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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 430/79**of 2 March 1979****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 2724/78⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2724/78 to today's

offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

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 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 March
1979.

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

Done at Brussels, 2 March 1979.

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 329, 24. 11. 1978, p. 1.

ANNEX

to the Commission Regulation of 2 March 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(u.a./tonne)		
CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	84.31
10.01 B	Durum wheat	132.43 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	86.61 ⁽⁶⁾
10.03	Barley	92.13
10.04	Oats	88.12
10.05 B	Maize, other than hybrid maize for sowing	80.04 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	4.72
10.07 B	Millet	79.20 ⁽⁴⁾
10.07 C	Grain sorghum	82.85 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	129.82
11.01 B	Rye flour	133.03
11.02 A I a)	Durum wheat groats and meal	216.34
11.02 A I b)	Common wheat groats and meal	138.96

⁽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 431/79**of 2 March 1979****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
2725/78 ⁽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 to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums referred to in Article 15 of Regulation
(EEC) No 2727/75 to be added to the import levies
fixed in advance in respect of cereals and malt shall
be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 March
1979.

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

Done at Brussels, 2 March 1979.

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 329, 24. 11. 1978, p. 4.

ANNEX

to the Commission Regulation of 2 March 1979 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 3	1st period 4	2nd period 5	3rd period 6
10.01 A	Common wheat, and meslin	0	7.15	7.15	7.45
10.01 B	Durum wheat	0	1.12	1.12	1.73
10.02	Rye	0	0.30	0.30	0.30
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	0.15	0.15	0.15
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0.61	0.61	0
10.07 C	Grain sorghum	0	2.43	2.43	3.04
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	9.99	9.99	10.43

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	12.73	12.73	13.26	13.26
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	9.51	9.51	9.91	9.91
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 432/79

of 2 March 1979

fixing the export refunds on milk and milk products

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 1761/78⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds⁽³⁾, as amended by Regulation (EEC) No 2429/72⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade;
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination;
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market;

— the need to avoid disturbances on the Community market; and

— the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products⁽⁵⁾, as last amended by Regulation (EEC) No 37/75⁽⁶⁾, provides that the refund on products falling within subheading 04.02 B is equal to the sum of two

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 5, 9. 1. 1975, p. 7.

components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5 % by weight, the first component referred to above is fixed for 100 kilograms of the whole product; whereas, for the other products falling within subheading 04.02 B, this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on one kilogram of milk products contained in the product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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 indent;

Whereas the special conditions concerning the payment of the refund for skimmed-milk powder for use as feed in the country of destination were laid

down in Regulation (EEC) No 2054/76⁽³⁾, as last amended by Regulation (EEC) No 2413/78⁽⁴⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04;

Whereas it follows from applying these detailed rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex hereto.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 3 March 1979.

However, footnote⁽³⁾ of the Annex is applicable, at the request of the interested party, from 1 June 1978.

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

Done at Brussels, 2 March 1979.

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 228, 20. 8. 1976, p. 17.
⁽⁴⁾ OJ No L 292, 18. 10. 1978, p. 16.

ANNEX

to the Commission Regulation of 2 March 1979 fixing the export refunds on milk and milk products

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less	0110 00	4.93
	b) Other	0120 00	—
	II. Others :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0130 10	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		1.47
	— Other destinations		1.29
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— Countries near the Community		4.26
	— Other destinations		5.28
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		6.94
	— Countries near the Community		6.03
	— Other destinations		7.64
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		7.00
	— Countries near the Community		6.51
	— Other destinations		8.89

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01 (cont'd)	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0150 10	1.29
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0150 21	4.40
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		6.94
	— Other destinations		5.34
	2. Exceeding 4 %	0160 00	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		7.00
	— Other destinations		5.79
	ex B. Other, excluding whey, of a fat content, by weight :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) Of a fat content, by weight, not exceeding 10 %	0200 05	17.51
	(b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	26.72
	(c) Of a fat content, by weight, exceeding 17 %	0200 21	39.88
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) Of a fat content, by weight, not exceeding 35 %	0300 12	47.40
	(b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 %	0300 13	73.71
	(c) Of a fat content, by weight, exceeding 39 %	0300 20	80.69
	III. More than 45 % :		
	(a) Of a fat content, by weight, not exceeding 68 %	0400 11	91.51
	(b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 %	0400 22	135.74
	(c) Of a fat content, by weight, exceeding 80 %	0400 30	158.29
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620 00	66.54

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	66.54
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	79.09
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	85.32
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	93.55
	3. Exceeding 27 % but not exceeding 29 %	0820 00	95.62
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	97.65
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	0920 30	110.01
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	0920 40	114.26
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	0920 50	128.79
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	0920 60	139.16
	(ff) Of a fat content, by weight, exceeding 79 %	0920 70	149.53
	b) Other, excluding products containing fish meal or fish oil or fish liver oil and iron carbonate or sulphate, of a fat weight content (*) :		
	1. Not exceeding 1.5 %	1020 00	66.54
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	66.54
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	79.09
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	85.32
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	93.55
	3. Exceeding 27 % but not exceeding 29 %	1220 00	95.62
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	97.65
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	1320 30	110.01
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	1320 40	114.26
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	1320 50	128.79
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	1320 60	139.16
	(ff) Of a fat content, by weight, exceeding 79 %	1320 70	149.53

