

Official Journal

of the European Communities

ISSN 0378-6978

L 164

Volume 21

21 June 1978

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EEC) No 1337/78 of 20 June 1978 fixing the import levies on cereals and on wheat or rye flour, groats and meal 1
- Commission Regulation (EEC) No 1338/78 of 20 June 1978 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- ★ Commission Regulation (EEC) No 1339/78 of 20 June 1978 re-establishing the levying of the customs duties on heavy petroleum oils falling within subheadings 27.10 C I c), II c), III c) and d), originating in Romania and Venezuela, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply 5
- ★ Commission Regulation (EEC) No 1340/78 of 20 June 1978 re-establishing the levying of customs duties on woven fabrics of silk, of noil or other waste silk falling within heading No 50.09, originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2706/77 apply 7
- ★ Commission Regulation (EEC) No 1341/78 of 20 June 1978 re-establishing the levying of customs duties on woven fabrics of sheep's or lambs' wool or of fine animal hair falling within heading No 53.11 originating in Argentina, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2706/77 apply 8
- ★ Commission Regulation (EEC) No 1342/78 of 20 June 1978 re-establishing the levying of the customs duties on wrought bars, rods, angles, shapes and sections of aluminium; aluminium wire falling within heading No 76.02 originating in Yugoslavia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply 9
- Commission Regulation (EEC) No 1343/78 of 20 June 1978 fixing the import levies on white sugar and raw sugar 10
- Commission Regulation (EEC) No 1344/78 of 20 June 1978 altering the basic amount of the import levy on syrups and certain other sugar products 11

Contents (continued)

Commission Regulation (EEC) No 1345/78 of 20 June 1978 fixing the import levies on isoglucose	12
---	----

II *Acts whose publication is not obligatory*

Commission

78/538/ECSC :

★ Commission Decision of 6 June 1978 authorizing Arbed to acquire the whole of the capital of Neunkircher Eisenwerk AG, 25.09 % of the capital of SA Métallurgique et Minière de Rodange-Athus, and to take over the management of the latter company	14
---	----

78/539/EEC :

★ Commission Decision of 6 June 1978 approving the plans for the accelerated eradication of brucellosis and tuberculosis put forward by the French Republic	22
---	----

78/540/EEC :

Commission Decision of 7 June 1978 fixing the maximum amount of the export refund for the 44th partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77	23
--	----

78/541/EEC :

Commission Decision of 7 June 1978 fixing the maximum amount of the export refund for the 33rd partial invitation to tender for raw beet sugar issued under Regulation (EEC) No 1790/77	24
---	----

78/542/EEC :

★ Commission opinion of 8 June 1978 addressed to the Danish Government on the implementing provisions for Council Regulation (EEC) No 543/69 on the harmonization of certain social legislation relating to road transport	25
--	----

78/543/EEC :

Commission Decision of 8 June 1978 amending Commission Decision 78/273/EEC and increasing to 126 000 tonnes the quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened	26
---	----

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1337/78**of 20 June 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 1254/78⁽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 1 June annexed
to this Regulation.

Article 2

This Regulation shall enter into force on 21 June
1978.

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

Done at Brussels, 20 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 20 June 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	87.85
10.01 B	Durum wheat	133.79 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	86.98 ⁽⁶⁾
10.03	Barley	81.66
10.04	Oats	79.63
10.05 B	Maize, other than hybrid maize for sowing	76.83 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	81.94 ⁽⁴⁾
10.07 C	Grain sorghum	83.93 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	134.51
11.01 B	Rye flour	133.98
11.02 A I a)	Durum wheat groats and meal	218.55
11.02 A I b)	Common wheat groats and meal	143.52

⁽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 1338/78**of 20 June 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 1254/78 ⁽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 21 June
1978.

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

Done at Brussels, 20 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 20 June 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 6	1st period 7	2nd period 8	3rd period 9
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
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	0	0
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 6	1st period 7	2nd period 8	3rd period 9	4th period 10
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 1339/78

of 20 June 1978

re-establishing the levying of the customs duties on heavy petroleum oils falling within subheadings 27.10 C I c), II c), III c) and d), originating in Romania and Venezuela, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements;

Whereas, however, for products falling within subheadings 27.10 A III, B III, C I c), C II c) and C III c) and d) the Community ceilings as defined in Article 1 (3) are respectively set at 703 500, 275 000 and 1 700 000 tonnes;

Whereas, having regard to those ceilings and for the same subheadings, the maximum Community amount referred to in Article 1 (4) of the Regulation in question is reduced to 20 %⁽²⁾;

Whereas Article 2 (2) (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories — with the exception of those listed in Annex C to the same Regulation — once the relevant Community amount has been reached;

Whereas, in respect of heavy petroleum oils, falling within subheadings 27.10 C I c), II c), III c) and d),

originating in Romania and Venezuela, countries covered by preferential tariff arrangements, charges in the Community reached on 10 June 1978 the maximum amount of 340 000 tonnes; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that maximum amounts shall not be exceeded, customs duties should be re-established in respect of the products in question in relation to Romania and Venezuela,

HAS ADOPTED THIS REGULATION:

Article 1

As from 24 June 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community and originating in Romania and Venezuela:

CCT heading No	Description
27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations: C. Heavy oils: I. Gas oil: c) For other purposes II. Fuel oil: c) For other purposes III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27 d) For other purposes

Article 2

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

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 23.

⁽²⁾ OJ No L 324, 19. 12. 1977, p. 6 footnote (1).

