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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2036/78**of 29 August 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 1815/78⁽³⁾ and subsequent amending
Regulations;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1815/78 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 30 August
1978.

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

Done at Brussels, 29 August 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 210, 1. 8. 1978, p. 4.

ANNEX

to the Commission Regulation of 29 August 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	81.34
10.01 B	Durum wheat	124.48 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	82.61 ⁽⁶⁾
10.03	Barley	82.94
10.04	Oats	71.74
10.05 B	Maize, other than hybrid maize for sowing	76.90 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	44.02 ⁽⁴⁾
10.07 C	Grain sorghum	78.78 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	124.64
11.01 B	Rye flour	126.40
11.02 A I a)	Durum wheat groats and meal	203.72
11.02 A I b)	Common wheat groats and meal	134.59

⁽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 2037/78**of 29 August 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
1816/78 ⁽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 30 August
1978.

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

Done at Brussels, 29 August 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 210, 1. 8. 1978, p. 6.

ANNEX

to the Commission Regulation of 29 August 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 8	1st period 9	2nd period 10	3rd period 11
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0.16
10.02	Rye	0	0	0	0.63
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 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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 2038/78
of 29 August 1978
fixing the additional amounts for certain pigmeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as amended by Regulation (EEC) No 1423/78 ⁽²⁾, and in particular the second line of Article 13 ⁽⁵⁾ thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 202/67/EEC of 28 June 1967 on fixing the additional amount for imports of pigmeat products from third countries ⁽³⁾, as amended by Regulation No 614/67/EEC ⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 indicates that for imports listed according to product and country of origin in the Annex to this Regulation additional amounts should be fixed at the level shown in that Annex;

Whereas Council Regulation (EEC) No 2767/75 of 29 October 1975 ⁽⁵⁾ laid down general rules for the fixing of additional amounts for those products for which no sluice-gate price is fixed;

Whereas Regulation No 202/67/EEC lays down certain detailed rules, to that end, and in particular for determining the free-at-frontier offers for those products; whereas, according to the information received by the Commission, offers from third countries in the determination of which not only the prices shown in customs documents but also all other indications concerning the prices ruling in third countries, are taken into account, are developing in such a way that additional amounts should be fixed for those products at the level shown in the Annex;

Whereas, in accordance with Article 1 of Regulation No 121/65/EEC ⁽⁶⁾ and with Regulations (EEC) No 564/68 ⁽⁷⁾, (EEC) No 998/68 ⁽⁸⁾, (EEC) No 2260/69 ⁽⁹⁾ and (EEC) No 1570/71 ⁽¹⁰⁾, the levy on certain products listed in those Regulations which originate in and come from the Federal Republic of Austria, the People's Republic of Poland, the Hungarian People's Republic, the Socialist Republic of Romania and the People's Republic of Bulgaria should not be increased by an additional amount;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 13 of Regulation (EEC) No 2759/75 are fixed as shown in the Annex to this Regulation for those of the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 as are listed in the abovementioned Annex.

Article 2

This Regulation shall enter into force on 1 September 1978.

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

Done at Brussels, 29 August 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 171, 28. 6. 1978, p. 19.
⁽³⁾ OJ No 134, 30. 6. 1967, p. 2837/67.
⁽⁴⁾ OJ No 231, 27. 9. 1967, p. 6.
⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 29.

⁽⁶⁾ OJ No 155, 18. 9. 1965, p. 2560/65.
⁽⁷⁾ OJ No L 107, 8. 5. 1968, p. 6.
⁽⁸⁾ OJ No L 170, 19. 7. 1968, p. 14.
⁽⁹⁾ OJ No L 286, 14. 11. 1969, p. 22.
⁽¹⁰⁾ OJ No L 165, 23. 7. 1971, p. 23.

ANNEX

to the Commission Regulation of 29 August 1978 fixing the additional amounts for certain pigmeat products

CCT heading No	Description	Supplementary amount	Origin of imports
01.03	Live swine : A. Domestic species : II. Other : b) Other	3.00	Origin : German Democratic Republic (1)
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen : A. Meat : III. Of swine : a) Of domestic swine : 1. Carcases or half-carcases, with or without heads, feet or flare fat 2. Hams and cuts of hams, unboned (bone-in) 6. Other : aa) Boned or boneless and frozen bb) Other	5.00 10.00 30.00 30.00	Origin : German Democratic Republic (1) and Finland Origin : Romania and Republic of South Africa Origin : Sweden, Finland and New Zealand Origin : Sweden, Finland and New Zealand
02.05	Pig fat free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked : A. Back-fat : I. Fresh, chilled, frozen, salted or in brine	7.00	Origin : Sweden

(1) With the exception of the German internal trade pursuant to the Protocol on German internal trade and connected problems.

COMMISSION REGULATION (EEC) No 2039/78

of 25 August 1978

making the importation into the United Kingdom of certain garments originating in certain third countries subject to authorization

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 on common rules for imports⁽¹⁾, and in particular Article 12 thereof,

After consultation within the Advisory Committee set up under Article 5 of the said Regulation,

Whereas imports of men's and women's trousers (heading Nos ex 61.01 and ex 61.02) from all third countries accounted in 1977 for a considerable share of the Community market; whereas in the case of the United Kingdom this share has since increased further;

Whereas quantitative limits have already been set for the products in question in accordance with the provisions of the Arrangement regarding international trade in textiles and of bilateral Agreements negotiated between the Community and certain supplier countries;

Whereas imports into the United Kingdom of the textile products concerned (men's and women's trousers) originating in the Philippines have increased sharply and substantially in the past few months;

Whereas all these factors have given rise to disruption of the United Kingdom market and are causing serious injury to Community manufacturers;

Whereas, in pursuance of the Arrangement regarding international trade in textiles, the Community has negotiated an Agreement on trade in textiles with the Philippines; whereas the said Agreement contains specific provision for recourse to safeguard measures;