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net content of 2.5 kg or less and of a non fat content by weight not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 12	—
	(22) Exceeding 3 %, by weight	1420 22	
	For exports to :		
	— Countries near the Community		6.03
	— Other destinations		7.64
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7.4 %	1420 60	15.01
	(33) Exceeding 7.4 %	1420 70	20.16
	2. Other, of a non fat lactic dry matter content :		
	(aa) Of less than 15 %, by weight	1520 10	15.62
	(bb) Of 15 % or more, by weight	1520 20	23.91
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1620 70	—
	(22) Exceeding 3 %, by weight, but not exceeding 8.9 %	1630 00	6.03
	(33) Exceeding 8.9 %, by weight, but not exceeding 11 %	1630 10	15.62
	(44) Exceeding 11 %, by weight, but not exceeding 21 %	1630 20	24.32
	(55) Exceeding 21 %, by weight, but not exceeding 39 %	1630 30	43.82
	(66) Exceeding 39 %	1630 40	75.74
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1630 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7.4 %	1630 60	15.01
	(33) Exceeding 7.4 %, by weight, but not exceeding 8.9 %	1630 70	20.16
	(44) Exceeding 8.9 %	1630 80	23.91
	2. Exceeding 45 %	1720 00	86.38
	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2220 00	0.6654 ⁽¹⁾ per kg

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0.6654 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.7909 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.8532 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	0.9355 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	0.9562 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	1.1001 ⁽¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.6654 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.6654 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.7909 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.8532 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.9355 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0.9562 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1.1001 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content by weight not exceeding 9.5 % :		
	(1) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	2810 11	— ⁽¹⁾ per kg
	(22) Exceeding 3 %, by weight for exports to : — Countries near the Community — Other destinations	2810 12	0.0603 ⁽¹⁾ per kg 0.0764 ⁽¹⁾ per kg
	(bb) Of 15 % or more	2810 15	14.42 ⁽²⁾
	(2) Of a fat content, by weight, exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more	2810 20	24.75 ⁽²⁾

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more (bb) Of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more (cc) Of a fat content by weight, exceeding 9.5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 % (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ee) Of a fat content, by weight, exceeding 39 % 2. Exceeding 45 %	2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	14.42 ⁽²⁾ 24.75 ⁽²⁾ 0.2432 ⁽¹⁾ per kg 0.4382 ⁽¹⁾ per kg 0.7574 ⁽¹⁾ per kg 0.8638 ⁽¹⁾ per kg
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) Of a fat content, by weight, of 62 % or more, but less than 78 % (II) Of a fat content, by weight, of 78 % or more but less than 80 % (III) Of a fat content, by weight, of 80 % or more but less than 82 % (IV) Of a fat content, by weight, of 82 % or more B. Other, of a fat content, by weight : (I) Not exceeding 99.5 % (II) Exceeding 99.5 %	3110 05 3110 16 3110 22 3110 32 3210 10 3210 20	124.38 156.45 160.45 164.52 164.52 212.65
04.04	Cheese and curd ⁽⁵⁾ : ex A. Emmentaler and Gruyère, not grated or powdered : II. Other for exports to : — Zone D — Zone E — Canada — Liechtenstein and Switzerland — Austria — Other destinations ex C. Blue-veined cheese, not grated or powdered, other than Roquefort for exports to : — Austria — Zone D — Zone E — Canada — Other destinations	3800 00 4000 00	65.36 — 83.57 — 52.72 94.74 18.32 67.99 47.60 68.92 78.19

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	D. Processed cheese, not grated or powdered : II. Other, of a fat content, by weight : a) Not exceeding 36 % and of a fat content, by weight, in the dry matter : ex 1. Not exceeding 48 % and of a dry matter content, by weight : (aa) Of 33 % or more but less than 38 % for exports to : — Austria 3·70 — Zone D 11·05 — Zone E 22·77 — Canada 25·75 — Switzerland 5·30 — Other destinations 33·09 (bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter : (11) Less than 20 % for exports to : — Austria 3·70 — Zone D 11·05 — Zone E 22·77 — Canada 25·75 — Switzerland 5·30 — Other destinations 33·09 (22) Of 20 % or more for exports to : — Austria 5·46 — Zone D 16·35 — Zone E 33·61 — Canada 38·10 — Switzerland 7·84 — Other destinations 48·94 (cc) Of 43 % or more and of a fat content, by weight, in the dry matter : (11) Less than 20 % for exports to : — Austria 3·70 — Zone D 11·05 — Zone E 22·77 — Canada 25·75 — Switzerland 5·30 — Other destinations 33·09	4410 10 4410 20 4410 30 4410 40	

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		5.46
	— Zone D		16.35
	— Zone E		33.61
	— Canada		38.10
	— Switzerland		7.84
	— Other destinations		48.94
	(33) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		8.00
	— Zone D		23.90
	— Zone E		49.01
	— Canada		55.72
	— Switzerland		11.44
	— Other destinations		71.50
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		3.70
	— Zone D		11.05
	— Zone E		22.77
	— Canada		25.75
	— Switzerland		5.30
	— Other destinations		33.09
	(bb) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		5.46
	— Zone D		16.35
	— Zone E		33.61
	— Canada		38.10
	— Switzerland		7.84
	— Other destinations		48.94
	(cc) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		8.00
	— Zone D		23.90
	— Zone E		49.01
	— Canada		55.72
	— Switzerland		11.44
	— Other destinations		71.50

