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COMMISSION DECISION

of 22 December 1972

amending Decision No 4-53 on the publication of price lists and conditions of sale applied by undertakings in the coal and iron-ore industries

(72/442/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 2 to 5, 60 and 63 (2) thereof; Having regard to High Authority Decision No 4-53, as amended by Decision No 22-63¹ of 11 December 1963;

After consulting the Consultative Committee; Whereas by Decision No 72/440 of 22 December 1972² the Commission redefined discriminatory practices within the meaning of Article 60 (1) of the Treaty; whereas undertakings are consequently enabled to vary their prices according to consumer groups without thereby infringing the prohibition on discriminatory practices;

Whereas, so that the position in the market may be clear, undertakings should be required to publish their increases or reductions in prices;

Whereas quantity and loyalty bonuses are applied extensively in respect of coal sales; whereas so that the market situation be clear, it is appropriate that exemption from compulsory publication be no longer allowed as regards such bonuses;

Whereas, since relations between undertakings in the Community steel and iron-ore industries are such that iron-ore is consumed almost exclusively by combined undertakings so that virtually no market for Community iron-ore exists, the provisions governing the publication of price lists and conditions of sale applied by the iron-ore industry should be repealed;

HAS ADOPTED THIS DECISION:

Article 1

Decision No 4-53, as amended on 11 December 1963, is amended as follows:

1. The words 'and iron-ore' are deleted from the title and from Article 1 (1) and (3).
2. The following is added to Article 2 (2):
'(f) price increases and reductions for specific consumer groups;
(g) quantity and loyalty bonuses.'
3. Article 2 (3) is hereby repealed.
4. The words 'large coke and crushed coke' are deleted from point 2 of Article 3, and point 5 is deleted.

Article 2

This Decision shall enter into force on 1 January 1973.

The text of Decision No 4-53, as amended by this Decision, shall be published by way of Notice in the *Official Journal of the European Communities*.

Done at Brussels, 22 December 1972.

For the Commission

The President

S. L. MANSHOLT

¹ OJ No 187, 24.12.1963, p. 2975/63.

² OJ No L 297, 30.12.1972, p. 39.