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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 985/84**of 31 March 1984****amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Article 21 of Regulation (EEC) No 1035/72 ⁽³⁾, as last amended by Regulation (EEC) No 2004/83 ⁽⁴⁾, makes provision for the processing of fruit and vegetables withdrawn from the market with a view to free distribution of the processed products;

Whereas the cost of such processing, particularly into fruit juice, has led to expenditure out of proportion to the aim of making the best use of products withdrawn from the market;

Whereas, therefore, the possibility of processing products withdrawn from the market for later free distribution should be discontinued,

HAS ADOPTED THIS REGULATION:

Article 1

The fifth indent of Article 21 (1) (a) of Regulation (EEC) No 1035/72 shall be deleted.

Article 2

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

It shall apply from the beginning of the 1984/85 marketing year for each product.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No C 301, 8. 11. 1983, p. 4.

⁽²⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 198, 21. 7. 1983, p. 2.

COUNCIL REGULATION (EEC) No 986/84**of 31 March 1984****fixing for the 1984/85 marketing year certain prices and other amounts applicable in the fruit and vegetables sector**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the 1979 Act of Accession, and in particular Article 72 (1) thereof,

• Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 985/84⁽²⁾, and in particular Article 16 (1) thereof,

Having regard to Council Regulation (EEC) No 2511/69 of 9 December 1969 laying down special measures for improving the production and marketing of Community citrus fruit⁽³⁾, as last amended by Regulation (EEC) No 2004/83⁽⁴⁾, and in particular Article 7 (2) thereof,

Having regard to the proposal from the Commission⁽⁵⁾,

Having regard to the opinion of the European Parliament⁽⁶⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁷⁾,

Whereas, pursuant to Article 16 (1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price are to be fixed for each marketing year for each of the products listed in Annex II to the said Regulation; whereas, in accordance with Article 1 (3) of the abovementioned Regulation, the marketing years for the products in question are as follows:

- for cauliflowers, from 1 May to 30 April,
- for tomatoes, from 1 January to 31 December,

- for peaches, from 1 May to 31 October,
- for lemons, from 1 June to 31 May,
- for pears, from 1 June to 31 May,
- for table grapes, from 1 May to 30 April,
- for apples, from 1 July to 30 June,
- for mandarins, from 1 October to 15 May,
- for oranges, from 1 October to 15 July,
- for aubergines, from 1 January to 31 December,
- for apricots, from 1 May to 31 August;

Whereas, however, pursuant to the third subparagraph of Article 16 (1) of Regulation (EEC) No 1035/72, no basic price or buying-in price must be fixed for the slack marketing periods at the beginning and at the end of the marketing year;

•
Whereas, when the basic prices and buying-in prices for fruit and vegetables are fixed, account should be taken of the aims of the common agricultural policy and the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to assure the availability of supplies and to ensure that supplies reach consumers at reasonable prices;

Whereas the basic prices must be fixed by reference to the trend in the average prices recorded during the three preceding years on the most representative producer markets within the Community for a product with defined commercial characteristics, such as variety or type, quality class, size and packaging; whereas the buying-in prices must be fixed by reference to the basic price in accordance with Article 16 (3) of Regulation (EEC) No 1035/72;

Whereas, in order to facilitate the application of Article 19 of Regulation (EEC) No 1035/72 in certain Member States in which the most representative

(1) OJ No L 118, 20. 5. 1972, p. 1.

(2) See page 1 of this Official Journal.

(3) OJ No L 318, 18. 12. 1969, p. 1.

(4) OJ No L 198, 21. 7. 1983, p. 2.

(5) OJ No C 62, 5. 3. 1984, p. 34.

(6) Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

(7) Opinion delivered on 29 March 1984 (not yet published in the Official Journal)

varieties of oranges are different from those taken as the reference for calculating the basic prices and buying-in prices, these representative varieties should also be taken into consideration for the purpose of applying the said Article 19;

Whereas, as regards Greece, in accordance with Article 74 of the 1979 Act of Accession, moves towards alignment of basic prices and buying-in prices should be made in accordance with Article 59 (2) (a) and (3) (a) and (b) of that Act;

Whereas the amount of the financial compensation for oranges, mandarins, clementines and lemons must be fixed in accordance with the criteria laid down in Article 7 (2) of Regulation (EEC) No 2511/69; whereas, pursuant to Article 76 of the 1979 Act of Accession, such compensation is to be introduced in Greece according to the timetable laid down in Article 68 (2) (b) of that Act,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1984/85 marketing year, the basic prices and the buying-in prices for fruit and vegetables, the periods during which they apply and the standard qualities to which they relate shall be as set out in Annex I.

Article 2

For the 1984/85 marketing year, the financial compensation for oranges, mandarins, clementines and lemons shall be as set out in Annex II.

Article 3

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.

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

ANNEX I

BASIC PRICES AND BUYING-IN PRICES

CAULIFLOWERS

For the period 1 May 1984 to 30 April 1985

	Basic price ECU/100 kg net	Buying-in price ECU/100 kg net
May	21,23	9,25
June	24,53	10,64
July	21,74	9,37
August	21,74	9,37
September	23,51	10,01
October	24,40	10,38
November	20,47	8,86
December	20,47	8,86
January	20,47	8,86
February	19,07	8,23
March	20,08	8,61
April	20,33	8,86

These prices relate to the following packed products:

- cauliflowers 'with leaves' of quality class I, for the months of May, November, December, January, February, March and April,
- 'trimmed' cauliflowers of quality class I, for the months of June, July, August, September and October.

TOMATOES

For the period 11 June to 30 November 1984

	Basic price ECU/100 kg net		Buying-in price ECU/100 kg net	
	Greece	Other Member States	Greece	Other Member States
June (from 11 to 20)	23,39	29,22	9,79	12,17
(from 21 to 30)	21,87	26,68	9,33	11,41
July	20,35	24,14	8,50	10,02
August	18,90	21,73	7,96	9,13
September	19,66	23,00	8,26	9,63
October	20,10	24,34	8,35	10,04
November	23,32	29,09	10,09	12,68

These prices relate to packed 'round' and 'ribbed' tomatoes of quality class I, size 57/67 mm.

