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Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 983/79 of 14 May 1979 amending Regulation (EEC) No 222/77 on Community transit 1
 - ★ Council Regulation (EEC) No 984/79 of 14 May 1979 temporarily and partially suspending the autonomous Common Customs Tariff duties on certain types of fish 5
 - ★ Council Regulation (EEC) No 985/79 of 14 May 1979 amending Regulation (EEC) No 1077/78 temporarily suspending the autonomous Common Customs Tariff duties on certain industrial products 7
 - ★ Council Regulation (EEC) No 986/79 of 14 May 1979 suspending the application of the indicative ceilings established by Regulations (EEC) No 3175/78, (EEC) No 3176/78 and (EEC) No 3177/78 for the imports of certain products originating in Norway, Portugal and Sweden 8
 - ★ Council Regulation (EEC) No 987/79 of 15 May 1979 amending Regulation (EEC) No 974/71 with regard to the calculation of monetary compensatory amounts in the wine sector 9
 - Commission Regulation (EEC) No 988/79 of 18 May 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal 10
 - Commission Regulation (EEC) No 989/79 of 18 May 1979 fixing the premiums to be added to the import levies on cereals, flour and malt 12
 - Commission Regulation (EEC) No 990/79 of 18 May 1979 introducing a counter-vailing charge on cucumbers originating in Romania 14
-

II *Acts whose publication is not obligatory*

Council

79/477/EEC :

- ★ Council Decision of 14 May 1979 appointing a member of the Advisory Committee on Training in Nursing 16

79/478/EEC :

- ★ Council Decision of 14 May 1979 appointing an alternate member of the Advisory Committee on Training in Nursing 17

Commission

79/479/EEC :

Commission Decision of 8 May 1979 on the opening of a standing invitation to tender for the export of 9 500 tonnes of rye held by the Danish intervention agency 18

79/480/EEC :

Commission Decision of 8 May 1979 on the opening of a standing invitation to tender for the export of 60 390 tonnes of rye held by the German intervention agency 20

79/481/EEC :

- ★ Commission Decision of 8 May 1979 excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Hewlett-Packard gas chromatograph, model 5840' 22

79/482/EEC :

- ★ Commission Decision of 8 May 1979 excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Canberra-GE(Li) detector, series No 1149 with preamplifier, model 2001, cryostat model 7500 and high voltage power supply, model 3105' 23

79/483/EEC :

Commission Decision of 10 May 1979 fixing the maximum amount of the export refund for the 90th partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77 24

79/484/EEC :

Commission Decision of 10 May 1979 fixing the maximum amount of the export refund for the 66th partial invitation to tender for raw beet sugar issued under Regulation (EEC) No 1790/77 25

79/485/EEC :

Commission Decision of 10 May 1979 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 2963/78 26

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 983/79
of 14 May 1979
amending Regulation (EEC) No 222/77 on Community transit

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Article 2 (4) of Council Regulation (EEC) No 2779/78 of 23 November 1978 on the procedure for applying the European unit of account (EUA) to legal acts adopted in the customs sphere ⁽⁴⁾ provides for the adjustment of amounts expressed in units of account in certain provisions relating to customs to be the subject of special provisions ;

Whereas the provisions relating to Community transit are among those covered by the aforementioned Article 2 (4); whereas Council Regulation (EEC) No 222/77 of 13 December 1976 on Community transit ⁽⁵⁾ provides for amounts expressed in units of account, both in the rules relating to the flat-rate guarantee and in those applicable to goods carried by travellers or contained in their luggage ;

Whereas the amount of the flat-rate guarantee expressed in units of account must be replaced by an amount expressed in European units of account ; whereas, in order to simplify the work of users and of customs authorities and to maintain some degree of stability in the flat-rate guarantee system, the exchange value of the European unit of account in

national currencies should be established only once a year ; whereas, since it was fixed in 1969, the maximum amount of the flat-rate guarantee is now outdated, in view in particular of the effect of inflation on the value of goods ; whereas the maximum amount of the flat-rate guarantee should therefore be adjusted ;

