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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 927/79

of 8 May 1979

on the application of Decision No 2/79 of the ACP-EEC Council of Ministers derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾, signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the said Convention, Decision No 2/79 derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna;

Whereas it is necessary, in accordance with Article 74 (3) of the Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 2/79 of the ACP-EEC Council of Ministers shall apply in the Community.

The text of the Decision is annexed to this Regulation.

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 from 25 November 1978 until 24 November 1979.

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

Done at Brussels, 8 May 1979.

For the Council

The President

P. MEHAIGNERIE

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 2.

DECISION No 2/79 OF THE ACP-EEC COUNCIL OF MINISTERS

23 March 1979

derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975 hereinafter called 'the Convention', and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol No 1 to the Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation, states that derogations from the rules of origin may be made, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Mauritius for a derogation from the definition set out in the said Protocol for canned tuna produced by that State;

Whereas in order to catch fish for its canneries Mauritius has decided to set up its own fleet of vessels so that the finished products are originating products within the meaning of Protocol No 1 to the Convention;

Whereas the fleet will become operational only in about one year's time;

Whereas, in accordance with Article 27 of Protocol No 1, the Customs Cooperation Committee has adopted a report on the said request;

Whereas the derogation accorded for 1978, taken together with that envisaged for 1979, represents a period of time sufficient to allow the Mauritian authorities to resolve their problem in obtaining originating raw materials; whereas the present derogation is therefore to be limited to a maximum period of 12 months;

Whereas in these circumstances a temporary derogation may be made from the definition of the concept of originating products,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol No 1, canned tuna manufactured in Mauritius and falling within heading No ex 16.04 of the Common Customs Tariff shall be considered as originating in Mauritius subject to the following conditions.

Article 2

This derogation shall relate to 1 600 tonnes of canned tuna falling within heading No ex 16.04 of the Common Customs Tariff and exported from Mauritius between 25 November 1978 and 24 November 1979.

Article 3

The movement certificates EUR 1 issued for originating products by virtue of the derogation contained in Article 1 shall contain in box 7 'Remarks' one of the following endorsements:

- 'Dérogation thons',
- 'Abweichung Thunfisch',
- 'Derogation tuna fish',
- 'Deroga tonno',
- 'Afwijking tonijn',
- 'Undtagelse tunfisk'.

Article 4

The competent authorities of Mauritius shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision.

Article 5

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision.

Article 6

This Decision shall enter into force on 25 November 1978. It shall apply until 24 November 1979.

Done at Freeport, 23 March 1979.

*For the ACP-EEC
Council of Ministers*

The President

J. FRANÇOIS-PONCET

COUNCIL REGULATION (EEC) No 928/79
of 8 May 1979

**increasing the volume of the Community tariff quota, opened for the year 1979,
for ferro-chromium containing not less than 4 % by weight of carbon and
falling within subheading ex 73.02 E I of the Common Customs Tariff**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 28
thereof,

After consulting the Commission,

Whereas, by its Regulation (EEC) No 326/79 ⁽¹⁾, the
Council opened, for the year 1979, and allocated
among the Member States a duty-free Community
tariff quota for ferro-chromium containing not less
than 4 % by weight of carbon and falling within
subheading ex 73.02 E I of the Common Customs
Tariff, the volume of which was fixed at the provi-
sional level of 80 000 tonnes; whereas the benefit of
the tariff quota in question was extended by the same
Regulation, up to the limit of 20 % of its volume, to
imports of ferro-chromium containing a quantity of
between 3 and 4 % by weight of carbon;

Whereas it can be estimated from the economic data
now available on consumption, production and
imports benefiting from other preferential tariff arran-
gements that Community requirements of imports
from third countries could, during the current year,
reach a level far higher than the volume of the above-
mentioned quota; whereas, in order not to disturb the
equilibrium of the market for this ferro-alloy and to
ensure parallel development in sales of Community
production and satisfactory security of supplies to the
consuming industries, it is appropriate to limit any
increase in the quota volume to the volume of the
immediate needs, i.e., 110 000 tonnes, and to review
the position in due course with a view to making a
further adjustment;

Whereas, as regards the allocation of this volume
among the Member States, it is appropriate to assign a
relatively small part of the additional volume to a
Community reserve, the balance of this volume being

allocated among the Member States in proportion to
their foreseeable needs for imports from third coun-
tries,

HAS ADOPTED THIS REGULATION:

Article 1

The volume of the Community tariff quota opened by
Regulation (EEC) No 326/79 for ferro-chromium
containing not less than 4 % by weight of carbon,
falling within subheading ex 73.02 E I of the
Common Customs Tariff, shall be raised from 80 000
to 190 000 tonnes.