Whereas, in view of the market disruption referred to above, the Community has applied the procedures provided for in the said Agreement, which allow appropriate safeguard measures to be taken in order to limit imports of the products in question into the United Kingdom, account being taken of the trend of imports;

Whereas, in particular, under the Agreement negotiated by the Community with the Philippines in pursuance of the Arrangement regarding international trade in textiles, compliance with the quantitative export limits set or to be set by virtue of the said Agreement is ensured by an agreed system of double checking; whereas effectiveness depends on the establishment of a system of control by the Community; whereas, in order to establish such a system, it is therefore necessary to make imports of the goods in question from the Philippines subject to authorization;

Whereas, in order to ensure that the import authorization arrangements referred to above are not evaded by anticipatory exports or indirect imports liable to cause injury to Community manufacturers which would be difficult to remedy, it is necessary to establish the said arrangements as soon as possible,

HAS ADOPTED THIS REGULATION:

Article 1

The importation into the United Kingdom of the goods indicated below, originating in the Republic of the Philippines and exported from that country during 1978, is hereby made subject to the production of an import authorization issued by the United Kingdom authorities:

Category	CCT heading No	NIMEXE code (1978)	Description	Quantitative limit from 1. 1. to 31. 12. 1978
6	61.01	61.01-62 to 68, 72 to 76	Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks	172 000 pairs
	61.02	61.02-66 to 72		

⁽¹⁾ OJ No L 159, 15. 6. 1974, p. 1.

Article 2

1. Import authorizations shall be issued automatically and without delay, subject to the maximum specified above, upon presentation of the export documents agreed under the Agreement on trade in textiles negotiated with the Republic of the Philippines and set out in Annex C to Regulation (EEC) No 3019/77 of 30 December 1977 making the importation into the Community of textile products originating in certain third countries subject to authorization and quantitative limitation⁽¹⁾.

Imports effected between 1 January 1978 and the date of entry into force of this Regulation shall be deducted from the said quantity where the goods in question were exported from the third country concerned during that period.

2. Notwithstanding the provisions of paragraph 1, import authorizations shall be issued automatically and without delay upon presentation of a bill of lading proving that the goods in question were placed on board in the Republic of the Philippines for export to the United Kingdom before the date of entry into force of this Regulation.

Article 3

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

2. It shall apply until 31 December 1978, subject to the adoption of a Council Regulation in accordance with Articles 12 (6) and 13 of Regulation (EEC) No 1439/74.

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

Done at Brussels, 25 August 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 357, 31. 12. 1977, p. 1.

COMMISSION REGULATION (EEC) No 2040/78

of 29 August 1978

fixing the import levies on live cattle and on beef and veal other than frozen

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 425/77 ⁽²⁾, and in particular
Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef
and veal other than frozen were fixed by Regulation
(EEC) No 1015/78 ⁽³⁾, as last amended by Regulation
(EEC) No 2022/78 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 2862/77 of 19
December 1977 on levies applicable to imports of
certain adult bovine animals and beef from Yugos-
lavia ⁽⁵⁾ has not been extended beyond 31 August

1978; whereas, therefore, the levies on imports from
Yugoslavia should be adjusted as indicated in the
Annex to this Regulation for the period 1 to 3
September 1978,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and on beef and veal
other than frozen shall be as specified in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 1 September
1978.

It shall apply until 3 September 1978.

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

Done at Brussels, 29 August 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 132, 20. 5. 1978, p. 5.

⁽⁴⁾ OJ No L 235, 26. 8. 1978, p. 5.

⁽⁵⁾ OJ No L 330, 23. 12. 1977, p. 9.

ANNEX

to the Commission Regulation of 29 August 1978 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾ for the period 1 to 3 September 1978

(unit/100 kg)

CCT heading No	Austria/Sweden/Switzerland	Other third countries
	— Live weight —	
01.02 A II a) (a)	—	59.633
01.02 A II b) (b)	30.270	59.633
	— Net weight —	
02.01 A II a) 1 aa) (a)	—	113.303
02.01 A II a) 1 bb)	57.514	113.303
02.01 A II a) 2 aa) (a)	—	90.643
02.01 A II a) 2 bb)	46.012	90.643
02.01 A II a) 3 aa) (a)	—	135.964
02.01 A II a) 3 bb)	69.017	135.964
02.01 A II a) 4 aa)	86.271	169.956
02.01 A II a) 4 bb)	98.682	194.405
02.06 C I a) 1	86.271	169.956
02.06 C I a) 2	98.682	194.405
16.02 B III b) 1 aa)	98.682	194.405

⁽¹⁾ In accordance with Regulation (EEC) No 706/76, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(a) The levy shall be established in accordance with the provisions set out in Annex I to the Trade Agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

(b) The levy which is to be applied to young male bovine animals, intended for fattening, of a live weight of 300 kg or less, imported under the conditions set out in Article 13 of Council Regulation (EEC) No 805/68 of 27 June 1968, and in the provisions adopted for its application, is totally or partially suspended in accordance with those provisions.

COMMISSION REGULATION (EEC) No 2041/78

of 29 August 1978

fixing the export refunds on beef and veal for the period beginning 1 September 1978

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 425/77⁽²⁾, and in particular the first sentence of Article 18 (5) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market and prices within the Community for the products listed in Article 1 of that Regulation may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68 of 28 June 1968⁽³⁾, as last amended by Regulation (EEC) No 427/77⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be fixed as indicated below;

Whereas the present market situation in the Community and the selling possibilities, particularly in certain third countries, lead to granting export refunds for the export of adult bovine animals with a live weight equal or superior to 300 kilograms, for the export of certain fresh or chilled meats shown in the Annex under subheading ex 02.01 A II a) and for the export, to certain destinations, of certain frozen meats shown in the Annex under subheading ex 02.01 A II b) and

of some other preparations and preserves of meat or offals shown in the Annex under subheading 16.02 B III b) 1 aa);

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to the extent necessary to allow this trade to continue, the refund must be fixed at an amount which will cover the difference between prices on the Swiss market and export prices in the Member States;

Whereas, in the case of some other cuts and preserves of meat or offals shown in the Annex under subheading 16.02 B III b) 1 bb), Community participation in international trade may be ensured by granting a refund which takes account of the refund hitherto granted to exporters;

Whereas, in the case of other beef and veal products, a refund need not be fixed since Community participation in world trade in these products is not significant;

Whereas, if the refund system is to operate normally, refunds 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 the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

HAS ADOPTED THIS REGULATION :

805/68 is granted and the amount of that refund is fixed as shown in the Annex.