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

Done at Brussels, 20 June 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 1340/78
of 20 June 1978

re-establishing the levying of customs duties on woven fabrics of silk, of noil or other waste silk falling within heading No 50.09, originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2706/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2706/77 of 28 November 1977 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may, for each category of products listed in Annex C to that Regulation, be suspended up to a Community ceiling equal to 87 % of the sum arrived at by adding together the value of the products in question, in tonnes, imported into the Community in 1968 and coming from countries listed in its Annex D, but not including products coming from countries already covered by various preferential tariff arrangements established by the Community, and 5 % of the 1970 tonnage of such imports coming from other countries and from countries already covered by such arrangements ; whereas, having regard to that ceiling, the amounts for products originating in any one of the countries listed in Annex D should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex C to the abovementioned Regulation ; whereas, for those products, this reduced percentage will be 20 % ;

Whereas Article 3 (2) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, with exception of countries listed in its Annex E, once the relevant Community maximum amount has been reached ;

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

Done at Brussels, 20 June 1978.

For the Commission
Étienne DAVIGNON
Member of the Commission

Whereas, in respect of woven fabrics of silk, of noil or other waste silk, the ceiling, calculated as indicated above, should be 97 tonnes, and therefore the maximum amount is 19.40 tonnes ; whereas on 9 June 1978 the amounts of imports into the Community of woven fabrics of silk, of noil or other waste silk, originating in South Korea, a country covered by preferential tariff arrangements, reached that maximum amount ; whereas, bearing in mind the objectives of Regulation (EEC) No 2706/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to South Korea,

HAS ADOPTED THIS REGULATION :

Article 1

As from 24 June 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2706/77, shall be re-established in respect of the following products, imported into the Community and originating in South Korea :

CCT heading No	Description
50.09	Woven fabrics of silk, of noil or other waste silk

Article 2

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

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 67.

COMMISSION REGULATION (EEC) No 1341/78
of 20 June 1978

re-establishing the levying of customs duties on woven fabrics of sheep's or lambs' wool or of fine animal hair falling within heading No 53.11 originating in Argentina, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2706/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2706/77 of 28 November 1977 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may, for each category of products listed in Annex C to that Regulation, be suspended up to a Community ceiling equal to 87 % of the sum arrived at by adding together the value of the products in question, in tonnes, imported into the Community in 1968 and coming from countries listed in its Annex D, but not including products coming from countries already covered by various preferential tariff arrangements established by the Community, and 5 % of the 1970 tonnage of such imports coming from other countries and from countries already covered by such arrangements; whereas, having regard to that ceiling, the amounts for products originating in any one of the countries listed in Annex D should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex C to the abovementioned Regulation; whereas, for those products, this reduced percentage will be 20 %;

Whereas Article 3 (2) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, with exception of countries listed in its Annex E, once the relevant Community maximum amount has been reached;

Whereas, in respect of woven fabrics of sheep's or lambs' wool or of fine animal hair, the ceiling, calculated as indicated above, should be 357 tonnes, and therefore the maximum amount is 71.40 tonnes; whereas on 12 June 1978 the amounts of imports into the Community of woven fabrics of sheep's or lambs' wool or of fine animal hair, originating in Argentina, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 2706/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Argentina,

HAS ADOPTED THIS REGULATION:

Article 1

As from 24 June 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2706/77, shall be re-established in respect of the following products, imported into the Community and originating in Argentina:

CCT heading No	Description
53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair

Article 2

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, 20 June 1978.

For the Commission
Étienne DAVIGNON
Member of the Commission

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 67.

COMMISSION REGULATION (EEC) No 1342/78

of 20 June 1978

re-establishing the levying of the customs duties on wrought bars, rods, angles, shapes and sections of aluminium; aluminium wire falling within heading No 76.02 originating in Yugoslavia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾ and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; however the ceiling resulting from the sum of this addition may in no case exceed 225 % of the preferential ceiling open for 1976;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A to that Regulation; whereas, for these products, this reduced percentage will be 20 %;

Whereas Article 2 (2) and (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the

products in question originating in any of the said countries or territories — with the exception of those listed in Annex C of the same Regulation — once the relevant Community amount has been reached;

Whereas, in respect of wrought bars, rods, angles, shapes and sections of aluminium; aluminium wire, the ceiling, calculated above, should be 3 516 000 units of account, and therefore the maximum amount is 703 200 units of account; whereas on 10 June 1978, the amounts of imports into the Community of wrought bars, rods, angles, shapes and sections of aluminium; aluminium wire, originating in Yugoslavia, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Yugoslavia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 24 June 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community and originating in Yugoslavia:

CCT heading No	Description
76.02	Wrought bars, rods, angles, shapes and sections of aluminium; aluminium wire

Article 2

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, 20 June 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 23.

COMMISSION REGULATION (EEC) No 1343/78

of 20 June 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 organization 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 1336/78⁽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 21 June 1978.

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

Done at Brussels, 20 June 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 163, 20. 6. 1978, p. 8.

ANNEX

to the Commission Regulation of 20 June 1978 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (u.a. / 100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar	26.81 22.48 ⁽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.

COMMISSION REGULATION (EEC) No 1344/78

of 20 June 1978

altering the basic amount of the import levy on syrups and certain other sugar products

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 organization 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 basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 1166/78⁽³⁾, as amended by Regulation (EEC) No 1194/78⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1166/78

to the information at present available to the Commission that the basic amount of the levy at present in force should be altered as shown in this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 is hereby fixed, per 100 kilograms of product, at 0.2681 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 21 June 1978.

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

Done at Brussels, 20 June 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 145, 1. 6. 1978, p. 16.

⁽⁴⁾ OJ No L 146, 2. 6. 1978, p. 14.