Article 2

1. A first instalment of the additional volume
referred to in Article 1, i.e., 105 000 tonnes, shall be
allocated among the Member States as follows:

	<i>tonnes</i>
Benelux	7 065
Denmark	38
Germany	43 559
France	17 237
Ireland	10
Italy	18 651
United Kingdom	18 440

2. The second instalment of 5 000 tonnes shall
constitute the reserve.

The reserve laid down by Article 2 (2) of Regulation
(EEC) No 326/79 is thus raised from 4 000 to 9 000
tonnes.

Article 3

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

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

Done at Brussels, 8 May 1979.

For the Council

The President

P. BERNARD-REYMOND

⁽¹⁾ OJ No L 45, 22. 2. 1979, p. 3.

COUNCIL REGULATION (EEC) No 929/79**of 8 May 1979****amending Regulation (EEC) No 729/70 concerning the amount allotted to the Guidance Section of the European Agricultural Guidance and Guarantee Fund**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the annual appropriations allotted to the Guidance Section of the European Agricultural Guidance and Guarantee Fund as provided for in Article 6 (5) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2788/72 ⁽⁴⁾, will from 1980 onwards no longer be sufficient to meet expenditure by this Section on the improvement of agricultural structures;

Whereas the amount of aid that may be awarded by the Guidance Section of the Fund should be fixed for a five-year period from 1 January 1980 and, except in the case of a new Council Decision, for each successive five-year period;

Whereas the annual appropriations allotted to the Guidance Section of the Fund should be fixed through the budgetary procedure in terms of the commitments to be met;

Whereas to enable the appraisal of the financial needs of each five-year period it is appropriate to foresee suitable arrangements not only for the transition to the new financial system but also at the end of each period,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 6 of Regulation (EEC) No 729/70, paragraph 5 is replaced by the following:

'5. For the year 1972 the appropriations for the Guidance Section of the Fund shall amount to 285 million units of account. From 1 January 1973 to

31 December 1979 these appropriations shall amount to 325 million units of account per year.

From 1 January 1980 the total amount of financial assistance which may be charged to the Guidance Section of the Fund shall be fixed for five-year periods by the Council acting on a Commission proposal in accordance with the procedure laid down in the third subparagraph of Article 43 (2) of the Treaty. The exact amount of appropriations to be entered in the budget shall be fixed annually through the budgetary procedure on the basis of the volume of expenditure to be financed under the common measures and special measures for that year.

The total amount for each five-year period may be increased by the Council acting in accordance with the procedure laid down in the third subparagraph of Article 43 (2) of the Treaty only for the common measures provided for in Article 6 (2) of this Regulation.

If the Council does not fix a new amount before the end of the current five-year period the amount valid for the current period, with any increase made under the preceding subparagraph, shall continue to apply for the following period.'

Article 2

The following provisions shall be inserted in Regulation (EEC) No 729/70:

'Article 6a

1. The amounts provided for as financial assistance for a five-year period and not entered in the budget, during that period, may no longer be entered in the budget during the following five-year period.

2. Moreover, the appropriations entered in the budget and not committed at the end of the last financial year of that period shall remain available pursuant to Article 6 of the Financial Regulation for the first financial year of the following five-year period; they shall be deducted, however, from the amount of financial assistance for the following five-year period.

⁽¹⁾ OJ No C 244, 14. 10. 1978, p. 4.

⁽²⁾ OJ No C 6, 8. 1. 1979, p. 76.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 295, 30. 12. 1972, p. 1.

Article 6b

1. The appropriations set aside in accordance with Regulations (EEC) No 2010/68, (EEC) No 1534/69, (EEC) No 2591/70, (EEC) No 847/72, (EEC) No 2809/73, (EEC) No 1215/75 and (EEC) No 3309/75 and not entered in the budget by 31 December 1979 may no longer be entered in the budget after that date.