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 55 %	4510 40	
	for exports to :		
	— Austria		8.00
	— Zone D		23.90
	— Zone E		49.01
	— Canada		55.72
	— Switzerland		11.44
	— Other destinations		71.50
	(22) Of 55 % or more	4510 50	
	for exports to :		
	— Austria		9.48
	— Zone D		28.36
	— Zone E		58.16
	— Canada		66.11
	— Switzerland		13.58
	— Other destinations		84.84
	b) Exceeding 36 %	4610 00	
	for exports to :		
	— Austria		9.48
	— Zone D		28.36
	— Zone E		58.16
	— Canada		66.11
	— Switzerland		13.58
	— Other destinations		84.84
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana, Parmigiano Reggiano	4710 11	
	for exports to :		
	— Zone D		121.16
	— Zone E		99.28
	— Canada		120.20
	— Switzerland		91.64
	— Other destinations		121.16
	(2) Fiore Sardo, Pecorino	4710 16	
	for exports to :		
	— Zone D		129.79
	— Zone E		110.28
	— Canada		121.70
	— Switzerland		100.27
	— Other destinations		129.79
	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more	4710 22	
	for exports to :		
	— Zone D		121.16
	— Zone E		99.28
	— Canada		120.20
	— Switzerland		91.64
	— Other destinations		121.16

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % : 1. Cheddar : ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more for exports to : — Austria 11.16 — Zone D 33.41 — Zone E — — Canada 51.40 — Switzerland 16.00 — Other destinations 88.26 ex 5. Other, of a fat content, by weight, in the dry matter : (aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria 6.30 — Zone D 18.87 — Zone E — — Canada 32.97 — Switzerland 3.99 — Other destinations 34.50 (bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria 7.31 — Zone D 21.88 — Zone E — — Canada 50.38 — Switzerland 4.40 — Other destinations 56.96 (cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey) for exports to : — Austria 8.81 — Zone D 26.34 — Zone E — — Canada 61.01 — Switzerland 4.73 — Other destinations 69.05 (dd) Of 39 % or more : (11) Asiago, Caciocavallo, Provolone, Ragusano for exports to : — Zone D 120.12 — Zone E 102.26 — Canada 111.54 — Switzerland 35.29 — Other destinations 120.12	4850 00 5120 12 5120 16 5120 22 5120 31	

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		21.28
	— Zone D		39.10
	— Zone E		49.08
	— Canada		71.14
	— Switzerland		1.00
	— Other destinations		80.55
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		44.22
	— Zone D		39.10
	— Zone E		44.75
	— Canada		63.31
	— Switzerland		1.00
	— Other destinations		69.71
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester	5120 58	
	for exports to :		
	— Austria		11.16
	— Zone D		33.41
	— Zone E		46.90
	— Canada		72.86
	— Switzerland		16.00
	— Other destinations		82.64
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 59	
	for exports to :		
	— Zone E		26.68
	— Canada		30.68
	— Other destinations		36.71
	(66) Feta	5120 82	
	for exports to :		
	— Zone D		25.63 (*)
	— Zone E		17.51 (*)
	— Canada		59.84 (*)
	— Switzerland		12.00 (*)
	— Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		83.21 (*)
	— Other destinations		65.35 (*)
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		11.16
	— Zone D		33.41
	— Zone E		—
	— Canada		72.86
	— Switzerland		16.00
	— Other destinations		82.64

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter :		
	(aaa) Exceeding 47 % but not exceeding 52 %	5120 87	
	for exports to :		
	— Zone D		33.41
	— Switzerland		15.00
	— Zone E		66.64
	— Canada		84.41
	— Other destinations		88.51
	(bbb) Exceeding 52 % but not exceeding 62 %	5120 92	
	for exports to :		
	— Austria		21.28
	— Zone D		39.10
	— Zone E		49.08
	— Canada		71.14
	— Switzerland		1.00
	— Other destinations		80.55
	c) Exceeding 72 % :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(a) Cottage cheese	5120 95	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		18.66
	— Other destinations		—
	(b) Cream cheese of a fat content, by weight, in the dry matter, not exceeding 70 %	5120 98	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		52.45
	— Other destinations		—
	ex II. Other (excluding cheeses produced from whey) :		
	ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight :		
	(1) Of 80 % or more but less than 85 %	5310 11	
	for exports to :		
	— Zone E		34.52
	— Canada		47.02
	— Other destinations		60.77
	(2) Of 85 % or more but less than 95 %	5310 22	
	for exports to :		
	— Zone E		41.88
	— Canada		55.38
	— Other destinations		76.47

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(3) Of 95 % or more for exports to : — Zone E — Canada — Other destinations	5310 31	48.60 62.60 88.86
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs ⁽³⁾ : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch : (3) Containing 50 % or more but less than 75 %, by weight, of milk products of which content of milk in powder or granules (excluding whey), by weight, is : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more (4) Containing 75 % or more, by weight, of milk products, of which content of milk in powder or granules (excluding whey), by weight, is : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more (II) Containing no starch, glucose or glucose syrup, but containing milk products of which content of milk in powder or granules (excluding whey), by weight, is : (a) 50 % or more but less than 60 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62 5800 13 5800 23 5800 32 5800 42 5800 52 5800 62 5800 72 5800 82 5900 12 5900 22 5900 32 5900 42	— 21.29 27.95 34.60 41.26 47.91 — 21.29 27.95 34.60 41.26 47.91 51.23 54.57 34.60 41.26 47.91 54.57