AUBERGINES

For the period 1 July to 31 October 1984

	Basic price ECU/100 kg net	Buying-in price ECU/100 kg net
July to October	17,41	6,98

These prices relate to the following packed products:

- elongated aubergines of quality class I, size over 40 mm,
- globus aubergines of quality class I, size over 70 mm.

PEACHES

(excluding nectarins)

For the period 1 June to 30 September 1984

	Basic price ECU/100 kg net		Buying-in price ECU/100 kg net	
	Greece	Other Member States	Greece	Other Member States
June	40,97	48,38	25,08	29,50
July to September	39,55	45,99	24,33	28,37

These prices relate to the following packed products:

- peaches of the Fior di Maggio (May Flower) variety, quality class I, size 51/61 mm, for the month of June,
- peaches of the Amsden, Charles Ingouf and Sant'Anna varieties, quality class I, size 61/67 mm, for the month of July,
- peaches of the Red Haven and Fair Haven varieties, quality class I, size 61/67 mm, for the month of August,
- peaches of the J. H. Hale variety, quality class I, size 61/67 mm, for the month of September.

APRICOTS

For the period 1 June to 31 July 1984

	Basic price ECU/100 kg net	Buying-in price ECU/100 kg net
June and July	44,61	26,77

These prices relate to packed products of quality class I of a size over 30 mm.

LEMONS

For the period 1 June 1984 to 31 May 1985

	Basic price ECU/100 kg net	Buying-in price ECU/100 kg net
June	45,98	27,82
July	46,99	28,45
August	46,86	28,32
September	42,17	26,92
October	40,00	26,67
November	38,99	23,62
December	38,36	23,37
January	39,37	23,88
February	38,11	23,25
March	39,50	23,88
April	41,15	24,89
May	42,03	25,40

These prices relate to packed lemons of quality class I, size 53/62 mm.

PEARS

(other than perry pears)

For the period 1 July 1984 to 30 April 1985

	Basic price ECU/100 kg net	Buying-in price ECU/100 kg net
July	28,67	14,75
August	26,77	14,36
September	25,62	13,74
October	26,64	13,74
November	27,03	13,99
December	27,40	14,36
January to April	27,65	14,62

These prices relate to the following packed products:

- (a) pears of the Dr Jules Guyot and Coscia varieties, quality class I, size 60 mm or more, for the month of July;
- (b) pears of the Dr Jules Guyot, Clapp's favourite, Bon Chrétien Williams, Coscia and Crystallis varieties, quality class I, size 60 mm or more, for the month of August;
- (c) — pears of the Bon Chrétien Williams, Conférence and Crystallis varieties, quality class I, size 60 mm or more, for the months of September and October,
— pears of the Passe-Crassane variety, quality class I, size 70 mm or more, for the months of September and October;
- (d) — pears of the Conférence, Alexandrine Douillard and Crystallis varieties, quality class I, size 60 mm or more, for the month of November,
— pears of the Passe-Crassane variety, quality class I, size 70 mm or more, for the month of November;
- (e) — pears of the Conférence and Crystallis variety, quality class I, size 60 mm or more, for the months December to April;
— pears of the Passe-Crassane variety, quality class I, size 70 mm or more, for the months December to April.

TABLE GRAPES

For the period 1 August to 31 October 1984

	Basic price ECU/100 kg net	Buying-in price ECU/100 kg net
August	36,31	23,35
September and October	32,51	19,92

These prices relate to packed table grapes of the Regina dei Vigneti, Soultanine and Regina (Mennavacca bianca, Rosaki, Dattier de Beyrouth) varieties, quality class I.

APPLES

(other than cider apples)

For the period 1 August 1984 to 31 May 1985

	Basic price ECU/100 kg net	Buying-in price ECU/100 kg net
August	26,51	13,51
September	26,51	13,51
October	26,51	13,63
November	27,22	14,06
December	29,61	15,17
January to May	32,01	16,27

These prices relate to the following packed products:

- (a) apples of the James Grieve variety, quality class I, size 70 mm or more, for the month of August;
- (b) — apples of the James Grieve, Golden Delicious, Red Delicious and Starking Delicious varieties, quality class I, size 70 mm or more, for the month of September,
— apples of the Reine des reinettes variety, quality class I, size 65 mm or more, for the month of September;
- (c) apples of the Golden Delicious, Red Delicious and Starking Delicious varieties, quality class I, size 70 mm or more, for the months October to March;
- (d) apples of the Golden Delicious variety, quality class I, size 70 mm or more, for the months of April and May.

MANDARINS

For the period 16 November 1984 to 28 February 1985

	Basic price ECU/100 kg net		Buying-in price ECU/100 kg net	
	Greece	Other Member States	Greece	Other Member States
16 to 30 November	44,78	46,69	29,40	30,70
December	44,48	46,31	28,99	30,19
January	44,07	45,81	28,37	29,43
February	42,72	44,15	27,96	28,92

These prices relate to packed mandarins of quality class I, size 54/64 mm.

SWEET ORANGES

For the period 1 December 1984 to 31 May 1985

	Basic price ECU/100 kg net		Buying-in price ECU/100 kg net	
	Greece	Other Member States	Greece	Other Member States
December	39,24	42,33	25,53	27,55
January	36,83	38,78	24,33	25,78
February	37,26	39,40	24,68	26,29
March	38,55	41,31	24,85	26,54
April and May	38,98	41,94	25,02	26,79

These prices refer to the following packed products:

- oranges of the Moro variety, quality class I, size 67/80 mm, for the month of December.

However, the recordings referred to in Article 19 (1) and (3) of Regulation (EEC) No 1035/72 shall also be made on the basis of prices registered in representative markets at production, for packed oranges of the Navel variety, quality class I, size 67/80 mm; in such a case the prices, possibly reduced by the cost of packaging which is included, shall be subject to a coefficient of 1,11,

- oranges of the Sanguinello and Navel varieties, quality class I, size 67/80 mm, for the months January to May.