2. The appropriations entered in the 1979 budget for the Guidance Section of the Fund, and not committed by 31 December 1979 shall remain available pursuant to Article 6 of the Financial Regulation for the following financial year; they shall be deducted however from the amount of

financial assistance for the five-year period starting on 1 January 1980.

Article 6c

Pursuant to the second subparagraph of Article 6 (5), the total amount of financial assistance which may be charged to the Guidance Section of the Fund for the period 1980 to 1984 is 3 600 million European units of account.'

Article 3

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

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

Done at Brussels, 8 May 1979.

For the Council

The President

P. BERNARD-REYMOND

COMMISSION REGULATION (EEC) No 930/79**of 11 May 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 organization 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 Regulation (EEC) No 2724/78⁽³⁾ and subsequent amending Regulations ;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979⁽⁴⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU ;

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 12 May 1979.

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

Done at Brussels, 11 May 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.

⁽⁴⁾ OJ No L 84, 4. 4. 1979, p. 1.

ANNEX

to the Commission Regulation of 11 May 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	98.15
10.01 B	Durum wheat	158.36 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	103.02 ⁽⁶⁾
10.03	Barley	102.02
10.04	Oats	100.81
10.05 B	Maize, other than hybrid maize for sowing	87.96 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0.76
10.07 B	Millet	95.67 ⁽⁴⁾
10.07 C	Grain sorghum	99.83 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	152.01
11.01 B	Rye flour	158.82
11.02 A I a)	Durum wheat groats and meal	258.97
11.02 A I b)	Common wheat groats and meal	162.24

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 7.25 ECU/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 1.81 ECU/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 0.60 ECU/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 931/79**of 11 May 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 Council Regulation (EEC) No 652/79 of 29
March 1979⁽⁴⁾ laid down the coefficient for
expressing amounts, fixed in units of account, in
ECU;

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 12 May
1979.

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

Done at Brussels, 11 May 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.

⁽⁴⁾ OJ No L 84, 4. 4. 1979, p. 1.

ANNEX

to the Commission Regulation of 11 May 1979 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0.76	0.76	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

(ECU/tonne)

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

COMMISSION REGULATION (EEC) No 932/79**of 11 May 1979****altering the components used to calculate the differential amounts for colza and rape seed**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽²⁾,

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

Whereas Commission Regulation (EEC) No 2300/73 of 23 August 1973⁽⁵⁾, as last amended by Regulation (EEC) No 1234/77⁽⁶⁾, laid down detailed rules of application for Regulation (EEC) No 1569/72; whereas the components used to calculate the differential amounts were fixed by Regulation (EEC) No 709/79⁽⁷⁾, as last amended by Regulation (EEC) No

897/79⁽⁸⁾; whereas, in the case of the pound sterling the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 for the period 2 to 8 May 1979 has changed, by reference to the representative rate valid on 14 May 1979, by at least one point from the percentage used for the previous fixing; whereas this fact should be taken into account when fixing the components used to calculate the differential amounts for colza and rape seed where those components are already applied in respect of the Member States concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 709/79 as amended is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 14 May 1979.

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

Done at Brussels, 11 May 1979.

For the Commission

Finn GUNDELACH

Vice-President

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

(2) OJ No L 78, 30. 3. 1979, p. 1.

(3) OJ No L 167, 25. 7. 1972, p. 9.

(4) OJ No L 116, 28. 4. 1978, p. 6.

(5) OJ No L 236, 24. 8. 1973, p. 28.

(6) OJ No L 143, 10. 6. 1977, p. 9.

(7) OJ No L 89, 9. 4. 1979, p. 11.

(8) OJ No L 112, 5. 5. 1979, p. 5.

