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Information and Notices

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I

(Information)

COMMISSION

Ecu ⁽¹⁾

(93/C 266/01)

Currency amount for one unit:

	30. 9. 1993	September ⁽²⁾		30. 9. 1993	September ⁽²⁾
Belgian and Luxembourg franc	41,2142	41,0548	United States dollar	1,17604	1,17506
Danish krone	7,70951	7,83300	Canadian dollar	1,56766	1,55682
German mark	1,90894	1,91165	Japanese yen	123,837	124,263
Greek drachma	275,463	273,811	Swiss franc	1,66938	1,67214
Spanish peseta	154,237	154,071	Norwegian krone	8,33928	8,34283
French franc	6,65990	6,68994	Swedish krona	9,47533	9,44354
Irish pound	0,816295	0,821195	Finnish markka	6,81513	6,81658
Italian lira	1860,65	1848,48	Austrian schilling	13,4315	13,4521
Dutch guilder	2,14392	2,14690	Icelandic krona	81,4523	81,7682
Portuguese escudo	196,657	196,052	Australian dollar	1,82898	1,80871
Pound sterling	0,780124	0,773298	New Zealand dollar	2,13631	2,13769

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day.

Users of the service should do as follows:

- call telex number Brussels 23789;
- give their own telex code;
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the ecu;
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

Note: The Commission also has an automatic telex answering service (No 21791) and an automatic fax answering service (No 296 10 97) providing daily data concerning calculation of the conversion rates applicable for the purposes of the common agricultural policy.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ No L 189, 4. 7. 1989, p. 1).
Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ No L 349, 23. 12. 1980, p. 34).
Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ No L 349, 23. 12. 1980, p. 27).
Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ No L 345, 20. 12. 1980, p. 23).
Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ No L 345, 20. 12. 1980, p. 1).
Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ No L 311, 30. 10. 1981, p. 1).

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

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation on the conservation, characterization and utilization of genetic resources in agriculture

(93/C 266/02)

COM(93) 337 final

(Submitted by the Commission on 7 September 1993)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43,

Having regard to the proposal from the Commission,

Having regard to the opinion of Parliament,

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

Whereas the Community's genetic resources in agriculture, which constitute an irreplaceable fund of biological diversity, should be preserved; whereas all necessary measures should be taken to conserve, characterize and utilize those resources to promote the aims of the common agricultural policy and safeguard biological diversity and all whereas forward-looking solutions which might prove necessary should be applied;

Whereas the term 'agriculture' should be taken in its widest sense and genetic resources in agriculture should therefore include genetic resources in forestry;

Whereas genetic resources in agriculture include both plant and animal genetic resources; whereas plant genetic resources should be taken to mean, in particular, those of agricultural crops, including fodder crops, horticultural and floricultural products, including market-garden and ornamental crops, fruit products, forestry products, fungi, plant micro-organisms and wild flora which are or could be of use in agriculture; whereas animal genetic resources should be taken to mean, in particular, those of farm animals, micro-organisms and wild fauna which are or could be of use in agriculture;

Whereas the aim of effective coordination of the conservation, characterization and utilization of genetic resources in agriculture should be to organize, for the general good, work undertaken in the Member States, to

utilize the results of that work effectively, to direct that work towards ends compatible with the needs of the common agricultural policy and to pool the resources necessary for implementing measures responding to the needs of the European Community taking into account, where it is appropriate, those actions undertaken in the same area by recognized international organizations;

Whereas, in order to attain that objective, the permanent exchange of information and, in particular, reciprocal consultation on programmes in the Member States, existing and planned, for the conservation, characterization and utilization of genetic resources in agriculture should be established;

Whereas the coordination, at Community level, of work already under way at national level for the conservation, characterization and utilization of genetic resources in agriculture must enable that work to be made more effective;

Whereas current work appears inadequate, either because of the nature of the work itself or because the means available to the Member States do not enable them to increase their efforts in the field of the conservation, characterization and utilization of genetic resources in agriculture; whereas, in accordance with the principle of subsidiarity, the Community should be able to support and supplement the efforts made in the Member States in such cases; thus helping to meet the obligations which weigh on the Community to protect the environment and maintain the countryside, and to develop and implement plans for the conservation and sustainable use of biological diversity; whereas the problem of conservation of genetic resources in agriculture has a transnational dimension and concerns all Member States yet up till now there has been no specific programme of action in this area by the Community; whereas the most effective solution is to add value by concerting existing actions, and to support new high-priority actions; whereas inaction would allow inefficiency and loss of genetic resources;

Whereas the work undertaken in the field of the conservation, characterization and utilization of genetic resources in agriculture should increase diversification in agriculture, help to maintain biological diversity, improve the quality of agricultural products and reduce inputs and agricultural production costs by promoting, in particular, the extensification of agricultural production;