COMMISSION REGULATION (EEC) No 1345/78
of 20 June 1978
fixing the import levies on isoglucose

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose⁽¹⁾, as last amended by Regulation (EEC) No 706/78⁽²⁾, and in particular Article 3 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1111/77, a levy is to be charged on imports of the products specified in Article 1 of that Regulation; whereas this levy is to consist of a fixed component and a variable component;

Whereas these components are defined in Article 3 (1) of Regulation (EEC) No 1111/77; whereas, pursuant to Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽³⁾, the fixed component referred to in Article 3 of Regulation (EEC) No 1111/77 must be equal to that used for fixing the import levy on products falling within subheading 17.02 B II a) of the Common Customs Tariff;

Whereas the levy must be fixed each month;

Whereas, to enable the system of levies to function normally, the levies should be calculated using:

- 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 of the Community currencies referred to in the previous subparagraph;

Whereas in view of the foregoing the levies on isoglucose shall be fixed as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 3 (4) of Regulation (EEC) No 1111/77 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June 1978.

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

Done at Brussels, 20 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 5.

⁽³⁾ OJ No L 162, 1. 7. 1977, p. 9.

ANNEX

to the Commission Regulation of 20 June 1978 fixing the import levies on isoglucose

(in u.a.)		
CCT heading No	Description	Levies per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : D. Other sugars and syrups : I. Isoglucose	34.81
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	34.81

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 June 1978

authorizing Arbed to acquire the whole of the capital of Neunkircher Eisenwerk AG, 25.09 % of the capital of SA Métallurgique et Minière de Rodange-Athus, and to take over the management of the latter company

(Only the French text is authentic)

(78/538/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 66 thereof,

Having regard to Decision No 24-54 of 6 May 1954 laying down in implementation of Article 66 (1) of the Treaty a Regulation on what constitutes control of an undertaking⁽¹⁾,

Having regard to the application dated 30 January 1978 from Aciéries Réunies de Burbach-Eich-Dudelange SA,

Having consulted the Governments of the Kingdom of Belgium, the Federal Republic of Germany and the Grand Duchy of Luxembourg,

Whereas :

I

1. Aciéries réunies de Burbach-Eich-Dudelange SA (Arbed), Luxembourg, is a steel-producing undertaking within the meaning of Article 80 of the Treaty, with a capital of Lfrs 6 500 000 000.

⁽¹⁾ Official Journal of the ECSC, 11. 5. 1954, p. 345/54.

2. Arbed has, among others, shareholdings in the following iron and steel manufacturing undertakings :

<i>Undertaking</i>	<i>Arbed holding</i>
— Stahlwerke Röchling-Burbach, Völklingen, Germany	50 %
— Sidmar, Ghent, Belgium	84.2 %
— Eschweiler Bergwerks Verein, Eschweiler, Germany	96 %
— Arbed-Felten & Guillaume, Cologne, Germany	97 %

3. Either alone or together with others, Arbed is in a position to control the above undertakings within the meaning of Decision No 24-54, with which it forms a concentration within the meaning of Article 66 (1).

4. SA Métallurgique et Minière de Rodange-Athus (Rodange) is a company incorporated in accordance with Luxembourg law in which the Belgian companies Financière du Ruau and Cockerill hold 43.7 % and 33.3 % of the shares respectively. Rodange has a 40 % shareholding in Laminoirs de Villerupt (Villerupt), the other 60 % being held by the Marine-Wendel Group.

5. Neunkircher Eisenwerk AG (Neunkirchen), Neunkirchen, is an iron and steel-producing undertaking in which 50 % of the shares are held by Otto Wolff AG and 50 % by the German petroleum company Mabanft. Neunkirchen has a 32.4 % shareholding in the Saar undertaking Dillinger Hütte (Dilling), which belongs to the French Group Marine-Wendel with a holding of 59.2 %.

II

6. Arbed proposes to :

- (a) acquire 25.09 % of the shares in Rodange, and assume control of its technical and financial management. Rodange operates two plants, one at Rodange in Luxembourg and the other nearby at Athus in Belgium.

This company was hit hard by the crisis, and anxious to save it from insolvency, the Belgian and Luxembourg Governments entered into negotiations which on 20 December 1977 culminated in a joint document; this document, having established that there exist currently and potentially large areas in which Arbed and Rodange can profitably combine their business, recommends in particular that Arbed should take over the management of Rodange with a view to providing efficient management which is capable of responding to the constraints of the new synergistic strategy.

Under the terms of this rescue operation, Rodange's share capital will be increased to Lfrs 1 275 000 000, held as follows :

— Arbed	25.09 %
— Former shareholders	20.00 %
— Financière du Ruau	8.74 %
— Cockerill	6.66 %
— Others	4.6 %
— SNCI Luxembourgeoise	15.69 %
— Consortium of Luxembourg banks	15.69 %
— Compagnie Bruxelles-Lambert	15.69 %
— Société Belge d'Investissement (SBI)	7.84 %
	100.00 %

The Rodange board of directors (Conseil d'administration) will have 15 members, representing the workers (5), the former shareholders and Compagnie Bruxelles-Lambert (3), the SNCI Luxembourgeoise (2), a consortium of Luxembourg banks (2), Arbed (2) and the Société Belge d'Investissement (1).

It will determine the general policy of the undertaking on the basis of the joint document of 20 December 1977.

One of the directors nominated by Arbed will be appointed managing director (Administrateur-délégué). He will ensure that the management of Rodange carries out the policy defined by the Board and that the synergistic strategy agreed between Rodange and Arbed is realized.