However, for the months of January and February, the recordings referred to in Article 19 (1) and (3) of Regulation (EEC) No 1035/72 shall also be made on the basis of the prices registered in representative markets at production, for packed oranges of the Moro variety, quality class I, size 67/80 mm; in such a case the prices, possibly reduced by the cost of packaging which is included, shall be subject to a coefficient of 0,90.

NB: The prices quoted in this Annex do not include the cost of the packaging in which the product is presented.

ANNEX II

Amount of financial compensation for the 1984/85 marketing year

<i>Greece</i>	<i>Other Member States</i>	
12,08	15,38	ECU per 100 kilograms net for oranges of the Moro, Tarocco, Ovale calabrese, Belladonna, Navel and Valencia late varieties
10,37	13,20	ECU per 100 kilograms net for oranges of the Sanguinello variety
6,83	8,69	ECU per 100 kilograms net for oranges of the Sanguigno and Biondo comune varieties
10,20	12,95	ECU per 100 kilograms net for mandarins
3,21	3,21	ECU per 100 kilograms net for clementines
5,30	5,89	ECU per 100 kilograms net for lemons

NB: Financial compensation is granted only in respect of products belonging to quality classes Extra and I.

COUNCIL REGULATION (EEC) No 987/84

of 31 March 1984

amending Regulation (EEC) No 2601/69 laying down special measures to encourage the processing of certain varieties of oranges

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Regulation (EEC) No 2601/69 ⁽³⁾, as last amended by Regulation (EEC) No 1154/78 ⁽⁴⁾, provides for a system of financial compensation in respect of certain varieties of oranges which are processed under contracts designed to ensure, at a minimum purchase price to the producer, a regular supply to the processing industry;

Whereas the financial compensation for oranges is currently fixed at a level such that the difference between the minimum price paid by the processing industry and the financial compensation does not change from one marketing year to the next by a percentage greater than the change in the said minimum price; whereas the result has been to establish, progressively, an unwarranted commercial benefit accruing to the processing industry;

Whereas Regulation (EEC) No 2601/69 should be amended to ensure that the processing industry bears a larger share of the cost of the raw material concerned,

Article 1

The second subparagraph of Article 3 (1) of Regulation (EEC) No 2601/69 is hereby replaced by the following:

'The financial compensation shall be so fixed that the difference between the minimum price and the financial compensation does not vary, in relation to that for the previous marketing year, by an amount greater than the amount resulting from the increase in the minimum price; the increase in the difference shall, however, not be less than 50 % of the increase in the minimum price.'

Article 2

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

It shall apply from the 1984/85 marketing year onwards.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No C 301, 8. 11. 1983, p. 3.

⁽²⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽³⁾ OJ No L 324, 27. 12. 1969, p. 21.

⁽⁴⁾ OJ No L 144, 31. 5. 1978, p. 5.

COUNCIL REGULATION (EEC) No 988/84**of 31 March 1984****amending Regulation (EEC) No 516/77 on the common organization of the market in products processed from fruit and vegetables and Regulation (EEC) No 950/68 on the Common Customs Tariff**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Council Regulation (EEC) No 516/77 ⁽³⁾, as last amended by Regulation (EEC) No 1088/83 ⁽⁴⁾, introduced a system of production aid for a number of products processed from fruit and vegetables; whereas, following the accession of the Hellenic Republic, this system of aid has been extended to dried grapes and dried figs with detailed rules laid down in Council Regulation (EEC) No 2194/81 ⁽⁵⁾, as last amended by Regulation (EEC) No 3009/83 ⁽⁶⁾;

Whereas this system of aid has operated successfully in terms of the objectives it was designed to fulfil; whereas the system should be retained but adjusted in the light of experience gained in operating it and of changes in the markets for the products concerned; whereas, in particular, all the products which may be eligible for aid, including dried grapes and figs, should be made subject to a uniform system;

Whereas, in view of the link between prices for products intended to be consumed fresh and prices for products intended for processing, provision should be made for minimum producer prices to be determined taking into account the basic prices for fruit and vegetables for consumption as fresh and the need to maintain a sufficient balance between the various uses for fresh products;

Whereas provision should be made for a monthly increment of the minimum price for certain products intended for processing which can be stored;

Whereas experience has shown that difficulties have arisen with the factors used to calculate the amount of aid; whereas, therefore, provision should be made for a calculation which takes account in particular of changes in the minimum price and includes, where necessary, a flat-rate adjustment for other costs; whereas minimum import prices should be referred to for the purpose of calculating aid for products subject to such prices;

Whereas, in the case of a number of products, and in particular those processed from tomatoes, it has been observed that the weight of the packaging can vary considerably in relation to the weight of the product; whereas the granting of aid for packaged products may result in artificial distortions between different processors; whereas the aid should therefore be calculated on the basis of the raw material processed;

Whereas, in order to facilitate the marketing of the processed products in question and adjust their quality more closely to market requirements, provision should be made for laying down Community quality standards; whereas, pending the adoption of such standards, aid should be made conditional on compliance with current national standards;

Whereas experience has shown that the system under which storage agencies have been purchasing dried grapes and dried figs has not ensured satisfactory disposal of these products; whereas, given the present state of the market in these products both within the Community and at world level, provision should be made for a limited purchasing system ending at the end of the marketing year;

Whereas, therefore, provision should be made under the said system for the granting of storage aid to the storage agencies and for compensation of any losses to which they are subject when selling the products in store;

Whereas, in the case of certain products in this sector of which the Community is a major importer, a minimum

⁽¹⁾ OJ No C 94, 8. 4. 1983, p. 6.

⁽²⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽³⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽⁴⁾ OJ No L 118, 5. 5. 1983, p. 16.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 1.