Whereas, given that the coordination of the conservation, characterization and utilization of genetic resources in agriculture is directly linked to the common agricultural policy, measures adopted to that end must be applied as rapidly as possible;

Whereas, for the purposes of coordination, in view of the geographical spread of the genetic wealth of Community agriculture and owing to the need to implement relevant measures, close and permanent cooperation between the Commission and the Member States on the conservation, characterization and utilization of genetic resources in agriculture should be established;

Whereas the coordination of work at national level calls for a broad and detailed knowledge of the situation regarding the conservation, characterization and utilization of genetic resources in agriculture in each Member State; whereas the relevant information should be gathered and the procedures for providing access thereto laid down;

Whereas work carried out at Community level should be directed, in particular, towards improving the quality of agricultural products and finding new uses for traditional or new agricultural products with a view to increasing their added value;

Whereas a Community programme of measures for the conservation, characterization and utilization of genetic resources in agriculture must help to preserve biological diversity in the Community, increase the competitiveness of agriculture and improve the management of agricultural resources;

Whereas such a Community programme of long-term measures could lead to new forms of production, thus benefiting agriculture, the environment and the countryside;

Whereas it is important to ensure that the results of work on the conservation, characterization and utilization of genetic resources in agriculture to which the Community makes a contribution is made available to the Community;

Whereas within the framework of the general policy on the conservation, characterization and utilization of

genetic resources in agriculture developed by the Community with the aid of the relevant consultative bodies, the establishment of a committee composed of representatives of the Member States and chaired by a representative of the Commission is the most suitable means for developing cooperation, such a committee being able to provide the appropriate aid and advice to the Commission in the execution of those tasks in the field of the conservation, characterization and utilization of genetic resources in agriculture entrusted to it;

Whereas, to permit the utilization of the results obtained, their dissemination and the provision of suitable advice should be promoted,

HAS ADOPTED THIS REGULATION:

Article 1

1. With a view to the achievement of the aims of the common agricultural policy, work on the conservation, characterization and utilization of genetic resources in agriculture undertaken in the Member States shall be coordinated and promoted at Community level under the conditions set out in this Regulation.

2. Within the meaning of this Regulation, genetic resources in agriculture shall include both plant and animal genetic resources. Plant genetic resources shall mean, in particular, those of agricultural crops, including fodder crops, horticultural and floricultural products, including market-garden and ornamental crops, fruit products, forestry products, fungi, plant micro-organisms and wild flora which are or could be of use in agriculture. Animal genetic resources shall mean, in particular, those of farm animals, micro-organisms and wild fauna which are or could be of use in agriculture;

3. The coordination and promotion referred to in paragraph 1 shall be carried out in accordance with the general policy on genetic resources in agriculture laid down by the Community.

TITLE I

Information and consultation

Article 2

Arrangements for the exchange of information and consultation between the Member States and the Commission shall be established under the conditions set out in Articles 3 and 4.

Article 3

1. The Member States shall provide the Commission on a regular basis with technical, economic and financial information on measures for the conservation, characterization and utilization of genetic resources in agriculture carried out or planned under their authority.

They shall endeavour to provide the Commission on a regular basis with similar information on measures for the conservation, characterization and utilization of genetic resources in agriculture carried out and planned by bodies not under their authority.

2. The Commission shall keep a permanent inventory of the measures referred to in paragraph 1.

3. After consulting the Committee referred to in Article 13, the Commission shall fix the procedures for making available to those concerned the information gathered, in particular that gathered for purposes of the inventory provided for in paragraph 2.

Article 4

1. The Commission shall make a permanent study of the policy on and the trends in conservation, characterization and utilization of genetic resources in agriculture in the Member States. To that end, the Commission shall consult with the Member States within the Committee referred to in Article 13.

2. The Commission shall organize exchanges of information, in particular, by means of seminars, exchanges of experts, study visits and scientific and technical reports.

TITLE II

Specific measures

Article 5

1. Without prejudice to any recommendations the Commission might make to the Member States, the Commission shall be responsible for:

- (a) the coordination, at Community level, of certain national measures for the conservation, characterization and utilization of genetic resources in agriculture to permit the rational organization of the means employed within the Community and the efficient utilization of the results and to achieve an approach in line with the aims of the common agricultural policy;
- (b) the development and implementation of programmes of measures for the conservation, characterization and utilization of genetic resources in agriculture at Community level to support or supplement action undertaken in the Member States.

2. The detailed rules for applying paragraph 1 shall be adopted in accordance with the procedure laid down in Article 14.

Article 6

1. In accordance with the procedure laid down in Article 14, the Commission shall take all necessary measures to ensure that any results which could contribute to the application of measures adopted under Article 5 (1) be made available to the Community by the most suitable means.

2. The Commission shall take the appropriate steps, in accordance with the aims of the common agricultural policy, to promote the dissemination and utilization of any results of work in the field of the conservation, characterization and utilization of genetic resources in agriculture which could contribute to the achievement of those aims.

