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I

(Acts whose publication is obligatory)

COMMISSION DECISION No 3000/77/ECSC

of 28 December 1977

fixing minimum prices for hot-rolled wide strips, merchant bars and concrete reinforcing bars

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 61 thereof,

Having regard to High Authority Decisions No 30-53 and No 31-53⁽¹⁾, as last amended by Commission Decisions 72/440/ECSC and 72/441/ECSC of 22 December 1972⁽²⁾,

Having regard to Commission Decisions No 3073/73/ECSC⁽³⁾ and No 911/75/ECSC⁽⁴⁾,

Whereas the steel industry is still in serious difficulties; whereas supply is still considerably in excess of demand;

Whereas the Commission has introduced measures to redress the steel market; whereas amongst these measures, Decision No 962/77/ECSC of 4 May 1977⁽⁵⁾ fixed minimum prices for concrete reinforcing bars; whereas this Decision is due to expire on 31 December 1977;

Whereas the state of the market in concrete reinforcing bars is still jeopardizing the attainment of the objectives set out in Article 3 of the Treaty; whereas the Commission therefore considers that the conditions for the continued application of Article 61 to the market for concrete reinforcing bars are satisfied; whereas the provisions of Decision No 962/77/ECSC should therefore be enforced for a further year, subject to certain minor amendments and clarifications;

Whereas the state of the market for hot-rolled wide strips and merchant bars has become appreciably worse; whereas conditions similar to those for concrete reinforcing bars also obtain for hot-rolled wide strips and merchant bars; whereas, the conditions for the application of Article 61 are consequently satisfied for these two products;

Whereas the minimum prices must apply within the common market; whereas, pursuant to Decisions No 3073/73/ECSC and No 911/75/ECSC, the minimum prices published in the price lists of Community producers are also applicable to transactions in those EFTA countries with which the Community has concluded free-trade agreements for ECSC products;

Having regard to studies carried out in conjunction with the undertakings and associations of undertakings, and after consulting the Consultative Committee and the Council both on the advisability of introducing minimum prices for these products and on the level of these prices,

HAS ADOPTED THIS DECISION:

Article 1

1. This Decision shall apply to undertakings in the iron and steel industry of the European Coal and Steel Community and to their selling agencies and commission agents as referred to in Decisions No 30-53 and No 31-53.

2. The Commission hereby fixes the following minimum prices, per tonne, for sales of hot-rolled wide strips, merchant bars and concrete reinforcing bars:

(a) for hot-rolled wide strips of commercial quality:

600	German marks,
1 51.50	pounds sterling and Irish pounds,
1 3.50	French francs,
246 500	Italian lire,
6.50	Dutch guilders,
9 4.50	Belgian and Luxembourg francs,
1 66.5	Danish kroner;

⁽¹⁾ OJ No C 29, 12. 5. 1973, pp. 30 and 32, for the updated version.

⁽²⁾ OJ No L 297, 30. 12. 1972, pp. 39 and 42.

⁽³⁾ OJ No L 314, 15. 11. 1973, p. 1.

⁽⁴⁾ OJ No L 88, 9. 4. 1975, p. 7.

⁽⁵⁾ OJ No L 114, 5. 5. 1977, p. 1.

(b) for merchant bars in ordinary mild steel :

617	German marks,
155·50	pounds sterling and Irish pounds,
1 387	French francs,
253 000	Italian lire,
668	Dutch guilders,
9 700	Belgian and Luxembourg francs,
1 710	Danish kroner ;

(c) for smooth concrete reinforcing bars in ordinary mild steel :

530	German marks,
130	pounds sterling and Irish pounds,
1 106	French francs,
198 000	Italian lire,
550	Dutch guilders,
8 100	Belgian and Luxembourg francs,
1 335	Danish kroner ;

(d) for improved adhesion concrete reinforcing bars with a minimum elastic limit of 40 kilograms per square millimetre and a tensile strength of 50 kilograms per square millimetre :

550	German marks,
134·50	pounds sterling and Irish pounds,
1 145	French francs,
205 000	Italian lire,
570	Dutch guilders,
8 400	Belgian and Luxembourg francs,
1 380	Danish kroner.

3. In order to maintain a uniform minimum price level within the common market, the Commission may adjust these prices in accordance with fluctuations in exchange rates.

