

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation relating to a research and development programme in the field of science and technology for development (1987 to 1990)*COM(86) 550 final**(Submitted by the Commission to the Council on 29 October 1986)**(87/C 24/06)*

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,

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

Whereas, pursuant to Article 2 of the Treaty, the Community has in particular the task of promoting a harmonious development of economic activities and continuous balanced expansion in the whole Community; whereas Article 3 of the Treaty provides that, for the purposes set out in Article 2, the activities of the Community shall include, *inter alia*, increased trade and the joint promotion of economic and social development in the developing countries;

Whereas the resolution adopted by the Council on 18 November 1980 'underlines the importance of the development of research capacities orientated particularly towards food agriculture of the developing countries and of the complementarity between the activities of the research centres established in the Community and the efforts undertaken in this domain by the developing countries';

Whereas the Intergovernmental Committee on Science and Technology for Development (CISTD) during its eighth session, from 2 to 6 June 1986, adopted the resolution, put forward by the Netherlands on behalf of the Member States of the European Community, which invited industrialized countries to increase their research and development efforts in the sector of agriculture and related fields, including joint projects with developing countries;

Whereas developing countries have become aware of the place of science and technology in the process of economic and social development and from then on it has been important to facilitate the introduction of a science and technical dimension into the development activities of the Community;

Whereas, therefore, the research and development measures covered by this Regulation relate to two particularly grave and urgent problems, viz. food and health, which are bound up with the fundamental needs of the developing countries;

Whereas it is necessary to establish greater cooperation among scientists in the various Member States with a view to facilitating the complementarity of research and methodologies and ensuring easier access to the different networks of scientific relationships established by the Member States with their Third World partners;

Whereas the Council adopted on 14 January 1974 a Resolution on an initial outline programme of the European Communities in the field of science and technology ⁽¹⁾;

Whereas the resolution of the Council of 25 July 1983, relating to framework programmes for Community research, development and demonstration activities and to the first framework programme for 1984 to 1987 ⁽²⁾, lists among its scientific and technical activities the strengthening of development aid;

Whereas, in view of the object and the specificity of this programme, which is carried out in the interest of the developing countries and must be carried out in close cooperation with them, it is advisable to lay down special rules for the dissemination of the results of the programme;

⁽¹⁾ OJ No C 7, 29. 1. 1974, p. 6.

⁽²⁾ OJ No C 208, 4. 8. 1983, p. 1.

Whereas the Council, pursuant to Article 235 of the Treaty, adopted a first multiannual programme of research and development in the field of science and technology for development by Decision 82/837/EEC⁽¹⁾, and this programme has achieved positive results which have opened up promising opportunities regarding the objectives to be pursued;

Whereas the Council on 10 December 1985 asked the Commission to consider the inclusion, as part of this programme, of a subsection relating to the development of indigenous scientific and technical research capacities in developing countries;

Whereas the Scientific and Technical Research Committee (CREST) has delivered an opinion;

Whereas the Treaty has not provided the necessary specific powers,

HAS ADOPTED THIS REGULATION:

Article 1

A programme of research and development to support and reinforce scientific activities in the field of science and technology for development for the benefit of developing countries, as set out in the Annex, is hereby adopted for a period of four years from 1 January 1987.

Within the scope of the programme, competent institutions established in the Community or in developing countries may submit their research and development proposals. Proposals for joint financing of research activities undertaken by other competent international organizations may also be submitted.

Article 2

The cost of the programme is estimated at 80 million ECU including the cost of a personnel of 16.

Article 3

The Commission shall be responsible for carrying out the programme.

Article 4

1. In carrying out its action, the Commission will be assisted by an advisory committee 'Research linked to development' hereinafter referred to as the 'Committee', which shall replace the Management and Advisory

Committee 'Research linked to development' set up by Council Decision 84/338/Euratom, ECSC, EEC⁽²⁾.

The Committee shall consist of a maximum of two representatives from each Member States responsible for science and technology in the field of tropical and subtropical agriculture and medicine, health and nutrition in tropical and subtropical areas.

A representative of the Standing Committee on agricultural research, of the Advisory Committee 'Medical and Health Research' and of the Technical Centre for Agricultural and Rural Cooperation in addition to experts from developing countries shall be invited to participate in the work of the Committee.

In order to ensure coordination at international level, representatives of relevant international organizations may be invited to attend Committee meetings.

The Committee shall establish its rules of procedure.

The Commission shall be responsible for the secretariat of the Committee.

2. The Committee shall debate requests for opinions submitted by the Commission. The latter, in requesting the Committee's opinion, may set a deadline for the opinion to be given. The discussions of the Committee shall not be followed by a vote. However, each Committee member may request that his opinion be noted in the minutes.

