordance with the procedure in Article 7.

3. The activity will take account of requirements regarding the development of standards and common functional specifications to serve the interests of European industry, users and telecommunications operators in this field.

#### *Article 3*

1. Where contracts are required for the implementation of Part I, they shall be awarded by restricted tendering procedure.
2. The contracts for Part II shall be awarded by open tendering procedure and involve the participation of at least two independent industrial partners not all established in the same Member State. The open invitation to tender shall be published in the *Official Journal of the European Communities*.

#### *Article 4*

1. The Community shall contribute to the performance of the action within the limits of the appropriations entered to this end in the general budget of the European Communities.
2. The amount of the appropriations estimated necessary for the Community's contribution to Part I shall be calculated on the basis of Article 2 (1); and charged to the relevant part of the general budget of the European Communities.

The funds estimated necessary for Part II amount to 14 million ECU, including expenditure on a staff of 12, and will be used in accordance with the procedure laid down in Article 6 (3).

#### *Article 5*

The Commission shall ensure that the definition phase is properly performed and establish the appropriate implementation measures.

*Article 6*

1. The Commission shall be assisted in the performance of the task referred to in Article 5 by a Committee. The Committee, consisting of two representatives of each Member State, shall be set up by the Commission on the basis of nomination by the Member States.

Members of the Committee may be assisted by experts or advisers depending on the nature of the issues under consideration.

The Committee shall be chaired by a Commission representative.

The proceedings of the Committee shall be confidential. The Committee shall adopt its own rules of procedure. The secretarial services shall be provided by the Commission.

2. The Commission may consult the Committee on any matter falling within the scope of this Decision. In addition, the Commission shall inform the Committee regularly in advance, of projects falling below the thresholds referred to in paragraph 3, fourth and fifth indents.

3. The Commission shall consult the Committee, in accordance with the procedure laid down in Article 7, on :

- the work to be undertaken in Part II ; such consultation will have to be completed within a maximum period of three months following this Decision,
- any departure from the general conditions laid down in Articles 2 and 3,
- the evaluation of work undertaken in respect of Part I, by appropriate organizations, groups and other bodies,
- the contracts which may be necessary for the implementation of Part I, as well as the resultant Community financial contribution when the contracts require a Community contribution exceeding 100 000 ECU,
- the assessment of the proposed projects relating to Part II and the proposed level of cost-sharing referred to in Article 2 (2) as well as the Community's financial contribution to their execution when these projects require a Community contribution exceeding 400 000 ECU.

*Article 7*

1. Where the procedure laid down in this Article is to be followed, the chairman shall refer the matter to

the Committee, either on his own initiative or at the request of one of its members.

2. The Commission representative shall submit to the Committee a proposal for the measures to be taken. The Committee shall deliver its opinion on the proposal within a period that may be decided by the chairman in the light of the urgency of the matter and which shall normally be one month and shall in no case exceed two months. The opinion shall be adopted by a qualified majority. Within the Committee, the votes of the Member States shall be weighted in accordance with Article 148 (2) of the Treaty. The chairman shall not vote.

3. The Commission shall implement the measures where its proposals are in accordance with the opinion of the Committee. Where the proposal is not in accordance with the opinion, or where no such opinion is issued, the Commission may submit to the Council a proposal in the form of a draft Decision. The Council shall act by a qualified majority.

If the Council has not acted within a period which shall normally be one month and shall in no case exceed two months from the date on which the matter was referred to it :

- the Commission proposal shall be deemed to be rejected if it concerns matters falling under the second and third indents of Article 6 (3)
- the Commission may take a decision corresponding to its proposal if it concerns matters falling under the fourth and fifth indents of Article 6 (3).

*Article 8*

With regard to the concertation activities provided for in Article 1 (2), the Member States and the Commission shall exchange all appropriate information to which they have access and which they are free to disclose concerning activities in the areas covered by this Decision, whether or not planned or carried out under their authority.

Information shall be exchanged according to a procedure to be defined by the Commission after consulting the Committee, and will be treated as confidential at the supplier's request.

Done at Brussels, 25 July 1985.

