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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1002/78**of 18 May 1978****fixing the import levies on cereals and on wheat or rye flour groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 709/78⁽²⁾, and in particular
Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 1729/77⁽³⁾ and subsequent amending
Regulations;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1729/77 to the

offer prices and today's quotations known to the
Commission that the levies at present in force should
be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 19 May
1978.

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

Done at Brussels, 18 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 18 May 1978 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	84.25
10.01 B	Durum wheat	127.24 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	79.61 ⁽⁶⁾
10.03	Barley	73.56
10.04	Oats	77.45
10.05 B	Maize, other than hybrid maize for sowing	68.96 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	79.98 ⁽⁴⁾
10.07 C	Grain sorghum	79.74 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	130.02
11.01 B	Rye flour	123.52
11.02 A I a)	Durum wheat groats and meal	208.35
11.02 A I b)	Common wheat groats and meal	138.85

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./tonne as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 1003/78

of 18 May 1978

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 709/78⁽²⁾, and in particular
Article 15(6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
1730/77⁽³⁾ and subsequent amending Regulations ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be

altered as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 19 May
1978.

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

Done at Brussels, 18 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 18 May 1978 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	1.34
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.67	0.67	2.68
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1004/78

of 18 May 1978

fixing the minimum import levies on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾,

Having regard to Council Regulation No 162/66/EEC of 27 October 1966 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation (EEC) No 2843/76 of 23 November 1976 laying down special measures in particular for the determination of the offers of olive oil on the world market⁽⁴⁾, as amended by Regulation (EEC) No 2361/77⁽⁵⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 2844/76 of 23 November 1976 laying down special measures in particular for the determination of the offers of olive oil on the Greek market⁽⁶⁾, as amended by Regulation (EEC) No 2361/77, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil from Algeria⁽⁷⁾, as amended by Regulation (EEC) No 2388/77⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil from Morocco⁽⁹⁾, as amended by Regulation (EEC) No 2388/77, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil from Tunisia⁽¹⁰⁾, as amended by Regulation (EEC) No 2388/77, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽¹¹⁾, as amended by Regulation (EEC) No 2387/77⁽¹²⁾, and in particular Article 10 (2) thereof,

Whereas, in Regulation (EEC) No 1362/76 of 14 June 1976⁽¹³⁾, the Commission decided to use the tendering procedure to fix the levies on olive oil ;

Whereas Article 4 of Commission Regulation (EEC) No 3188/76 of 23 December 1976 on detailed rules for the implementation of the special measures for the determination of offers of olive oil on the world market and the Greek market⁽¹⁴⁾, as last amended by Regulation (EEC) No 2413/77⁽¹⁵⁾, lays down the criteria for fixing the rate of the minimum levy ;

Whereas that rate must be fixed for each of the products concerned on the basis of an examination of the world or Greek markets and of the Community market, and also of the levy rates indicated by the tenderers ;

Whereas account should be taken of the oil content of products other than olive oil ; whereas, however, no levies are applied to imports of oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 % ;

Whereas account should be taken in applying the levy of the provisions of the agreements between the Community and certain non-member countries ; whereas, in particular, the levy must be calculated on the basis of the levy to be collected on imports from non-member countries ;

Whereas the application of the rules described above to the levy rates submitted by tenderers on 15 and 16 May 1978 results in the fixing of the minimum levies as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on imports of olive oil shall be as shown in the Annex.

Article 2

This Regulation shall enter into force on 19 May 1978.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No 197, 29. 10. 1966, p. 3393/66.

⁽⁴⁾ OJ No L 327, 26. 11. 1976, p. 4.

⁽⁵⁾ OJ No L 277, 29. 10. 1977, p. 2.

⁽⁶⁾ OJ No L 327, 26. 11. 1976, p. 6.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁸⁾ OJ No L 278, 29. 10. 1977, p. 14.

⁽⁹⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽¹⁰⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽¹¹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹²⁾ OJ No L 278, 29. 10. 1977, p. 13.

⁽¹³⁾ OJ No L 154, 15. 6. 1976, p. 13.

⁽¹⁴⁾ OJ No L 359, 30. 12. 1976, p. 26.

⁽¹⁵⁾ OJ No L 279, 1. 11. 1977, p. 55.

