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(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,
151·50	pounds sterling and Irish pounds,
1 350	French francs,
246 500	Italian lire,
650	Dutch guilders,
9 450	Belgian and Luxembourg francs,
1 665	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