- (¹) The weight of added non-lactic matter and lactose should be disregarded for the purpose of calculating fat content, by weight.
The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
(a) the amount per kilogram shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- (²) The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
(a) the amount per 100 kg shown ; and
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- (³) 'Special compound feedingstuffs' are feedingstuffs containing skimmed-milk powder and either fish meal or fish oil and/or fish liver oil and/or more than 6 g of iron (as ferrous sulphate) and/or more than 1.2 g of copper (as copper sulphate) in 100 kg of product.
- (⁴) This amount applies to the net weight, minus the weight of the brine.
- (⁵) No refund is applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.
- (⁶) Products falling within subheading 04.02 A II b) and denatured in accordance with Annex III to Regulation (EEC) No 2054/76 are also included.
- N.B. : — For the purposes of this Regulation 'countries near the Community' means : Zone D, Andorra, Austria, Liechtenstein, Switzerland, Yugoslavia plus the destinations indicated in Article 3 of Regulation (EEC) No 192/75.
— Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 37/75.
— 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi), Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras al Khaimah), Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

COMMISSION RECOMMENDATION No 433/79/ECSC

of 27 February 1979

imposing a provisional anti-dumping duty on certain sheets and plates of iron or steel originating in Spain and repealing certain suspended anti-dumping duties

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 74 and 86 thereof,

Having regard to Commission recommendation 77/329/ECSC on protection against dumping or the granting of bounties or subsidies by countries which are not members of the European Coal and Steel Community⁽¹⁾, as amended by recommendations No 3004/77/ECSC⁽²⁾ and No 158/79/ECSC⁽³⁾, and in particular Articles 15 and 19 thereof,

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

Whereas the Community has published basic prices⁽⁴⁾ established on the basis of the lowest normal prices or normal costs of production in the supplying country or countries where normal conditions of competition prevail and including the costs of transport, insurance and customs duties;

Whereas the Community, having ascertained that there was undercutting of these basic prices on the part of exporters from Spain and other supplying countries of the products mentioned in Article 1 of this recommendation from which material injury has resulted, has, by means of recommendation No 1704/78/ECSC⁽⁵⁾, modified by means of recommendation No 3140/78/ECSC⁽⁶⁾, imposed a definitive anti-dumping duty on the products in question;

Whereas certain arrangements with respect to trade in steel products were concluded in 1978 between the Community and the most important supplying countries, including Spain, a solution which the Commission considers satisfactory;

Whereas, in this situation, the Commission has suspended the definitive anti-dumping duty by means of recommendation No 1704/78/ECSC;

Whereas these arrangements expired on 31 December 1978 and have been or are on the point of being renewed with most of the supplying countries, with the exception of Spain;

Whereas the Commission has ascertained that the prices of imports into the Community of the products in question originating in Spain are again below the basic prices published by the Commission for these same products; whereas it appears from a preliminary examination that dumping exists;

Whereas, with regard to the injury to the industry concerned, the evidence submitted to the Commission shows that, on the one hand, the imports into the Community of the products in question originating in Japan, Czechoslovakia, Sweden, Romania, Austria, Finland, Poland, Hungary, Bulgaria, the German Democratic Republic and Australia have increased from 1 062 000 tonnes in 1974 to 1 460 000 tonnes in 1977, while the imports originating in Spain have increased from approximately 18 000 to 96 000 tonnes during the same period; whereas imports from the abovementioned countries into the Community have thus achieved a market share of 15.1 % and the imports originating in Spain a market share of 1.0 %; whereas in 1978 the evolution of imports was influenced by anti-dumping measures and the conclusion of arrangements with respect to trade in steel products between the Community and most of the supplying countries; whereas, however, Spain has been able to keep a significant market share, which, after the expiration of the abovementioned arrangement, threatens to increase again in 1979; whereas, on the other hand, the Community steel industry is in a state of crisis characterized by a reduction in the region of 35 % in deliveries in the Community of the products concerned between 1974 and 1978 and by the number of employees affected by redundancies and short-time working in the firms concerned which has decreased from 780 000 to 675 000 between 1974 and 1978; whereas finally the steel industry showed reduced profits or serious losses in most of the firms concerned;

Whereas the prices of imports into the Community of products which originate in Spain are considerably lower than the prices for sales within the Community of the steel products made by the European industry; whereas this undercutting prevents the European producers from obtaining the guidance price and jeopardizes the equilibrium of the whole price system, both in so far as it concerns the European producers and the producers in those other supplying countries

⁽¹⁾ OJ No L 114, 5. 5. 1977, p. 6.

⁽²⁾ OJ No L 352, 31. 12. 1977, p. 13.

⁽³⁾ OJ No L 21, 30. 1. 1979, p. 14.

⁽⁴⁾ See Commission publication of 31 December 1977 concerning the basic price of certain steel products (OJ No L 353, 31. 12. 1977, p. 1), modified by publications of 1 April 1978 (OJ No L 87, p. 4), 13 May 1978 (OJ No L 126, p. 5) and 5 July 1978 (OJ No L 183, p. 3) and of 30 December 1978 (OJ No L 372, p. 2).

⁽⁵⁾ OJ No L 195, 20. 7. 1978, p. 17.

⁽⁶⁾ OJ No L 372, 30. 12. 1978, p. 1.

which have renewed the arrangements with respect to trade in steel products ; whereas, consequently, these imports are causing or threaten to cause a new material injury to the Community industry or to a major part thereof ;

Whereas immediate action has been requested by a Member State ;

Whereas, because of the serious conditions being experienced by the Community iron and steel industry, the interests of the Community require immediate action ;

Whereas it is for the Commission, without prejudice to the results of the investigation opened in accordance with Article 11 of recommendation 77/329/ECSC, to decide promptly to apply provisional measures consisting of the imposition of a provisional anti-dumping duty on imports of the products concerned originating in Spain, the rate of which corresponds to the difference between the basic price published by the Commission for these products and their import price into the Community,

HAS ADOPTED THIS RECOMMENDATION :

Article 1

1. A provisional anti-dumping duty is hereby imposed on the following products originating in Spain :

Sheets and plates of iron or steel other than electrical, not further worked than hot-rolled, of a thickness of 2 mm or more (Common Customs Tariff subheading 73.13 B I a), NIMEXE codes 73.13-17, 19, 21, 23, 26).