TITLE III

Programme of measures concerning genetic resources in agriculture

Article 7

A first Community programme for the conservation, characterization and utilization of genetic resources in agriculture as set out in Annex I, hereinafter referred to as 'the programme', is hereby adopted for a period of five years.

Article 8

The detailed rules for the application of the programme, including the level of financial support from the Community, are set out in Annex I.

Article 9

The Commission shall implement the programme after consulting the Committee referred to in Article 13. This consultation shall concern, in particular:

- the drafting and updating of a programme of work,
- the content of the public calls for proposals for measures,
- the assessment of the concerted measures and the projects provided for in Annex I.

Article 10

1. The programme of work referred to in Article 9 shall set out the detailed objectives, the type of measures to be applied and the relevant financial provisions to be adopted. The Commission shall publish public calls for proposals for measures on the basis of the programme of work.

2. Contracts concluded by the Commission for the implementation of the various measures shall lay down detailed rules for the dissemination, protection and utilization of the results of measures applied as part of the programme.

Article 11

1. During the third year of implementation, the Commission shall carry out a review of the programme and an analysis of the situation, in particular, the financial position. The Commission shall present a report to Parliament and to the Council on the results of the review.

2. At the end of the programme, the Commission shall appoint a group of experts to assess the results. The group's report, together with the Commission's comments, shall be presented to Parliament, to the Council and to the Economic and Social Committee.

Article 12

1.

2. An indicative allocation of the sum is given in Annex II.

TITLE IV

General provisions

Article 13

1. A Committee on the Conservation, Characterization and Utilization of Genetic Resources in Agriculture, hereinafter referred to as 'the Committee' shall be set up composed of representatives of the Member States and chaired by a representative of the Commission.

2. The Committee shall adopt rules of procedure in accordance with the rules adopted in 1965 for the management committees established for the administration of the common organizations of the markets.

Article 14

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 a representative of a Member State.

2. Within the Committee the votes of Member States shall be weighted in accordance with Article 148 (2) of the Treaty. The chairman shall not vote.

3. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission.

4. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in

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

The Council, acting by a qualified majority, may take a different decision within one month.

Article 15

The Committee may consider any other question referred to it by its chairman either on his own initiative or at the request of the representative of a Member State.

Article 16

The Commission shall present a regular report to Parliament and to the Council on the measures for the conservation, characterization and utilization of genetic resources in agriculture referred to in Article 5.

In particular, the report shall include:

- information on the situation with regard to the conservation, characterization and utilization of genetic resources in agriculture in the Member States,
- a description of the development of the conservation, characterization and utilization of genetic resources in agriculture in the Community,
- the position with regard to measures applied under this Regulation,
- an exploratory study of desirable developments in the conservation, characterization and utilization of genetic resources in agriculture in the Member States and the coordination of work in that sphere at Community level in the light of the aims of the common agricultural policy. The study will include, where appropriate, references to the work undertaken in this area by recognized international organizations.

Article 17

This Regulation shall enter into force on the third 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.

ANNEX I

DETAILED RULES FOR THE IMPLEMENTATION OF THE PROGRAMME OF MEASURES

I. OBJECTIVES

The objectives are to help ensure and improve the conservation, characterization, documentation, evaluation and utilization of potentially valuable plant and animal genetic resources in the European Community.

The objectives will be achieved by coordinating existing actions in the Member States and by complementing and extending them. In all actions the principle of subsidiarity will be applied.

Where it is appropriate, the actions undertaken in this programme will be pursued in conjunction with actions in the same area undertaken by recognized international organizations.

II. GENERAL PROVISIONS

1. The programme of measures provided for in Article 7 of this Regulation is to be implemented by the Commission.
2. The procedures for implementing the programme referred in Article 8 are to include a permanent inventory of genetic resources in agriculture in the Community, concerted measures, shared-cost projects for the conservation, characterization and utilization of those genetic resources and accompanying measures.

— *Permanent inventory*

The permanent inventory is to consist principally in the establishment, regular updating and publication of the state and nature of genetic resources in agriculture collected in the Community and the listing of current work on the conservation, characterization and utilization of those genetic resources. Expenditure on the establishment of the inventory and its regular publication is to be covered from the total appropriations granted for the implementation of the programme.

— *Concerted measures*

Concerted measures are to consist of work undertaken by the Community to coordinate individual measures for the conservation, characterization and utilization of those genetic resources in agriculture carried out in the Member States. A Community financial contribution of up to 100 % of the cost of concertation may be granted.

— *Shared-cost projects for the conservation, characterization and utilization of genetic resources in agriculture*

Shared-cost contracts are to be concluded for projects for the conservation, characterization and utilization of genetic resources in agriculture. A Community financial contribution of not more than 50 % of the total cost of the projects is to be granted for their implementation.