Article 2

1. The minimum prices shall be basic prices ex basing point, including extra for quality.

2. They shall be compulsory for transactions effected after the entry into force of this Decision and shall replace lower list prices as from that date until such prices have been changed by undertakings in accordance with Article 3.

Article 3

Undertakings whose published prices are lower than the minimum prices shall publish new prices in conformity with this Decision within 15 days following its entry into force.

Article 4

1. Rebates and discounts of any sort, whether published in price lists and conditions of sale or notified to the Commission at the date of entry into force of this Decision, shall not be increased. The introduction of new rebates or discounts shall be prohibited.

2. Surcharges or extras of any sort published in price lists and conditions of sale at the date of entry into force of this Decision shall not be cancelled or reduced.

3. Where published price lists show basic prices which take account of quality or size, the difference between such inclusive prices and the minimum prices set out in Article 1 shall be treated as extras for quality or size.

4. As regards concrete reinforcing bars and merchant bars sold in coil, the price differentials arising in the price lists applicable when this Decision enters into force shall be treated as rebates or extras, as the case may be, in accordance with paragraphs 1 and 2.

5. The terms and times allowed for payment published in the price lists at the date of entry into force of this Decision shall not be changed.

Article 5

This Decision shall apply to sales both within the Community and in the territories of the Republic of Austria, the Republic of Finland, the Kingdom of Norway, the Kingdom of Sweden and the European territory of the Republic of Portugal.

Article 6

The minimum prices shall not preclude alignments on more favourable delivered prices based on the price lists of other producers in the Community or in the countries referred to in Article 5.

Article 7

1. This Decision shall enter into force on the day of its publication in the *Official Journal of the European Communities* and shall remain valid until 31 December 1978 unless repealed before that date.

2. Without prejudice to the adjustment provided for in Article 1 (3), the Commission may adjust the level of the minimum prices during the period of validity of this Decision if it considers that the development of the situation so requires.

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

Done at Brussels, 28 December 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION No 3001/77/ECSC

of 28 December 1977

concerning the obligation on undertakings producing merchant bars, coils and concrete reinforcing bars to supply certain data on their deliveries of these products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 47 thereof,

Whereas the steel market, and in particular the markets for merchant bars, coils and concrete reinforcing bars, have been experiencing serious difficulties for several years;

Whereas the long-term objective of the Community steel policy must consequently be to reorganize the steel industry according to the criterion of competitiveness;

Whereas it is, however, essential to avoid any over-sudden change in the existing pattern of trade and an unjustified transfer of the costs of this reorganization from one region to another within the common market;

Whereas, in respect of the steel market, and in particular the markets for merchant bars, coils and concrete reinforcing bars, the statistical data covering the interpenetration on the common market does not enable the Commission to follow the trade patterns sufficiently quickly and accurately;

Whereas this information can, however, assist the Commission to determine the objectives of reorganization in this sector and where necessary to take measures to mitigate the effects of over-sudden changes;

Whereas it is therefore essential that the Commission should have rapid access to all data concerning the deliveries onto the Community market of merchant bars, coils and concrete reinforcing bars produced in the Member States in order to decide whether there is any deflection of trade towards Austria and Switzerland;

Whereas the obligation under Commission Decision No 3017/76/ECSC of 8 December 1976⁽¹⁾ for undertakings in the steel industry to supply certain data on deliveries of steel must be supplemented by information on deliveries of merchant bars, coils and concrete

reinforcing bars to the Member States and to Austria and Switzerland,

HAS ADOPTED THIS DECISION:

Article 1

Undertakings producing merchant bars, coils and concrete reinforcing bars shall be required to supply to the Commission fortnightly statements of deliveries of these products to the Member States and to Austria and Switzerland.

Article 2

Fortnightly statements concerning deliveries to the Member States and to Austria and Switzerland shall reach the Commission by, at the latest, the 10th day following each complete fortnight. The first statement shall be returned by 25 January 1978 at the latest for the first fortnight of January 1978.

Statements shall be made on a standard form, a specimen of which is given in Annex 1 to this Decision.

Article 3

When making the first fortnightly statement for the first fortnight of January 1978, undertakings shall be required also to state the quarterly deliveries of merchant bars, coils and concrete reinforcing bars effected during 1977 to the Member States and to Austria and Switzerland.