Article 1

Article 2

The list of products on which the export refund referred to in Article 18 of Regulation (EEC) No

This Regulation shall enter into force on 1 September 1978.

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

Done at Brussels, 29 August 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 29 August 1978 fixing the export refunds on beef and veal for the period beginning 1 September 1978

(u.a./100 kg)

CCT heading No	Description	Refund
		— Live weight —
ex 01.02 A II	Live domestic animals of the bovine species, other than pure-bred breeding animals :	
	(a) Adult bovine animals with a live weight equal to or greater than 300 kg	45.50
		— Net weight —
ex 02.01 A II	Meat of bovine animals :	
	a) Fresh or chilled :	
	1. Carcases, half-carcases or 'compensated' quarters :	
	(aa) The front part of a carcase or of a half-carcase comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs	64.00
	(bb) Other	80.00
	2. Separated or unseparated forequarters	64.00
	3. Separated or unseparated hindquarters	96.00
	4. Other :	
	aa) Unboned (bone-in)	64.00
	ex bb) Boned or boneless, excluding the thin flanks and the shin :	
	(11) Each piece individually wrapped	93.50
	b) Frozen :	
	1. Carcases, half-carcases or 'compensated' quarters :	
	(aa) The front part of a carcase or of a half-carcase comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs :	
	— For export to European third countries ⁽¹⁾ , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	64.00
	(bb) Other :	
	— For export to European third countries ⁽¹⁾ , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	80.00
	2. Separated or unseparated forequarters :	
	— For export to European third countries ⁽¹⁾ , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	64.00
	3. Separated or unseparated hindquarters :	
	— For export to European third countries ⁽¹⁾ , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	96.00

(u.a./100 kg)		
CCT heading No	Description	Refund
		— Net weight —
ex 02.01 A II (cont'd)	4. Other : aa) Unboned (bone-in) : — For export to European third countries ⁽¹⁾, to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa ex bb) Boned or boneless, excluding the thin flanks and the shin : (11) Each piece individually wrapped : — For export to the United States of America — For export to European third countries ⁽¹⁾, to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa (22) Other : — For export to the United States of America	64.00 0 93.50 0
ex 02.06 C I a) 2	Meat of bovine animals, boned or boneless, salted and dried : — For export to Switzerland	45.00
ex 16.02 B III b) 1	Other preparations and preserves containing bovine meat or offals, except those finely homogenized ⁽²⁾ : ex aa) Uncooked, containing by weight the following percentages of bovine meats (excluding offal and fat) : (11) 80 % or more of meat : — For export to European third countries ⁽¹⁾, to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa (22) 60 % or more, but less than 80 % of meat : — For export to European third countries ⁽¹⁾, to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa (33) 40 % or more, but less than 60 % of meat : — For export to European third countries ⁽¹⁾, to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa ex bb) Other, containing by weight the following percentages of bovine meats (excluding offal and fat) : (11) 80 % or more of meat (22) 60 % or more, but less than 80 % of meat (33) 40 % or more, but less than 60 % of meat (44) 20 % or more, but less than 40 % of meat	64.00 38.50 26.00 37.50 22.50 15.00 7.50

(1) Within the meaning of this Regulation those destinations mentioned in Article 3 of Regulation (EEC) No 192/75 (OJ No L 25, 31. 1. 1975, p. 1) are also to be understood as European third countries.

(2) The products which contain a small quantity of visible pieces of meat are also excluded.

NB : Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

COMMISSION REGULATION (EEC) No 2042/78

of 29 August 1978

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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 1419/78⁽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 1794/76 of 20 July 1976 derogating from Regulation (EEC) No 155/71 on the production refund on olive oil used in the manufacture of certain preserved foods⁽⁴⁾, and in particular Article 1 (2) thereof,

Whereas Article 2 of Council Regulation (EEC) No 155/71 of 26 January 1971⁽⁵⁾ provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas, by way of derogation from Article 3 of Regulation (EEC) No 155/71, where the import levy is

determined by tender, the production refund is to be fixed by reference to the minimum levies so determined in respect of oil falling within subheading 15.07 A II a) of the Common Customs Tariff;

Whereas the production refund must be fixed every two months;

Whereas, for the period 1 July to 31 August 1978, the minimum levies have been fixed by Regulations (EEC) No 1567/78⁽⁶⁾, (EEC) No 1638/78⁽⁷⁾, (EEC) No 1710/78⁽⁸⁾, (EEC) No 1771/78⁽⁹⁾, (EEC) No 1873/78⁽¹⁰⁾, (EEC) No 1930/78⁽¹¹⁾, (EEC) No 1979/78⁽¹²⁾ and (EEC) No 2015/78⁽¹³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of September and October 1978, the production refund referred to in Article 2 of Regulation (EEC) No 155/71 shall be 55.00 units of account per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 September 1978.

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

Done at Brussels, 29 August 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 8.

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

⁽⁴⁾ OJ No L 201, 27. 7. 1976, p. 3.

⁽⁵⁾ OJ No L 22, 28. 1. 1971, p. 5.

⁽⁶⁾ OJ No L 185, 7. 7. 1978, p. 16.

⁽⁷⁾ OJ No L 191, 14. 7. 1978, p. 5.