⁽⁶⁾ OJ No L 296, 20. 10. 1983, p. 1.

import price system should be introduced in order to encourage greater market stability and to facilitate the proper operation of the aid system, combined with countervailing charges to ensure that minimum prices are observed;

Whereas, in view of normal trading practices in the Community in respect of the products in this sector, provision should be made for the possibility of advance fixing of export refunds;

Whereas imports of products of which the trade volume has a significant impact on the Community market should be monitored; whereas, therefore, such products should be made subject to the presentation of import licences;

Whereas the Common Customs Tariff and Part II of Annex I to Regulation (EEC) No 516/77 should be adapted to take account of current practice with regard to the presentation of certain products,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 516/77 is hereby amended as follows:

1. Articles 2a to 4 inclusive are replaced by the following:

'Article 2a

1. The marketing years shall extend from:
 - (a) 10 May to 9 May for cherries preserved in syrup and falling within subheading 20.06 B of the Common Customs Tariff;
 - (b) 1 July to 30 June for:
 - peeled tomatoes, whether or not cooked, preserved by freezing, falling within subheading 07.02 B II of the Common Customs Tariff,
 - tomato flakes falling within subheading 07.04 B of the Common Customs Tariff,
 - tomatoes, prepared or preserved, falling within subheading 20.02 C of the Common Customs Tariff,
 - peaches preserved in syrup, falling within subheading 20.06 B of the Common Customs Tariff,
 - tomato juices falling within heading No 20.07 of the Common Customs Tariff,
 - dried figs falling within subheading 08.03 B of the Common Customs Tariff;

- (c) 15 July to 14 July for Williams pears preserved in syrup, falling within subheading 20.06 B of the Common Customs Tariff;

- (d) 1 September to 31 August for:

- dried grapes falling within subheading 08.04 B of the Common Customs Tariff,
- prunes derived from dried "prunes d'Ente" falling within subheading 08.12 C of the Common Customs Tariff.

2. The marketing years for other products shall be laid down, where required, under the procedure provided for in Article 20. Changes to be made to the marketing years as defined in paragraph 1 may be adopted using the same procedure.

Article 3

1. A system of production aid is hereby introduced for the products listed in Annex Ia and obtained from fruit and vegetables grown in the Community.

2. The Council, acting by a qualified majority on a proposal from the Commission, may decide to amend Annex Ia in the light of production and marketing conditions for the products concerned.

3. Where the Community production potential for a product listed in Annex Ia is likely to cause a major imbalance between production and scope for marketing, the Council, acting by a qualified majority on a proposal from the Commission, may take appropriate measures, in particular by limiting production aid to a specified quantity. This quantity shall be determined by reference to average Community production in the last marketing years for which accurate figures are available. The quantity may be adjusted in the light of changes in the scope for disposal of the product in question.

Article 3a

1. Production aid shall be granted to processors who have paid producers for their raw materials a price not less than the minimum price under contracts between producers or recognized producers' groups or associations thereof, on the one hand, and processors or processors' groups and associations thereof, on the other hand, legally constituted in the Community.

2. In the case of currants, contracts of the kind referred to in paragraph 1 must be accompanied by a written undertaking by the grower to withhold

from delivery to the processing industry for processing into currants for sale, a quantity not less than a percentage to be determined of the quantity covered by the contract.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall fix the percentage provided for in paragraph 2.

4. Detailed rules for the application of this Article shall be adopted under the procedure provided for in Article 20.

Article 3b

1. The minimum price to be paid to producers, without prejudice to the measures taken pursuant to Article 3 (3), on the basis of:

- (a) the minimum price applying during the previous marketing year;
- (b) the movement of basic prices in the fruit and vegetable sector;
- (c) the need to ensure the normal marketing of fresh products for the various uses.

2. The minimum price for dried grapes and dried figs valid at the start of the marketing year shall be increased each month, starting with the third month of the marketing year and continuing to the end of the marketing year, by a fixed amount corresponding to storage costs.

3. Minimum prices shall be fixed before the beginning of each marketing year.

4. Minimum prices, the monthly increments referred to in paragraph 2 and detailed rules for applying this Article shall be adopted in accordance with the procedure provided for in Article 20.

Article 3c

1. The amount of aid shall be so fixed as to enable the Community product concerned to be marketed. In calculating the amount of aid, without prejudice to measures taken pursuant to Article 3 (3), account shall be taken in particular of the following factors:

- when the aid is first fixed, of the difference between the minimum price for the raw material as referred to in Article 3b and the third-country price, adjusted on a flat-rate basis at the raw material stage,
- at subsequent fixings, of the amount of aid fixed for the previous marketing year adjusted to take account of changes in the minimum prices referred to in Article 3b, the third-country price

and, if necessary, the pattern of processing costs assessed on a flat-rate basis,

- where relevant, the prices at which Community products are sold on the Community market.

2. However, the 'third country price' factor referred to in paragraph 1 shall be replaced by:

- a price based on the Community market price, the price trend and the outlets available on the Community market in cases where the volume of imports makes the third country price unrepresentative,
- the minimum import price in cases where such price is fixed pursuant to Article 4a.

3. The aid shall be fixed in respect of the net weight of the processed product. The coefficients expressing the relationship between the weight of raw material processed and the net weight of the processed product shall be defined on a flat-rate basis.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for applying this Article.

5. The amount of aid shall be fixed before the beginning of each marketing year in accordance with the procedure provided for in Article 20. The detailed rules for applying this Article shall be adopted using the same procedure.

Article 3d

1. Aid shall be granted to processors only for processed products which:

- (a) have been produced from raw materials for which the applicant has paid at least the minimum price referred to in Article 3b;
- (b) meet minimum Community quality standards to be laid down.

Until such time as Community standards have come into effect, the products concerned must meet current national standards.

2. In the case of dried grapes, aid shall be paid only to processors who have not processed and subsequently do not process for commercial sale a quantity of dried grapes equal to a percentage, to be determined, of the quantity of dried grapes bought. Such quantities not processed shall not be eligible for aid.

3. The Council, acting on a qualified majority on a proposal from the Commission, shall adopt the percentages referred to in paragraph 2.

4. The minimum quality standards referred to in paragraph 1 (b) and the other detailed rules for applying this Article shall be adopted in accordance with the procedure provided for in Article 20.

Article 3e

1. Common quality standards may be introduced for the products listed in Annex Ia hereto, intended either for consumption in the Community or for export to third countries.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the standards referred to in paragraph 1 and may designate other products to be made subject to quality standards and the standards themselves.