Whereas for Community transit operations covered by a declaration registered not later than 30 June 1980, the exchange value of the unit of account in national currencies remains that in force on 31 December 1977 ;

Whereas the ceiling figure above which the production of an internal Community transit document is required in order to establish the Community status of goods carried by travellers or contained in their luggage may, in the light of experience and with a view to simplifying the formalities required of travellers crossing internal frontiers, be abolished ;

Whereas it is therefore appropriate to amend Articles 32, 49 and Specimen III of the Annex to Regulation (EEC) No 222/77,

HAS ADOPTED THIS REGULATION :

Article 1

Council Regulation (EEC) No 222/77 is hereby amended as follows :

1. Article 32 is amended to read as follows :

'Article 32

1. Each Member State may accept that the natural or legal third person standing as guarantor under the conditions laid down in Articles 27 and 28 guarantees, by a single guarantee and for a flat-

⁽¹⁾ OJ No C 306, 22. 12. 1978, p. 3.

⁽²⁾ Opinion delivered on 8 May 1979 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 24 January 1979 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 333, 30. 11. 1978, p. 5.

⁽⁵⁾ OJ No L 38, 9. 2. 1977, p. 1.

rate amount of 7 000 European units of account in respect of each declaration, payment of duties and other charges which may become chargeable in the course of a Community transit operation carried out under his responsibility, whoever the principal may be. If carriage of the goods presents increased risks, having regard in particular to the amount of duties and other charges to which they are liable in one or more Member States, the flat-rate amount shall be fixed by the office of departure at a higher level.

The guarantee referred to in the first subparagraph shall conform to Specimen III in the Annex.

2. The exchange values in national currencies of the European unit of account to be applied to the provisions for Community transit shall be calculated once a year.

3. The following shall be determined under the procedure laid down in Article 57 :

- (a) movements of goods which may give rise to an increase in the flat-rate amount, and the conditions under which such an increase shall apply ;
- (b) the conditions under which the guarantee referred to in paragraph 1 shall apply to any particular Community transit operation ;
- (c) the detailed rules for applying the exchange values in national currencies of the European unit of account.'

2. Article 49 is amended to read as follows :

'Article 49

1. The Community transit procedure shall not be compulsory for the carriage of goods accom-

panying travellers or contained in their luggage, if the goods concerned are not intended for commercial use.

2. The provisions of the Treaty establishing the European Economic Community which relate to the free movement of goods shall apply to goods which, by virtue of paragraph 1, are not carried under the Community transit procedure :

- (a) if they are declared as Community goods and there is no doubt as to the accuracy of that declaration ;
- (b) in other cases, if an internal Community transit document issued to establish the Community status of the goods is produced.'

3. Specimen III of the guarantee shown in the Annex is replaced by Specimen III annexed hereto.

Article 2

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

However, the provisions of Article 1 regarding the change in the amount of the flat-rate guarantee shall apply only to those Community transit operations which are covered by a declaration registered after 30 June 1980.

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

Done at Brussels, 14 May 1979.

For the Council

The President

R. MONORY

ANNEX

SPECIMEN III

COMMUNITY TRANSIT

GUARANTEE

(Flat-rate guarantee system)

I. UNDERTAKING BY THE GUARANTOR

1. The undersigned⁽¹⁾
 resident at⁽²⁾
 hereby jointly and severally guarantees, at the office of guarantee of

.....
 in favour of the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland,

any amount for which a principal may become liable to the abovementioned Member States of the European Communities by reason of infringements or irregularities committed in the course of a Community transit operation including duties, taxes, agricultural levies and other charges — with the exception of pecuniary penalties — as regards principal or further liabilities, expenses and incidental charges with regard to which the undersigned has agreed to be responsible by the issue of guarantee vouchers up to a maximum amount of 7 000 European units of account per voucher.

2. The undersigned undertakes to pay forthwith, upon the first application in writing by the competent authorities of the Member States, the sums requested up to an amount of 7 000 European units of account per guarantee voucher.
3. This undertaking shall be valid from the day of its acceptance by the office of guarantee. This guarantee may be cancelled at any time by the undersigned, or by the Member State in the territory of which the office of guarantee is situated.