⁽⁸⁾ OJ No L 196, 21. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 204, 28. 7. 1978, p. 19.

⁽¹⁰⁾ OJ No L 214, 4. 8. 1978, p. 5.

⁽¹¹⁾ OJ No L 220, 11. 8. 1978, p. 5.

⁽¹²⁾ OJ No L 227, 18. 8. 1978, p. 5.

⁽¹³⁾ OJ No L 234, 25. 8. 1978, p. 13.

COMMISSION REGULATION (EEC) No 2043/78**of 29 August 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 1396/78⁽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 1821/78⁽³⁾, as amended by Regulation (EEC) No 1880/78⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1821/78

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 0.2656 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 30 August 1978.

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

Done at Brussels, 29 August 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 210, 1. 8. 1978, p. 20.

⁽⁴⁾ OJ No L 214, 4. 8. 1978, p. 19.

COMMISSION REGULATION (EEC) No 2044/78
of 29 August 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 1396/78⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1550/78⁽³⁾, as last amended by Regulation (EEC) No 1975/78⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1550/78 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 30 August 1978.

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

Done at Brussels, 29 August 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 182, 5. 7. 1978, p. 17.

⁽⁴⁾ OJ No L 226, 17. 8. 1978, p. 17.

ANNEX

to the Commission Regulation of 29 August 1978 fixing the import levies on white sugar and raw sugar

<i>(u.d. / 100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	26.56
	B. Raw sugar	22.79 ⁽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 2045/78

of 29 August 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 provi-
sions for isoglucose ⁽¹⁾, as last amended by Regulation
(EEC) No 1298/78 ⁽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 isoglu-
cose 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 30 August
1978.

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

Done at Brussels, 29 August 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 160, 17. 6. 1978, p. 9.

⁽³⁾ OJ No L 162, 1. 7. 1977, p. 9.

ANNEX

to the Commission Regulation of 29 August 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	34.56
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	34.56

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 July 1978

on certain administrative procedures for the operation of the European Social Fund

(78/706/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation (EEC) No 2396/71 of 8 November 1971 implementing the Council Decision of 1 February 1971 on the reform of the European Social Fund ⁽¹⁾, as amended by Regulation (EEC) No 2893/77 ⁽²⁾, and in particular Article 13 thereof,

Having regard to the opinion of the European Social Fund Committee,

Whereas, in order that the examination of applications for assistance may be carried out efficiently, the Commission must give the Member States and Members of the European Social Fund Committee sufficient notice of the dates of the meetings of the Committee at which applications for assistance are to be considered;

Whereas, before taking a decision on applications for assistance, the Commission may require additional information from Member States for the examination of the applications, and therefore time limits should be set; whereas, for the efficient administration of the Fund, any failure to keep to these time limits should involve the withdrawal of the relevant applications;

Whereas the date of completion of the operations should be specified in the approval decision; whereas

any delay in carrying out the operations should be notified to the Commission;

Whereas, on completion of the operations, sufficient time must be allowed for Member States to submit their requests for payment;

Whereas, in order to assess how effective the assistance is, it is essential that Member States forward to the Commission a report on the implementation of the operations;

Whereas, following the amendment of Regulation (EEC) No 2396/71 by Regulation (EEC) No 2893/77, a procedure for the submission of applications for assistance was introduced which requires the repeal of Commission Decision 73/434/EEC of 28 November 1973 on the submission of applications for assistance from the European Social Fund ⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

Before 1 October each year, the Commission shall inform Member States and Members of the European Social Fund Committee of the dates of the Committee meetings in the following year at which the applications for assistance from the European Social Fund will be considered.

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 54.

⁽²⁾ OJ No L 337, 27. 12. 1977, p. 1.

⁽³⁾ OJ No L 355, 2. 12. 1973, p. 68.

Article 2

If the Commission considers that additional information is required for the examination of an application for assistance, it shall forward a request in writing to the Member State in question and set a time limit for receipt of the reply. If the Member State fails to furnish the information requested in writing within the time limit set by the Commission, the application for assistance shall be deemed to have been withdrawn.

Article 3

1. On the basis of the information provided by the Member State concerned, the Commission shall determine, in the approval decision, the completion date for the operations; in the case of multiannual operations, the Commission shall give the breakdown of the amounts of assistance by instalment and shall specify, for information purposes, the period covered by each instalment.

2. If the implementation of the operations is delayed, the Member State shall inform the Commission thereof as soon as possible. Where the operations are of specific intent and limited duration, the Commission may amend the completion date for the operations laid down in the approval.

3. In the case of multiannual operations approved before the date of notification of this Decision, for those parts relating to the 1977 and subsequent financial years, the completion dates for the operations and the amounts of assistance in respect of each instalment shall be the latest communicated to the Commission by the Member States before the date of notification of this Decision.

Article 4

1. Member States shall submit their requests for payment within 18 months following the date of completion of operations.

2. For approvals issued before the date of notification of this Decision, paragraph 1 shall not have the effect of reducing the time allowed to Member States to less than 12 months from the date of notification of this Decision.

Article 5

On the basis of an outline prepared by the Commission and forwarded to the Member States before 1 January, Member States shall forward to the Commission not later than 31 March of the same year a summary report of the results of operations carried out with assistance from the European Social Fund in the previous financial year.

Article 6

Decision 73/434/EEC is hereby repealed.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 27 July 1978.