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

Done at Brussels, 18 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 18 May 1978 fixing the minimum import levies on olive oil

(u.a. / 100 kg)

CCT heading No	Greece	Non-member countries
07.01 N II	6.00	10.00
07.03 A II	6.00	10.00
15.07 A I a)	30.00 ⁽³⁾	56.00 ⁽³⁾
15.07 A I b)	30.00 ⁽³⁾	54.00 ⁽³⁾
15.07 A I c)	30.00 ⁽³⁾	54.00 ⁽³⁾
15.07 A II a)	31.00	58.00 ⁽¹⁾
15.07 A II b)	45.00	84.00 ⁽²⁾
15.17 B I a)	14.00	25.00
15.17 B I b)	22.00	40.00
23.04 A	2.00 ⁽⁴⁾	4.00 ⁽⁴⁾

⁽¹⁾ For imports of oil falling within this tariff subheading:

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3.20 u.a./100 kg;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 2.56 u.a./100 kg.

⁽²⁾ For imports of oil falling within this tariff subheading:

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 6 u.a./100 kg;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 4.80 u.a./100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

(a) Greece and Spain: 0.50 u.a./100 kg;

(b) Turkey: 18.50 u.a./100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;

(c) Algeria, Morocco, Tunisia: 20.50 u.a./100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries; however, the repayment may not exceed the amount of the tax in force.

⁽⁴⁾ Pursuant in Article 3 of Regulations (EEC) No 2843/76 and (EEC) No 2844/76, no import levy is collected on oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 %.

COMMISSION DECISION No 1005/78/ECSC

of 18 May 1978

further amending Decision No 527/78/ECSC prohibiting alignment on offers of iron and steel products originating in certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 527/78/ECSC of 14 March 1978 prohibiting alignment on offers of iron and steel products originating in certain third countries ⁽¹⁾, as amended by Decisions No 799/78/ECSC ⁽²⁾ and No 849/78/ECSC ⁽³⁾, and in particular the second paragraph of Article 1 thereof,

Whereas the Commission has concluded an arrangement with Hungary and it is accordingly necessary to include this country in the Annex to the said Decision, together with details of the iron and steel products covered by the arrangement in question,

HAS ADOPTED THIS DECISION:

Article 1

The following addition is hereby made to the Annex to Decision No 527/78/ECSC:

'11. Hungary:

As regards the ECSC iron and steel products falling within Common Customs Tariff ⁽⁴⁾ heading Nos 73.01, 73.02, 73.06 to 73.13 inclusive, and 73.16; 73.15 in the forms mentioned in heading Nos 73.06 to 73.14 inclusive.'

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Communities* and shall remain applicable until 31 December 1978.

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

Done at Brussels, 18 May 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 73, 15. 3. 1978, p. 16.

⁽²⁾ OJ No L 107, 21. 4. 1978, p. 11.

⁽³⁾ OJ No L 115, 27. 4. 1978, p. 45.

⁽⁴⁾ Annex to Council Regulation (EEC) No 2500/77 of 7 November 1977 (OJ No L 289, 14. 11. 1977).

COMMISSION RECOMMENDATION No 1006/78/ECSC

of 18 May 1978

imposing a definitive anti-dumping duty on certain galvanized sheets and plates
originating in the German Democratic Republic

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,

Having regard to Commission recommendation 77/329/ECSC of 15 April 1977 on protection against dumping or the granting of bounties or subsidies by countries which are not members of the European Coal and Steel Community⁽¹⁾, as amended by recommendation No 3004/77/ECSC⁽²⁾, and in particular Articles 17 and 19 thereof,

Having heard the opinions expressed within the Advisory Committee provided for by recommendation 77/329/ECSC,

Whereas the Commission has received a complaint, submitted in the name of the relevant Community industry, setting out evidence as to the existence of dumping of certain galvanized sheets and plates originating in the German Democratic Republic and in certain other countries and material injury resulting therefrom;

Whereas, since the information received indicated that the complaint was admissible and that defensive measures might be necessary, the Commission officially notified the importers and exporters known to be concerned, published in the *Official Journal of the European Communities* a notice of the initiation of an inquiry concerning the imports in question⁽³⁾, and commenced an examination of the matter in cooperation with the Member States;