Article 5

During the first year of the programme, the Commission, after obtaining the opinion of the Committee, shall issue invitations to submit the proposals necessary for progressive implementation of the programme. During the third year of the programme, the Commission, assisted by independent experts among whom there must be a sufficient number of specialists from developing countries, shall evaluate the programme and may submit proposals for any consequent amendments.

Article 6

Dissemination of information applicable to the present research programme shall be subject to the following conditions:

1. Rules governing ownership, the obligations of the Community, and, should the need arise, of the contractor, with regard to information and inventions, whether or not patentable, resulting from research or work done under contract, shall be defined case by case in the contracts.

⁽¹⁾ OJ No L 352, 14. 12. 1982, p. 24.

⁽²⁾ OJ No L 177, 4. 7. 1984, p. 25.

2. The Commission shall communicate the information and inventions in which it has the rights to the Member States and to persons and undertakings which pursue, on the territory of a Member State or in a developing country, a research or a production activity justifying access to such information. The Commission must also communicate this information primarily to the developing countries, not only to those with which the Community has concluded association or cooperation agreements, and to the non-associated developing countries which benefit from financial and technical aid from the Community,

but also to all developing countries which have an urgent need and which are in a position to make use of such knowledge. It may also make communication of this information subject to conditions which it shall lay down.

Article 7

This Regulation shall enter into force on 1 January 1987.

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

ANNEX

INDIRECT ACTION

Programme of research and development in the field of science and technology for development (1987 to 1990)

The programme, for which the expenditure commitments are estimated at 80 million ECU, comprises the following two subprogrammes:

A. SUBPROGRAMME 'TROPICAL AND SUBTROPICAL AGRICULTURE':

1. Improvement of agricultural products:

- crop production: food and agro-industrial crops; crop genetics; crop protection,
- proteins of animal origin: stock farming; animal genetics and reproduction; veterinary medicine; sea and inland fisheries, aquaculture,
- forestry production in humid and arid areas;

2. Conservation and better use of the environment:

- appraisal of resources; water resources and their use; soil management and protection, desertification and management of savannahs; underexploited genetic resources; wild flora and fauna;

3. Agricultural engineering and post-harvest technology:

- agricultural engineering/mechanization; preservation of products; processing of products;

4. Production systems:

- multi-disciplinary approaches relating to plant products; inter-cropping; relationships between crop-growing and stock-farming; ecologically fragile environments.

B. SUBPROGRAMME 'MEDICINE, HEALTH AND NUTRITION IN TROPICAL AND SUBTROPICAL AREAS':

1. Medicine:

- transmissible tropical diseases: parasitological; bacterial; viral; mycological,
- non-transmissible tropical diseases: genetic disorders; acquired diseases;

2. Health:

- health services research: operational research; planning management and evaluation,
- environmental health: water-related diseases; traditional medicine — tropical medicinal plants;

3. Nutrition:

- nutritional deficiencies; impact of agricultural, alimentary and socio-economic strategies on nutritional status,
- relationships between production and storage systems, food habits and health status,
- bioavailability of nutrients and their toxicology.

The carrying-out of research activities envisaged for the two above subprogrammes also involves training and mobility of scientific personnel, team assistance and the creation of research networks.

Proposal for a Council Directive amending for the third time Directive 75/726/EEC on the approximation of the laws of the Member States concerning fruit juices and certain similar products

COM(86) 688 final

(Submitted by the Commission to the Council on 30 December 1986)

(87/C 24/07)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

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

Whereas Council Directive 75/726/EEC ⁽¹⁾, as last amended by Directive 81/487/EEC ⁽²⁾, does not allow fruit nectars to be produced without the addition of sugar; whereas in view of changes in eating habits the existence of such products should be allowed;

Whereas it is not possible to extract the juice of certain tropical fruits without the pulp; whereas it therefore appears necessary to allow the use of fruit purée in the manufacture of certain fruit juices;

Whereas the option of replacing all sugars by honey within the limits laid down should be extended to all fruit nectars, and the option of using sugars and honey together in certain nectars should be deleted;

Whereas to prevent fraud the sweetening of certain concentrated fruit juices should be authorized only if they are intended for direct sale to the consumer, since the sweetening may not exceed the permitted limits at the final stage;

Whereas the option under national legislation of adding citric acid to correct the natural acidity of grape juice and apple juice is no longer used in the Community;

Whereas the Annex to the Directive should be supplemented as regards the category of low-acid fruits,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 75/726/EEC is hereby amended as follows:

1. Article 1 (7) is replaced by the following:

'7. Fruit nectar

The unfermented but fermentable product, obtained by the addition of water, with or without the addition of sugar, to fruit juice,

⁽¹⁾ OJ No L 311, 1. 12. 1975, p. 40.

⁽²⁾ OJ No L 189, 11. 7. 1981, p. 43.