ANNEX

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
1. Colza and rape seed, processed for oil production in Germany or ex- ported from that country :	+ 0.1080	— 0.1080	+	—
— harvested in Germany			—	—
— harvested in the BLEU or in the Netherlands			—	0.0772
— harvested in France			—	0.1650
— harvested in Denmark			—	0.1080
— harvested in Ireland			—	0.1211
— harvested in the United Kingdom			—	0.2659
— harvested in Italy			—	0.2385
2. Colza and rape seed, processed for oil production in the BLEU and in the Netherlands or re-exported from that country :	+ 0.0330	— 0.0330	+	—
— harvested in Germany			0.0836	—
— harvested in the BLEU or in the Netherlands			—	—
— harvested in France			—	0.0952
— harvested in Denmark			—	0.0330
— harvested in Ireland			—	0.0475
— harvested in the United Kingdom			—	0.2046
— harvested in Italy			—	0.1748
3. Colza and rape seed, processed for oil production in Denmark or exported from that country :	Nil	Nil	+	—
— harvested in Germany			0.1210	—
— harvested in the BLEU or in the Netherlands			0.0345	—
— harvested in France			—	0.0640
— harvested in Denmark			—	—
— harvested in Ireland			—	0.0148
— harvested in the United Kingdom			—	0.1771
— harvested in Italy			—	0.1464
4. Colza and rape seed, processed for oil production in France or exported from that country :	— 0.0684	+ 0.0684	+	—
— harvested in Germany			0.1977	—
— harvested in the BLEU or in the Netherlands			0.1053	—
— harvested in France			—	—
— harvested in Denmark			0.0684	—
— harvested in Ireland			0.0526	—
— harvested in the United Kingdom			—	0.1208
— harvested in Italy			—	0.0880

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
5. Colza and rape seed, processed for oil production in the United Kingdom or exported from that country :	— 0.2153 (a) — 0.1545 (b)	+ 0.2153 (a) + 0.1545 (b)	+	—
— harvested in Germany			0.3623	—
— harvested in the BLEU or in the Netherlands			0.2572	—
— harvested in France			0.1374	—
— harvested in Denmark			0.2153	—
— harvested in Ireland			0.1973	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.0374	—
6. Colza and rape seed, processed for oil production in Ireland or exported from that country :	— 0.0150	+ 0.0150	+	—
— harvested in Germany			0.1378	—
— harvested in the BLEU or in the Netherlands			0.0499	—
— harvested in France			—	0.0500
— harvested in Denmark			0.0150	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	0.1648
— harvested in Italy			—	0.1336
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	— 0.1715 (a) — 0.0661 (b)	+ 0.1715 (a) + 0.0661 (b)	+	—
— harvested in Germany			0.3132	—
— harvested in the BLEU or in the Netherlands			0.2118	—
— harvested in France			0.0964	—
— harvested in Denmark			0.1715	—
— harvested in Ireland			0.1541	—
— harvested in the United Kingdom			—	0.0360
— harvested in Italy			—	—

(a) For a subsidy or an export refund prefixed from the date on which this Regulation enters into force and for putting under control or for export until 30 June 1979.

(b) For a subsidy or an export refund prefixed from the date on which this Regulation enters into force and for putting under control or for export from 1 July 1979.

COMMISSION REGULATION (EEC) No 933/79
of 11 May 1979
fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽²⁾,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 3048/78 of 22 December 1978 fixing the amount of the subsidy on oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 919/79⁽⁸⁾;

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

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

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979⁽⁹⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU;

Whereas it follows from applying these provisions that the world market price for colza and rape seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 May 1979.

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

Done at Brussels, 11 May 1979.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 143, 10. 6. 1977, p. 9.

⁽⁷⁾ OJ No L 361, 23. 12. 1978, p. 18.

⁽⁸⁾ OJ No L 116, 11. 5. 1979, p. 15.

⁽⁹⁾ OJ No L 84, 4. 4. 1979, p. 1.

ANNEX

to the Commission Regulation of 11 May 1979 fixing the world market price for colza and rape seed

(ECU/100 kg)(¹)

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	22.698

(ECU/100 kg)(¹)

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		May 1979	June 1979	July 1979	August 1979	September 1979	October 1979
ex 12.01	Colza and rape seed	22.698	22.622	22.546	22.546	22.546	22.546

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

- 1 ECU = DM 2.51064
- 1 ECU = Fl 2.72077
- 1 ECU = Bfr/Lfr 39.4582
- 1 ECU = FF 5.79831
- 1 ECU = Dkr 7.08592
- 1 ECU = I £ 0.662638
- 1 ECU = £ 0.637515
- 1 ECU = Lit 1 118.21