*For the Council*

*The President*

J. POOS

*ANNEX***RACE DEFINITION PHASE****Summary of areas****PART I***Development of an IBC reference model*

- I.1. Development of an IBC network reference model
- I.2. Definition of the IBC terminal environment
- I.3. Future application assessment

**PART II***Technology evaluation and exploration*

- II.1. High-speed integrated circuits
  - II.2. High complexity integrated circuits
  - II.3. Integrated opto-electronics
  - II.4. Broadband switching
  - II.5. Passive optical components
  - II.6. Components for high bit-rate long-haul links
  - II.7. Dedicated communication software
  - II.8. Large area flat panel display technology
-

**COUNCIL DECISION**

of 25 July 1985

**complementing Decision 84/1/Euratom, EEC with a view to the realization of a tritium-handling laboratory**

(85/373/Euratom)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 7 thereof,

Having regard to the proposal from the Commission<sup>(1)</sup>, presented after consultation of the Scientific and Technical Committee,

Having regard to the opinion of the European Parliament<sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(3)</sup>,

Whereas, in the context of the common policy relating to the field of science and technology, the multiannual research programme is one of the principal means whereby the European Atomic Energy Community can contribute to the safety and development of nuclear energy and to the acquisition and dissemination of information in the nuclear field;

Whereas, during the period 1984 to 1987, the Joint Research Centre must continue to play a central role in the Community's research strategy and to carry out work of common interest by drawing on a level of resources which is the equivalent of the level of the previous multiannual programme;

Whereas, more generally, the Joint Research Centre programme as a whole must be in keeping with the conclusions of the Council of 10 March 1983 with regard to European research activities of particular significance;

Whereas Council Decision 84/1/Euratom, EEC of 22 December 1983 adopting a research programme to be implemented by the Joint Research Centre for the European Atomic Energy Community and for the

European Economic Community (1984 to 1987)<sup>(4)</sup> underlines a particular role of the Centre in the field of fusion technology and safety,

HAS DECIDED AS FOLLOWS:

*Article 1*

The European research activities of particular significance, to which the Council refers in its Decision 84/1/Euratom, EEC, must have as their objective realization of a tritium-handling laboratory at the Ispra establishment of the Joint Research Centre.

*Article 2*

The construction and exploitation of the tritium-handling laboratory shall be fully integrated into the 1984 to 1987 programme of the Joint Research Centre, as part of the 'Fusion technology and safety' sub-programme. With reference to Annex A of Decision 84/1/Euratom, EEC, the project 'studies concerning a tritium-handling laboratory' shall be replaced by 'realization of a tritium-handling laboratory'.

*Article 3*

With reference to Annex B to Decision 84/1/Euratom, EEC, the line entitled 'Specific appropriations for projects of European significance' shall be transferred to the 'Fusion technology and safety' entry in the fusion programme.

Done at Brussels, 25 July 1985.

*For the Council*

*The President*

J. POOS

<sup>(1)</sup> OJ No C 198, 27. 7. 1984, p. 6.

<sup>(2)</sup> OJ No C 25, 28. 1. 1985, p. 9.

<sup>(3)</sup> OJ No C 46, 18. 2. 1985, p. 72.

<sup>(4)</sup> OJ No L 3, 5. 1. 1984, p. 21.

**COUNCIL DIRECTIVE**

of 25 July 1985

**on the approximation of the laws, regulations and administrative provisions of  
the Member States concerning liability for defective products**

(85/374/EEC)

THE COUNCIL OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas approximation of the laws of the Member States concerning the liability of the producer for damage caused by the defectiveness of his products is necessary because the existing divergences may distort competition and affect the movement of goods within the common market and entail a differing degree of protection of the consumer against damage caused by a defective product to his health or property ;

Whereas liability without fault on the part of the producer is the sole means of adequately solving the problem, peculiar to our age of increasing technicality, of a fair apportionment of the risks inherent in modern technological production ;

Whereas liability without fault should apply only to movables which have been industrially produced ; whereas, as a result, it is appropriate to exclude liability for agricultural products and game, except where they have undergone a processing of an industrial nature which could cause a defect in these products ; whereas the liability provided for in this Directive should also apply to movables which are used in the construction of immovables or are installed in immovables ;