- (b) acquire the 50 % shareholdings which the Otto Wolff and Mabanft groups each have in Neunkirchen in consideration of a 5 % aggregate holding in its own shares, the requisite shares being issued in the form of an increase in Arbed's capital.

The holding in Neunkirchen will subsequently be transferred to Röchling-Burbach GmbH, Völklingen, their value being credited to Arbed against Röchling-Burbach ;

- (c) acquire the 50 % shareholding which the Röchling family, grouped within Röchling Industrie Verwaltung GmbH, has in Röchling-Burbach. Arbed, which already held half the shares in Röchling-Burbach, will thus become its sole shareholder.

In consideration of the transfer of its 50 % shareholding in Röchling-Burbach, the Röchling family will receive, in addition to a payment in cash, a 5.6 % shareholding in Arbed, which will increase its capital accordingly, and Arbed's credit against Röchling-Burbach. This will be settled by the transfer to the Röchling family of Röchling-Burbach's 58 % shareholding in Gerlach-Werke GmbH, Homburg.

7. The pattern of shareholdings of the undertakings concerned before and after the proposed transactions is set out in the two tables below :

```

graph TD
    Villarsrupt[Villarsrupt 60] --> Dilling[Dilling 59.2]
    Villarsrupt --> Nunkirchen[Nunkirchen 50]
    Villarsrupt --> Roekling[Roekling-Surbach 50]
    Villarsrupt --> Gerlach[Gerlach 58]
    
    Dilling --> Sacilor[Groupe Sacilor 40.6]
    Dilling --> Sollac[Sollac 25.1]
    Dilling --> Solmer[Solmer 47.5]
    
    Sacilor --> Cockerill[Groupe Cockerill 333]
    Sollac --> Cockerill
    Solmer --> Cockerill
    
    Nunkirchen --> Cockerill
    Nunkirchen --> Ruau[Groupe Ruau 24]
    
    Roekling --> Cockerill
    Roekling --> Ruau
    
    Gerlach --> Cockerill
    Gerlach --> Ruau
    
    Cockerill --> Rodange[Rodange 437]
    Rodange --> Ruau
    
    Ruau --> Fibelpar[Fibelpar 44]
    Fibelpar --> Bruxelles[Bruxelles-Lambert 56]
    Fibelpar --> Frere[Frère 24]
    Fibelpar --> Paribas[Paribas 24]
    
    Empain[Empain-Schnieder 10.8] --> Arbed[Arbed 16.1]
    Arbed --> Sidmar[Sidmar 84.2]
    Arbed --> Eschweiler[Eschweiler 94]
    Arbed --> Falck[Arbed-Falck 97]
    Arbed --> Guilleaumes[Guilleaumes 77]
    
    FamRoeckling[Fam. Röckling] --> Mabonatt[Mabonatt]
    Mabonatt --> Wolff[O. Wolff]
    Wolff --> Werder[Marine Werder]
  
```

☐	: South rationalization group.
H	: Holding company.
S	: Steel producers.
Tr	: Users.

The diagram illustrates the organizational structure of the 'Groupe de la Région' (Group of the Region). It shows the flow of influence or control between various entities, categorized into individuals (H), groups (S), and a transition (Tr). The flow is indicated by arrows with numerical values representing the strength of the relationship.

Entities and their types:

- Individuals (H):** Maring-Wendel, O. Wolff, Mabanalt, Fam. Röckling, Empain-Schneider, Général de Balguy, Cockerill, Fibelpar, Frère, Paribas.
- Groups (S):** Groupe Sacilor, Groupe Cockerill, Groupe Roux, Rodange, Dilling, Sollac, Solmar, Neunkirchen, Röchling-Burbach, Villerupt.
- Transition (Tr):** Gerlach.

Flow and Numerical Values:

- From Maring-Wendel (H) to Groupe Sacilor (S):** 46.6
- From O. Wolff (H) to Groupe Sacilor (S):** 46.6
- From Mabanalt (H) to Groupe Sacilor (S):** 46.6
- From Fam. Röckling (H) to Groupe Sacilor (S):** 46.6
- From Empain-Schneider (H) to Groupe Sacilor (S):** 46.6
- From Général de Balguy (H) to Groupe Sacilor (S):** 46.6
- From Cockerill (S) to Groupe Cockerill (S):** 46.6
- From Fibelpar (H) to Groupe Cockerill (S):** 46.6
- From Frère (H) to Groupe Cockerill (S):** 46.6
- From Paribas (H) to Groupe Cockerill (S):** 46.6
- From Groupe Cockerill (S) to Rodange (S):** 46.6
- From Rodange (S) to Villerupt (S):** 46.6
- From Rodange (S) to Dilling (S):** 46.6
- From Dilling (S) to Sollac (S):** 46.6
- From Sollac (S) to Solmar (S):** 46.6
- From Dilling (S) to Neunkirchen (S):** 46.6
- From Neunkirchen (S) to Röchling-Burbach (S):** 46.6
- From Röchling-Burbach (S) to Villerupt (S):** 46.6
- From Gerlach (Tr) to Dilling (S):** 46.6

Flowchart Structure:

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graph TD
    Maring-Wendel[H] -- 46.6 --> GroupeSacilor[S]
    O.Wolff[H] -- 46.6 --> GroupeSacilor[S]
    Mabanalt[H] -- 46.6 --> GroupeSacilor[S]
    Fam.Rockling[H] -- 46.6 --> GroupeSacilor[S]
    Empain-Schneider[H] -- 46.6 --> GroupeSacilor[S]
    Genl.Balguy[H] -- 46.6 --> GroupeSacilor[S]
    Cockerill[S] -- 46.6 --> GroupeCockerill[S]
    Fibelpar[H] -- 46.6 --> GroupeCockerill[S]
    Frere[H] -- 46.6 --> GroupeCockerill[S]
    Paribas[H] -- 46.6 --> GroupeCockerill[S]
    GroupeCockerill[S] -- 46.6 --> Rodange[S]
    Rodange[S] -- 46.6 --> Villerupt[S]
    Rodange[S] -- 46.6 --> Dilling[S]
    Dilling[S] -- 46.6 --> Sollac[S]
    Sollac[S] -- 46.6 --> Solmar[S]
    Dilling[S] -- 46.6 --> Neunkirchen[S]
    Neunkirchen[S] -- 46.6 --> Rochling-Burbach[S]
    Rochling-Burbach[S] -- 46.6 --> Villerupt[S]
    Gerlach[Tr] -- 46.6 --> Dilling[S]
  
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□ : South rationalization group.