COMMISSION DECISION No 934/79/ECSC**of 8 May 1979****further amending Decision No 527/78/ECSC prohibiting alignment on offers of iron and steel products originating in certain third countries**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

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

Having regard to Commission Decision No 527/78/
ECSC of 14 March 1978 prohibiting alignment on
offers of iron and steel products originating in certain
third countries⁽¹⁾, as last amended by Decision No
689/79/ECSC⁽²⁾, and in particular the second para-
graph of Article 1 thereof,

Whereas the Commission has concluded an arrange-
ment with Spain and it is accordingly necessary to
include this country in the Annex to the said Deci-
sion, together with details of the iron and steel
products covered by the arrangement in question,

HAS ADOPTED THIS DECISION :

Article 1

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

'17. SPAIN :

As regards the ECSC iron and steel products
falling within Common Customs Tariff heading
Nos 73.01, 73.06 to 73.13 inclusive and 73.15 to
73.16 inclusive.'

Article 2

This Decision shall enter into force on the day of its
publication in the *Official Journal of the European
Communities* and shall remain applicable until 31
December 1979.

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

Done at Brussels, 8 May 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 73, 15. 3. 1978, p. 16.

⁽²⁾ OJ No L 86, 6. 4. 1979, p. 21.

COMMISSION RECOMMENDATION No 935/79/ECSC

of 8 May 1979

imposing a definitive anti-dumping duty on certain angles, shapes and U, I or H sections of iron or steel, not further worked than hot-rolled or extruded, originating in Spain but imported from some other non-member country

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 17 and 19 thereof,

Having regard to 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, 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 Spanish, South African, Japanese, Hungarian and Czechoslovakian exporters of the products mentioned in Article 1 of this recommendation from which material injury had resulted, imposed, by recommendation No 1785/78/ECSC⁽⁵⁾, as amended by recommendation No 3140/78/ECSC⁽⁶⁾, a definitive anti-dumping duty on the products in question;

Whereas certain arrangements with respect to trade in steel products were made in 1978 between the Community and the largest supplying countries, including Spain, which were considered satisfactory by the Commission;

Whereas in these circumstances by means of recommendation No 1758/78/ECSC the Commission suspended the definitive anti-dumping duty;

Whereas, these arrangements having expired on 31 December 1978 and having not been renewed with Spain even though most of the other supplying countries did renew them, the Commission re-examined the facts⁽⁷⁾;

Whereas, since preliminary examinations of the matter showed that there was dumping and sufficient evidence of injury and the interests of the Community called for immediate intervention, the Commission, by recommendation No 267/79/ECSC⁽⁸⁾, imposed a provisional anti-dumping duty on the imports in question;

Whereas, in the course of the examination of the matter, completed after the imposition of the provisional anti-dumping duties, the Commission gave interested parties the opportunity to make known their views in writing and gave the parties directly concerned who so requested the opportunity to express their views orally;

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

Whereas, in this situation, the Commission founded its dumping calculations upon basic prices calculated on the cost of production in a country considered to be one of the most efficient producers of the product in question, as established by means of the latest publicly available data;

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

Whereas, moreover, those Spanish domestic prices which are available to the Commission confirm the reasonableness of these basic prices;

⁽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 the Commission communication of 31 December 1977 (OJ No L 353, 31. 12. 1977, p. 1), as amended by the communications of 1. 4. 1978 (OJ No L 87, 1. 4. 1978, p. 4), 13. 5. 1978 (OJ No L 126, 13. 5. 1978, p. 6), 5. 7. 1978 (OJ No L 183, 5. 7. 1978, p. 3) and 30. 12. 1978 (OJ No L 372, 30. 12. 1978, p. 2).

⁽⁵⁾ OJ No L 203, 27. 7. 1978, p. 28.

⁽⁶⁾ OJ No L 372, 30. 12. 1978, p. 1.

⁽⁷⁾ OJ No C 78, 24. 3. 1979, p. 2.

⁽⁸⁾ OJ No L 37, 13. 2. 1979, p. 21.