Shared-cost projects must, as a general rule, be carried out by participants established within the Community. Priority is to be given to projects providing for the participation of two or more unconnected participants established in different Member States. Contracts for shared-cost projects for the conservation, characterization and utilization of genetic resources in agriculture must, as a general rule, be concluded following an official selection procedure based on calls for proposals published in the *Official Journal of the European Communities*. In urgent cases, the restricted procedure may be used.

— *Accompanying measures*

Accompanying measures are to consist of:

- the organization of seminars, technical conferences and workshops,
- internal coordination measures through specialized technical groups,
- training and mobility schemes for specialist personnel,
- the promotion of the utilization of results.

A Community financial contribution of up to 100 % of the total cost of these measures may be granted.

3. Any natural or legal person who is a national of a Member State and established in the Community may participate in the implementation of the measures provided for in the programme. The participation of nationals of third countries and the Community financial contribution relating to such participation must be examined on a case by case basis.
4. Expenditure on the dissemination of the results and the knowledge gained during the implementation of the measures and projects is to be met from the programme budget.
5. All proposals for measures must include a declaration on the impact on the environment. The declaration must include an undertaking to comply with the relevant safety rules.

III. TECHNICAL PROCEDURES

1. Scope

(a) *Emphasis*

Priority will be given to species which are, or which may reasonably be expected to become, economically significant in agriculture, horticulture or forestry in the European Community. A particular preference will be given to the use of genetic resources for:

- diversification of production in agriculture,
- improved product quality,
- a better care for the environment.

Priority within the different species will be accorded to those which are native or adapted to the Community and its islands, which are immediately threatened with extinction, and which have no close relatives already preserved.

(b) *Eligible activities*

This programme concerns the conservation, characterization, evaluation and utilization of genetic resources, plant and animal, which occur within the territory of the European Community and which are likely to be lost if special measures are not taken.

Eligible organisms are plants (angiosperms and gymnosperms), animals (vertebrates and certain invertebrates) and micro-organisms.

All types of material are eligible including cultivars and domestic breeds, landraces, breeders' material, genetic type collections, and wild species.

The programme covers material that is actively growing and material that is dormant (seeds, embryos, semen and pollen). Both *ex situ* and *in situ* collections are covered.

'documentation', 'passport', 'characterization' and 'evaluation' are defined as follows:

- 'documentation' refers to the collection and recording of all types of data;
- 'passport' data are recorded at the collection site,
- 'characterization' refers to primary taxonomic descriptors recorded subsequently,
- 'evaluation' refers to the assessment of other characters such as disease or stress resistance.

(c) *Excluded*

The following actions are specifically not eligible for Community financial support in this programme: theoretical studies, studies to test hypotheses, studies to improve tools or techniques, work involving untested techniques or 'model' systems, and all other research activities. Such actions may be eligible for consideration under the Community programme of research and technological development.

Actions that are already under way in the Member States will qualify only for the execution of joint actions.

Actions on lower animals, plants and micro-organisms are not eligible, except for those which are reared or cultivated on land or in fresh water. Exception will be made in the specific case of defined gene-for-gene relationships between parasite or saprophyte and host, and where both organisms are to be conserved.

Collecting and acquisition of material is subject to the priorities stipulated above.

2. Actions

The following actions will be promoted:

(a) *Inventory*

A permanent inventory of *in situ* and *ex situ* collections of conserved genetic material in the European Community will be established, periodically updated and regularly published.

The inventory will provide a guide to collections of conserved germplasm and associated activities in the European Community. The aims of the inventory are to support the programme activities and encourage the widest possible knowledge and use of preserved material. The inventory will contain full details of each database and of each collection supported by the programme in particular, plus other appropriate details.

(b) *Conservation and documentation*

The objective is to reinforce the Community's efforts in conserving and documenting plant, including forest trees, and animal germplasm by harmonizing work already under way and eliminating duplication of effort.

The work will proceed in a series of logical steps. Work concerning a later step will not be eligible for Community funding unless there is proof that the preceding steps have been concluded whether in this programme, or previously.

Eventually, if it can be shown that the need exists, new actions may be supported (step 6).

To harmonize efforts, a single database language will be used in all actions supported by the programme.

At each step of the process, information acquired will be published and material stored will be made available for distribution.

For each species the steps or milestones are as follows:

— Step 1: Establish the workplan

Draw up a minimum list of primary descriptors, design and test a common database and a common format for data exchange. The common database should be designed to respond to the needs of users, and it should use the standard database language. The chosen descriptors should be highly heritable. They should be expressed in all environments and be cheap to evaluate.

— Step 2: Characterize the collections

Create the database. Assemble passport data, multiply or regenerate material and characterize the primary descriptors.

Eligible costs for each partner in a project may include data-base software, a compatible computer, the costs of inputting the data or transferring them from an existing database and the costs of communicating with the other partners. The costs of regenerating or multiplying material, or maintaining *in situ* collections, are also eligible, as are the costs of project coordination.