H : Holding company.

S : Steel producers.

Tr : Users.

(*) : Disregarding conditions and obligations.

8. Following the proposed acquisition of 25.09 % of the shares in Rodange and assumption of its technical and financial management, Arbed will be in a position to control Rodange within the meaning of Decision No 24-54. This transaction will therefore entail a concentration between Arbed and Rodange within the meaning of Article 66 of the Treaty. Following its acquisition of all the shares in Neunkirchen, Arbed will be in a position to control it and will thus be in concentration with it. Acquisition of 50 % of the shares in Röchling-Burbach will not, however, give rise to a new concentration as Arbed, by reason of its previous holding of 50 %, was already considered to be in a concentration with it.

III

9. Assessment of the effects of this operation on the steel market requires an examination of the nature

and volume of production of the undertakings concerned, and also their share of production and sales on the iron and steel market.

10. The undertakings in question are located in Belgium, the Federal Republic of Germany and the Grand Duchy of Luxembourg. They are long-standing suppliers of large quantities of steel to other Community countries. They compete with other suppliers both from the Community and from non-member States on their home markets and in other Member States. It follows that the relevant market is the whole Community.

11. The table below gives figures for the production and Community market share accounted for by Arbed, Rodange and Neunkirchen, and by the group resulting from the proposed transactions :

Production 1976

Products	Community	Arbed group		Rodange		Neunkirchen		Total Arbed + Rodange + Neunkirchen	
	1 000 tonnes	1 000 tonnes	% Cty	1 000 tonnes	% Cty	1 000 tonnes	% Cty	1 000 tonnes	% Cty
<i>Crude steel</i>	134 155	9 030	6.7	549 (a)	0.4	1 004	0.8	10 583	7.9
<i>Coils (total production)</i>	43 007	2 102	4.9	—	—	—	—	2 102	4.9
<i>Rolled finished products</i>	97 174	6 557	6.8	508 (b)	0.5	770	0.8	7 835	8.1
Permanent-way material	1 556	42	2.7	168 (b)	10.8	1	0.1	211	13.6
Sheet piling	878	157	17.9	—	—	—	—	157	17.9
Wide-flanged beams	2 376	558	23.5	17	0.7	—	—	575	24.2
Other sections	4 155	506	12.2	115	2.8	20	0.4	641	15.4
Tube rounds and squares	2 262	—	—	—	—	68	3.0	68	3.0
Wire rod	10 429	962	9.2	35	0.3	298	2.9	1 295	12.4
Merchant bars	20 617	1 556	7.5	173	0.8	301	1.5	2 030	9.8
Wide flats	566	82	14.5	—	—	2	0.3	84	14.8
Hot rolled strip and tube strip	7 056	848	12.0	—	—	80	1.1	928	13.1
Heavy plate	11 919	255	2.1	—	—	—	—	255	2.1
Sheet	26 768	1 466	5.5	—	—	—	—	1 466	5.5
Coils (finished products)	8 591	125	1.5	—	—	—	—	125	1.5
<i>End products</i>									
Tinplate and other tinned plate	3 964	—	—	—	—	—	—	—	—
Blackplate	72	—	—	—	—	—	—	—	—
Coated plate and sheet	4 733	57	1.2	—	—	—	—	57	1.2
Electrical sheet	1 106	—	—	—	—	—	—	—	—

(a) Including 28 000 tonnes from Villerupt.

(b) Including 68 000 tonnes of rails from Villerupt.

12. The result of the proposed transactions will be a 1.2 % increase in Arbed's share of crude steel output. As regards individual products, the largest increases will be for permanent-way material (+ 10.9 %), other shapes and sections (+ 3.2 %), wire rod (+ 3.2 %), tube rounds and squares (+ 3 %) and merchant bars (+ 2.3 %). There are smaller increases for hot rolled strip and tube strip (+ 1.1 %), wide-flanged beams (+ 0.7 %) and wide flats (+ 0.3 %).

13. In the case of *crude steel*, the new group with its 7.9 % share will rank fifth among the largest manufacturers in the Community, preceded by four undertakings which hold respective shares of 14.6 %, 10.2 %, 9.9 % and 8.3 % and followed by five other undertakings with market shares of 7.7 %, 6.8 %, 4 %, 3.9 % and 3.9 %.

14. In the case of *permanent-way material* with its 13.5 % share, the group will rank second after Marine-Wendel, which has a 25.7 % share of the Community market, being followed by four undertakings with respective shares of 13.4 %, 12.8 %, 9.1 % and 8.6 %. The 10 largest undertakings together account for approximately 95 % of production with five other undertakings responsible for the remaining 5 %. Although Marine-Wendel is in joint control of Villerupt with Rodange, the two groups' production does not have to be aggregated because, in the Commission Decision of 13 September 1974 authorizing the formation of Villerupt, any group effect between Sacilor of the Marine-Wendel group and Rodange-Athus was excluded by reason of the fact that these two undertakings would preserve their full business autonomy and continue to compete on the market, while, in view of the characteristic structure of the market for rails, they operate on substantially separate markets and have done so for a long time.