For the Commission

Henk VREDELING

Vice-President

COMMISSION DECISION

of 27 July 1978

amending Decision 78/360/EEC authorizing certain Member States to sell butter
at a reduced price in the form of concentrated butter

(Only the French, German, Dutch and English texts are authentic)

(78/707/EEC)

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 1421/78⁽²⁾, and in
particular Article 6 (7) thereof,Having regard to Council Regulation (EEC) No
985/68 of 15 July 1968 laying down general rules for
intervention on the market in butter and cream⁽³⁾, as
last amended by Regulation (EEC) No 2714/72⁽⁴⁾, and
in particular Article 7a thereof,Whereas Commission Regulation (EEC) No 649/78 of
31 March 1978 on the sale at reduced prices of inter-
vention butter for direct consumption as concentrated
butter⁽⁵⁾ provides that the Member States may be auth-
orized to sell butter from public storage or to grant aid
for butter from private storage released for direct
consumption as concentrated butter;Whereas several Member States have been authorized
by Commission Decision 78/360/EEC of 31 March
1978⁽⁶⁾ to sell butter at a reduced price in the form of
concentrated butter; whereas the United Kingdom
has also requested authorization to undertake the sale
of 100 tonnes of butter and is in a position to
guarantee that the butter in question reaches its pre-
scribed destination; whereas the said Decision should
be amended to allow this request;Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

*Article 1*Article 1 of Decision 78/360/EEC is hereby amended
as follows:

1. Paragraph 1 shall read as follows:

'1. The Member States referred to in paragraph 2
are hereby authorized to have recourse to the provi-
sions of Regulation (EEC) No 649/78 in respect of
quantities not exceeding those specified in the said
paragraph.'

2. The following is added to paragraph 2:

'United Kingdom 100 tonnes.'

*Article 2*This Decision is addressed to the Federal Republic of
Germany, the Kingdom of Belgium, the Grand Duchy
of Luxembourg, the Kingdom of the Netherlands and
the United Kingdom.

Done at Brussels, 27 July 1978.

For the Commission

Finn GUNDELACH

Vice-President⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 171, 28. 6. 1978, p. 12.⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 17.⁽⁵⁾ OJ No L 86, 1. 4. 1978, p. 33.⁽⁶⁾ OJ No L 103, 15. 4. 1978, p. 35.

COMMISSION DECISION

of 27 July 1978

authorizing the French Republic not to apply Community treatment to woven suits, of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 (NIMEXE codes 61.01-51, 54, 57) of the Common Customs Tariff, originating in Romania and in free circulation in the other Member States

(Only the French text is authentic)

(78/708/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 19 July 1978 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to woven suits, of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 (NIMEXE codes 61.01-51, 54, 57) of the Common Customs Tariff, originating in Romania and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Romania is covered by an Agreement negotiated between the Community and that country;

Whereas under that Agreement Romania has undertaken to take all necessary steps to limit its exports of the products in question to the Community to certain ceilings allocated along the Member States;

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas for that reason disparities persist between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas according to the application submitted there are serious difficulties in the industrial sector concerned involving a considerable drop in production and employment;

Whereas the imports which gave rise to the application submitted are likely, owing to the appreciable amount of the imports, to jeopardize the aims of the Community Agreement;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions specified in the Commission Decision of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in Romania and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 11 July 1978 and are, on the date of this Decision, pending with the French authorities:

CCT heading No	Description
ex 61.01 (NIMEXE codes 61.01-51, 54, 57)	Woven suits, of wool, of cotton or of man-made textile fibres

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 27 July 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 27 July 1978

authorizing Ireland not to apply Community treatment to tents, falling within heading No ex 62.04 (NIMEXE codes 62.04-23, 73) of the Common Customs Tariff, originating in South Korea and in free circulation in the other Member States

(Only the English text is authentic)

(78/709/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 17 July 1978 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to tents, falling within heading No ex 62.04 (NIMEXE codes 62.04-23, 73) of the Common Customs Tariff, originating in South Korea and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in South Korea is covered by an Agreement negotiated between the Community and that country;

Whereas under that Agreement South Korea has undertaken to take all necessary steps to limit its exports of the products in question to the Community to certain ceilings allocated among the Member States;

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas for that reason disparities persist between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas according to the application submitted there are serious difficulties in the industrial sector concerned involving a considerable drop in production and employment;

Whereas further indirect imports, in addition to those already effected, would be likely to aggravate these difficulties;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions specified in the Commission Decision of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, where they originate in South Korea and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 10 July 1978:

CCT heading No	Description
ex 62.04 (NIMEXE codes 62.04-23, 73)	Tents

Article 2

This Decision shall apply until new opportunities arise for the importation of these products from South Korea or until 31 December 1978, whichever is the earlier.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 27 July 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 28 July 1978

amending Decisions 76/141/EEC and 76/147/EEC concerning the discharge of the accounts presented by the Federal Republic of Germany in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1971 and 1972

(Only the German text is authentic)

(78/710/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas under Article 5 (2) (b) of Regulation (EEC) No 729/70 the Commission, on the basis of the annual accounts presented by the Member States, shall discharge the accounts of the authorities and bodies referred to in Article 4 thereof;

Whereas by Commission Decisions 76/141/EEC⁽²⁾ and 76/147/EEC⁽³⁾ of 2 December 1975 concerning the discharge of the accounts presented by the Federal Republic of Germany in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1971 and 1972, part of the expenditure declared in respect of cereals, covering secondary transport costs incurred by reason of the termination of leases, amounting to DM 307 833·81, was not financed on the grounds that such transport operations did not satisfy the conditions, particularly as regards their necessity, laid down in Article 4 (1) (g) of Regulation (EEC) No 787/69;

Whereas the Commission authorized the transport operations in question by its Decision of 29 June 1978, having regard to the judgment of the Court of Justice of 4 May 1976 in Case 47/75⁽⁴⁾; whereas, consequently, the corresponding expenditure effected by the Federal Republic of Germany in respect of the 1971 and 1972 financial years should be financed by and charged against the EAGGF, Guarantee Section,

HAS ADOPTED THIS DECISION:

Article 1

1. The Annex to Decision 76/141/EEC is hereby replaced by Annex 1 hereto.
2. The Annex to Decision 76/147/EEC is hereby replaced by Annex 2 hereto.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 94, 28. 4. 1970, p. 13.

(2) OJ No L 27, 2. 2. 1976, p. 3.

(3) OJ No L 27, 2. 2. 1976, p. 15.