— Step 3: Evaluation (secondary characterization)

Where relevant, add data from other screening tests (see 'Evaluation and Utilization' below).

— Step 4: Sort the collections

By using the common database, identify duplicates and gaps in the existing collections. Where appropriate, designate a fraction of the total as a 'core' or 'minimal population'.

— Step 5: Rationalize the collections

Where there is duplication between collections, rationalize and harmonize the holdings. Some overlap of holdings is necessary to guard against accidental loss. The minimal criterion is that duplicates of core material should be held in dormant condition at least two designated sites. The collection as a whole may be spread over several designated sites.

— Step 6: Acquire (collect) germplasm

Collecting may be undertaken:

- (i) where there are gaps in collections, which demonstrably limit their utility; or
- (ii) where there is uncollected material which is demonstrably unique and which, if not collected, would be lost.

Collecting and acquisition is limited to the continent and islands of Europe. Good collecting practice will be followed and the collected material will be documented and entered on the database (steps 1 to 5). For animals, 'collection' may include the collection and preservation of semen, ova and embryos of threatened and unique races.

A particular emphasis will be placed on the publication of information and diffusion of material resulting from the above activities. Eligible expenses include the cost of actions necessary for the official acceptance of material in germplasm collections as plant species under the Council Directive on the common catalogue of varieties of agricultural plant species ⁽¹⁾ and under the Council Directive on the marketing of vegetable seed ⁽²⁾.

(c) *Evaluation and utilization*

The objective is to improve the evaluation and utilization of material stored in Community *in situ* and *ex situ* germplasm collections.

The following actions are eligible:

- actions leading directly to the use of conserved material in agriculture, e.g. the multiplication of candidate material and its trialing in field conditions,
- the acquisition of relevant information from users who have received germplasm from the gene bank in the past, and the collection of relevant information from the literature,
- the routine evaluation of the performance of conserved material in practical conditions,
- the routine 'screening' of conserved material for sources of useful and relevant genes conferring, e.g. product quality, resistance to diseases, pests and stress conditions, general combining ability, male sterility,
- the recording of other non-economic characters that are useful operationally, e.g. for faster or more precise identification of genotypes.

⁽¹⁾ Council Directive 70/457/EEC of 29 September 1970 (OJ No L 225, 2. 10. 1970, p. 1).

⁽²⁾ Council Directive 70/458/EEC of 29 September 1970 (OJ No L 225, 12. 10. 1970, p. 7).

3. Participation

There will be two modes of participation. The criteria are as follows:

(a) *Designated participant*

A designated participant is responsible for a collection which:

- is accessible to all bona-fide users,
- conforms to standards of good practice,
- is in active use,
- is recognized for training at Ph. D. level. The collection must be ready to accept students for post-University (three years) training.

(b) *Complementary participant*

A complementary participant holds material which is complementary to that of the same species in a designated gene bank.

Complementary participants will participate in the work as subcontractors in collaboration with a designated participant.

This is a multidisciplinary programme. The participation of all relevant disciplines, particularly of those concerned with the utilization of stored material, is especially encouraged.

ANNEX II

GENETIC RESOURCES IN AGRICULTURE INDICATIVE FINANCIAL ALLOCATION

Action	%
I. Permanent inventory	10
II. Conservation, characterization, utilization	88
1. Plant genetic resources	66
2. Animal genetic resources	22
III. Programme evaluation	2 (*)
Total	100 (?)

(*) Around 2 % of the total is earmarked for the evaluation and dissemination of the results of the programme.

(?) Including expenditure on the specific administration of the programme amounting to around 2,5 % of the total and the cost of specialist personnel (two A-grade, two B-grade and two C-grade staff) amounting to approximately 10 % of the total.

Proposal for a Council Decision on the implementation by the Member States of measures concerning radio frequencies

(93/C 266/03)

COM(93) 382 final

(Submitted by the Commission on 10 September 1993)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal by the Commission,

Having regard to the opinion of the European Parliament,

Whereas on 28 June 1990 the Council adopted a resolution on the strengthening of the Europe-wide cooperation on radio frequencies, in particular with regard to services with a pan-European dimension ⁽¹⁾;

Whereas on 19 November 1992 the Council adopted a resolution on the implementation in the Community of the European Radiocommunications Committee decisions ⁽²⁾;

Whereas the Commission has submitted to the Council a communication relating to a new approach to be adopted by the Community and its Member States in the field of radio frequencies;

Whereas this communication is based on the concept that, in this area, the adoption of Community legislation is not dictated by Community interests, in so far as the measures taken by the competent international organizations meet the needs of the Community and its Member States;

Whereas the Community needs to be able to take part in the activities of all the international organizations and conferences working in the field of radiocommunications; whereas, therefore, the Member States are urged to support the Community's request that it be accorded an appropriate status within these organizations and conferences;