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

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

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

Article 2

The entry of the products described in Article 1 for consumption within the Community shall be conditional upon the deposit of a security for the amount of the provisional duty.

Article 3

The definitive anti-dumping duties imposed and suspended by recommendations No 1704/78/ECSC and No 1758/78/ECSC⁽¹⁾ are repealed in so far as they apply to imports originating in Spain.

Article 4

This recommendation is addressed to the Member States.

It will come into effect in each Member State from the date of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 27 February 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 203, 27. 7. 1978, p. 28.

COMMISSION REGULATION (EEC) No 434/79
of 2 March 1979

amending Regulation (EEC) No 3075/78 laying down detailed rules for the application of the special measures for peas and field beans used in the feeding of animals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1119/78 of 22 May 1978 laying down special measures for peas and field beans used in the feeding of animals⁽¹⁾, and in particular Article 2 (6), the second paragraph of Article 3 and Article 5 thereof,

Whereas Article 6 of Commission Regulation (EEC) No 3075/78⁽²⁾ lays down that the contracts concluded with producers shall be lodged with the competent agency at least one week before the peas and field beans are delivered to the undertaking where the products will be used in the manufacture of animal feedingstuffs; whereas observance of this time limit is encountering difficulties inherent in commercial practices; whereas this time limit should therefore be altered;

Whereas the same Article lays down that, for peas and field beans delivered to the premises of manufacturers of animal feedingstuffs between 1 July 1978 and 15 February 1979, the contract concluded with the producer must be lodged with the competent agency within a certain period; whereas, on account of administrative difficulties, operators are unable to observe this time limit; whereas, consequently, the time limit needs to be extended;

Whereas, in certain cases, peas and field beans are ground at premises other than those in which they are used for the manufacture of animal feedingstuffs; whereas it is appropriate not to exclude these products from eligibility for the aid;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3075/78 is amended to read as follows:

1. Article 6 is amended to read as follows:

'Article 6

1. The contract concluded by the feedingstuffs manufacturer shall be lodged by him with the

agency appointed for this purpose in the Member State where the peas and field beans will be used for the manufacture of feedingstuffs, at the latest on the day on which the application referred to in Article 5 (b) of Regulation (EEC) No 1418/78 is submitted.

In the cases referred to in paragraphs 2 and 3 of this Article, the certificate described in Article 10 (2) shall be lodged with this agency by the same deadline.

However, for peas and field beans delivered between 1 July 1978 and 15 February 1979, and for which the copy of the contract concluded between a buyer and a producer has not been presented before this Regulation enters into force, in accordance with the provisions of Article 9 (2) of Regulation (EEC) No 1526/78, the certificate shall be lodged by 15 March 1979 at the latest. Member States may determine the minimum area and/or the minimum quantity for which the contract may be lodged.

2. In cases where the contract to be lodged by the feedingstuffs manufacturer has been concluded with a producer in a Member State other than that in which the products in question are to be used, a copy of it shall be lodged with the competent agency of the Member State of production.

However, for peas and field beans delivered between 1 July 1978 and 15 February 1979, the copy shall be lodged by 15 February 1979 at the latest.

3. In cases where the contract to be lodged by the feedingstuffs manufacturer has been concluded with a person other than the producer, the first buyer shall lodge his contract with the producer with the competent agency of the Member State where the peas and field beans have been produced.

However, for peas and field beans delivered to the manufacturer between 1 July 1978 and 15 February 1979, the contract concluded between the first buyer and the producer shall be lodged by 5 March 1979 at the latest.'

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 8.

⁽²⁾ OJ No L 367, 28. 12. 1978, p. 9.

2. Article 10 (5) is amended to read as follows :

'5. On request by any holder of a certificate, any body using these certificates shall, on its return by the holder, replace it with certificates in respect of smaller amounts of peas and field beans equal in total to the quantity shown on the certificate returned.

Each such replacement certificate shall be marked with the same number as the original certificate plus a supplementary number.'

3. The following sentence shall be added at the beginning of the second paragraph of Article 12 :

'2. The manufacturer of animal feedingstuffs shall inform in advance the agency appointed for this purpose in the Member State in which the peas and field beans shall be processed of the arrival date of these products at his premises.'

4. Article 13 is amended to read as follows :

'Article 13

Except in cases of *force majeure*, peas and field beans whose entry into the premises has been verified pursuant to Article 12 may not leave those

premises until they have been processed. An exception shall be allowed for peas and field beans to be processed into flakes for incorporation into feedingstuffs, or which, with the permission of the agency appointed for this purpose, will be ground in other premises, on condition that the flakes produced or the ground products return to the same premises which the peas and field beans left.'

5. The second indent of the second paragraph of Article 14 is amended to read as follows :

'— movements of products between the buildings or other places referred to in Article 12 (1) (a) and buildings referred to in Article 12 (1) (b), as well as of peas and field beans which leave to be processed into flakes or for grinding in other premises and of the return of the said flakes or ground products.'

Article 2

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

It shall apply from 28 December 1978.