(4) [1976] ECR, 569.

ANNEX 1

Discharge of the accounts of the authorities and bodies empowered in the Federal Republic of Germany to pay the expenses financed by the EAGGF, Guarantee Section, for 1971

1. Funds available after discharge of the accounts for 1971	—	—
2. Advances received for 1971	DM 1 478 607 000.00	i.e. 403 990 983.61 u.a.
3. Total available to cover expenditure for 1971	DM 1 478 607 000.00	i.e. 403 990 983.61 u.a.
4. Expenditure incurred in 1971 and charged against the EAGGF, Guarantee Section		
— Bundeskasse Hamburg-Jonas	DM 627 597 497.06 ⁽¹⁾	i.e. 171 474 725.97 u.a.
— Einfuhr- und Vorratsstelle für Getreide	DM 123 849 898.76	i.e. 33 838 770.15 u.a.
— Einfuhr- und Vorratsstelle für Fette	DM 186 284 714.46	i.e. 50 897 462.97 u.a.
— Einfuhr- und Vorratsstelle für Zucker	DM 49 200 926.30 ⁽²⁾	i.e. 13 442 876.04 u.a.
— Einfuhr- und Vorratsstelle für Schlachtvieh	DM 3 538 178.25	i.e. 966 715.37 u.a.
— Bundesamt für Ernährung und Forsten	DM 403 638 365.20	i.e. 110 283 706.34 u.a.
Total	DM 1 394 109 580.03	i.e. 380 904 256.84 u.a.
5. Funds available after discharge of the accounts for 1971	DM 84 497 419.97	i.e. 23 086 726.77 u.a.

⁽¹⁾ Including DM 1 113 890.20 paid by the GAWI at Frankfurt for export refunds concerning food aid.

⁽²⁾ Not including the credit balance of the single account as provided for under Article 3 (2) of Regulation (EEC) No 787/69 to be carried over to the single account of the following year (DM 1 744 697.15).

ANNEX 2

Discharge of the accounts of the authorities and bodies empowered in the Federal Republic of Germany to pay the expenses financed by the EAGGF, Guarantee Section, for 1972

1. Funds available after discharge of the accounts for 1971	DM 84 497 419.97	i.e. 23 086 726.77 u.a.
2. Advances received for 1972	DM 1 808 040 000.00	i.e. 494 000 000.00 u.a.
3. Total available to cover expenditure for 1972	DM 1 892 537 419.97	i.e. 517 086 726.77 u.a.
4. Expenditure incurred in 1972 and charged against the EAGGF, Guarantee Section		
— Bundeskasse Hamburg-Jonas	DM 803 452 714.52 ⁽¹⁾	i.e. 219 522 599.60 u.a.
— Einfuhr- und Vorratsstelle für Getreide	DM 186 743 411.04	i.e. 51 022 789.90 u.a.
— Einfuhr- und Vorratsstelle für Fette	DM 321 024 216.02	i.e. 87 711 534.43 u.a.
— Einfuhr- und Vorratsstelle für Zucker	DM 94 344 570.08 ⁽²⁾	i.e. 25 777 204.94 u.a.
— Einfuhr- und Vorratsstelle Schlachtvieh	DM 144 107.93	i.e. 31 177.03 u.a.
— Bundesamt für Ernährung und Forsten	DM 381 278 594.94	i.e. 104 174 479.49 u.a.
Total	DM 1 786 957 614.53	i.e. 488 239 785.39 u.a.
5. Funds available after discharge of the accounts for 1972	DM 105 579 805.44	i.e. 28 846 941.38 u.a.

⁽¹⁾ Including DM 1 684 262.48 paid by the GAWI at Frankfurt for export refunds concerning food aid.

⁽²⁾ Not including the credit balance of the single account as provided for under Article 3 (2) of Regulation (EEC) No 787/69 to be carried to the single account of the following year (DM 1 590 818.16).

COMMISSION DECISION

of 28 July 1978

authorizing an agreement coordinating sales of concrete reinforcing bars and merchant bars by certain Italian steel undertakings (UCRO)

(Only the Italian text is authentic)

(78/711/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 65 thereof,

Having regard to the application by the undertakings concerned received on 26 June 1978,

I

The Italian undertakings listed in the Annex (hereinafter referred to as 'the undertakings'), which are covered by Article 80 of the Treaty, applied on 26 June 1978, pursuant to Article 65 (2) of the ECSC Treaty, for authorization by the Commission of an agreement they had entered into for the purpose of coordinating sales in other member and non-member countries of the concrete reinforcing bars and merchant bars they produce, and for the purpose of carrying out administrative and statistical work on their behalf.

By means of this agreement the undertakings are proposing to remedy the difficulties currently facing the Community and world steel markets, and more particularly the market in such mass-produced items as ordinary steel concrete reinforcing bars and merchant bars. The main problem is that a surplus of steel products has in recent years given rise to particularly fierce competition and caused a considerable drop in prices and earnings, which has in turn led the Commission to fix minimum prices⁽¹⁾ under Article 61 and to prepare forward programmes under Article 46 of the Treaty in respect of the two products most immediately concerned, which constitute the entire production of the majority of the undertakings.

The undertakings have submitted that they are finding it difficult to observe these measures and at the same time maintain their traditional patterns of trade with purchasers in other Community countries. The primary aim of the agreement submitted for authorization is to make it easier for the undertakings

to maintain these trade flows while continuing to comply with the Commission's decisions and recommendations.

The main terms of the said agreement are described below.

An office for coordinating and allocating orders (Ufficio Coordinamento e Ripartizione Ordini), UCRO for short, is set up in Milan. Its services are available on request to all Italian undertakings covered by Article 80 of the Treaty that produce concrete reinforcing bars and merchant bars.

The office's function will be to carry out on its members' behalf all the administrative and statistical work necessitated by the anti-crises measures enacted by the Commission and, where necessary, to seek out new sales outlets in other member and non-member countries and fairly distribute any orders placed as a result thereof; UCRO's activities would not, however, interfere with the business activities of any of its members.