Whereas, however, the Commission has, in particular, established the necessary working relations with the European Radiocommunications Committee and the European Radiocommunications Office; whereas the Community has the status of adviser within the Committee; whereas, to the extent that its Member States pursue common measures within this framework, the Community is in a position to take decisions on the coordinated and consistent implementation by the Member States of the measures adopted;

Whereas the European Radiocommunications Committee should ensure that the opinions from service

providers, industry, users and standards bodies in researching the frequencies best suited for future applications are fully taken into account;

Whereas the European Standards Bodies may need the ERC to specify the requirements related to the effective use of the radio frequency spectrum as defined in Article 4 (e) of Directive 91/263/EEC ⁽³⁾;

Whereas, with a view to ensuring that the Member States pursue common measures within this framework, the Council will draw up each year, acting on a proposal from the Commission, guidelines for the priority sectors corresponding to the needs of the Community and its Member States;

Whereas in the framework of cooperation between the Commission, on the one hand, and the European Radiocommunications Committee and the European Radiocommunications Office, on the other, the Commission will allocate specific tasks to the European Radiocommunications Office so as to enable it to carry out the technical work needed to identify the appropriate frequency bands in these sectors;

Whereas, if the measures adopted by the European Radiocommunications Committee and the European Radiocommunications Office are consistent with the Community's interests, there is no need therefore, for separate Community legislation containing similar provisions, provided that steps are taken to ensure that the Member States bring into force, in a uniform manner, the measures thus adopted within the periods specified;

Whereas a review should be carried out, after an experimental period, of the functioning of the procedure laid down pursuant to this Decision and of the results obtained both as regards relations with the relevant organizations and the manner of implementation by the Member States,

HAS DECIDED AS FOLLOWS:

Article 1

The Commission shall have authority to take appropriate initiatives to secure involvement of the Community, commensurate with its competences and responsibilities, in the international organizations and conferences dealing with the field of radiocommunications. The Member States shall support such initiatives.

Article 2

1. The Council, acting by a qualified majority on a proposal from the Commission, shall draw up, in the

⁽¹⁾ 90/C 166/02; OJ No C 166, 7. 7. 1990, p. 4.

⁽²⁾ 92/C 318/01; OJ No C 318, 4. 12. 1992, p. 1.

⁽³⁾ OJ No L 128, 23. 5. 1991, p. 1.

in the framework of the European Radiocommunications Committee and the European Radiocommunications Office regarding the allocation of radio frequencies.

2. Under the annual programme of work, the Commission may call on the European Radiocommunications Committee and the European Radiocommunications Office to undertake certain technical tasks within specified periods. These technical tasks correspond to the identification and allocation of appropriate frequency bands as required by the Community for the development of pan-European services and the free movement of telecommunications terminal equipment.

3. If the measures adopted within these organizations correspond to the guidelines drawn up in accordance with the procedure described in paragraph 1, the necessary adjustments to be made by the Member States to their legislation shall be defined in accordance with the procedure laid down in Article 3 (2). They shall include a specified deadline for the implementation of these measures on their territory.

4. On completion of the implementing procedures, Member States shall notify the Commission of the measures which they have adopted at national level. The Commission shall then publish these measures in the *Official Journal of the European Communities* with a reference to this Decision.

Article 3

1. The Commission shall be assisted by the Community Telecommunications Committee, made up of representatives of the national regulatory authorities of the Member States and chaired by a representative of the Commission.

2. The Commission representative shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on this draft within a period to be stipulated by the chairman in accordance with the urgency of the point at issue and, where necessary, by taking a vote.

The opinion shall be entered in the minutes; furthermore, each Member State shall be entitled to request that its position be included in these minutes.

The Commission shall pay the utmost attention to the opinion delivered by the Committee and shall inform the latter of the manner in which it has done so.

Article 4

The Commission shall submit to the European Parliament and to the Council, not later than 31 December 1994, a report on the application of this Decision.

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

(93/C 266/04)

COM(93) 389 final

(Submitted by the Commission on 10 September 1993)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the European Economic Community concluded an agreement, in the framework of the General Agreement on Tariffs and Trade, with the United States of America, concerning certain oil seeds; whereas the agreement took the form of a Memorandum of Understanding on Oil seeds approved by Council Decision 93/355/EEC⁽¹⁾; whereas it is necessary to modify Council Regulation (EEC) No 1765/92⁽²⁾, as last

amended by Regulation (EEC) No 1552/93⁽³⁾, in order to give effect to the terms of that Memorandum of Understanding;

Whereas Regulation (EEC) No 1765/92 could lead to an increase in sowings of soya beans, rape seed and colza seed and sunflower seed, so that adjustments should be made to the benefits accruing to producers pursuant to that Regulation in respect of crop-specific oil seed payments; whereas maximum guaranteed areas should be established for those crops; whereas in the event of an increase in sowings of those crops above the level of the maximum guaranteed areas, the compensatory payments should be reduced; whereas the reduction in the compensatory payments should be such as to discourage a level of sowings in excess of the maximum guaranteed areas; whereas the cultivation of confectionery sunflower seed should be excluded from the benefits of such support with effect from sowings for harvest in 1994,

⁽¹⁾ OJ NO L 147, 18. 6. 1993, p. 25.