The cancellation shall take effect on the 16th day after notification thereof to the other party.

The undersigned shall remain responsible for payment of the sums which become payable in respect of Community transit operations covered by this undertaking which began before the date on which the cancellation took effect, even if the demand for payment is made after that date.

4. ⁽³⁾ For the purpose of this undertaking, the undersigned gives his address for service as⁽²⁾ and, in each of the other Member States, as care of :

⁽¹⁾ Surname and forenames, or name of firm.

⁽²⁾ Full address.

⁽³⁾ If, in the law of a Member State, there is no provision for giving addresses for service, the guarantor shall appoint, in each of the Member States referred to in paragraph 1, an agent authorized to receive any communications addressed to him. The courts of the places in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee. The acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond.

Member State	Surname and forenames, or name of firm, and full adress
1.	
.....	
2.	
.....	
3.	
.....	
4.	
.....	
5.	
.....	
6.	
.....	
7.	
.....	
8.	
.....	

The undersigned acknowledges that all correspondence and notices and any formalities or procedure relating to this underaking addressed to or effected in writing at one of his addresses for service shall be accepted as duly delivered to him.

The undersigned acknowledges the jurisdiction of the courts of the places where he has an address for service.

The undersigned undertakes to maintain his addresses for service, or, if he has to alter one or more of those addresses, to inform the office of guarantee in advance.

Done at on

.....
(Signature ⁽¹⁾)

II. ACCEPTANCE BY THE OFFICE OF GUARANTEE

Office of guarantee

Guarantor's undertaking accepted on

.....
(Stamp and signature)

(¹) The signature must be preceded by the following in the signatory's own handwriting : 'Guarantee'.

COUNCIL REGULATION (EEC) No 984/79**of 14 May 1979****temporarily and partially suspending the autonomous Common Customs Tariff
duties on certain types of fish**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parlia-
ment ⁽¹⁾,

Whereas the amount of the types of fish specified in
this Regulation landed by the Community fishery
fleet is currently inadequate to meet the needs of the
processing industry of the Community ;

Whereas, in view of such supply difficulties, the auto-
nomous Common Customs Tariff duties on the fish

concerned should be suspended from 1 July to 31
December 1979 at the level of 9 %,

HAS ADOPTED THIS REGULATION :

Article 1

From 1 July to 31 December 1979, the autonomous
Common Customs Tariff duties on the products listed
in the Annex hereto shall be suspended at the level of
9 %.

Article 2

This Regulation shall enter into force on 1 July 1979.

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

Done at Brussels, 14 May 1979.

For the Council

The President

R. MONORY

⁽¹⁾ Opinion delivered on 11 May 1979 (not yet published in
the Official Journal).

ANNEX

CCT heading No	Description
ex 03.01 B I h)	Cod (<i>Gadus morrhua</i> or <i>Gadus callarias</i>), fresh, chilled or frozen, whole, headless or in pieces, intended for processing (a) (b)
ex 03.01 B I k)	Haddock, fresh, chilled or frozen, whole, headless or in pieces, intended for processing (a) (b)
ex 03.01 B I q)	Hake (<i>Merluccius</i> spp.) fresh, chilled or frozen, whole, headless or in pieces, intended for processing (a) (b)
ex 03.01 B II a) and B II b) 1	Fillets of cod (<i>Gadus morrhua</i> or <i>Gadus callarias</i>), fresh, chilled or frozen, intended for processing (a) (b)
ex 03.01 B II a) and B II b) 3	Fillets of haddock, fresh, chilled or frozen, intended for processing (a) (b)
ex 03.01 B II a) and B II b) 7	Fillets of hake (<i>Merluccius</i> spp.), fresh, chilled or frozen, intended for processing (a) (b)

(a) The duty suspension shall apply to fish intended to undergo any treatment unless they are intended to undergo exclusively one or more of the following treatments :

- cleaning, gutting, simple cutting,
- sorting,
- labelling,
- simple packing,
- icing,
- freezing,
- deep freezing,
- thawing,
- retailing,
- catering.