Whereas protection of the consumer requires that all producers involved in the production process should be made liable, in so far as their finished product, component part or any raw material supplied by them

was defective ; whereas, for the same reason, liability should extend to importers of products into the Community and to persons who present themselves as producers by affixing their name, trade mark or other distinguishing feature or who supply a product the producer of which cannot be identified ;

Whereas, in situations where several persons are liable for the same damage, the protection of the consumer requires that the injured person should be able to claim full compensation for the damage from any one of them ;

whereas, to protect the physical well-being and property of the consumer, the defectiveness of the product should be determined by reference not to its fitness for use but to the lack of the safety which the public at large is entitled to expect ; whereas the safety is assessed by excluding any misuse of the product not reasonable under the circumstances ;

Whereas a fair apportionment of risk between the injured person and the producer implies that the producer should be able to free himself from liability if he furnishes proof as to the existence of certain exonerating circumstances ;

Whereas the protection of the consumer requires that the liability of the producer remains unaffected by acts or omissions of other persons having contributed to cause the damage ; whereas, however, the contributory negligence of the injured person may be taken into account to reduce or disallow such liability ;

Whereas the protection of the consumer requires compensation for death and personal injury as well as compensation for damage to property ; whereas the latter should nevertheless be limited to goods for private use or consumption and be subject to a deduction of a lower threshold of a fixed amount in order to avoid litigation in an excessive number of cases ; whereas this Directive should not prejudice compensation for pain and suffering and other non-material damages payable, where appropriate, under the law applicable to the case ;

Whereas a uniform period of limitation for the bringing of action for compensation is in the interests both of the injured person and of the producer ;

<sup>(1)</sup> OJ No C 241, 14. 10. 1976, p. 9 and OJ No C 271, 26. 10. 1979, p. 3.

<sup>(2)</sup> OJ No C 127, 21. 5. 1979, p. 61.

<sup>(3)</sup> OJ No C 114, 7. 5. 1979, p. 15.

Whereas products age in the course of time, higher safety standards are developed and the state of science and technology progresses; whereas, therefore, it would not be reasonable to make the producer liable for an unlimited period for the defectiveness of his product; whereas, therefore, liability should expire after a reasonable length of time, without prejudice to claims pending at law;

Whereas, to achieve effective protection of consumers, no contractual derogation should be permitted as regards the liability of the producer in relation to the injured person;

Whereas under the legal systems of the Member States an injured party may have a claim for damages based on grounds of contractual liability or on grounds of non-contractual liability other than that provided for in this Directive; in so far as these provisions also serve to attain the objective of effective protection of consumers, they should remain unaffected by this Directive; whereas, in so far as effective protection of consumers in the sector of pharmaceutical products is already also attained in a Member State under a special liability system, claims based on this system should similarly remain possible;

Whereas, to the extent that liability for nuclear injury or damage is already covered in all Member States by adequate special rules, it has been possible to exclude damage of this type from the scope of this Directive;

Whereas, since the exclusion of primary agricultural products and game from the scope of this Directive may be felt, in certain Member States, in view of what is expected for the protection of consumers, to restrict unduly such protection, it should be possible for a Member State to extend liability to such products;

Whereas, for similar reasons, the possibility offered to a producer to free himself from liability if he proves that the state of scientific and technical knowledge at the time when he put the product into circulation was not such as to enable the existence of a defect to be discovered may be felt in certain Member States to restrict unduly the protection of the consumer; whereas it should therefore be possible for a Member State to maintain in its legislation or to provide by new legislation that this exonerating circumstance is not admitted; whereas, in the case of new legislation, making use of this derogation should, however, be subject to a Community stand-still procedure, in order to raise, if possible, the level of protection in a uniform manner throughout the Community;

Whereas, taking into account the legal traditions in most of the Member States, it is inappropriate to set any financial ceiling on the producer's liability without

fault; whereas, in so far as there are, however, differing traditions, it seems possible to admit that a Member State may derogate from the principle of unlimited liability by providing a limit for the total liability of the producer for damage resulting from a death or personal injury and caused by identical items with the same defect, provided that this limit is established at a level sufficiently high to guarantee adequate protection of the consumer and the correct functioning of the common market;