⁽²⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 19.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1765/92 is hereby amended as follows:

1. the following subparagraphs are added at the end of Article 5 (1):

'(e) from the 1994/95 marketing year, maximum guaranteed areas (MGA) shall be established for the crop-specific oil seed payments. They shall be equal in size to the areas of land set out in Annex IV, reduced by the rate of rotational setaside applicable for that marketing year, or by 10 % if that rate is less than 10 %. If those maximum guaranteed areas are exceeded, the Commission shall reduce the final regional reference amounts for oil seeds in accordance with the provisions of subparagraphs (f) and (g);

(f) if the area of oil seeds already determined as eligible for compensatory payments in any year exceeds such maximum guaranteed areas, the Commission shall reduce, by 1 % for each percentage point by which the maximum guaranteed area is exceeded, the relevant final regional reference amounts for that year. With effect from the 1994/95 marketing year, if the maximum guaranteed area is exceeded by more than a threshold percentage special rules shall apply. Up to the threshold percentage, the reduction of the final regional reference amounts shall be uniform in all Member States. Beyond the threshold percentage, appropriate additional reductions shall apply in those Member States which have exceeded the average of their sowings for harvest in 1989, 1990 and 1991, reduced by the rate referred to in subparagraph (e). The Commission shall, in accordance with the procedure laid down in Article 38 of Regulation 136/66/EEC, establish the size and distribution of the appropriate reductions to be applied and shall, in particular, ensure that the weighted average reduction for the Community as a whole is equal to the percentage by which the maximum guaranteed area has been exceeded;

(g) the threshold percentage provided for in subparagraph (f) shall be 5 % for the marketing years 1994/95, 1995/96 and 1996/97. By 31 December 1996 the Commission shall present a report to the Council on the application of this provision accompanied if appropriate by a proposal to maintain this mechanism for a further period;

(h) if the compensatory payment is reduced in accordance with the provisions of subparagraphs

(f) and (g), the Commission shall reduce the relevant final regional reference amounts for the following marketing year by the same percentage unless the maximum guaranteed area is not exceeded in that year, in which case the Commission may determine that such a reduction shall not apply.;

2. the following paragraph is added at the end of Article 5:

'4. Producers of confectionery sunflower seed, sown for harvest after 1 July 1994, shall be excluded from the benefit of the support provided for pursuant to the terms of this Article.;

3. the following indent is added at the end of the first paragraph of Article 12:

'— those relating to compliance with the Memorandum of Understanding on Oil seeds approved by Council Decision 93/355/EEC (*) and in particular to the provisions in respect of the cultivation of oil seeds on set-aside land.

(*) OJ No L 147, 18. 6. 1993, p. 25.'

4. the following Annex shall be added to the Regulation:

ANNEX IV

Areas to be taken into account for the calculation of oil seed maximum guaranteed areas

Member State/oil seed	1994/95	1995/96 and subsequent years
	Hectares	
Spain Sunflower seed	1 411 000	—
Portugal Sunflower seed	122 000	—
EC-12 Other	3 966 000	—
Total	—	5 128 000'

Article 2

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

It shall apply from 1 December 1993.

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

III

(Notices)

COMMISSION

Impact Programme

Impact Programme for the establishment of an Internal Information Services Market

Call for Declarations of Intent

(93/C 266/05)

Introduction

1. Following Council Decision 91/691/EEC of 12. 12. 1991 adopting a programme for the establishment of an internal services market (Impact 2), the Commission of the European Communities has already carried out in 1992 and 1993 a number of actions for support of information industry initiatives. Alongside the horizontal activities (Information Market Observatory; Legal Advisory Board, standards, training and awareness activities), the programme has so far assisted the development of the information services market in 2 key areas, interactive multimedia information services and information services based on geographical information systems.

2. The Impact Programme intends now to complement its earlier market support by an effort in favour of integrated information tailored to the needs of specific end users in different locations in Europe. This effort, called INFO EURO ACCESS, is designed to improve European-wide access to information and enable businesses to obtain necessary information rapidly and efficiently, in particular through the emerging transmission facilities to be offered by EURO-ISDN, forthcoming Broadband Communications and other advanced delivery channels. By supporting key development projects it is intended to show viable ways of combining information from different sources, local and remote, for the benefit of business users, and to demonstrate solutions for overcoming technical, linguistic and administrative obstacles impeding access to information. The Impact Programme is not about technological research and development. Its main aim is to create a European market for information services, and the projects sought will therefore be oriented towards applications based on available technologies.