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

Done at Brussels, 2 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 435/79**of 2 March 1979****on communications between Member States and the Commission with regard to peas and field beans**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1119/78 of 22 May 1978 laying down special measures for peas and field beans used in the feeding of animals⁽¹⁾, and in particular Article 4 thereof,

Whereas, in order to ensure sound management of the market in the measures provided for peas and field beans, Member States must keep the Commission informed about the working of the various measures provided for in Council Regulation (EEC) No 1418/78⁽²⁾, and in Commission Regulation (EEC) No 3075/78⁽³⁾;

Whereas to that end certain information on the situation with regard to production, markets and the pattern of trade in peas and field beans must be communicated by Member States to the Commission at regular intervals;

Whereas, however, such communication should be kept to a strict minimum and should make allowance for the administrative facilities at present available in the Member States;

Whereas, in the interests of efficient administration, all the obligations falling on Member States as regards the information to be sent at regular intervals to the Commission should be included in this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

As regards the declarations referred to in Article 4 of Regulation (EEC) No 1418/78, the Member States shall inform the Commission within 45 days after the final date fixed by each Member State for the submission of the declarations, of the total area given in these declarations.

Article 2

As regards the contracts referred to in Article 7 of Regulation (EEC) No 3075/78, the Member States

shall inform the Commission within 21 days after the end of each month, of the number of contracts or, as appropriate, copies of contracts concluded with the products and lodged during that month with the competent authorities in the Member State of production and of the total quantities or, where applicable, of the total area sown with peas or field beans indicated in those contracts or copies.

However, in the first communication, the Member States shall give the figures for the contracts lodged since the beginning of the 1978/79 marketing year.

Article 3

As regards the request referred to in Article 5 (b) of Regulation (EEC) No 1418/78, the Member States shall inform the Commission within 21 days after the end of each month of the total quantities of peas and field beans respectively, for which aid has been requested during the month in question.

However, in the first communication, the Member States shall give the figures for which aid was requested since the beginning of the 1978/79 marketing year.

Article 4

Before 30 September of each year the Member States shall communicate to the Commission:

- the results of the checks carried out in accordance with Articles 9, 10, 11 and 12 of Regulation (EEC) No 1418/78,
- the quantities of peas and field beans respectively for which aid has been granted,
- the amounts paid for each of the products in question,

during the previous marketing year.

Article 5

The Commission shall provide Member States with regular summaries of the figures provided in accordance with Articles 1 to 4.

Article 6

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 142, 30. 5. 1978, p. 8.

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 5.

⁽³⁾ OJ No L 367, 28. 12. 1978, p. 9.

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

Done at Brussels, 2 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 436/79

of 2 March 1979

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 394/78 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1550/78 to the information known to the Commission that the levies

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 March 1979.

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

Done at Brussels, 2 March 1979.

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 49, 28. 2. 1979, p. 12.

ANNEX

to the Commission Regulation of 2 March 1979 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	26.82 21.93 ⁽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 437/79

of 28 February 1979

amending Regulation (EEC) No 1251/78 as regards Community surveillance of imports of certain textile products originating in Portugal

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 7 thereof,

Having regard to Commission Regulation (EEC) No 1251/78 of 12 June 1978 making the import of certain textile products from certain third countries subject to Community surveillance⁽²⁾, as amended by Regulation (EEC) No 2621/78⁽³⁾ and extended by Regulation (EEC) No 10/79⁽⁴⁾,

Having consulted the Advisory Committee set up under Article 5 of Regulation (EEC) No 1439/74,

Whereas by Regulation (EEC) No 2054/78 of 29 August 1978⁽⁵⁾ the Commission established Community surveillance of imports of certain textile products originating in Portugal; whereas the said Regulation expired on 31 December 1978;

Whereas a system of administrative cooperation has been introduced between the European Economic Community and Portugal with regard to trade in certain textile products;

Whereas in order to make such administrative cooperation effective it is necessary to reintroduce the

measures provided for in the abovementioned Regulation (EEC) No 2054/78,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1251/78 is hereby amended as follows:

1. A second paragraph, worded as follows, is added to Article 2:

'Where the products referred to in Article 1 originate in Portugal, the import document provided for in the first paragraph shall be issued or endorsed only on presentation of a copy, certified by the Instituto dos Têxteis, of a "Boletim de Registro de Exportação" or a "Boletim global de Exportação" issued by the relevant Portuguese authorities and conforming to the model given in Annex II.'

2. The Annex becomes Annex I; the Annex to this Regulation becomes Annex II.

Article 2

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

It shall apply until 31 December 1979.

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

Done at Brussels, 28 February 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 159, 15. 6. 1974, p. 1.

⁽²⁾ OJ No L 155, 13. 6. 1978, p. 12.

⁽³⁾ OJ No L 316, 10. 11. 1978, p. 7.

⁽⁴⁾ OJ No L 2, 4. 1. 1979, p. 11.

⁽⁵⁾ OJ No L 239, 31. 8. 1978, p. 16.

BILAG — ANHANG — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

[illegible]

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DECLARAÇÃO DE DESPACHO

DECLARAÇÃO DO BANCO DE PORTUGAL

UTILIZAÇÕES PARCIAIS

EXEMPLAR PARA O ORGANISMO EMISSOR

[illegible]

Ficha n.º	Linha n.º	Data

DECLARO QUE TOMEI CONHECIMENTO DAS INSTRUÇÕES ABAIXO REFERIDAS
E QUE ASSUMO OS COMPROMISSOS NAS MESMAS CONTIDOS

_____, ____ de _____ de 19____

(Carimbo e assinatura do declarante)