Whereas the harmonization resulting from this cannot be total at the present stage, but opens the way towards greater harmonization; whereas it is therefore necessary that the Council receive at regular intervals, reports from the Commission on the application of this Directive, accompanied, as the case may be, by appropriate proposals;

Whereas it is particularly important in this respect that a re-examination be carried out of those parts of the Directive relating to the derogations open to the Member States, at the expiry of a period of sufficient length to gather practical experience on the effects of these derogations on the protection of consumers and on the functioning of the common market,

HAS ADOPTED THIS DIRECTIVE:

#### *Article 1*

The producer shall be liable for damage caused by a defect in his product.

#### *Article 2*

For the purpose of this Directive 'product' means all movables, with the exception of primary agricultural products and game, even though incorporated into another movable or into an immovable. 'Primary agricultural products' means the products of the soil, of stock-farming and of fisheries, excluding products which have undergone initial processing. 'Product' includes electricity.

#### *Article 3*

1. 'Producer' means the manufacturer of a finished product, the producer of any raw material or the manufacturer of a component part and any person who, by putting his name, trade mark or other distinguishing feature on the product presents himself as its producer.

2. Without prejudice to the liability of the producer, any person who imports into the Community a product for sale, hire, leasing or any form of distribution in the course of his business shall be deemed to be a producer within the meaning of this Directive and shall be responsible as a producer.

3. Where the producer of the product cannot be identified, each supplier of the product shall be treated as its producer unless he informs the injured person, within a reasonable time, of the identity of the producer or of the person who supplied him with the product. The same shall apply, in the case of an imported product, if this product does not indicate the identity of the importer referred to in paragraph 2, even if the name of the producer is indicated.

#### *Article 4*

The injured person shall be required to prove the damage, the defect and the causal relationship between defect and damage.

#### *Article 5*

Where, as a result of the provisions of this Directive, two or more persons are liable for the same damage, they shall be liable jointly and severally, without prejudice to the provisions of national law concerning the rights of contribution or recourse.

#### *Article 6*

1. A product is defective when it does not provide the safety which a person is entitled to expect, taking all circumstances into account, including:

- (a) the presentation of the product;
- (b) the use to which it could reasonably be expected that the product would be put;
- (c) the time when the product was put into circulation.

2. A product shall not be considered defective for the sole reason that a better product is subsequently put into circulation.

#### *Article 7*

The producer shall not be liable as a result of this Directive if he proves:

- (a) that he did not put the product into circulation; or
- (b) that, having regard to the circumstances, it is probable that the defect which caused the damage did not exist at the time when the product was put into circulation by him or that this defect came into being afterwards; or
- (c) that the product was neither manufactured by him for sale or any form of distribution for economic

purpose nor manufactured or distributed by him in the course of his business; or

- (d) that the defect is due to compliance of the product with mandatory regulations issued by the public authorities; or
- (e) that the state of scientific and technical knowledge at the time when he put the product into circulation was not such as to enable the existence of the defect to be discovered; or
- (f) in the case of a manufacturer of a component, that the defect is attributable to the design of the product in which the component has been fitted or to the instructions given by the manufacturer of the product.

#### *Article 8*

1. Without prejudice to the provisions of national law concerning the right of contribution or recourse, the liability of the producer shall not be reduced when the damage is caused both by a defect in product and by the act or omission of a third party.

2. The liability of the producer may be reduced or disallowed when, having regard to all the circumstances, the damage is caused both by a defect in the product and by the fault of the injured person or any person for whom the injured person is responsible.

#### *Article 9*

For the purpose of Article 1, 'damage' means:

- (a) damage caused by death or by personal injuries;
- (b) damage to, or destruction of, any item of property other than the defective product itself, with a lower threshold of 500 ECU, provided that the item of property:
  - (i) is of a type ordinarily intended for private use or consumption, and
  - (ii) was used by the injured person mainly for his own private use or consumption.