Article 4

1. The agencies or legal or natural persons approved by the Member States concerned, hereinafter called "storage agencies", shall purchase, during the last two months of the marketing year, dried grapes and dried figs produced in the Community during the current marketing year provided that the products comply with quality standards to be determined. Dried grapes shall be purchased up to the limits of the guarantee thresholds laid down by Regulation (EEC) No 989/84 ⁽¹⁾.

2. The storage agencies shall purchase the quantities offered at the beginning of the marketing year.

3. Where currants are concerned, Article 3a (2) shall apply.

4. The products purchased by the storage agencies shall be disposed of on terms which do not jeopardize the balance of the market and ensure equal access to the products for sale and equal treatment of purchasers.

For products which cannot be disposed of on normal terms, special measures may be taken.

5. Storage aid shall be granted to storage agencies for the quantities of products which they have purchased and for the actual duration of storage.

6. Financial compensation equal to the difference between the purchase price paid by the storage agencies and the selling price shall be granted to the storage agencies. This compensation shall be reduced in line with any profits resulting from the difference between the purchase price and the selling price.

7. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the general rules governing the application of this Article.

8. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 20.

⁽¹⁾ OJ No L 103, 16. 4. 1984, p. 19.

Article 4a

1. A minimum import price for each marketing year is hereby introduced for the products listed in Annex Ia (a).

2. Minimum import prices shall be determined having regard to:

- the free-at-frontier prices on import into the Community,
- the prices obtaining in international trade,
- the situation on the internal Community market,
- the trend of trade with third countries.

3. Where the minimum import price is not observed, a countervailing charge in addition to customs duty shall be imposed, based on the prices of the main supplier countries outside the Community.

4. A countervailing charge shall not be levied on imports from third countries which are prepared to guarantee, and are in a position to so guarantee, that the price of imports originating in and exported from their territory will not undercut the minimum import price and that deflections of trade will be prevented.

5. The Council, acting by a qualified majority on a proposal from the Commission:

- may decide to amend the list of products for which the minimum prices have been introduced,
- shall adopt general rules implementing this Article, which may, in particular, provide for a system of advance fixing of the minimum import price.

6. Minimum import prices and the amount of the countervailing charge shall be fixed in accordance with the procedure provided for in Article 20.

7. Detailed rules implementing this Article shall be adopted in accordance with the procedure provided for in Article 20.

2. The following subparagraph is added to Article 8 (4):

'The Council may decide under the same procedure that the system provided for in paragraph 2 shall also apply to the refunds referred to in Article 6.'

3. In Part II of Annex I:

(a) subheadings 20.07 A II and III are replaced by the following:

CCT heading No	Description	(1)	(2)
20.07	...		
	A. Of a density exceeding 1,33 g/cm ³ at 20 °C:		
	II. Apple and pear juice; mixtures of apple and pear juice:		
	b) Other:		
	— Apple juice	49	11
	— Pear juice and mixtures of apple and pear juice	49	13
	III. Other:		
	b) Other:		
	— Lemon and tomato juices ..	49	3
	— Other fruit and vegetable juices, including mixed juices	49	13'

(b) Subheading 20.07 B II b) 6 aa) is deleted.

4. Annexes Ia and IV are replaced by Annexes I and II to this Regulation.

Article 2

In the Common Customs Tariff annexed to Regulation (EEC) No 950/68, subheadings 20.07 A II, III and B II b) 6 are hereby amended as follows:

'CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
20.07	A.		
	II. Apple or pear juice; mixtures of apple and pear juice:		
	a) Of a value exceeding 22 ECU per 100 kg net weight	42	—
	b) Other	42 + (L)	—
	III. Other:		
	a) Of a value exceeding 30 ECU per 100 kg net weight	42	—
20.07	b) Other	42 + (L)	—
	...		
	...		
	B. II. b) ...		
	6. Tomato juice:		
	aa) Containing added sugar	21	20 + ads
	bb) Other	21	21'

Article 3

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

It shall apply:

- in respect of Article 1 (1) and Annex I from the beginning of the 1984/85 marketing year for each product,
- in respect of Article 1 (2) and (3), Article 2 and Annex II from 1 July 1984.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

ANNEX I

ANNEX Ia

CCT heading No	Description
(a) 08.04 B	Dried grapes
(b) ex 07.02 B	Peeled tomatoes, whether or not whole, preserved by freezing
ex 07.04 B	Tomato flakes
08.03 B	Dried figs
ex 08.12 C	Prunes derived from dried "d'Ente" plums
ex 20.02 C	Peeled tomatoes, whether or not whole
ex 20.02 C	Tomato concentrate
ex 20.02 C	Tomato juice (including passata)
ex 20.06 B II	Peaches preserved in syrup
ex 20.06 B II	Williams pears preserved in syrup
ex 20.06 B II	Cherries preserved in syrup
ex 20.07	Tomato juice'

ANNEX II

ANNEX IV

CCT heading No	Description
ex 07.02 B	Peeled tomatoes preserved by freezing
ex 07.03 E	Mushrooms
ex 07.04 B	Tomato flakes
08.03 B	Dried figs
08.04 B	Dried grapes
ex 08.10 A	Raspberries and strawberries, whether or not cooked, preserved by freezing without added sugar
ex 08.11 E	Raspberries and strawberries provisionally preserved
08.12 C	Prunes
ex 20.01 C	Mushrooms prepared or preserved by vinegar or acetic acid
20.02 A	Mushrooms, prepared or preserved
20.02 C	Tomatoes, prepared or preserved
20.02 G	Peas, beans in pod, prepared or preserved
ex 20.03	Raspberries and strawberries preserved by freezing containing added sugar
ex 20.05 C I b), C II and C III	Jams, fruit jellies, marmalades, fruit purée and fruit paste being cooked preparations, whether or not containing added sugar: — made from raspberries and strawberries
ex 20.06 B II a) 7 B II b) 7 aa) 11 B II b) 7 bb) 11	} Peaches, prepared or preserved
ex 20.06 B II a) 7 B II b) 7 aa) 22 B II b) 7 bb) 22 B II c) 1 aa) B II c) 2 bb)	} Apricots, prepared or preserved
ex 20.06 B II a) 8 B II b) 8 B II c) 1 dd) B II c) 2 bb)	} Raspberries and strawberries, prepared or preserved
ex 20.06 B II a) 6 B II b) 6 B II c) 1 cc) B II c) 2 aa)	} Pears, prepared or preserved
20.07 B II a) 5 B II b) 6	} Tomato juices'