15. In the case of *other shapes and sections* the new group, with 15.4 % of production, will rank first among Community manufacturers followed by two undertakings with respective shares of 14.5 % and 14.1 %. Four other undertakings account for 8.9 %, 8.8 %, 7.8 % and 6.3 % of production respectively. The 10 largest manufacturers are responsible for 84.5 % of Community production, with the other 15.5 % shared by 20 others. As the market here is for specialized products, demand is somewhat restricted and there is a correspondingly limited number of manufacturers supplying it.

16. In the case of *wire rod*, the new group, with a 12.4 % share of the Community market, will rank third among manufacturers, the two undertakings with larger shares producing 15.8 % and 13.6 %, the fourth having an 11.8 % share of production. The 10 largest Community manufacturers account for 73.5 % of production, with 40 others responsible for the remaining 26.5 %.

17. Neither Arbed nor Rodange manufactured *tube rounds and squares*. With the addition of Neunkirchen production the new group will rank ninth among Community manufacturers with 3 %. The largest accounts for 37 % of production, followed by three other undertakings with shares of 17.2 %, 16.4 % and 7.2 %. The 10 top manufacturers are responsible for 95.5 % of Community production, the remaining 4.5 % being shared among eight others.

18. The new group will become the leading manufacturer of *merchant bars*, with 9.8 % followed by four undertakings with respective market shares of 8.6 %, 8.3 %, 7.6 % and 7.5 %. The 10 top manufacturers account for 55 % of Community production, with approximately 150 other undertakings responsible for the remaining 45 %. There is very strong competition on this market, since merchant bars are manufactured and sold by almost all producers.

19. In the case of hot rolled strip and tube strip, wide-flanged beams and wide flats, the proposed transactions will not alter Arbed's position on the market.

20. Taking an aggregate view of the relevant *rolled finished products*, the new group will account for 8.1 % of Community production, thus ranking fifth after manufacturers with market shares of 13 %, 10.1 %, 8.8 % and 8.8 % respectively. The top 10 manufacturers account for 73.3 % of Community production, the remaining 26.7 % being shared among some 170 others.

21. As a result of the transactions discussed above, Arbed will be very strongly placed on the market for certain products. There are, however, in the Community other competing manufacturers with comparable or larger market shares, and the same products are also imported from non-member countries at highly competitive prices. The order of magnitude and balance existing among the large iron and steel manufacturers in the Community will not be affected in a manner detrimental to competition.

22. Arbed's acquisition of a shareholding in Rodange and assumption of control of its technical and financial management is essential to the Rodange rescue operation, which takes account of the need to restructure the iron and steel industries in Belgium and Luxembourg. One of the objects of the exercise is that Rodange should specialize its manufacturing business as part of the plan to pool resources with Arbed in accordance with the joint document of 20 December 1977. As a result of the concentration with Neunkirchen, the newly-rationalized production of the group will enable Arbed to utilize some very modern rolling-mills at Neunkirchen and Röchling-Burbach for items currently produced in Luxembourg and to make its heavy section works available to the Saar undertakings. The effect of this rationalization will be to reduce production costs.

23. These operations will, by a process of rationalization, help to boost the competitiveness of the undertakings concerned without expanding productive capacity, and hence they are in conformity with the Commission's policy for restructuring the iron and steel industry.

24. In the light of all the facts given above, the operation in question will not give the undertakings concerned the power to determine prices, to control or restrict production or distribution or to hinder the maintenance of effective competition in the common market, or to evade the rules of competition instituted under the Treaty, in particular by establishing an artificially privileged position involving a substantial advantage in access to supplies or markets.

IV

25. In order to maintain effective competition in an oligopolistic market such as the steel market, the Commission has to ensure that the independence and autonomy of the large groups competing in the market are not affected by interlocking shareholdings or other links.

26. Neunkirchen holds a 32.4 % share in the Saar undertaking Dilling, the majority of whose shares are held by the Marine-Wendel Group. Such a holding will give Arbed a blocking minority within Dilling. This holding, together with representation on the board of directors of Dilling, will give Arbed the power to coordinate its activities with the Marine-Wendel Group, at least as regards production of product lines which both groups manufacture, namely heavy and medium plate and sheet steel, thereby restricting competition between the two groups.

27. In order to maintain competition between the two groups the authorization must be made subject to the condition that Arbed reduces its shareholding in Dilling to a maximum of 25 %, so that it no longer holds a blocking minority. Having regard to the present economic climate, which may make it difficult to dispose of the Dilling shares quickly and since Arbed has specific medium-term investment plans proposals (notified to the Commission on 16 February 1978) in the Saar region for the financing of which it intends, at least in part, to use its shareholding in Dilling, it is necessary to allow Arbed an extended period of time to enable it to reduce its shareholding in Dilling. A period of four years appears justified. During this period of four years Arbed must refrain from exercising the voting rights attaching to the shares held by it over and above 25 % of Dilling's capital.

28. The existence of interlocking directorates between Arbed group companies and other undertakings of the same type may be prejudicial to competition in the steel market. They give particular cause for concern as they may expose other groups to the influence of the Arbed Group in its substantially strengthened configuration following the proposed concentrations. The Commission's authorization must therefore be conditional upon abandonment of interlocking directorates between Arbed Group production and distribution undertakings and competing undertakings. This does not apply to iron and steel undertakings jointly controlled with outsiders prior to the proposed transactions.