Observações: _____

INSTRUÇÕES

- 1.º Este impresso deve ser preenchido à máquina de forma que todos os seus exemplares sejam bem legíveis.
- 2.º Não são admitidas rasuras nem denominações em língua estrangeira.
- 3.º O declarante compromete-se:
 - a) A que o valor indicado represente o montante que efectivamente corresponde à transacção e seja o valor real da mercadoria;
 - b) A vender a uma instituição de crédito a importância total proveniente da operação de exportação, nas divisas indicadas no respectivo boletim global.
- 4.º As falsas declarações prestadas no preenchimento deste impresso ou o não cumprimento das obrigações assumidas pelo declarante constituem crimes de falsas declarações ou transgressões, previstos e punidos nos termos da legislação em vigor.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 February 1979

concerning animal health conditions and veterinary certification for imports of
fresh meat from Paraguay

(79/238/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries ⁽¹⁾, as last
amended by Directive 77/98/EEC ⁽²⁾, and in particular
Articles 16 and 28 thereof,

Whereas the situation regarding foot-and-mouth
disease in Paraguay may constitute a serious danger
for Community livestock because of trade with that
country; whereas certain Member States have already
adopted protective measures in this respect;

Whereas the necessary steps should therefore be taken
at Community level to reduce the risk of introducing
disease by ensuring that imports from Paraguay of
fresh meat fulfil conditions which will ensure the
protection of Community livestock;

Whereas it is necessary to lay down health require-
ments for imports of fresh meat from Paraguay;
whereas it is necessary to take account of the situation
in Paraguay regarding foot-and-mouth disease and
particularly of the situation at present;

Whereas the measures adopted by Member States
must be adapted to the particular health situation of
each third country; whereas they must be modified in
line with developments in that situation;

Whereas special conditions may be laid down for
certain Member States because of their special animal
health situations until common Community measures
are adopted for the control and eradication of foot-
and-mouth disease; whereas these conditions must be
at least as strict as those which the same Member
States apply in intra-Community trade;

Whereas it will be necessary to examine this Decision
during 1982 in order to make amendments which
may be necessary following a review of the general
situation and any rules concerning foot-and-mouth
disease adopted by the Council in the meantime;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize the importation of
fresh meat from Paraguay as follows:

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

- (a) deboned fresh meat of bovine animals, excluding offals, from which have been removed the major accessible lymphatic glands, conforming to the guarantees laid down in the animal health certificate in accordance with Annex A and which must accompany the consignment;
 - (b) fresh meat of domestic solipeds, conforming to the guarantees laid down in the animal health certificate in accordance with Annex B and which must accompany the consignment;
 - (c) the following offals of bovine animals:
 - completely trimmed hearts,
 - completely trimmed livers,
 - completely trimmed tongues without bone, cartilage or tonsils,conforming to the guarantees laid down in the animal health certificate in accordance with Annex C and which must accompany the consignment.
2. Member States shall not authorize the importation of categories of fresh meat from Paraguay other than those referred to in paragraph 1.

Article 2

1. Until the adoption by the Council of rules concerning the control and eradication of foot-and-mouth disease within the Community, and while prohibiting vaccination against foot-and-mouth disease:
- (a) Denmark, Ireland and the United Kingdom in respect of Northern Ireland may, in respect of deboned fresh meat of bovine animals referred to under Article 1 (1) (a) and the offals referred to under Article 1 (1) (c), continue to refuse to authorize such imports;

- (b) the United Kingdom may, in respect of the offals referred to under Article 1 (1) (c), continue to require additional conditions currently in force which must be at least as strict as those which it applies in intra-Community trade.

2. The United Kingdom shall immediately inform the Commission of the additional conditions currently in force.

Article 3

This Decision shall not apply to imports of glands and organs authorized by the country of destination for pharmaceutical manufacturing purposes.

Article 4

This Decision shall be examined with a view to adaptation to Community rules concerning the control and eradication of foot-and-mouth disease within the Community and in any case before 1 July 1982.

Article 5

This Decision is addressed to the Member States. It shall enter into force on 1 April 1979. However, certificates in current use, amended if necessary in accordance with the provisions of this Decision, may be used until 1 July 1979.

Done at Brussels, 21 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

*ANNEX A***ANIMAL HEALTH CERTIFICATE**

for deboned fresh meat ⁽¹⁾ of bovine animals, excluding offals, intended for consignment to the European Economic Community

Country of destination

Reference to the public health certificate ⁽²⁾

Exporting country, PARAGUAY

Ministry

Department

References
(Optional)

I. Identification of meat

Meat of BOVINE ANIMALS
(Animal species)

Nature of cuts ⁽³⁾

Nature of packaging

Number of cuts or packages

Net weight

II. Origin of meat

Address(es) and veterinary approval number(s) ⁽²⁾ of the approved slaughterhouse(s)

.....

Address(es) and veterinary approval number(s) ⁽²⁾ of the approved cutting plant(s)

.....

III. Destination of meat

The meat will be sent from :
(Place of loading)

to :
(Country and place of loading)

by the following means of transport ⁽⁴⁾

Name and address of consignor

.....

Name and address of consignee

.....