COUNCIL REGULATION (EEC) No 989/84**of 31 March 1984****introducing a system of guarantee thresholds for certain processed fruit and vegetable products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

tomatoes⁽³⁾; whereas the latter Regulation should therefore be repealed,

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 988/84⁽²⁾, and in particular Article 3 (3) thereof,

Article 1

1. The quantity of processed tomato products corresponding to 4 700 000 tonnes of fresh tomatoes shall be fixed as the guarantee threshold for each marketing year.

This tonnage shall be divided as follows:

- 2 987 850 tonnes for the manufacture of tomato concentrate,
- 1 307 150 tonnes for the manufacture of whole peeled tomatoes,
- 405 000 tonnes for the manufacture of other processed tomato products.

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 516/77 introduced a system of production aid for certain processed fruit and vegetable products; whereas, should the situation referred to in Article 3 (3) of the said Regulation arise, appropriate measures may be taken;

2. The quantities of processed dried grapes corresponding to the following tonnages of unprocessed dried grapes:

- (a) 65 000 tonnes of currants; and
- (b) 93 000 tonnes of sultanas;

Whereas this situation is likely to arise in the case of processed tomato products and dried grapes; whereas a guarantee threshold corresponding to the marketing possibilities should be fixed for the said products;

shall be fixed as the guarantee threshold for each marketing year.

Whereas, given the nature of the market in processed tomato products, on the one hand, and of dried grapes, on the other hand, a reduction, as the case may be, of the aid or in the minimum price to be paid to the producer, during the following marketing year, depending on the extent to which the thresholds have been exceeded, is the most appropriate measure;

Article 2

Whereas, in the case of products for which a guarantee threshold is fixed, the nature of production is such that the threshold in question should be expressed in terms of the quantities of raw materials used;

1. If the guarantee threshold for the processed tomato products referred to in Article 1 (1) is exceeded, the aid shall be reduced for the following marketing year, depending on the extent to which the threshold has been exceeded and in proportion to the extent to which each of the quantities specified in that paragraph have been exceeded.

Whereas the measures provided for in this Regulation replace those provided for in Council Regulation (EEC) No 1206/82 of 18 May 1982 fixing a guarantee threshold for tomato concentrate and whole peeled

2. The extent to which the threshold has been exceeded as referred to in paragraph 1 shall be calculated on the basis of the average of the quantities produced during the three marketing years preceding the marketing year for which aid is to be fixed.

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ See page 11 of this Official Journal.

⁽³⁾ OJ No L 140, 20. 5. 1982, p. 50.

Article 3

1. When the guarantee threshold for sultanas or currants is exceeded, the minimum price to be paid to the producer shall be reduced, for the following marketing year, depending on the amount by which each threshold is exceeded.

2. The excess amount referred to in paragraph 1 shall be calculated on the basis of the average of the quantities produced during the three marketing years preceding the marketing year for which the minimum price to be paid to the producer must be fixed.

Article 4

The detailed rules for implementing this Regulation shall be adopted in accordance with the procedure laid down in Article 20 of Regulation (EEC) No 516/77.

Article 5

Regulation (EEC) No 1206/82 shall be repealed with effect from the date of this Regulation's entry into force.

Article 6

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

It shall apply to each of the products concerned with effect from the 1984/85 marketing year.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 990/84

of 31 March 1984

adjusting certain rules in the 1979 Act of Accession in respect of products processed from fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the 1979 Act of Accession, and in particular Article 72 (2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Article 103 (3) of the 1979 Act of Accession lays down rules for the calculation of Community aid granted in Greece for certain products processed from fruit and vegetables;

Whereas Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables ⁽³⁾ has been amended by Regulation (EEC) No 988/84 ⁽⁴⁾, which makes certain changes to the system for calculating production aid in the sector in question;

Whereas, in accordance with Article 72 (2) of the 1979 Act of Accession, the changes necessary as a result of the amendments to Regulation (EEC) No 516/77 should be made to the rules contained in Article 103 (3) of the said Act,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 103 (3) of the 1979 Act of Accession, the amount of Community aid

granted in Greece shall be fixed on the following basis:

- when the aid is first fixed, by taking into account the difference between the minimum price for the raw material applying in Greece and the third-country price, adjusted on a flat-rate basis at the raw material stage,
- at subsequent fixings, by taking into account the amount of aid fixed for the previous marketing year, adjusted to take account of the level of the minimum price applying in Greece for the marketing year concerned, the third-country price and, if necessary, any change in the processing costs obtaining in Greece assessed on a flat-rate basis.

However, the third-country-price factor shall be replaced:

- by a price based on the Community market price, the price trend and the outlets available on the Community market in cases where the volume of imports makes the third-country price unrepresentative,
- by the minimum import price where one is fixed.

The aid thus calculated may not, however, exceed the Community aid granted in the Community of Nine.

Article 2

This Regulation shall enter into force at the beginning of the 1983/84 marketing year for each of the products concerned.

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

Done at Brussels, 31 March 1984.

*For the Council**The President*

M. ROCARD

⁽¹⁾ OJ No C 94, 8. 4. 1983, p. 9.⁽²⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).⁽³⁾ OJ No L 73, 21. 3. 1977, p. 1.⁽⁴⁾ See page 11 of this Official Journal.