The duty suspension shall apply only to fish intended for human consumption.

(b) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

COUNCIL REGULATION (EEC) No 985/79**of 14 May 1979****amending Regulation (EEC) No 1077/78 temporarily suspending the autonomous Common Customs Tariff duties on certain industrial products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Whereas it has been found that Table II of the Annex to Council Regulation (EEC) No 1077/78 of 23 May 1978 temporarily suspending the autonomous Common Customs Tariff duties on certain industrial products ⁽¹⁾ has to be completed by the addition of two products,

HAS ADOPTED THIS REGULATION :

Article 1

Table II annexed to Regulation (EEC) No 1077/78 shall be completed as follows :

CCT heading No	Description	Rate of autonomous duty (%)
ex 38.19 U	Residue containing not less than 40 % by weight of 11- <i>beta</i> , 17, 20, 21-tetrahydroxy-6-methylpregna 1,4-dien-3-one 21-acetate	0
ex 39.02 C XIV b)	Reflecting sheeting of an acrylic copolymer modified by melamine-formaldehyde, whether or not in rolls	0

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 14 May 1979.

*For the Council**The President*

R. MONORY

⁽¹⁾ OJ No L 136, 24. 5. 1978, p. 10.

COUNCIL REGULATION (EEC) No 986/79**of 14 May 1979****suspending the application of the indicative ceilings established by Regulations (EEC) No 3175/78, (EEC) No 3176/78 and (EEC) No 3177/78 for the imports of certain products originating in Norway, Portugal and Sweden**

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, pursuant to Protocol 1 annexed to the Agreements between the European Economic Community and the Kingdom of Norway, the Portuguese Republic and the Kingdom of Sweden, the Community has, by Regulations (EEC) No 3175/78 ⁽¹⁾, (EEC) No 3176/78 ⁽²⁾ and (EEC) No 3177/78 ⁽³⁾ established the indicative ceilings applicable in 1979 to imports of certain products originating in these countries; whereas provision is made under the said Protocols that if, for two successive years, imports of a product subject to a ceiling are less than 90 % of the amount fixed, the Community shall suspend the application of this ceiling;

Whereas the Communities' statistical summaries for 1977 and 1978 show that imports of certain products which are subject to these ceilings did not, during those years, reach 90 % of the ceiling indicated; whereas, therefore, the Community should suspend application of these ceilings valid for imports of the products in question for 1979; whereas, however, it is desirable to keep under review the development of these imports by statistical supervision,

HAS ADOPTED THIS REGULATION :

Article 1

The application of the indicative ceiling established by Article 1 of Regulation (EEC) No 3175/78 shall be

suspended during 1979 for the imports of the products indicated under Order No I N 2 of Annex I to the said Regulation.

These imports shall remain under Community supervision.

Article 2

The application of the indicative ceiling, established by Article 1 of Regulation (EEC) No 3176/78 shall be suspended during 1979 for the imports of the products indicated under Order No I P 3 of Annex I to the said Regulation.

These imports shall remain under Community supervision.

Article 3

The application of the indicative ceiling established by Article 1 of Regulation (EEC) No 3177/78 shall be suspended during 1979 for the imports of the products indicated under Order No I S 19 of Annex I to the said Regulation.

These imports shall remain under Community supervision.

Article 4

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, 14 May 1979.

For the Council

The President

R. MONORY

⁽¹⁾ OJ No L 377, 30. 12. 1978, p. 15.

⁽²⁾ OJ No L 377, 30. 12. 1978, p. 21.

⁽³⁾ OJ No L 377, 30. 12. 1978, p. 25.