IV. Attestation of health

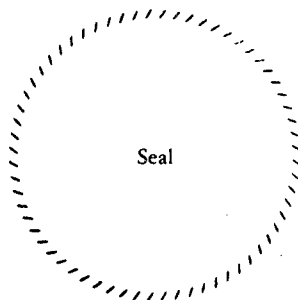
I, the undersigned, official veterinarian, certify that :

1. the deboned fresh meat described above is obtained from :

- bovine animals which have remained in the territory of Paraguay for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- bovine animals which have spent this period in a region in which foot-and-mouth disease vaccination of bovine animals is regularly carried out and officially controlled,
- bovine animals which come from holdings in which there has been no outbreak of foot-and-mouth disease in the previous 60 days, and around which within a radius of 25 km there has been no case of foot-and-mouth disease for 30 days,
- animals which have been transported direct from their holding of origin to the approved slaughterhouse concerned without passing through a market, without contact with animals which do not comply with the conditions required for export of their meat to the Community, and, if conveyed in a means of transport, the latter has been cleaned and disinfected before loading,
- animals which have passed the ante-mortem health inspection referred to in Chapter V of Annex B to Directive 72/462/EEC at the slaughterhouse during the 24 hours before slaughter and have in particular been subject to examination of the mouth and feet and showed no evidence of foot-and-mouth disease ;

2. the deboned fresh meat is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the European Community has been authorized only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishments under the control of an official veterinarian ;

3. the deboned fresh meat described above originates from carcasses which have matured at a room temperature of more than + 2 °C for at least 24 hours before the bones were removed.



Done at, on

.....
(Signature of official veterinarian)

(1) 'Fresh meat' means all parts fit for consumption from domestic bovine animals, which have not undergone any preserving process ; however, chilled and frozen meat shall be considered as fresh meat.

(2) Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

(3) Only deboned carcase fresh meat from bovine animals from which all bones and the major accessible lymphatic glands have been removed is authorized for importation.

(4) For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

ANNEX B

ANIMAL HEALTH CERTIFICATE

for fresh meat⁽¹⁾ of domestic solipeds intended for consignment to the European
Economic Community

Country of destination

Reference to the public health certificate ⁽²⁾

Exporting country, PARAGUAY

Ministry

Department

References
(Optional)

I. Identification of meat

Meat of domestic solipeds

Nature of cuts

Nature of packaging

Number of cuts or packages

Net weight

II. Origin of meat

Address(es) and veterinary approval number(s) ⁽²⁾ of the approved slaughterhouse(s)

.....

Address(es) and veterinary approval number(s) ⁽²⁾ of the approved cutting plant(s)

.....

III. Destination of meat

The meat will be sent from :
(Place of loading)

to :
(Country and place of destination)

by the following means of transport ⁽³⁾

Name and address of consignor

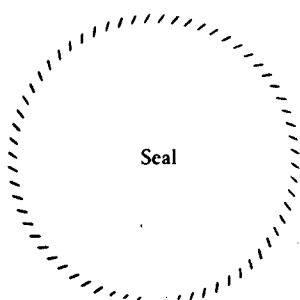
.....

Name and address of consignee

.....

IV. Attestation of health

I, the undersigned, official veterinarian, certify that the fresh meat described above is obtained from animals which have remained in the territory of Paraguay for at least three months before being slaughtered or since birth in the case of animals less than three months old.



Done at, on

.....
(Signature of official veterinarian)

- (¹) 'Fresh meat' means all parts fit for consumption from domestic solipeds which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.
- (²) Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.
- (³) For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

ANNEX C

ANIMAL HEALTH CERTIFICATE

for offal ⁽¹⁾ of bovine animals intended for consignment to the European Economic Community

Country of destination

Reference to the public health certificate ⁽²⁾

Exporting country, PARAGUAY

Ministry

Department

References
(Optional)

I. Identification of offal

Offal of bovine animals

Nature of offals

Nature of packaging

Number of packaging

Net weight

II. Origin of offal

Address(es) and veterinary approval number(s) ⁽²⁾ of the approved slaughterhouse(s)

.....

Address(es) and veterinary approval number(s) ⁽²⁾ of the approved cutting plant(s)

.....

III. Destination of offal

The offal will be sent from :
(Place of loading)

to :
(Country and place of destination)

by the following means of transport ⁽³⁾

Name and address of consignor

.....

Name and address of consignee

.....

IV. Attestation of health

I, the undersigned, official veterinarian, certify that :

1. the offal described above is obtained from :

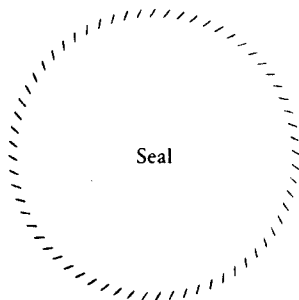
- bovine animals which have remained in the territory of Paraguay for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- bovine animals which have spent this period in a region in which foot-and-mouth disease vaccination of bovine animals is regularly carried out and officially controlled,
- bovine animals which come from holdings in which there has been no outbreak of foot-and-mouth disease in the previous 60 days, and around which within a radius of 25 km there has been no case of foot-and-mouth disease for 30 days,
- bovine animals which have been transported direct from their holding of origin to the approved slaughterhouse concerned without passing through a market, without contact with animals which do not comply with the conditions required for export of their meat to the Community, and, if conveyed in a means of transport, the latter has been cleaned and disinfected before loading,
- bovine animals which have passed the ante-mortem health inspection referred to in Chapter V of Annex B to Directive 72/462/EEC at the slaughterhouse during the 24 hours before slaughter and have in particular been subject to examination of the mouth and feet and showed no evidence of foot-and-mouth disease ;

2. the offal is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the European Community has only been authorized after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishments under the control of an official veterinarian ;

3. the offal described above has matured at a room temperature of more than + 2 °C for at least three hours ;

4.⁽⁴⁾

Done at, on



.....
(Signature of official veterinarian)

⁽¹⁾ Only hearts and livers from which lymphatic glands, adhering connective tissue and fat have been completely removed and tongues without bone, cartilage and tonsils of bovine animals are authorized for importation.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

⁽³⁾ For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

⁽⁴⁾ Additional conditions required by the United Kingdom.

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