COUNCIL REGULATION (EEC) No 991/84

of 31 March 1984

limiting the production aid granted in respect of certain fruits in syrup

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 988/84 ⁽²⁾, and in particular Article 3 (3) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 516/77 introduced a system of production aid for certain products processed from fruit and vegetables; whereas, in the event of the situation provided for in Article 3 (3) of the said Regulation arising, it is possible to limit the granting of production aid to a quantity determined on the basis of average Community production in the most recent years for which reliable data are available;

Whereas Council Regulation (EEC) No 1119/81 of 28 April 1981 limiting the production aid granted in respect of certain products processed from fruit and vegetables ⁽³⁾, as amended by Regulation (EEC) No 2025/82 ⁽⁴⁾, set limits on the granting of aid for Williams pears and cherries preserved in syrup;

Whereas the quantities specified in Regulation (EEC) No 1119/81 include immediate packaging;

Whereas the aid is henceforth granted in respect of the net weight of processed products; whereas the quantities in question should therefore be adjusted,

The granting of production aid shall be limited during each marketing year to the following quantities:

- 70 085 tonnes for Williams pears preserved in syrup, falling within subheading 20.06 B II of the Common Customs Tariff,
- 24 872 tonnes for Bigarreau cherries and other sweet cherries preserved in syrup, falling within subheading 20.06 B II of the Common Customs Tariff,
- 51 282 tonnes for Morello cherries preserved in syrup, falling within subheading 20.06 B II of the Common Customs Tariff.

The quantities specified above shall be net weights.

Article 2

Detailed rules for the application of this Regulation shall be laid down in accordance with the procedure provided for in Article 20 of Regulation (EEC) No 516/77.

Article 3

Regulation (EEC) No 1119/81 is hereby repealed with effect from the date of implementation of this Regulation.

Article 4

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

It shall apply to each of the products with effect from the 1984/85 marketing year.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ See page 11 of this Official Journal.

⁽³⁾ OJ No L 118, 30. 4. 1981, p. 11.

⁽⁴⁾ OJ No L 218, 27. 7. 1982, p. 1.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 2 April 1984

adopting a concerted-action project of the European Economic Community on the use of lignocellulose-containing by-products and other plant residues for animal feeding

(84/197/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, under Article 2 of the Treaty, the Commission has as its task *inter alia* to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion and an accelerated raising of the standard of living;

Whereas, in its resolution of 14 January 1974 on an initial programme of action by the European Communities in the field of science and technology ⁽⁴⁾, the Council emphasized that an appropriate approach

should be adopted towards the whole range of available ways and means, including joint projects, and that, whenever it proves desirable for third States, particularly European ones, to be associated in these projects, steps should be taken to make this possible;

Whereas, in its resolution of 14 January 1974 relating to the coordination of national policies and the definition of projects of interest to the Community in the field of science and technology ⁽⁵⁾, the Council entrusted Community institutions with the task of ensuring, with the assistance of the Scientific and Technical Research Committee (CREST), the gradual coordination of such policies;

Whereas on 25 July 1983 the Council adopted a resolution on framework programmes for Community research, development and demonstration activities and a first framework programme 1984 to 1987 ⁽⁶⁾;

Whereas a research project on single-cell protein production and utilization in animal feeding, implemented by a Memorandum of Understanding signed on 27 March 1980 within the framework of European Cooperation in the field of scientific and

⁽¹⁾ OJ No C 320, 26. 11. 1983, p. 4.

⁽²⁾ OJ No C 77, 19. 3. 1984, p. 106.

⁽³⁾ Opinion delivered on 15 February 1984 (not yet published in the Official Journal).

⁽⁴⁾ OJ No C 7, 29. 1. 1974, p. 6.

⁽⁵⁾ OJ No C 7, 29. 1. 1974, p. 2.

⁽⁶⁾ OJ No C 208, 4. 8. 1983, p. 1.

technical research (COST) (COST Project 83/84), has yielded very encouraging results;

Whereas by Decision 82/402/EEC ⁽¹⁾, as last amended by Decision 83/634/EEC ⁽²⁾, the Council adopted a research and development programme in the raw materials sector which includes, further, the sub-programme on recycling of urban and industrial waste;

Whereas the project covered by this Decision is complementary to that sub-programme;

Whereas the Member States intend, as part of the rules and procedures applicable to their national programmes, to carry out the research described in Annex I and are prepared to integrate it into a process of coordination at Community level over a period of four years;

Whereas the execution of the research work as described in Annex I calls for a financial outlay of some 20 million ECU in the Member States taking part therein;

Whereas on 18 July 1978 the Council agreed on certain procedural arrangements for cooperation in European Cooperation in the field of Scientific and Technical Research (COST);

Whereas the specific powers of action required for the adoption of this Decision have not been provided for in the Treaty;

Whereas the Scientific and Technical Research Committee (CREST) has given its opinion on the Commission proposal,

HAS DECIDED AS FOLLOWS:

Article 1

The Community shall implement over a period of four years a concerted-action project on the use of lignocellulose-containing by-products and other plant residues for animal feeding, hereinafter called 'the Project'.

The Project shall consist in the coordination at Community level of the research work which is defined in Annex I and which shall form part of the research programmes of the Member States.

Article 2

The Commission shall be responsible for such coordination.

Article 3

The funds estimated as necessary for the Community contribution to the coordination amount to 650 000 ECU.

Article 4

To facilitate the execution of the Project, a Concerted-Action Committee on the use of lignocellulose-containing by-products and other plant residues for animal feeding, hereinafter called 'the Committee', is hereby set up.

A project leader may be appointed by the Commission after consultation with the Committee. He shall, in particular, assist the Commission in its tasks of coordination.

The terms of reference and the composition of the Committee are laid down in Annex II.

The Committee shall draw up its own rules of procedure. Its secretarial services shall be provided by the Commission.

Article 5

1. In accordance with a procedure to be laid down by the Commission after consultation with the Committee, the Member States participating in the project shall regularly exchange all relevant information concerning the performance of the research covered by it and shall communicate to the Commission all information that may be useful for coordination purposes.

They shall, in addition, endeavour to provide the Commission with information on research in the field concerned that is planned or being performed by bodies which are not under their authority..

This information shall be treated as confidential if the Member State which communicates it so requests.