This statement shall be made on a standard form, a specimen of which is given in Annex 2 to this Decision.

Article 4

Undertakings which, by virtue of Decision No 2/52 of 23 December 1952 and Decision No 6/65 of 17 March 1965, are exempt from payment of the levy shall be exempt from the requirements of this Decision.

⁽¹⁾ OJ No L 344, 14. 12. 1976, p. 24.

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

Done at Brussels, 28 December 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

Early statistics on deliveries of concrete reinforcing bars, merchant bars and coils within the meaning of the Treaty establishing the ECSC

effected between and 197

Country :	Works :	Month :
Company :	Location :	
	ECSC levy No :	

Questionnaire to be returned duly completed by, at the latest, the 10th day following each complete fortnight ⁽¹⁾.

Unit : tonne

Deliveries to ⁽²⁾	1	2	3
	Concrete reinforcing bars	Merchant bars	Coils
Belgium Denmark Federal Republic of Germany France Ireland Italy Luxembourg Netherlands United Kingdom			
Community total			
Austria Switzerland			

(¹) Information to be sent to :

— the Commission of the European Communities, Directorate for Steel, 200 rue de la Loi, 1049 Brussels (Telex 21877 COMEU B. Tel. 735 00 40).

— the Statistical Office of the European Communities, Jean Monnet Building, Kirchberg, Luxembourg, PO Box 1907.

(2) The definition of deliveries and products corresponds to that in questionnaire 2-71 of the Statistical Office of the European Communities (1: line 108; 2: line 109; 3: lines 20, 31, 32 and 33).

ANNEX 2

Early statistics on deliveries of concrete reinforcing bars, merchant bars and coils within the meaning of the Treaty establishing the ECSC effected during the quarter of 1977

Country :	Works :	Month :
Company :	Location :	
	ECSC levy No :	

Questionnaire to be returned duly completed by, at the latest, 20 January 1978 ⁽¹⁾.

Unit: tonne

Deliveries to ⁽²⁾	1	2	3
	Concrete reinforcing bars	Merchant bars	Coils
Belgium Denmark Federal Republic of Germany France Ireland Italy Luxembourg Netherlands United Kingdom			
Community total			
Austria Switzerland			

⁽¹⁾ Information to be sent to:

-- the Commission of the European Communities, Directorate for Steel, 200 rue de la Loi, 1049 Brussels (Telex 21877 COMEU B. Tel. 735 00 40).
-- the Statistical Office of the European Communities, Jean Monnet Building, Kirchberg, Luxembourg, PO Box 1907.

⁽²⁾ The definition of deliveries and products corresponds to that in questionnaire 2-71 of the Statistical Office of the European Communities (1: line 108; 2: line 109; 3: lines 20, 31, 32 and 33).

COMMISSION DECISION No 3002/77/ECSC

of 28 December 1977

requiring dealers in iron and steel products to comply with pricing rules

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Coal and Steel Community, and in particular Articles
47, 61, 64, 80, 86 and 95 thereof,

Whereas the Community iron and steel industry, and
in particular the markets for concrete reinforcing bars,
merchant bars and hot-rolled wide strips are in serious
difficulties; whereas the Commission has taken
measures intended to re-establish equilibrium
between the supply of and the demand for certain
iron and steel products; whereas it has required the
steel-making undertakings to observe minimum prices
for concrete reinforcing bars, merchant bars and hot-
rolled wide strips;

Whereas the Treaty does not empower the Commis-
sion to fix minimum prices for dealers; whereas expe-
rience has shown that the various markets for these
products together form one composite market, so that
compliance with pricing rules is hindered if the
dealers retain their freedom of action, particularly
since a considerable number of sales of these products
within the common market is effected through these
dealers;

Whereas it is accordingly necessary, in order to
achieve the objectives of the Community in the opera-
tion of the common market as set out in Articles 2, 3
(a), (b), (c), (d) and 4 (b), to require the dealers to
observe the list prices of the Community producers in
ex-stock sales of the products in question, taking
account of reductions and increases and of the condi-
tions of sale;

Whereas, to facilitate the enforcement of these rules,
it is necessary to require the iron and steel dealers to
certify in respect of each sale that the prices conform
to those resulting from this Decision; whereas the
Commission, to check that these requirements are
being observed by the dealers, must possess the power
to obtain information and make checks conferred by
Article 47 of the Treaty; whereas it must be possible
to apply the sanctions provided for in Articles 47 and
64 of the Treaty; whereas the validity of this Decision
must be linked with the Decisions requiring the
manufacturing undertakings to observe the minimum
prices;

Having consulted the Consultative Committee and
obtained the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

Community iron and steel dealers making ex-stock
sales of concrete reinforcing bars, merchant bars and
hot-rolled wide strips in their own name and on their
own account shall be required to charge for such
products prices which are not lower than the Commu-
nity producers' list prices, taking account of all reduc-
tions and increases included therein and of the condi-
tions of sale.