However the Commission should retain the power to authorize exemptions from this prohibition in response to a reasoned request if special circumstances justify this.

29. Arbed, Röchling-Burbach, Neunkirchen and Dilling are linked with Otto Wolff AG in the South Rationalization Group authorized by the Commission on 20 December 1976. At the time of the authorization there were no links between Arbed and the Marine-Wendel Group. The circumstances which obtained at the time of the authorization are substantially altered by the proposed transactions. The presence of undertakings from both groups within the South Rationalization Group gives further opportunities for coordination and restriction of competition. The Commission must therefore require Arbed and its group companies to withdraw from the South Rationalization Group before 31 July 1978.

30, The concentration between Arbed and Rodange will give the former the power to control Villerupt, a major manufacturer of permanent-way material, jointly with Sacilor of the Marine-Wendel Group. However, it should be noted that Arbed manufactures very little permanent-way material, that this market is very much in a class of its own, and that the Commission excluded any group effect between Sacilor and Rodange when it authorizes the joint control of Villerupt. It follows that the link in question does not affect the independence of the two groups.

V

31. Having regard to the conditions and obligations imposed, the Commission finds that the proposed transactions satisfy the tests of Article 66 (2) and may accordingly be authorized,

HAS ADOPTED THIS DECISION :

Article 1

The following transactions are authorized :

- (a) acquisition by Arbed of 25.09 % of the shares in SA Métallurgique et Minière de Rodange-Athus and assumption of control by Arbed of its technical and financial management ;
- (b) acquisition by Arbed of all the shares in Neunkircher Eisenwerk AG.

Article 2

Authorization is given on condition that by May 1982 Arbed reduces its shareholding in Dillinger Hütte to a maximum of 25 % ; Arbed must notify the Commission without delay on fulfilment of this condition.

Article 3

The following obligations are attached to the authorization :

- (a) members of the management bodies of the Arbed Group iron and steel production and distribution undertakings shall not belong to management bodies of outsider undertakings or holding companies of the same type. This does not apply to iron and steel undertakings jointly controlled with outsiders prior to the transactions authorized by this Decision, or to the Société des Laminoirs de Villerupt. If special circumstances so justify, the Commission may, in response to a reasoned request, authorize exemption from the obligation imposed by this paragraph ;
- (b) during the period up to May 1982 Arbed shall refrain from exercising the voting rights attaching to such of its shares in Dillinger Hütte as exceed 25 % of that company's capital ;
- (c) Arbed and the undertakings under its control shall by 31 July 1978 withdraw from the South Rationalization Group. The Commission shall be notified upon fulfilment of this obligation.

Article 4

This Decision is addressed to Aciéries Réunies de Burbach-Eich-Dudelange SA, Luxembourg.

Done at Brussels, 6 June 1978.

For the Commission

Raymond VOUEL

Member of the Commission

COMMISSION DECISION**of 6 June 1978****approving the plans for the accelerated eradication of brucellosis and tuberculosis put forward by the French Republic****(Only the French text is authentic)****(78/539/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle ⁽¹⁾, and in particular Article 9 (2) thereof,

Whereas by letter dated 28 March 1978 France communicated to the Commission plans for the accelerated eradication of brucellosis and for the accelerated eradication of tuberculosis;

Whereas after examination these plans were found to comply with the abovementioned Directive; whereas, consequently, the conditions for financial participation by the Community have been met;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee; whereas the Fund Committee has been consulted,

HAS ADOPTED THIS DECISION:

Article 1

The plans for the accelerated eradication of brucellosis and tuberculosis put forward by the French Republic are hereby approved.

Article 2

The French Republic shall put into effect by 1 July 1978 the laws, regulations and administrative provisions necessary to implement the plans referred to in Article 1.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 6 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 44.

COMMISSION DECISION

of 7 June 1978

fixing the maximum amount of the export refund for the 44th partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77

(78/540/EEC)

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 organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 705/78⁽²⁾, and in particular Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 1634/77 of 19 July 1977 on a standing invitation to tender to determine export refunds for white sugar⁽³⁾, as amended by Regulation (EEC) No 1182/78⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 4 (3) of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1489/76⁽⁶⁾, the maximum amount of the refund is fixed for partial invitations to tender within three working days following the expiry of the time limit for the submission of tenders;

Whereas, when the maximum amount of the refund is being calculated, account must be taken of the supply situation and prices within the Community, prices and potential outlets on the world market and costs incurred in exporting sugar;

Whereas, following an examination of the tenders submitted in response to the 44th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the 44th partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77 is hereby fixed at 25.191 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 June 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 181, 21. 7. 1977, p. 35.

⁽⁴⁾ OJ No L 145, 1. 6. 1978, p. 46.

⁽⁵⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁶⁾ OJ No L 167, 26. 6. 1976, p. 13.

COMMISSION DECISION

of 7 June 1978

fixing the maximum amount of the export refund for the 33rd partial invitation
to tender for raw beet sugar issued under Regulation (EEC) No 1790/77

(78/541/EEC)

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 organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 705/78⁽²⁾, and in particular
Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 1790/77
of 2 August 1977 on a standing invitation to tender to
determine export refunds for raw beet sugar⁽³⁾, as
amended by Regulation (EEC) No 1182/78⁽⁴⁾,
requires partial invitations to tender to be issued for
the export of this sugar ;

Whereas, pursuant to Article 4 (3) of Council Regula-
tion (EEC) No 766/68 of 18 June 1968 laying down
general rules for granting export refunds on sugar⁽⁵⁾,
as last amended by Regulation (EEC) No 1489/76⁽⁶⁾,
the maximum amount of the refund is fixed for
partial invitations to tender within three working days
following the expiry of the time limit for the submis-
sion of tenders ;

Whereas, when the maximum amount of the refund is
being calculated, account must be taken of the supply
situation and prices within the Community, prices
and potential outlets on the world market and costs
incurred in exporting sugar ;

Whereas, following an examination of the tenders
submitted in response to the 33rd partial invitation to
tender, the provisions set out in Article 1 should be
adopted ;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Sugar,

HAS ADOPTED THIS DECISION :

Article 1

The maximum amount of the export refund for the
33rd partial invitation to tender for raw beet sugar
issued under Regulation (EEC) No 1790/77 is hereby
fixed at 22.143 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 June 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 197, 4. 8. 1977, p. 11.