2. The Commission shall prepare annual progress reports on the basis of the information provided and shall send them to the Member States and the European Parliament.

3. At the end of the coordination period, the Commission shall, after consultation with the

⁽¹⁾ OJ No L 174, 21. 6. 1982, p. 23.

⁽²⁾ OJ No L 357, 21. 12. 1983, p. 33.

Committee, send to the Member States and the European Parliament a consolidated report on the execution and results of the action project.

Article 6

In accordance with Article 228 of the Treaty, the Community may conclude an agreement with third States participating in European Cooperation in the field of scientific and technical research (COST), with a view to coordinating the Community project with the corresponding programmes of those States.

Article 7

This Decision shall take effect on the day of its publication in the *Official Journal of the European Communities*.

Done at Luxembourg, 2 April 1984.

For the Council

The President

J. DELORS

ANNEX I**Member States' contribution to the project**

Research topic	B	D	DK	F	GR	I	IRL	L	NL	UK
1. Use of substrates	×	×	×	×		×			×	×
2. Use of products converted into animal feed	×	×	×	×		×			×	×

ANNEX II**Terms of reference and composition of the Committee referred to in Article 4**

1. The Committee shall:
 - 1.1. contribute to the optimum execution of the Project by giving its opinion on all aspects of the progress thereof;
 - 1.2. evaluate the results of the Project and draw conclusions regarding their application;
 - 1.3. be responsible for the exchange of information provided for in Article 5 (1);
 - 1.4. follow the progress of national research work being done in the fields covered by the Project, in particular by keeping abreast of scientific and technical developments likely to affect the execution of the Project;
 - 1.5. have the right to set up, for each of the research topics defined in Annex I, a sub-committee to ensure that the programme is properly implemented.
 2. The Committee's reports and opinions shall be communicated to the Commission and to the participating Member States. The Commission shall forward these opinions to CREST and to the Standing Committee on Agricultural Research (SCAR).
 3. The Committee shall consist of the persons responsible for coordinating the Member States' contributions to the Project, a Commission delegate responsible for the Commission's contribution, and the Project leader. Each member may be accompanied by experts.
-

THIRTY YEARS OF COMMUNITY LAW

More than 30 years have elapsed since Robert Schuman's declaration of 9 May 1950 and the signature on 18 April 1951 of the Treaty of Paris establishing the European Coal and Steel Community. The time has come for the European Community to take stock. Both as a unique economic and human experiment, and as a reality endowed with powerful legal instruments, this singular phenomenon needs to be examined from the standpoint of history.

The establishment of the Community was completed with the conclusion of the Treaties of Rome creating the European Economic Community and the European Atomic Energy Community. Its institutions have undergone several stages of development, including the merger of the executives, the creation of own resources, the extension of Parliament's budgetary powers and the creation of a Court of Auditors. At the same time the Community was putting into effect the fundamental principles of free movement of goods, persons, services and capital, and developing the common policies which are laid down in the Treaties or which proved necessary in order to attain, in the course of the operation of the common market, one of the objectives of the Community. On two occasions it has been enlarged by the accession of further European States, first Denmark, Ireland and the United Kingdom, and subsequently Greece. It has also commenced negotiations with a view to the admission of Spain and Portugal.

The progress made by the Community is reflected in a vast range of legislation binding on Member States, firms and individuals, and in the body of case-law built up by the Court of Justice in Luxembourg.

The Commission wished to provide a work of reference for lawyers which did not assume any familiarity with questions of Community law. It asked eminent specialists in the subject from the various Member States to make individual contributions to *Thirty years of Community law* so as to trace the development of the Community, summarize the progress achieved in the various sectors and examine the difficulties which the Community has had to face. Each author was allowed the fullest freedom of expression. Neither the Commission nor readers will necessarily share all the points of view expressed, but they will at least have the benefit of a full and frank discussion.

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THE PROFESSIONS IN THE EUROPEAN COMMUNITY

Towards freedom of movement and mutual recognition of qualifications

J.-P. de CRAYENCOUR

Aside from establishing a common market, one of the tasks of the European Community is to promote closer relations between the States belonging to it (Article 2 of the Treaty of Rome). One of the means of achieving this end is the free movement of persons.

This freedom of movement concerns *inter alia*, the professions. Members of the professions will be able to play their part in European integration and put their independent and responsible services at the disposal of a wider clientele in the Community only if obstacles standing in the way of freedom of the professions, whether it takes the form of the right of establishment or the freedom to provide services, are removed.

As the professions are generally highly regulated, this freedom of movement can only be satisfactorily achieved if certain of the regulations governing them, such as those relating to training requirements and professional ethics, are harmonized to some degree.

Existing rules and regulations in the various Member States could be reviewed in the light of any such harmonization and of changes in society, while paying due attention to the values of independence and responsibility which are a feature of the professions, with a view to promoting European integration.

The aim of this booklet on 'The professions in the European Community — Towards freedom of movement and mutual recognition of qualifications' is to highlight the benefits to be derived from free movement and the manner in which it can be properly implemented. It describes the legal process involved, suggests how harmonization might be realized and underlines the steps to be taken to achieve the most urgent objective, namely mutual recognition of diplomas. Finally, it outlines what has been achieved thus far and what remains to be done.

J.-P. de CRAYENCOUR — Born in London on 16 July 1915. Belgian — Studied law at Louvain. Pupil lawyer at the Brussels bar, then Director of the Study Centre of the National Federation of Small Firms. Administrator and General Secretary of the International Study Institute of Small Firms (classes moyennes). Worked in the Office of the Minister for Small Firms and Traders in 1958. Joined the Commission of the European Communities on 1 March 1959 and worked in the Directorate for the Right of Establishment. Head of Division on 1 June 1959. Retired on 1 May 1973. Founded the Secrétariat européen des professions libérales, intellectuelles et sociales (SEPLIC — headquarters in Brussels). Married with seven children. Chairman/founder of the Confédération nationale des associations de parents, 1956. Capitaine-commandant de réserve honoraire in the First Regiment of the 'Guides', prisoner of war, war volunteer, resistance movement participant.

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