COUNCIL REGULATION (EEC) No 987/79
of 15 May 1979

amending Regulation (EEC) No 974/71 with regard to the calculation of monetary compensatory amounts in the wine sector

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 Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2543/73⁽²⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission⁽³⁾,

Having regard to the opinion of the European Parliament⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁵⁾,

Having regard to the opinion of the Monetary Committee,

Whereas the rules for calculating the monetary compensatory amounts were established by Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuations for the currencies of certain Member States⁽⁶⁾, as last amended by Regulation (EEC) No 652/79⁽⁷⁾;

Whereas, in accordance with those rules, these amounts are normally fixed separately for each Member State; whereas, however, in the wine sector because of the special nature of the production and marketing of the product the monetary compensatory amounts are applied only in the producing Member States and only in respect of wines produced therein;

Whereas given these conditions and the desirability of limiting the application of monetary compensatory amounts as much as possible use should be made of them in this situation in restricted fashion only; whereas it appears possible, without disturbing trade, to apply only the difference between the monetary compensatory amounts in question,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 974/71 is amended as follows:

1. The following paragraph is added to Article 2:

'4. The monetary compensatory amount to be applied in the wine sector by Member States with depreciated currencies shall be that of the Member State in question for the wine concerned, less the lowest monetary compensatory amount of the Member States with depreciated currencies for the same wine.

The conversion rate shall be that given in Article 2a.'

2. The following paragraph is added to Article 3:

'For the purposes of Article 2 (4) the balance of the monetary compensatory amounts shall be fixed by the Commission by reference to changes in these amounts.'

Article 2

This Regulation shall enter into force on the sixth Monday 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, 15 May 1979.

For the Council
The President
R. BOULIN

⁽¹⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽²⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽³⁾ OJ No C 55, 1. 3. 1979, p. 11.

⁽⁴⁾ Opinion delivered on 11 May 1979 (not yet published in the Official Journal).

⁽⁵⁾ Opinion delivered on 4 April 1979 (not yet published in the Official Journal).

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 84, 4. 4. 1979, p. 1.

COMMISSION REGULATION (EEC) No 988/79

of 18 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 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 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 19 May
1979.

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

Done at Brussels, 18 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 18 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	96.64
10.01 B	Durum wheat	150.11 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	101.51 ⁽⁶⁾
10.03	Barley	100.28
10.04	Oats	100.81
10.05 B	Maize, other than hybrid maize for sowing	89.69 ⁽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	149.90
11.01 B	Rye flour	156.70
11.02 A I a)	Durum wheat groats and meal	246.18
11.02 A I b)	Common wheat groats and meal	159.96

⁽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 989/79**of 18 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 19 May
1979.

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

Done at Brussels, 18 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 18 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	0.76	0.76	1.51
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	1.06	1.06	2.11

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	1.35	1.35	2.69	2.69
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	1.01	1.01	2.01	2.01
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 990/79

of 18 May 1979

introducing a countervailing charge on cucumbers originating in Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 912/79⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 646/79 of 2 April 1979 fixing until the end of the 1979 marketing year the reference price for cucumbers⁽³⁾ fixed the reference price for products of Class I for May 1979 at 43.91 units of account per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 668/78⁽⁵⁾, the prices to be taken into

consideration must be recorded on the representative markets or in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficients fixed in Article 1 (2) of Regulation (EEC) No 646/79;

Whereas, for Romanian cucumbers, the entry price calculated in this way has remained at least 0.50 unit of account below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these cucumbers

Whereas if the system is to operate normally the entry 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 2 March 1979⁽⁶⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 6.17 ECU per 100 kilograms net is applied to cucumbers (subheading 07.0 P of the Common Customs Tariff) originating in Romania.

Article 2

This Regulation shall enter into force on 22 May 1979.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 116, 11. 5. 1979, p. 1.

⁽³⁾ OJ No L 83, 3. 4. 1979, p. 8.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

⁽⁶⁾ OJ No L 84, 4. 4. 1979, p. 1.

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

Done at Brussels, 18 May 1979.