This Article shall be without prejudice to national provisions relating to non-material damage.

#### *Article 10*

1. Member States shall provide in their legislation that a limitation period of three years shall apply to proceedings for the recovery of damages as provided for in this Directive. The limitation period shall begin to run from the day on which the plaintiff became aware, or should reasonably have become aware, of the damage, the defect and the identity of the producer.

2. The laws of Member States regulating suspension or interruption of the limitation period shall not be affected by this Directive.

*Article 11*

Member States shall provide in their legislation that the rights conferred upon the injured person pursuant to this Directive shall be extinguished upon the expiry of a period of 10 years from the date on which the producer put into circulation the actual product which caused the damage, unless the injured person has in the meantime instituted proceedings against the producer.

*Article 12*

The liability of the producer arising from this Directive may not, in relation to the injured person, be limited or excluded by a provision limiting his liability or exempting him from liability.

*Article 13*

This Directive shall not affect any rights which an injured person may have according to the rules of the law of contractual or non-contractual liability or a special liability system existing at the moment when this Directive is notified.

*Article 14*

This Directive shall not apply to injury or damage arising from nuclear accidents and covered by international conventions ratified by the Member States.

*Article 15*

1. Each Member State may:
  - (a) by way of derogation from Article 2, provide in its legislation that within the meaning of Article 1 of this Directive 'product' also means primary agricultural products and game;
  - (b) by way of derogation from Article 7 (e), maintain or, subject to the procedure set out in paragraph 2 of this Article, provide in this legislation that the producer shall be liable even if he proves that the state of scientific and technical knowledge at the time when he put the product into circulation was not such as to enable the existence of a defect to be discovered.

2. A Member State wishing to introduce the measure specified in paragraph 1 (b) shall communicate the text of the proposed measure to the Commission. The Commission shall inform the other Member States thereof.

The Member State concerned shall hold the proposed measure in abeyance for nine months after the Commission is informed and provided that in the meantime the Commission has not submitted to the Council a proposal amending this Directive on the relevant matter. However, if within three months of receiving the said information, the Commission does not advise the Member State concerned that it intends submitting such a proposal to the Council, the

Member State may take the proposed measure immediately.

If the Commission does submit to the Council such a proposal amending this Directive within the aforementioned nine months, the Member State concerned shall hold the proposed measure in abeyance for a further period of 18 months from the date on which the proposal is submitted.

3. Ten years after the date of notification of this Directive, the Commission shall submit to the Council a report on the effect that rulings by the courts as to the application of Article 7 (e) and of paragraph 1 (b) of this Article have on consumer protection and the functioning of the common market. In the light of this report the Council, acting on a proposal from the Commission and pursuant to the terms of Article 100 of the Treaty, shall decide whether to repeal Article 7 (e).

*Article 16*

1. Any Member State may provide that a producer's total liability for damage resulting from a death or personal injury and caused by identical items with the same defect shall be limited to an amount which may not be less than 70 million ECU.

2. Ten years after the date of notification of this Directive, the Commission shall submit to the Council a report on the effect on consumer protection and the functioning of the common market of the implementation of the financial limit on liability by those Member States which have used the option provided for in paragraph 1. In the light of this report the Council, acting on a proposal from the Commission and pursuant to the terms of Article 100 of the Treaty, shall decide whether to repeal paragraph 1.

*Article 17*

This Directive shall not apply to products put into circulation before the date on which the provisions referred to in Article 19 enter into force.

*Article 18*

1. For the purposes of this Directive, the ECU shall be that defined by Regulation (EEC) No 3180/78<sup>(1)</sup>, as amended by Regulation (EEC) No 2626/84<sup>(2)</sup>. The equivalent in national currency shall initially be calculated at the rate obtaining on the date of adoption of this Directive.

2. Every five years the Council, acting on a proposal from the Commission, shall examine and, if need be, revise the amounts in this Directive, in the light of economic and monetary trends in the Community.

<sup>(1)</sup> OJ No L 379, 30. 12. 1978, p. 1.

<sup>(2)</sup> OJ No L 247, 16. 9. 1984, p. 1.