Whereas, since preliminary examination of the matter showed that there was dumping and sufficient evidence of injury and the interests of the Community called for immediate intervention, the Commission, by recommendation No 359/78/ECSC⁽⁴⁾, imposed a provisional anti-dumping duty on the imports in question;

Whereas, in the course of the examination of the matter, completed after the imposition of the provi-

sional anti-dumping duty, the Commission gave interested parties the opportunity to make known their views;

Whereas, however, in so far as interested parties did not avail themselves of the opportunity to make known their views or present their arguments, the Commission had to base its findings on the facts available;

Whereas when determining dumping on the above-mentioned imports, the Commission had to take account of the fact that trade is on a basis of near or total monopoly and that prices are fixed by the State and that, therefore, an exact comparison between the export price of the product to the Community and its domestic price is not appropriate;

Whereas, for all these reasons, the Commission has decided to base its dumping calculations on the cost of production in a country considered to be one of the most efficient producers of the product in question, as established by means of the latest publicly available data;

Whereas such cost of production has been calculated taking into consideration *inter alia* the following elements: raw materials (covering iron ore, sinter, pellets, scrap, ferro alloys and other iron bearing materials and fluxes), energy costs (coke, fuel oil, electricity), labour costs including social costs, other operating costs (including maintenance costs and transport costs) and capital costs, to which was added a reasonable amount for administration, selling and any other costs and for profits;

Whereas the afore-mentioned calculation has confirmed the reasonableness of the basic prices as published by the Commission⁽⁵⁾;

Whereas the prices of imports into the Community of the products which are the subject of the complaint have been compared with these basic prices;

Whereas this price comparison was made on a free Community frontier duty-paid basis;

⁽¹⁾ OJ No L 114, 5. 5. 1977, p. 6.

⁽²⁾ OJ No L 352, 31. 12. 1977, p. 13.

⁽³⁾ OJ No C 19, 24. 1. 1978, p. 7.

⁽⁴⁾ OJ No L 50, 22. 2. 1978, p. 13.

⁽⁵⁾ Communication from the Commission of 31 December 1977 concerning the basic prices of certain steel products (OJ No L 353, 31. 12. 1977, p. 1.)

Whereas this examination of the matter has shown that the products in question were offered for import within the Community at prices lower than the basic prices and that dumping has taken place, the margin of which is constituted by this undercutting;

Whereas, with regard to injury to the industry concerned, the evidence available to the Commission shows that imports into the Community of the products increased globally from 61 038 to 93 299 tonnes between 1974 and the first six months of 1977, imports originating in Japan, Austria, Spain, Sweden and the German Democratic Republic having risen from 54 513 to 65 300 tonnes in the same period, and that, as a result, they have been able to acquire a Community market share of 6 % in total and 4 % for imports originating in the German Democratic Republic together with those from Japan, Austria, Spain and Sweden, which have concluded steel arrangements with the ECSC;

Whereas, on the other hand, the Community steel industry is in a crisis situation characterized by a reduction in the production of the products concerned between 1974 and 1977 in the Community, by a reduction in the number employed from 780 000 to 720 000 between 1974 and 1977 and by short-time working and that, as a result, the Community steel industry recorded a reduction in profits or the appearance of serious losses in most of the firms concerned;

Whereas the import prices into the Community of products originating in the German Democratic Republic are considerably lower than the already low prices of the Community producers and thus accentuate the depression of Community prices;

Whereas, therefore, the facts as finally established show that material injury has been caused to the Community industry or that such injury would have been caused if provisional action had not been taken, by imports originating in the German Democratic Republic together with those from Japan, Austria, Spain and Sweden, which originate in countries which have concluded steel arrangements with the Community;

Whereas, in the serious conditions being experienced by the Community steel industry, the interests of the Community require the imposition of a definitive anti-dumping duty and the definitive collection of the amount secured by way of provisional duty;

Whereas the amount of such definitive duty should correspond to the difference between the basic price published by the Commission for the products in question and its price on importation into the Community, due consideration being given to any diminution in value claimed by the importers and established to the satisfaction of the competent national authorities,

HAS ADOPTED THIS RECOMMENDATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on the following products originating in the German Democratic Republic:

- zinc-coated (other than electrolytically) steel sheets and plates (galvanized),
- Common Customs Tariff subheading 73.13 B IV c),
- NIMEXE code 73.13-68 and 72.