For the Commission

Finn GUNDELACH

Vice-President

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 May 1979

appointing a member of the Advisory Committee on Training in Nursing

(79/477/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Decision 77/454/EEC of 27 June 1977 setting up an Advisory Committee on Training in Nursing⁽¹⁾, and in particular Articles 3 and 4 thereof,

Whereas by its Decision 79/85/EEC⁽²⁾ the Council appointed Mr. P. Denoix as member for the period ending on 14 January 1982 ;

Whereas the Government of France nominated Mrs N. Loraux, on 19 April 1979, with a view to replacing Mr P. Denoix,

HAS DECIDED AS FOLLOWS :

Sole Article

Mrs Nicole Loraux is hereby appointed as member of the Advisory Committee on Training in Nursing in place of Mr Pierre Denoix for the remainder of the latter's term of office, which runs until 14 January 1982.

Done at Brussels, 14 May 1979.

For the Council

The President

R. MONORY

⁽¹⁾ OJ No L 176, 15. 7. 1977, p. 11.

⁽²⁾ OJ No L 18, 25. 1. 1979, p. 25.

COUNCIL DECISION**of 14 May 1979****appointing an alternate member of the Advisory Committee on Training in Nursing****(79/478/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Decision 77/454/EEC of 27 June 1977 setting up an Advisory Committee on Training in Nursing⁽¹⁾, and in particular Articles 3 and 4 thereof,

Whereas by its Decision 79/85/EEC⁽²⁾ the Council appointed Mr P. Labrousse as an alternate member for the period ending on 14 January 1982;

Whereas the Government of France nominated Mr O. Brasseur, on 19 April 1979, with a view to replacing Mr P. Labrousse,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Olivier Brasseur is hereby appointed an alternate member of the Advisory Committee on Training in Nursing in place of Mr Pierre Labrousse for the remainder of the latter's term of office, which runs until 14 January 1982.

Done at Brussels, 14 May 1979.

*For the Council**The President*

R. MONORY

⁽¹⁾ OJ No L 176, 15. 7. 1977, p. 11.

⁽²⁾ OJ No L 18, 25. 1. 1979, p. 25.

COMMISSION

COMMISSION DECISION

of 8 May 1979

**on the opening of a standing invitation to tender for the export of 9 500 tonnes
of rye held by the Danish intervention agency**

(Only the Danish text is authentic)

(79/479/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 organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾, and in particular
Article 7 (5) thereof,

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

Whereas the Kingdom of Denmark in its communica-
tion of 3 May 1979 informed the Commission of the
intention of the Danish intervention agency to issue
an invitation to tender for the export of 9 500 tonnes
of rye ;

Whereas the 9 500 tonnes of rye to be tendered for
will be exported from those of the prescribed points
of exit specified by the tenderers ; whereas the rye is
stored elsewhere ; whereas the Danish intervention
agency, in order to place all those participating in the
invitation to tender on the same competitive footing,
must sell at a uniform price ; whereas it must accord-
ingly bear the cost of transport from the place of
storage to the points of exit stipulated ;

Whereas under Article 5 (5) of Regulation (EEC) No
376/70 it may be provided that a tender shall only be
valid if it is accompanied by an application for an

export licence and by an application for advance
fixing of the refund for the destination in question ;
whereas the intention of this provision is to facilitate
assessment of the tender ;

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

HAS ADOPTED THIS DECISION :

Article 1

The Danish intervention agency may, in accordance
with the provisions hereinafter set out, open a
standing invitation to tender for the export of rye held
by it.

Article 2

1. The invitation to tender shall relate to a quantity
of 9 500 tonnes of rye.

2. The regions in which the said rye is stored are
listed in the Annex hereto.

Article 3

1. The places for which a minimum selling price is
to be fixed in accordance with Article 5 (1) of Regula-
tion (EEC) No 376/70 are as follows :

Kalundborg, Åbenrå, Århus and Ålborg.

2. Tenders shall be made for one or more of these
ports or exit points. The tenderer shall specify the
ports or exit points for which his tender is made.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁴⁾ OJ No L 190, 14. 7. 1976, p. 1.

Tenders shall be understood to relate to rye which is either :

- stored in harbour silos from which it can be loaded directly into a seagoing vessel or into a barge, or
- supplied undischarged at the place of embarkation at the port or exit point.