*Article 19*

1. Member States shall bring into force, not later than three years from the date of notification of this Directive, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof <sup>(1)</sup>.

2. The procedure set out in Article 15 (2) shall apply from the date of notification of this Directive.

*Article 20*

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

*Article 21*

Every five years the Commission shall present a report to the Council on the application of this Directive and, if necessary, shall submit appropriate proposals to it.

*Article 22*

This Directive is addressed to the Member States.

Done at Brussels, 25 July 1985.

*For the Council*

*The President*

J. POOS

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<sup>(1)</sup> This Directive was notified to the Member States on 30 July 1985.

**COUNCIL DECISION**

of 25 July 1985

**laying down the procedure for appointing those members of the European Foundation to be chosen by the Community**

(85/375/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas the representatives of the Governments of the Member States, meeting within the Council, established, by an Agreement of 29 March 1982, a European Foundation;

Whereas that Agreement provides that 10 members of the Foundation's Board may be appointed by the Community;

Whereas a procedure should be laid down to enable this right to be exercised;

Whereas provision should be made for appropriate participation in the Foundation's Board by Members of the European Parliament;

Whereas the Treaty has not provided the specific necessary powers for this purpose,

HAS DECIDED AS FOLLOWS:

*Article 1*

The members of the Board of the European Foundation for whose appointment the Community is responsible shall be appointed by the Council acting by a qualified majority, on a proposal from the Commission after consulting the European Parliament.

*Article 2*

In preparing its proposal, the Commission shall choose persons eminent by reason of their competence and experience. It shall ensure that the independence of the persons proposed is beyond doubt.

The list of names proposed shall include those of Members of the European Parliament.

*Article 3*

This Decision shall take effect on the date on which the Agreement establishing the European Foundation enters into force.

Done at Brussels, 25 July 1985.

*For the Council**The President*

J. POOS

<sup>(1)</sup> OJ No C 112, 7. 5. 1985, p. 4.

<sup>(2)</sup> Opinion delivered on 12 July 1985 (not yet published in the Official Journal).

COMMISSION OF THE EUROPEAN COMMUNITIES

EUROPEAN PERSPECTIVES

**THE EUROPEAN MONETARY SYSTEM**

**Origins, operation and outlook**

by J. van Ypersele

with the collaboration of J.-C. Koeune

Preface by Robert Triffin

Since 13 March 1979, the exchange rates of the European Community currencies (with the exception of sterling and the drachma) have been regulated by the European Monetary System. The creation of the EMS arose from two complementary concerns: to stabilize exchange relationships between European currencies and to base this external stability on a better convergence of the Community's economies toward internal stability.

This book tries to answer the questions likely to be raised by the educated person over the mechanisms and the economic significance of the EMS, as well as its first results and its prospects.

Chapter I explains the motives behind this European initiative in a world where, following the demise of the Bretton Woods system, the 'floating' of the major currencies was accompanied in practice by enormous international monetary instability that hindered investment and economic recovery.

The creation, through the EMS, of a 'zone of monetary stability in Europe' was only the latest in the succession of efforts, in the monetary area, to pursue European economic integration. Chapter II recalls those previous attempts, from the statement of a number of objectives in the Rome Treaty to the concerted floating of European currencies in the 'snake'.

Chapter III examines the substance of the EMS and its machinery (exchange rate and intervention mechanism, role of the ECU, credit mechanisms), explaining the new elements in these mechanisms compared with the snake, and analysing the conditions required in theory for their proper functioning.

Chapter IV illustrates, with the help of statistical analyses, how the EMS actually operated during its first five years. Despite an international environment more volatile than ever, the performance has been good as far as exchange rates are concerned, and on the convergence front, though much still remains to be done, definite progress has been made towards internal stability since the last two parity realignments. In conclusion, the chapter looks at the recent rapid development in the private use of the ECU.

Finally, Chapter V deals with the future of the EMS. It describes the transition to the institutional phase (which has been put off) and underlines the urgent need for a better convergence of the participating economies. A number of possible reforms that would be likely to reinforce the system and to improve its capacity to withstand outside shocks are also set out.

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