Article 2

The obligation under Article 1 shall apply to all ex-
stock sales of the products in question within the
Community irrespective of their origin.

Article 3

The iron and steel dealers shall be required to certify
in respect of each sale that the prices agreed conform
to the prices resulting from Article 1. Such certificate
of conformity shall show the origin, destination,
tonnage and order number, and should be established
in conformity with the model annexed hereto.

Article 4

The Commission shall check that the obligations
under this Decision are being observed by using its
powers under Article 47 of the Treaty.

The sanctions provided for in Articles 47 and 64 shall
be applied in the event of infringement.

Article 5

This Decision shall enter into force on the day of its
publication in the *Official Journal of the European
Communities*. It shall cease to apply when the
minimum prices fixed for these iron and steel
products cease to apply.

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

Done at Brussels, 28 December 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

*ANNEX***CERTIFICATE OF CONFORMITY**

(MODEL)

1. Identification of product

- 1.1. Exact designation of product as in the statistical nomenclature
- 1.2. Number of order

2. Origin

- 2.1. Original producer (name of manufacturing company)
(Attach copy of any certificate of conformity issued in respect of previous transactions in which the goods were involved)
- 2.2. Most recent supplier

3. Destination

- 3.1. User : name, address
- 3.2. Merchant : name, address

4. Tonnage

- 4.1. Total tonnage
- 4.2. Breakdown by sample tonnages
- 4.3. Specification by dimension and quality

5. Conformity of invoiced price with minimum price

- 5.1. Effective price per tonne, free-at-frontier/free destination, per specification
- 5.2. Effective price ex basing point per specification
whereof : basis price
all extras
- 5.3. When applicable, rebates allowed and grounds for these

6. Any particular comments

COMMISSION DECISION No 3003/77/ECSC

of 28 December 1977

requiring undertakings in the iron and steel industry to issue certificates of conformity in respect of certain iron and steel products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 47 and 61 thereof,

Whereas the market for concrete reinforcing bars, merchant bars and hot-rolled wide strips is particularly disturbed; whereas the Commission has fixed by Decision No 3000/77/ECSC of 28 December 1977⁽¹⁾ minimum prices to apply with effect from 1 January 1978;

Whereas, to ensure that the effective application of the prices agreed by the undertakings is monitored, the undertakings, their selling agencies and commission agents should be required to issue certificates of conformity to accompany every delivery of the products in question, showing that the relevant invoice prices conform to the minimum prices fixed by the Commission; whereas the certificate should contain certain items of information; whereas the certificates should accompany deliveries of goods inside the common market; whereas pursuant to Decisions No 3073/73/ECSC⁽²⁾ and No 911/75/ECSC⁽³⁾ this requirement must be extended to include deliveries in those EFTA countries with which the Community has concluded free trade agreements for ECSC products,

HAS ADOPTED THIS DECISION:

Article 1

This Decision shall apply to the steelmaking undertakings in the European Coal and Steel Community, their selling agencies and commission agents.

Article 2

Undertakings in the steel industry shall accompany their deliveries of concrete reinforcing bars, merchant bars and hot-rolled wide strips with a certificate that the invoice prices conform to the minimum prices fixed by the Commission in Decision No 3000/77/ECSC. Such certificate of conformity shall show the origin, destination, tonnage and order number, and should be established in conformity with the model annexed hereto.

Article 3

This Decision shall apply to sales both within the Community and in the territories of the Republic of Austria, the Republic of Finland, the Kingdom of Norway, the Kingdom of Sweden and the European territory of the Republic of Portugal.

Article 4

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Communities*. It shall cease to apply when the minimum prices for concrete reinforcing bars, merchant bars and hot-rolled wide strips cease to apply.