3. Where an export refund is applicable on the day on which tenders are submitted, tenders shall only be valid if accompanied by an application for an export licence lodged by the tenderer and a corresponding application for advance fixing of the refund for the destination in question.

4. As regards those quantities of rye not stored or supplied as provided in the first and second indents of paragraph 2, successful tenderers shall be entitled to reimbursement by the Danish intervention agency in respect of the cost of transport on the most favourable terms from the place of storage to that place of embarkation at the ports or exit points specified in paragraph 1 which may be reached at the lowest cost.

Article 4

The Danish intervention agency shall specify in the notice of invitation to tender the dates for the submission of tenders.

There must be at least 10 days between publication of the notice of invitation to tender and the first date laid down for submission of tenders. The last date on which tenders may be submitted shall be 13 June 1979.

Article 5

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 8 May 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

<i>(in tonnes)</i>	
Regions of storage	Quantity
Jutland	9 000
Zealand	500

COMMISSION DECISION

of 8 May 1979

on the opening of a standing invitation to tender for the export of 60 390 tonnes
of rye held by the German intervention agency

(Only the German text is authentic)

(79/480/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 organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾, and in particular
Article 7 (5) thereof,

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

Whereas the Federal Republic of Germany in its
communication of 30 April 1979 informed the
Commission of the intention of the German interven-
tion agency to issue an invitation to tender for the
export of 60 390 tonnes of rye;

Whereas the 60 390 tonnes of rye to be tendered for
will be exported from those of the prescribed points
of exit specified by the tenderers; whereas the rye
is stored elsewhere; whereas the German intervention
agency, in order to place all those participating in the
invitation to tender on the same competitive footing,
must sell at a uniform price; whereas it must accord-
ingly bear the cost of transport from the place of
storage to the points of exit stipulated;

Whereas under Article 5 (5) of Regulation (EEC) No
376/70 it may be provided that a tender shall only be
valid if it is accompanied by an application for an
export licence and by an application for advance
fixing of the refund for the destination in question;
whereas the intention of this provision is to facilitate
assessment of the tender;

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

HAS ADOPTED THIS DECISION:

Article 1

The German intervention agency may, in accordance
with the provisions hereinafter set out, open a

standing invitation to tender for the export of rye held
by it.

Article 2

1. The invitation to tender shall relate to a quantity
of 60 390 tonnes of rye.
2. The places in which the said rye is stored are
listed in the Annex hereto.

Article 3

1. The place for which a minimum selling price is
to be fixed in accordance with Article 5 (1) of Regula-
tion (EEC) No 376/70 are as follows:

Hamburg, Brunsbüttel, Lübeck, Kiel, Bremen, Braun-
schweig, Fallersleben.

2. Tenders shall be made for one or more of these
ports or exit points. The tenderer shall specify the
ports or exit points for which his tender is made.

Tenders shall be understood to relate to rye which is
either:

- stored in harbour silos from which it can be
loaded directly into a seagoing vessel or into a
barge, or
- supplied undischarged at the place of embarkation
at the port or exit point.

3. Where an export refund is applicable on the day
on which tenders are submitted, tenders shall only be
valid if accompanied by an application for an export
licence lodged by the tenderer and a corresponding
application for advance fixing if the refund for the
destination in question.

4. As regards those quantities of rye not stored or
supplied as provided in the first and second indents of
paragraph 2, successful tenderers shall be entitled to
reimbursement by the German intervention agency in
respect of the cost of transport on the most favourable

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁴⁾ OJ No L 190, 14. 7. 1976, p. 1.

terms from the place of storage to that place of embarkation at the ports or exit points specified in paragraph 1 which may be reached at the lowest cost.

Article 4

The German intervention agency shall specify in the notice of invitation to tender the dates for the submission of tenders.

There must be at least 10 days between publication of the notice of invitation to tender and the first date laid down for submission of tenders. The last date on which tenders may be submitted shall be 13 June 1979.