Call for Declarations of Intent

3. It is not feasible at the current time to invite formal and complete proposals because the amount of the

budget allocated to the Impact Programme for 1994 will not permit support for new projects in that year. However, in the expectation that an adequate budget will be available for 1995, the Commission requests interested organizations to declare now their intent to make a later proposal. These present declarations should contain only very brief summaries of the intended projects since full details will be required only at a later date, in response to a formal call for proposals.

4. In addition to project proposals, the Commission also invites organizations to state tasks or subject areas which by their complexity or lack of readiness cannot be currently the subject of proposals but require initial study, concertation or horizontal activity.

5. The declarations received in response to this notice will enable the Commission to plan the INFO EURO ACCESS exercise in the light of the interest and orientation shown by industry, in particular by defining the scope and conditions of the intended call for proposals and ensuring adequate administrative and budgetary provisions for the support of projects. At the same time, it is expected that the information received will assist the Commission in defining future actions to be implemented in support of a European information market.

Guidelines for INFO EURO ACCESS projects

6. In view of the general aims stated above, the development projects that the Commission will wish to support, in the case that a sufficient budget is made available, will display certain characteristics. The following features are considered to be particularly important for all projects:

— They should develop information products and services that have value for significant groups of users. Such users should be addressed as an open

market and not linked in closed networks. Particular interest will be shown in the exploitation of information sources likely to be of value to the European economy, for example in improving commercial and industrial productivity or in creating new employment opportunities.

- Access to and use of information should be improved through innovative platforms and presentational features, using new tools such as geographical information systems, interactive multimedia devices, advanced interfaces and intelligent interpreters to overcome language and other obstacles to obtaining and understanding information.
- Projects must show a convincing case for the commercial viability of the intended products.
- Project consortia must involve active partners from different Member States, and may include participation from states in the European Economic Area. Projects must be led by a private-sector company. The involvement of enterprises in the less favoured regions and of projects benefiting the economy of those regions is encouraged.

However, this list is not exclusive and further orientations may be adopted. In particular, projects are likely to be sought with specific features such as the following:

- Organizational and administrative measures to simplify contract and payment facilities for access to remote information.
- Integration of information in different forms, such as text, images, video or sound, in areas where such forms are of value to the user in his working environment.
- The transparent combination of locally stored information and remote information, in particular using ISDN, broadband, satellite or other advanced transmission facilities, showing how the end user can integrate it into his working environment.

Community Support

7. The Community contribution to projects will depend on the actual budget accorded, the number and size of projects to be supported and as a rule will not exceed 50 % of the actual costs incurred.

Procedures

8. Responses, comprising at this stage only a brief summary, are invited from organizations established in a

Member State of the European Communities or in another state included in the European Economic Area (Austria, Finland, Iceland, Liechtenstein, Norway, Sweden). The responses should preferably comprise 2 pages:

- the first page will identify the respondent and his address, probable partners, including size and country, estimated project costs and duration of work;
- the second page will comprise a succinct description of the objectives of the action, the beneficiaries or end users addressed and the tasks to be carried out. Up to 6 key words identifying the subject and the technology should be added to aid classification.

Responses should arrive at the following address by 15. 1. 1994 to be considered as indicated in paragraph 5 above. Organizations submitting their names and addresses after that date will nevertheless be sent further information on calls for proposals or other actions decided as a result of this exercise.

- Commission of the European Communities, Directorate- General XIII-E-2, IMPACT Programme, Jean Monnet Building, Office C4-25A, L-2920 Luxembourg.

Tel. IMPACT Central Office, 00 352 34 98 12 22.

At the current time the following freephone numbers are also available:

Belgium: 078118437.

Denmark: 80010737.

France: 05906937.

Germany: 0130823337.

Netherlands: 060223137.

United Kingdom: 0800899237.

Luxembourg: 08003337.

Ireland: 1800555237.

Having examined the responses and taken into consideration the budget available for 1995, the Commission will decide the range and type of projects it may support. It expects to be able to invite full proposals by mid-1994 in order to permit evaluation and negotiation of projects by early 1995. Invitations to submit proposals will be addressed to all respondents to this notice, including those responding after the closing date stated above.

Invitation to tender involving the consolidation of Community legislation on the internal market

Corrigendum

(93/C 266/06)

**Commission of the European Communities, DG XV, Internal Market and Financial Services,
Unit A/1, 200 rue de la Loi, B-1049 Brussels.**

Tel. (32-2) 296 02 13 and (32-2) 295 63 97. Facsimile (32-2) 296 09 50.

*'Official Journal of the European Communities' No S 182 of 17. 9. 1993, p. 80, 48593-93,
No C 253/05 of 17. 9. 1993.*

for: Facsimile (32 2) 296 05 90.

read: Facsimile (32 2) 296 09 50.