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

Done at Brussels, 28 December 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ See page 1 of this Official Journal.

⁽²⁾ OJ No L 314, 15. 11. 1973, p. 1.

⁽³⁾ OJ No L 88, 9. 4. 1975, p. 7.

*ANNEX***CERTIFICATE OF CONFORMITY**
(MODEL)**1. Identification of product**

- 1.1. Exact designation of product as in the statistical nomenclature
- 1.2. Number of order

2. Origin

- 2.1. Original producer (name of manufacturing company)
(Attach copy of any certificate of conformity issued in respect of previous transactions in which the goods were involved)
- 2.2. Most recent supplier

3. Destination

- 3.1. User : name, address
- 3.2. Merchant : name, address

4. Tonnage

- 4.1. Total tonnage
- 4.2. Breakdown by sample tonnages
- 4.3. Specification by dimension and quality

5. Conformity of invoiced price with minimum price

- 5.1. Effective price per tonne, free-at-frontier/free destination, per specification
- 5.2. Effective price ex basing point per specification
 whereof : basis price
 all extras
- 5.3. When applicable, rebates allowed and grounds for these

6. Any particular comments

COMMISSION RECOMMENDATION No 3004/77/ECSC

of 28 December 1977

modifying recommendation 77/329/ECSC on protection against dumping or the granting of bounties or subsidies by countries which are not members of the European Coal and Steel Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 74 and 86 thereof,

Whereas recent trends in the economy of the Community and in the conditions of international trade have resulted in more frequent recourse to Community rules on dumping and subsidization ;

Whereas, from these trends it appears necessary to complete the statutory instruments at the Community's disposal by introducing into its rules certain provisions contained in the Agreement on Implementation of Article VI of the General Agreement on tariffs and trade, known as the anti-dumping code, and in particular those provisions relating to the simultaneous examination of dumping and injury, sporadic dumping and the basic price system ;

Whereas, moreover, the experience acquired in the application of the Community rules demonstrates that it is expedient to revise them in certain respects in order to state more precisely or to simplify different procedures, notably those relating to the supply of certain information for the monitoring of written undertakings by exporters and to the refund of duties collected,

MAKES THE FOLLOWING RECOMMENDATION :

Article 1

Article 11 (1) of recommendation 77/329/ECSC of 15 April 1977 (1) is replaced by the following text :

'Where the information received by the Commission shows that protective measures against dumping may be necessary the Commission, in cooperation with the Member States, shall immediately commence examination of the matter at Community level. Such examination shall cover both dumping and injury ; examination of the latter shall start on a date not later than the earliest date on which provisional measures may be applied.'

Article 2

The text of Article 11 (4) of the abovementioned recommendation is replaced by the following text :

'The complainant and the importers and exporters known to be concerned, as well as the representatives of the exporting country, may see all information that is relevant to the defence of their interests which the Commission has used in the investigation and which is not confidential within the meaning of Article 13. To this end, they shall address a written request to the Commission, indicating the information required.'

Article 3

The text of Article 14 (2) (d) of the abovementioned recommendation is replaced by the following text :

'If the Commission closes the investigation after having accepted the undertaking of exporters, the latter shall afterwards furnish to the Commission, for such period of time and at such intervals as the Commission shall determine, the following information :

1. prices, quantities and the conditions under which the merchandise is being sold to the Community and the prices, quantities and conditions under which the merchandise is being sold on the domestic market or, where appropriate, the factors referred to in the first and second indents of Article 3 (2) ;
2. information regarding discounts, costs of consignment, packaging costs and other circumstances surrounding sales in the two markets under consideration ;
3. information regarding differences between manufacturing costs where a like product within the meaning of Article 5 is taken for the purposes of comparison ;
4. such other information as the Commission deems appropriate.

(1) OJ No L 114, 5. 5. 1977, p. 6.

The Commission, in cooperation with the Member States, shall monitor the observance of the undertaking. The provisions of Article 11 (3) and (7) shall apply *mutatis mutandis*. Where the Commission finds that the undertaking is being evaded or no longer observed or has been withdrawn it shall immediately take such measures as may be necessary.'