UCRO will under no circumstances be authorized to communicate to any member any information relating to the business of another member.

A file will be kept on each member. The following records for each commercial transaction will be kept in the file:

- a copy of the order or a *pro forma* slip for orders placed over the telephone,
- a copy of the acknowledgment of the order,
- a copy of the certificate of conformity,
- a copy of the dispatch note,
- a copy of the invoice,
- a copy of the 'benestare bancario'.
- a copy of the banker's certificate confirming that the transaction has been completed.

The acknowledgment of the order will be countersigned by UCRO and sent to the customer. The certificate of conformity introduced by the Commission

⁽¹⁾ OJ No L 114, 5. 5. 1977, p. 1; OJ No L 352, 31. 12. 1977, p. 1.

Decision No 3003/77/ECSC⁽¹⁾ will be issued on UCRO stationery. It will be drafted on UCRO's responsibility and released only if the conditions of sale conform to the Commission's decisions.

The other documents in the file will be drawn up on the responsibility of the member itself and the Italian banking authorities.

Orders placed with UCRO will be distributed among the members according to the products they have available for sale.

The agreement is valid only as long as the Commission's anti-crisis measures remain in force.

II

The agreement setting up UCRO restricts normal competition between the undertakings in that they:

- join forces to seek out new purchasers in member and non-member countries,
- agree to distribute among themselves orders received via UCRO,
- set up a centralized system to deal with their administrative and statistical work.

The agreement is accordingly caught by the general prohibition laid down in Article 65 (1) of the Treaty.

However, Article 65 (2) of the Treaty provides that specialization agreements, joint-buying or joint-selling agreements and agreements that are strictly analogous in nature and effect may be authorized if the Commission finds that they meet the requirements of that Article.

The agreement in question sets up a body that is strictly analogous to a joint-selling body for the undertakings; it provides for joint exploration of new marketing outlets and centralization for administrative purposes of the commercial operations relating to the sale of the relevant products.

The agreement therefore qualifies for authorization under Article 65 (2) of the Treaty if it makes for a substantial improvement in production or distribution and is essential in order to achieve these results and is not more restrictive than is necessary for that purpose. Furthermore, the agreement must not be liable to give the undertakings the power to determine the prices, or to control or restrict the production or marketing, of a substantial part of the products in question within the common market, or to shield them against effective

competition from other undertakings within the common market.

From its perusal of the agreement submitted to it the Commission has ascertained, with regard to the substantial improvement in production or distribution, that:

- by far the majority of the undertakings are small, integrated works reprocessing ferrous scrap into molten steel, billets and rolled steel; they are usually small in terms of both investment and workforce. Thus they produce only one or two different steel products, such as concrete reinforcing bars, merchant bars or wire rod in a small range of sizes and qualities,
- the introduction by the Commission of minimum prices and target tonnages for deliveries by undertakings necessarily has an influence on the undertakings' position outside the Italian market and requires them to make an additional effort to maintain their traditional trade flows with purchasers in other Community countries.

The agreement should give the parties the opportunity, in centralizing the administrative and statistical work required by the Commission's measures and in seeking out new sales outlets in other member and non-member countries, to overcome by joining forces the difficulties resulting from the present state of the Community steel market and to compete more effectively with major producers as well as making better use of their production capacities.

There is therefore good reason to conclude that the UCRO agreement may make for a substantial improvement in the production and distribution of the relevant products.

The expected results will be derived primarily from the centralization of administrative and statistical work and from the joint exploration of new sales outlets for the firms' output. Apart from this the undertakings do not surrender to UCRO any freedom of action, and the office's activities do not interfere with any of the members' own business activities.

The agreement is accordingly essential in order to achieve the result of improved production and distribution, and it is no more restrictive than is necessary for that purpose.

The agreement accordingly satisfies the tests of Article 65 (2) (a) and (b) of the Treaty.

⁽¹⁾ OJ No L 352, 31. 12. 1977, p. 11.

The following facts should be taken into consideration for the purposes of assessing whether the agreement submitted for authorization satisfies the tests of Article 65 (2) (c) of the Treaty :

In 1977 Italy produced 52 % of total Community production of concrete reinforcing bars and 25 % of Community production of merchant bars.

The Italian producers of concrete reinforcing bars and merchant bars sell approximately 80 % of their output on the Italian market. However, some of them rely heavily on their sales to other Community and non-Community countries.

A total of 4 176 213 tonnes of concrete reinforcing bars and 2 182 327 tonnes of merchant bars were sold by Italian undertakings in 1977. In the case of concrete reinforcing bars, 82 % of the total was sold in Italy, 4.6 % in Germany, 3.9 % in France, 1 % in Belgium and 8.6 % in non-member countries. For merchant bars, the figures were as follows : 80 % sold in Italy, 6.1 % in Germany, 6.4 % in France and 6 % in non-member countries. In the same year, smaller quantities of both products were also sold in Community countries other than those mentioned above.

If the corresponding figures for 1976 ⁽¹⁾ are compared with those for all the steel-producing undertakings in the Community, it emerges that Italian steelworks accounted for the following proportion of sales in the following countries : for concrete reinforcing bars, 14 % of total sales in Germany, 17.6 % in France and 8.2 % in Belgium ; for merchant bars, 7.6 % of total sales in Germany, 11.9 % in France and 4.1 % in Belgium.

The agreement was conceived principally to help the undertakings to keep up their sales, both in Community countries, while observing the minimum prices, and in non-member countries, while not interfering with their sales on the Italian market, where, in view of the structure of the market — which has a large number of suppliers, — it appears unlikely that the agreement will have a restrictive effect. The Italian market may therefore be left out of this assessment of the agreement.

Concrete reinforcing bars and merchant bars are in surplus supply in the Community and are the object of particularly fierce competition between large and small undertakings in the countries concerned and in non-member countries.