2. The amount of this duty shall be equal to the amount by which the effective price (basic price plus extras) established by contract, free frontier duty-paid, is lower than the effective price (basic price plus extras) last published by the Commission for this product at the time of its entry for Community consumption.

3. The amount of the duty shall however be reduced to the extent that the importer establishes to the satisfaction of the competent national authorities that the price differential referred to in paragraph 2 above is due to a diminution in value resulting from the quality of the goods being inferior to the lowest quality described in the last publication of basic prices by the Commission.

4. This duty shall be collected on the same basis as customs duties.

Article 2

The amounts secured by way of provisional duty under the provisions of recommendation No 359/78/ECSC, in respect of products originating in the German Democratic Republic, shall be definitively collected to the extent that they do not exceed the rate of duty fixed in this recommendation.

Article 3

This recommendation shall be notified to the Member States.

It shall enter into force for each Member State on the date of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 18 May 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION REGULATION (EEC) No 1007/78

of 18 May 1978

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/
66/EEC of 22 September 1966 on the establishment
of a common organization of the market in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
2560/77⁽²⁾, and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in
Article 27 of Regulation No 136/66/EEC was fixed by
Regulation (EEC) No 190/78⁽³⁾, as last amended by
Regulation (EEC) No 952/78⁽⁴⁾;

Whereas, in the absence of the indicative price for the
1978/79 marketing year and in the absence of the
amount for the monthly increase for September and
October 1978 for colza and rape seed, in case of pre-
fixation for the months of July, August, September
and October 1978 the amount of subsidy on these
products has been obtainable only on the basis of the
indicative price for the months of July, August,
September and October 1977 and on the basis of the
monthly increase for September and October 1977,
this amount may, therefore, be applied on a temporary
basis and should be confirmed or replaced when the
indicative price for the 1978/79 marketing year and
this increase are known;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 190/78
to the information at present available to the Commis-
sion that the amount of the subsidy at present in force
should be altered as shown in the Annex to this Regu-
lation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy referred to in Article
27 of Regulation No 136/66/EEC is hereby fixed as
shown in the table annexed to this Regulation.
2. The amount of the subsidy for the months of
July, August, September and October 1978 will,
however, as for colza and rape seeds, be confirmed or
replaced as from 19 May 1978 to take into account
the indicative price which is fixed for these products
for the 1978/79 marketing year and the amount of the
monthly increase for the month of September and
October 1978.

Article 2

This Regulation shall enter into force on 19 May
1978.

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

Done at Brussels, 18 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 27, 1. 2. 1978, p. 24.

⁽⁴⁾ OJ No L 123, 11. 5. 1978, p. 16.

*ANNEX***to the Commission Regulation of 18 May 1978 fixing the amount of the subsidy on oil seeds**

Subsidy applicable from 19 May 1978 to colza and rape seeds (CCT heading No ex 12.01) and sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	8·654	11·382
Subsidy in the case of advance fixing :		
— for the month of May 1978	8·654	11·382
— for the month of June 1978	8·654	11·382
— for the month of July 1978	6·526 ⁽¹⁾	11·315
— for the month of August 1978	6·794 ⁽¹⁾	11·315
— for the month of September 1978	7·098 ⁽¹⁾	—
— for the month of October 1978	10·079 ⁽¹⁾	—

⁽¹⁾ Subject to confirmation.

COMMISSION REGULATION (EEC) No 1008/78

of 18 May 1978

fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/
66/EEC of 22 September 1966 on the establishment
of a common organization of the markets in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
2560/77⁽²⁾,

Having regard to Council Regulation (EEC) No
1569/72 of 20 July 1972 laying down special
measures for colza and rape seed⁽³⁾, as last amended
by Regulation (EEC) No 852/78⁽⁴⁾,

Having regard to Commission Regulation (EEC) No
2300/73 of 23 August 1973 laying down detailed
rules for applying differential amounts for colza and
rape seed and repealing Regulation (EEC) No
1464/73⁽⁵⁾, as last amended by Regulation (EEC) No
1234/77⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC)
No 2300/73, the Commission must determine the
world market price for colza and rape seed;

Whereas the world market price should be deter-
mined in accordance with the rules and the criteria
set out in Commission Regulation (EEC) No 190/78
of 31 January 1978 fixing the amount of the subsidy

on oil seeds⁽⁷⁾, as last amended by Regulation (EEC)
No 1007/78⁽⁸⁾;

Whereas, to enable the price system to operate
normally, the world market price should be calculated
on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2.25 %, a rate of exchange based on
their effective parity;
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each
of these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous subparagraph;

Whereas, applying all these provisions, the world
market price for colza and rape seed should be fixed
as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of
Regulation (EEC) No 2300/73 and the rates to be used
for converting them into national currencies shall be
as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 19 May
1978.