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

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

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

Whereas, with regard to the injury to the industry concerned, the evidence submitted to the Commission shows that, on the one hand, imports into the Community of the products in question have increased overall from 347 000 tonnes in 1974 to 517 000 tonnes in 1977, while imports originating in Spain have risen from approximately 32 000 tonnes to 259 000 tonnes during the same period ; whereas overall imports into the Community have thus achieved a market share of 10.3 % and imports originating in Spain a market share of 5.1 % ; 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 retain an important share of the market, namely 3.8 % in the first half of 1978 ; whereas on the other hand the Community steel industry is in a state of crisis, evidenced by a reduction of some 15 % in deliveries in the Community of the products concerned between 1974 and 1978, by redundancies and short-time working among the workforce in the firms concerned, which fell from 780 000 to 675 000 between 1974 and 1978, and by reduced profits or serious losses on the part of most of those firms ;

Whereas the prices of imports into the Community of products originating in Spain have been considerably lower than the prices for sales within the Community of the equivalent products from the European industry ; whereas this undercutting has prevented the European producers from obtaining the guidance prices ;

Whereas, therefore, the facts as finally established show that material injury has been caused to the Community industry — or that such injury would have been caused if provisional action had not been taken — by reason of imports originating in Spain, together with those originating in Czechoslovakia, Hungary, Japan and South Africa, which have

concluded arrangements in the steel sector with the Community ;

Whereas, in the meantime, certain arrangements with regard to the direct importation of steel products have been concluded between the Community and Spain ;

Whereas these arrangements, which were considered satisfactory by the Community, made it possible to terminate, by recommendation No 787/79/ECSC, the provisional anti-dumping duty on direct imports⁽¹⁾ ;

Whereas, however, the arrangement concluded with Spain contained no provision for regulating indirect imports, which, as shown by the experience of 1978, especially in the case of Spain, threaten to upset the balance of the whole price system, both as regards European producers and producers in those other supplying countries which have renewed the arrangements with respect to trade in steel products ;

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

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

HAS ADOPTED THIS RECOMMENDATION :

Article 1

1. A definitive anti-dumping duty is hereby imposed on the following products originating in Spain and imported from some other non-member country :

CCT heading No	Description
73.11 A I (NIMEXE codes 73.11-11, 12, 14, 16)	Certain angles, shapes and U, I or H sections of iron or steel, not further worked than hot-rolled or extruded

⁽¹⁾ OJ No L 99, 21. 4. 1979, p. 31.

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

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

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

Article 2

The amounts secured by way of provisional duty under the provisions of recommendation No 267/79/ECSC in respect of products originating in Spain but coming from another third country shall be definitively collected to the extent that they do not exceed the rate of duty fixed in this recommendation.

Article 3

Notwithstanding Articles 1 and 2, the definitive anti-dumping duties shall not be collected and the amounts secured by way of provisional duty shall not be definitively collected but shall be refunded, upon the request of the importer concerned, as regards deliveries intended for shipbuilding yards within the Community.

Article 4

This recommendation shall be notified to the Member States.

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

Done at Brussels, 8 May 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 936/79

of 11 May 1979

on the classification of meat of bovine animals under subheading 02.01 A II a) 4
aa) of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 97/69
of 16 January 1969 on measures to be taken for
uniform application of the nomenclature of the
Common Customs Tariff⁽¹⁾, as last amended by Regu-
lation (EEC) No 280/77⁽²⁾, and in particular Article 3
thereof,

Whereas, in order to ensure uniform application of
the nomenclature of the Common Customs Tariff,
provisions must be laid down concerning the tariff
classification of separated forequarters of bovine
animals, in a fresh or chilled state, from which the
atlas bone has been removed;

Whereas subheading 02.01 A II a) 4 aa) of the
Common Customs Tariff annexed to Council Regula-
tion (EEC) No 950/68⁽³⁾, as last amended by Regula-
tion (EEC) No 882/79⁽⁴⁾, refers to meat of bovine
animals, fresh or chilled, unboned (bone-in);

Whereas Note 1 A e) to Chapter 2 of the Common
Customs Tariff precisely defines separated forequar-
ters, indicating in particular that they are the front
part of a half-carass comprising all the bones;
whereas such products which do not include the atlas
bone cannot therefore be considered to be separated
forequarters;