In these market conditions and in view of the Commission's rules on prices and quantities, the

undertakings will not be in a position to determine the prices, or to control or restrict the production or marketing of a substantial part of steel products within the common market, or to shield themselves against effective competition from other undertakings within the common market.

The agreement accordingly satisfies the tests of Article 65 (2) (c).

Care must be taken to ensure that all the steps taken by the undertakings through UCRO on the basis of the agreement will respect the terms on which authorization is granted by this Decision and the rules laid down in the Treaty. Authorization should therefore be made subject to the following conditions :

- UCRO and its member undertakings shall notify the Commission immediately of any proposed additions or other changes to the agreement. Effect must not be given to any addition or other change until approved by the Commission or, where necessary, until authorized by the Commission under Article 65 (2) of the Treaty.
- The member undertakings shall refrain from jointly coordinating their production and sales activities except under the agreement and in respect of the products here considered.

The agreement submitted to the Commission is valid only as long as the Commission's anti-crisis measures remain in force,

HAS ADOPTED THIS DECISION :

Article 1

The agreement between the Italian steel undertakings listed in the Annex, the purpose of which is to coordinate sales of concrete reinforcing bars and merchant bars in Community countries other than Italy and in non-member countries, is hereby authorized.

Article 2

Authorization is given subject to the following conditions :

- UCRO and its member undertakings shall notify the Commission immediately of any proposed additions or other changes to the agreement. Effect shall not be given to any addition or other change until approved by the Commission or, where necessary, until authorized by the Commission under Article 65 (2) of the Treaty.

⁽¹⁾ 1977 foreign trade statistics are not yet available.

— The member undertakings shall refrain from jointly coordinating their production and sales activities except under the agreement and in respect of the products here considered.

Article 3

This Decision shall enter into force on the day of its notification to the undertakings concerned.

Article 4

This Decision is addressed to the undertakings listed in the Annex.

Done at Brussels, 28 July 1978.

For the Commission

Raymond VOUEL

Member of the Commission

ANNEX

Members of UCRO

Acciaierie ferriere alpine S.p.A. — AFB, Borgane di Susa (Torino)
Ferriera Alto Milanese S.p.A., Caronno Pertusella (Varese)
Acciaieria e ferriera vicentine Beltrame S.p.A, Vicenza
Breda siderurgica S.p.A, Milano
Ferriera bulloneria italiana srl, Udine
Ferriera Castellana S.p.A, Vallà di Riese Pio X (Treviso)
Acciaierie ferriere P.M. Ceretti S.p.A, Villadossola (Novara)
Compagnia generale metalli — Co. Ge. Me. — S.p.A, Casalmaggiore (Cremona)
Acciaierie ferriere trafilerie Cravetto S.p.A, Torino
Ferriere di Domegliara S.p.A, Domegliara Dolce (Verona)
Acciaierie e ferriere Fenotti & Comini S.p.A, Nave (Brescia)
Acciaierie e laminatoi Feralpi S.p.A, Lonato (Brescia)
Acciaierie Ferrero S.p.A, Torino
Ferrosider S.p.A, Ospitaletto B. (Brescia)
Officine e fonderie Galtarossa S.p.A, Milano
Italsider S.p.A, Genova
Acciaierie e ferriere Lucchini S.p.A, Brescia
Acciaierie di Modena S.p.A, Modena
Ferriera Olifer srl, Odolo (Brescia)
Acciaieria e ferriera ORI Martin S.p.A, Brescia
Ferriera padana sas, Padova
Acciaierie di Piombino S.p.A (Livorno)
Acciaierie e ferriera Predalva srl, Piancamuno (Brescia)
Profilatinave S.p.A, Nave (Brescia)
SISMA, Società industrie siderurgiche meccaniche e affini S.p.A, Milano
Acciaierie e ferriere Stefana Antonio S.p.A, Brescia
Acciaierie e ferriere Stefana Fratelli fu Girolamo S.p.A, Nave (Brescia)
Acciaierie e ferriere del Tanaro S.p.A, Milano
Terni, Società per l'industria e l'elettricità S.p.A, Terni
Acciaierie e ferriera Valsabbia srl, Odolo (Brescia)
Ferriere Vattolo Ciessebi S.p.A, Buia (Udine)

COMMISSION DECISION

of 28 July 1978

specifying the extent to which applications lodged during the months of June and July 1978 for import licences in respect of young male bovine animals for fattening may be accepted

(78/712/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as amended by Regulation (EEC) No 425/77⁽²⁾, and in particular Article 13 (4) (a) thereof,

Whereas Commission Regulation (EEC) No 1146/78 of 30 May 1978⁽³⁾ fixed the quantity of young male bovine animals which may be imported on special terms during the third quarter of 1978; whereas, having regard to the applications for import licences lodged by each of the categories of applicant referred to in that Regulation, such licences should be issued as provided below;

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

HAS ADOPTED THIS DECISION:

Article 1

Import licences for young male bovine animals for fattening in respect of which applications were lodged between 1 and 10 June and 1 and 10 July 1978 shall be issued as follows:

1. The quantities requested in Italy:

- (a) for animals of 220 to 300 kilograms *per capita* live weight coming from Yugoslavia:

(aa) by agricultural producers or their organizations shall be allocated in full,

(bb) by other applicants shall be reduced by 91.83 %;

(b) for animals of up to 300 kilograms *per capita* live weight coming from other non-member countries:

(aa) by agricultural producers or their organizations shall be reduced by 67.09 %,

(bb) by other applicants shall be reduced by 99.26 %.

2. The quantities requested in the other Member States:

(a) for animals of 220 to 300 kilograms *per capita* live weight coming from Yugoslavia shall be allocated in full;

(b) for animals of up to 300 kilograms *per capita* live weight coming from other non-member countries shall be reduced by 22.22 %.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 143, 31. 5. 1978, p. 20.