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

Done at Brussels, 18 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 143, 10. 6. 1977, p. 9.

⁽⁷⁾ OJ No L 27, 1. 2. 1978, p. 24.

⁽⁸⁾ See page 10 of this Official Journal.

ANNEX

World market price applicable from 19 May 1978 for colza and rape seed (CCT heading No ex 12.01)

	<i>u.a./100 kg⁽¹⁾</i>
World market price	22·004
World market price where the subsidy is fixed in advance :	
— for the month of May 1978	22·004
— for the month of June 1978	22·004
— for the month of July 1978	22·004
— for the month of August 1978	21·736
— for the month of September 1978	21·736
— for the month of October 1978	19·059

⁽¹⁾ The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. — DM	3·15665
1 u.a. — Fl	3·35507
1 u.a. — Bfr/Lfr	48·6572
1 u.a. — FF	6·97520
1 u.a. — Dkr	8·56656
1 u.a. — £	0·829717
1 u.a. — I £	0·829717
1 u.a. — Lit	1 313·81

COMMISSION REGULATION (EEC) No 1009/78

of 18 May 1978

introducing a countervailing charge on tomatoes originating in Bulgaria and Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 1034/77⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0.50 unit of account below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances;

Whereas Commission Regulation (EEC) No 824/78 of 25 April 1978 fixing for the month of May 1978 the reference price for tomatoes⁽³⁾ fixed the reference price for Class I products at 77.53 units of account per 100 kilograms;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative markets is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 668/78⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficients fixed in the first indent of Article 1 (2) of Regulation (EEC) No 824/78;

Whereas for Romanian tomatoes the entry prices calculated in this way have remained at least 0.50 unit

of account below the reference price for two consecutive market days; whereas a countervailing charge has therefore to be introduced for these tomatoes;

Whereas Commission Regulation (EEC) No 986/78 of 16 May 1978⁽⁶⁾ has introduced a countervailing charge on tomatoes originating in Bulgaria;

Whereas the entry prices available at present for these two exporting countries allow the application of one charge, equal to the difference between the reference price and the arithmetic mean of the average entry prices established for each exporting country; whereas Regulation (EEC) No 986/78 should therefore be repealed;

Whereas, if the system is to operate normally, it should be calculated for the entry price on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous subparagraph,

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of 26.48 units of account per 100 kilograms net is applied to tomatoes falling within subheading 07.01 M of the Common Customs Tariff and originating in Bulgaria and Romania.
2. Regulation (EEC) No 986/78 is hereby repealed.

Article 2

This Regulation shall enter into force on 20 May 1978.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 125, 19. 5. 1977, p. 1.

⁽³⁾ OJ No L 114, 26. 4. 1978, p. 7.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

⁽⁶⁾ OJ No L 128, 17. 5. 1978, p. 22.

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

Done at Brussels, 18 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1010/78

of 18 May 1978

altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Commission Regulation (EEC) No 887/78 of 28 April 1978⁽³⁾ has fixed the rates of the refunds applicable from 1 May 1978 to certain dairy products exported in the form of goods not covered by Annex II to the Treaty;

Whereas the rates of the refunds per 100 kilograms of each of the basic products concerned shall be fixed for each month, according to the first subparagraph of Article 4 (1) of Council Regulation (EEC) No 2682/72 of 12 December 1972 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽⁴⁾, as last amended by Regula-

tion (EEC) No 707/78⁽⁵⁾; whereas this rule, established in order to create security conditions necessary for the processing industry to conclude their export contracts, should not form an obstacle to adjusting the rates of refunds during the month for which they were fixed in exceptional situations created by important fluctuations of the world market prices; it is therefore necessary to alter the rates of the refunds which applied to certain milk products exported in the form of products which are not included in Annex II to the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to certain milk products exported in the form of the products which appear in the Annex to Regulation (EEC) No 804/68 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 18 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 117, 29. 4. 1978, p. 36.