Article 4

The text of Article 19 (2) (b) of the abovementioned recommendation shall be supplemented by the following provisions :

'However, when the Commission determines :

- (i) either that there is a history of dumping which caused material injury or that the importer was, or should have been, aware that the exporter practices dumping and that such dumping would cause material injury, and
- (ii) that the material injury is caused by sporadic dumping (massive dumped imports of a product in a relatively short period) to such an extent that, in order to preclude it recurring, it appears necessary to assess an anti-dumping duty retroactively on those imports,

the duty may be assessed on products which were entered for consumption not more than 90 days prior to the date of application of provisional measures.'

Article 5

Article 19 (3) of the abovementioned recommendation is replaced by the following provisions :

- '3. (a) The amount of an anti-dumping duty, whether definitive or provisional, shall not exceed the margin of dumping established or, in the case of provisional duty, the margin of dumping provisionally determined ; it should be less than the margin if such lesser duty would be adequate to remove the injury.

- (b) If several importers from one or more countries are involved, anti-dumping duties may be imposed on imports of the product in question found to have been dumped and to be causing injury from the country or countries concerned, the duty being equivalent to the amount by which the export price is less than the basic price established for this purpose, not exceeding the lowest normal price or costs in the supplying country or countries where normal conditions of competition are prevailing.'

Article 6

The text of Article 19 (4) (b) of the abovementioned recommendation is replaced by the following text :

- '(b) For this purpose, the importer may within three months of the date on which the products were entered for consumption, submit an application to the Member State in whose territory they were so entered. That Member State shall forward the application to the Commission, who shall examine its merits and, after consultation within the Committee, decide whether and to what extent the application should be granted.'

Article 7

This recommendation shall be notified to the Governments of the Member States and published in the *Official Journal of the European Communities*.

It shall enter into force in respect of each Member State with effect from the date of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 28 December 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 23 December 1977

to the Governments of the Member States amending Commission recommendation 77/330/ECSC of 15 April 1977 establishing Community surveillance in respect of the importation into the Community of certain iron and steel products covered by the Treaty establishing the European Coal and Steel Community, originating in third countries

(77/808/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 74 (3) thereof,

Whereas, by recommendation 77/330/ECSC of 15 April 1977 ⁽¹⁾, as last amended by recommendation 77/518/ECSC ⁽²⁾, the Commission established Community surveillance in respect of the importation into the Community of certain iron and steel products covered by the ECSC Treaty in order to follow developments therein and to ensure that such imports or the conditions under which they are effected do not threaten to cause serious injury to Community production ;

Whereas the provisions of that recommendation have proved insufficient for the full attainment of the above-mentioned objectives ; whereas they should therefore be amended and supplemented in order to secure swifter and more complete information about foreseeable imports and the conditions under which they are effected,

MAKES THE FOLLOWING RECOMMENDATION :

Article 1

Article 1 (3) of recommendation 77/330/ECSC is hereby amended to read as follows :

⁽¹⁾ OJ No L 114, 5. 5. 1977, p. 15.

⁽²⁾ OJ No L 209, 17. 8. 1977, p. 18.

'The period of validity of the import document is hereby fixed at one month.'

Article 2

Article 2 of the said recommendation is hereby amended to read as follows :

'1. The application by the importer shall state :

- (a) the name and address of the importer ;
- (b) the description of the products which corresponds to or is closest to that contained in the list of products to be published in the *Official Journal of the European Communities* ;
- (c) the country of origin and, where appropriate, the country of last export ;
- (d) the place of destination ;
- (e) the quantity of the products in tonnes ;
- (f) the effective price (basic price plus extras) established by contract free duty-paid, the basic price free destination and extras for quality and size respectively ;

(g) the date of the purchase contract for the products which it is proposed to import and the proposed date and place of importation.

2. The importer shall declare that no rebate not mentioned in the purchase contract or contracts will be granted.

3. The importer shall certify that his import document application is accurate.

4. Import documents not used by the date of entry into force of this recommendation shall lapse. The importers concerned may renew their import document applications. However, import documents concerning goods loaded onto vessels or in the process of being conveyed by rail before the date of entry into force of this recommendation shall remain valid until 31 December 1977.

Article 3

Article 3 of the said recommendation is hereby amended to read as follows :

'1. In the case of the products for which the prices have been published in the *Official Journal of the European Communities*, Member States shall communicate to the Commission differences between this actual published price (basic price plus extras) and the effective price (basic price plus extras) established by contract free duty-paid as soon as their customs authorities note such differences.