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 8 May 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

<i>(in tonnes)</i>	
Place of storage	Quantity
Hamburg	20 282
Schleswig-Holstein	14 814
Bremen	10 782
Niedersachsen	14 512

COMMISSION DECISION

of 8 May 1979

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Hewlett-Packard gas chromatograph, model 5840'

(79/481/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽²⁾, and in particular Articles 4 and 5 thereof,

Whereas, by letter dated 6 November 1978, the Danish Government requested the Commission to invoke the procedure laid down in Articles 4 and 5 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as 'Hewlett-Packard gas chromatograph, model 5840' for use in the context of research into the effects of production parameters on the content of aromatic substances in vegetables, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community ;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all the Member States met on 29 March 1979 within the Committee on Duty-free Arrangements to examine this particular case ;

Whereas this examination showed that the apparatus in question is a gas-phase analyser ; whereas its objective technical characteristics such as the high rate of analysis and the use to which it is put make it specially suited to pure scientific research ; whereas it must therefore be considered to be a scientific apparatus ;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus capable of being used for the same purposes is currently being manufactured in the Community ; whereas this applies in particular since February 1977 to the apparatus 429 and, since June 1978, to the apparatus 430 manufactured by Packard Becker BV, Vulcanusweg 259, PO Box 519, Delft, the Netherlands, since December 1976, to the apparatus 3600 M combined with a computer GPC 2500 and, since October 1978, to the apparatus 6800 manufactured by Dani SpA, via Rovani 10, 200 52 Monza (MI) Italy,

HAS ADOPTED THIS DECISION :

Article 1

1. The apparatus described as 'Hewlett-Packard gas chromatograph, model 5840' is considered to be a scientific apparatus.
2. The conditions referred to in Articles 3 (1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 May 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION

of 8 May 1979

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Canberra-Ge(Li) detector, series No 1149 with preamplifier, model 2001, cryostat model 7500 and high voltage power supply, model 3105'

(79/482/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽²⁾, and in particular Articles 4 and 5 thereof,

Whereas, by letter dated 7 November 1978, the Danish Government requested the Commission to invoke the procedure laid down in Articles 4 and 5 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as 'Canberra-Ge(Li) detector, series No 1149 with preamplifier, model 2001, cryostat model 7500 and high voltage power supply, model 3105', for use in research on radioactive waste storage and monitoring of radioactive stocks, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all the Member States met on 7 March 1979 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination showed that the apparatus in question is a germanium-lithium detector; whereas its objective technical characteristics such as resolving power and efficiency and the use to which it is put make it specially suited to pure scientific research; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus capable of being used for the same purposes is currently being manufactured in the Community; whereas this applies in particular to the apparatus ACO 135 and ACO 139 manufactured by Harshaw Chemie BV, Strijkviertel 67, 3454 ZG de Meern, the Netherlands, the apparatus Ge(Li) manufactured by Enertec-Schlumberger, 1, rue Nieuport, 78140 Velizy-Villacoublay, France since 1 January 1979 and, whereas, on request, the firm of Montedel, Laben, via Bassini 15, Milan, Italy also manufactures similar equipment,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Canberra-Ge(Li) detector, series No 1149 with preamplifier, model 2001, cryostat model 7500 and high voltage power supply, model 3105' is considered to be a scientific apparatus.

2. The conditions referred to in Article 3 (1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 May 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION

of 10 May 1979

fixing the maximum amount of the export refund for the 90th partial invitation
to tender for white sugar issued under Regulation (EEC) No 1634/77

(79/483/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 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 519/77⁽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 90th 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
90th partial invitation to tender for white sugar issued
under Regulation (EEC) No 1634/77 is hereby fixed at
30.892 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 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 10 May 1979

fixing the maximum amount of the export refund for the 66th partial invitation
to tender for raw beet sugar issued under Regulation (EEC) No 1790/77

(79/484/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 66th 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
66th partial invitation to tender for raw beet sugar
issued under Regulation (EEC) No 1790/77 is hereby
fixed at 26.790 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 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 10 May 1979

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

(79/485/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 abovementioned 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 10 May 1979 at 75.55 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 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.