Whereas the products in question are to be classified
as meat of bovine animals, fresh or chilled, other,

unboned (bone-in) under subheading 02.01 A II a) 4
aa);

Whereas the measures proved for in this Regulation
are in accordance with the opinion of the Committee
on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Separated forequarters of bovine animals in a fresh or
chilled state, from which the atlas bone has been
removed, fall to be classified under the following
subheading of the Common Customs Tariff:

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:

II. Of bone animals:

a) Fresh or chilled:

4. Other:

aa) Unboned (bone-in)

Article 2

This Regulation shall enter into force on the 21st day
following its publication in the *Official Journal of
the European Communities*.

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

Done at Brussels, 11 May 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 40, 11. 2. 1977, p. 1.

⁽³⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 111, 4. 5. 1979, p. 14.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 April 1979

authorizing the Federal Republic of Germany not to apply Community treatment to woven fabrics of regenerated textile fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics, falling within subheading 56.07 B of the Common Customs Tariff (NIMEXE codes 56.07-37, 44, 48, 52, 54, 57, 58, 63, 64, 66, 73, 74, 77, 78, 83, 84, 87) (category 37), originating in South Korea and in free circulation in the other Member States

(Only the German text is authentic)

(79/457/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 20 April 1979 by the German Government to the Commission of the European Communities, for authorization not to apply Community treatment to woven fabrics of regenerated textile fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics, falling within subheading 56.07 B of the Common Customs Tariff (NIMEXE codes 56.07-37, 44, 48, 52, 54, 57, 58, 63, 64, 66, 73, 74, 77, 78, 83, 84, 87) (category 37), 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

up to the amount of 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 there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas it appears from the application submitted that 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 made or proposed, would be likely to aggravate these difficulties and to jeopardize the efficiency of the commercial measures concerned;

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 laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

Whereas, however, the application for a licence which gave rise to the application in question does not need to be covered by such an authorization in view of the small amount involved,

HAS ADOPTED THIS DECISION :

Article 1

The Federal Republic of Germany 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 17 April 1979 :

CCT heading No	Description
56.07 B NIME(NIMEX codes 56.07-37, 44, 48, 52, 54, 57, 58, 63, 64, 66, 73, 74, 77, 78, 83, 84, 87) (category 37)	Woven fabrics of regenerated textile fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics)

Article 2

This Decision shall apply until 30 September 1979.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 27 April 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION

of 2 May 1979

fixing the maximum amount of the export refund for the 89th partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77

(79/458/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾, and in particular Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 1634/77 of 19 July 1977 on a standing invitation to tender to determine export refunds for white sugar⁽³⁾, as last amended by Regulation (EEC) No 519/79⁽⁴⁾, requires the issuing of partial invitations to tender for the export of this sugar;

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

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

Whereas, following an examination of the tenders submitted in response to the 89th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the 89th partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77 is hereby fixed at 31.119 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 May 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 181, 21. 7. 1977, p. 35.

(4) OJ No L 69, 16. 3. 1979, p. 13.

(5) OJ No L 143, 25. 6. 1968, p. 6.

(6) OJ No L 167, 26. 6. 1976, p. 13.

COMMISSION DECISION**of 2 May 1979****fixing the maximum amount of the export refund for the 65th partial invitation
to tender for raw beet sugar issued under Regulation (EEC) No 1790/77****(79/459/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78⁽²⁾, and in particular
Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 1790/77
of 2 August 1977 on a standing invitation to tender to
determine export refunds for raw beet sugar⁽³⁾, as last
amended by Regulation (EEC) No 519/79⁽⁴⁾, requires
the issuing of partial invitations to tender for the
export of this sugar;

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

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

Whereas, following an examination of the tenders
submitted in response to the 65th partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the
65th partial invitation to tender for raw beet sugar
issued under Regulation (EEC) No 1790/77 is hereby
fixed at 27.160 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 May 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 197, 4. 8. 1977, p. 11.

⁽⁴⁾ OJ No L 69, 16. 3. 1979, p. 13.

⁽⁵⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁶⁾ OJ No L 167, 26. 6. 1976, p. 13.