2. Within the first 10 days of each month, Member States shall notify the Commission of :

- (a) the quantities and amounts, calculated on the basis of the basic cif prices, for which import documents were issued in the preceding month ;
- (b) the imports effected in the month preceding that referred to in (a).

3. The information from the Member States shall be broken down by non-member country of origin and by product, on the basis of the descriptions and Common Customs Tariff heading numbers set out in the Annex.'

Article 4

This recommendation shall be notified to the Governments of the Member States and published in the *Official Journal of the European Communities*.

It shall enter into force for each Member State on the date of its notification.

Done at Brussels, 23 December 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMUNICATION FROM THE COMMISSION
of the European Coal and Steel Community
concerning the publication of guidance prices for certain steel products

The Commission of the European Communities published, in *Official Journals of the European Communities* No L 114 of 5 May 1977 and No C 174 of 22 July 1977, guidance prices for certain steel products, intended to alleviate the inadequacy of undertakings' receipts. This inadequacy stands in the way of the restructuring necessary to the sector, and is likely to have serious repercussions on both the social and the regional situations.

The Commission has taken a number of measures to combat the persisting crisis on the market. These measures enter into force on 1 January 1978 and the Commission considers that all the conditions are fulfilled for guiding the parties concerned towards a subsequent price rise more in line with the aims of Article 3 of the ECSC Treaty.

Given the special situation obtaining on the market for black bars, black flats and sections, and for hot-

rolled coils, the Commission has decided to make all these products subject, like concrete reinforcing bars, to minimum price arrangements by a Decision pursuant to Article 61 of the ECSC Treaty (Decision No 3000/77/ECSC of 28 December 1977⁽¹⁾).

Secondly, in order to facilitate a recovery on the markets for concrete reinforcing bars, for black bars, black flats and sections and for hot-rolled coils, the Commission considered it appropriate that guidance prices as well as minimum prices should be published for these products.

Accordingly, the Commission is publishing the following guidance prices which are to be interpreted as being the lowest possible prices to be applied from, at the latest, 1 January 1978, according to the conditions below.

Price per tonne

Products	DM	FF	£	Lit	Bfrs/Lfrs	Fl	Dkr
Cold-reduced uncoated mild-steel coils and cut lengths (under 3 mm)	800	1 800	201.50	328 000	12 600	865	2 220
Lengths cut from hot-rolled uncoated mild-steel coils (3 mm and over)	620	1 395	156	254 500	9 750	670	1 720
Medium and heavy plates (3 mm and over)	600	1 350	151.50	246 500	9 450	650	1 665
Hot-rolled strip	620	1 395	156	254 500	9 750	670	1 720
Joists, beams, columns and heavy channels	635	1 428	160	260 000	10 000	685	1 760
Wire rod	655	1 475	165	269 000	10 350	710	1 820
Ordinary mild steel for reinforcement	550	1 150	135	206 000	8 400	570	1 390
Steel for reinforcement, high yield to BS 4449, with improved adherence, with an elasticity limit of 40 kg/mm ² and a minimum resistance of 50 kg/mm ²	570	1 190	140	213 000	8 700	590	1 435
Black bars, black flats and sections	635	1 428	160	260 000	10 000	685	1 760
Hot-rolled coils	620	1 395	156	254 500	9 750	670	1 720

⁽¹⁾ See page 1 of this Official Journal.

These guidance prices correspond to basis prices, ex basing point, with extras for size, quality, etc. It follows that the current published rebates (including any temporary rebates) cannot be increased and that extras can be neither reduced nor cancelled. The terms, including time allowed, of payment, would have to stay the same.

Some price lists publish several effective basis prices for different specifications within a product group. In such areas, and for these purposes, the differentials between the lowest effective basis price and the basis prices for other sizes and qualities in this product group should be regarded as extras.

The Commission is asking steel undertakings, where appropriate, to raise their list prices accordingly, and to respect, without prejudice to the Article 60 price rules, these guidance prices when aligning on the delivered prices of other Community undertakings.

The Commission is also asking them to respect the level of guidance prices when aligning on offers from third countries.

The Commission regards these guidance prices as being in line with the situation during the first quarter of 1978. On 1 April 1978 it will publish new prices, which will be 5 % higher. The Commission will be publishing revised guidance prices if its continuous market study leads it to draw fresh conclusions.