⁽⁴⁾ OJ No L 289, 27. 12. 1972, p. 13.

⁽⁵⁾ OJ No L 94, 8. 4. 1978, p. 7.

ANNEX

to the Commission Regulation of 18 May 1978 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

(u.a./100 kg)

CCT heading No	Description	Rate of refund
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of less than 1.5 % by weight and with a water content of less than 5 % by weight (PG 2) :	
	a) On exportation of goods of CCT heading No 35.01	—
	b) On exportation of other goods	66.54
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	93.55
ex 04.02 A III	Concentrated milk, with a fat content by weight of 7.5 % and a content by weight in dry matter equal to 25 % (PG 4)	20.16
ex 04.03	Butter, with a fat content by weight of 82 % (PG 6) :	
	a) On exportation of goods of CCT heading No 19.08 or of subheadings 18.06 B and 21.07 C, and 'ice mix' of CCT subheadings ex 18.06 D and heading No ex 21.07 manufactured under the conditions laid down in Article 6 of Regulation (EEC) No 232/75	—
	b) On exportation of goods of CCT subheading 21.07 G VIII a) with a content of non-milk fats of more than 20 %	171.88
	c) On exportation of other goods	164.52

COMMISSION REGULATION (EEC) No 1011/78**of 18 May 1978****altering the import levies on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 709/78 ⁽²⁾, and in particular
Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽³⁾, as last amended by Regu-
lation (EEC) No 709/78, and in particular Article 12
(4) thereof,

Whereas the import levies on products processed
from cereals and rice were fixed by Regulation (EEC)
No 860/78 ⁽⁴⁾, as amended by Regulation (EEC) No
955/78 ⁽⁵⁾;

Whereas the levy on the basic product as last fixed
differs from the average levy by more than 2.5 units of

account per tonne of basic product ; whereas, pursuant
to Article 1 of Regulation (EEC) No 1579/74 ⁽⁶⁾, the
levies at present in force must therefore be altered as
shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products
processed from cereals and rice covered by Regulation
(EEC) No 2744/75 ⁽⁷⁾, as last amended by Regulation
(EEC) No 2560/77 ⁽⁸⁾, as fixed in the Annex to
amended Regulation (EEC) No 860/78, are hereby
altered as shown in the table annexed to this Regula-
tion.

Article 2

This Regulation shall enter into force on 19 May
1978.

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

Done at Brussels, 18 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 21.

⁽⁵⁾ OJ No L 123, 11. 5. 1978, p. 21.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 303, 28. 11. 1977, p. 1.

ANNEX

to the Commission Regulation of 18 May 1978 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 A II ⁽²⁾	151.84	146.84
11.02 B II b) ⁽²⁾	111.00	108.50
11.02 C II ⁽²⁾	133.03	130.53
11.02 D II ⁽²⁾	85.71	83.21
11.02 E II b) ⁽²⁾	151.84	146.84
11.02 F II ⁽²⁾	151.84	146.84

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polametric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

COMMISSION REGULATION (EEC) No 1012/78

of 18 May 1978

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organ-
ization of the market in sugar ⁽¹⁾, as last amended by
Regulation (EEC) No 705/78 ⁽²⁾, and in particular
Article 15 (7) thereof,

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1436/77 ⁽³⁾,
as last amended by Regulation (EEC) No 994/78 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1436/77
to the information at present available to the Commis-

sion that the levies at present in force should be
altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The levies referred to in Article 15 (1) of Regulation
(EEC) No 3330/74 are, in respect of white sugar and
standard quality raw sugar, hereby fixed as shown in
the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 May
1978.

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

Done at Brussels, 18 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 1.

⁽³⁾ OJ No L 161, 1. 7. 1977, p. 9.

⁽⁴⁾ OJ No L 129, 18. 5. 1978, p. 16.

ANNEX

to the Commission Regulation of 18 May 1978 fixing the import levies on white sugar and
raw sugar

(u.a. / 100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	26.81
	B. Raw sugar	21.99 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with
the provisions of Article 2 of Regulation (EEC) No 837/68.