COMMISSION DECISION

of 2 May 1979

fixing the maximum amount of the premium for white sugar for the fourth partial invitation to tender issued under Regulation (EEC) No 452/79

(79/460/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾, and in particular Article 9 (6) thereof,

Whereas Commission Regulation (EEC) No 452/79 of 7 March 1979 opening a standing invitation to tender for the purpose of determining premiums for white sugar for feeding to bees⁽³⁾, requires the issuing of partial invitations to tender for the purpose of determining the said premiums;

Whereas Article 4 (3) of Council Regulation (EEC) No 2049/69 of 17 October 1969 laying down general rules on the denaturing of sugar for animal feed⁽⁴⁾, as last amended by Regulation (EEC) No 1640/73⁽⁵⁾, provides that where denaturing premiums are fixed following an invitation to tender the criteria set out in Article 3 thereof are to be taken into account in fixing a maximum amount of the premium; whereas, having regard to the criteria and following examination of the tenders submitted, in response to the fourth partial invitation to tender, the maximum amount of the

premium should be fixed at the level specified in Article 1;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the premium for the fourth invitation to tender issued under Regulation (EEC) No 452/79, the time limit for the submission of tenders having expired on 2 May 1979, is hereby fixed at 20.552 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 May 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 57, 8. 3. 1979, p. 14.

⁽⁴⁾ OJ No L 263, 21. 10. 1969, p. 1.

⁽⁵⁾ OJ No L 165, 22. 6. 1973, p. 6.

COMMISSION OPINION

of 3 May 1979

addressed to the French Government on a draft decree amending Decree No 49-1473 of 14 November 1949 on the coordination and harmonization of road and rail transport

(79/461/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States⁽¹⁾, as amended by Decision 73/402/EEC⁽²⁾, the French Government, under cover of a letter dated 21 February 1979 from the Office of its Permanent Representative to the European Communities, sent to the Commission the text of a draft decree amending Decree No 49-1473 of 14 November 1949 on the coordination and harmonization of road and rail transport.

The Commission received the letter from the Office of the French Permanent Representative on 27 February 1979 and, in accordance with Article 1 of the Decision referred to above, forwarded the text to the other Member States.

Under Article 2 (1) of the said Decision the Commission delivers the following opinion:

1. The Commission notes that the measures under consideration chiefly concern:

- easing the road haulage quota system by eliminating the licences for short-haul and local transport operations; these categories are to be merged and the licences replaced by a certificate of registration (which, in addition, will authorize transport operations in any short-haul zone). Only the long-haul zones will remain subject to quota,
- relaxing certain formalities, particularly for road haulage using light commercial vehicles (the present liberalization applicable to vehicles not

exceeding 2.5 tonnes total laden weight is extended to vehicles not exceeding 3.5 tonnes total laden weight) and for removals and indivisible loads,

- repealing certain provisions which are obsolete or no longer applicable (mainly provisions which applied when the licences for short-haul zones were subject to quota).
2. The Commission finds that this opening up of access to the market for the carriage of goods by road is in principle in accordance with the objectives of the common transport policy. The Commission hopes that at a later stage France will introduce the same facilities with regard to access to the market for the long-haul carriage of goods by road.
 3. The Commission has no objections to any of the articles of the draft decree.
 4. The Commission did not consider it necessary to hold an information meeting with representatives of the French Government or to consult the other Member States as provided for in Article 2 (3) of the Decision of 21 March 1962.
 5. The Commission is informing the other Member States of this opinion.

Done at Brussels, 3 May 1979.

For the Commission

Richard BURKE

Member of the Commission

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No 347, 17. 12. 1973, p. 48.

COMMISSION DECISION

of 3 May 1979

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 2963/78

(79/462/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1254/78 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾, and in particular Article 5 thereof,

Whereas an invitation to tender for the export refund on common wheat was issued under Commission Regulation (EEC) No 2963/78 ⁽⁴⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75 ⁽⁵⁾, as amended by Regulation (EEC) No 2944/78 ⁽⁶⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in fixing this maximum the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the above mentioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 2963/78 is hereby fixed on the basis of the tenders submitted by 3 May 1979 at 80.10 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 May 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 281, 1. 11. 1978, p. 78.

⁽⁴⁾ OJ No L 352, 16. 12. 1978, p. 24.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.