⁽⁴⁾ OJ No L 145, 1. 6. 1978, p. 46.

⁽⁵⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁶⁾ OJ No L 167, 26. 6. 1976, p. 13.

COMMISSION OPINION**of 8 June 1978****addressed to the Danish Government on the implementing provisions for
Council Regulation (EEC) No 543/69 on the harmonization of certain social legis-
lation relating to road transport****(78/542/EEC)**

1. Under cover of a letter dated 16 May 1977 from the office of the Danish Permanent Representative to the European Communities, the Danish Government forwarded to the Commission a model declaration form drawn up by the two sides of the transport industry to replace the individual control book for drivers of vehicles involved in internal goods transport within a radius of 50 kilometres pending the compulsory installation of the recording equipment referred to in Regulation (EEC) No 1463/70 ⁽¹⁾. The Commission is hereby consulted on this model declaration pursuant to the second indent of Article 14a (b) of Regulation (EEC) No 543/69 ⁽²⁾.

2. The Commission notes that the model declaration can, in principle, replace the individual control book for internal goods transport operations carried out within a radius of 50 kilometres pending the compulsory installation of recording equipment pursuant to Regulation (EEC) No 1463/70. This installation has been compulsory since 1 January 1976 for vehicles registered after that date and will be compulsory from 1 July 1979 for vehicles registered before 1 January 1976.

The system of control which is intended to replace the individual control book consists of a formal declaration form containing not only information about the undertaking and vehicle but also various headings

giving details of the work carried out by drivers, breaks and distances covered.

3. The Commission does not consider that the fact that this declaration has been agreed upon by the two sides of the transport industry is sufficient guarantee of compliance with the provisions of Regulation (EEC) No 543/69. The Commission expects that the Danish government will make the necessary provisions in order to give an official character to this agreement.

As the Danish Government's application does not mention how the information given on the declaration forms will be checked or what sanctions will be applied in the event of abuse, the Commission requests the Danish Government to introduce legislation formally recognizing such control measures or, if such legislation proves unnecessary, to inform the Commission of the methods of control and sanctions introduced.

Done at Brussels, 8 June 1978.

For the Commission

Richard BURKE

Member of the Commission

⁽¹⁾ OJ No L 164, 27. 7. 1970, p. 1.

⁽²⁾ OJ No L 77, 29. 3. 1969, p. 49.

COMMISSION DECISION

of 8 June 1978

amending Commission Decision 78/273/EEC and increasing to 126 000 tonnes the quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened

(Only the German text is authentic)

(78/543/EEC)

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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1125/78⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 376/70 of 27 February 1970 laying down the procedure and conditions for the disposal of cereals held by intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 1687/76⁽⁴⁾, and in particular Article 5 (1) and (7) thereof,

Whereas Commission Decision 78/273/EEC of 16 February 1978⁽⁵⁾ opened a standing invitation to tender for the export of 100 000 tonnes of rye held by the German intervention agency; whereas in a communication of 31 May 1978 the Federal Republic of Germany informed the Commission of the intention of its intervention agency to increase by 26 000 tonnes the quantity for which a standing invitation to tender for export had been opened; whereas the total quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased from 100 000 tonnes to 126 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the lists of exit points and of regions and quantities in store; whereas the Annex to Decision 78/273/EEC must therefore be amended;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Cereals,

(¹) OJ No L 281, 1. 11. 1975, p. 1.
 (²) OJ No L 142, 30. 5. 1978, p. 21.
 (³) OJ No L 47, 28. 2. 1970, p. 49.
 (⁴) OJ No L 190, 14. 7. 1976, p. 1.
 (⁵) OJ No L 73, 15. 3. 1978, p. 25.

HAS ADOPTED THIS DECISION:

Article 1

Article 2 of Decision 78/273/EEC is amended as follows:

Article 2

1. The invitation to tender shall relate to a quantity of 126 000 tonnes of rye.
2. The regions in which the 126 000 tonnes of rye is stored are listed in the Annex hereto.

Article 2

Article 3 (1) of Decision 78/273/EEC is amended as follows:

Article 3

1. The places for which a minimum selling price is to be fixed in accordance with Article 5 (7) of Regulation (EEC) No 376/70 are as follows:
 Hamburg, Brunsbüttel, Lübeck, Kiel, Rendsburg, Bremen, Braunschweig, Fallersleben, Rotterdam, Emden, Brake, Flensburg and Regensburg.

Article 3

The Annex to Decision 78/273/EEC is amended as follows:

*ANNEX**(tonnes)*

Place of storage	Quantity
Hamburg	15 342
Schleswig-Holstein	32 960
Bremen	16 352
Niedersachsen	56 669
Nordrhein-Westfalen	1 536
Rheinland-Pfalz	2 129
Bayern	482'

Article 4

Done at Brussels, 8 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

This Decision is addressed to the Federal Republic of Germany.
