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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1100/79**of 5 June 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 6 June 1979.

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

Done at Brussels, 5 June 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 5 June 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	95.16
10.01 B	Durum wheat	146.99 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	101.94 ⁽⁶⁾
10.03	Barley	100.06
10.04	Oats	98.00
10.05 B	Maize, other than hybrid maize for sowing	88.92 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	6.98
10.07 B	Millet	89.67 ⁽⁴⁾
10.07 C	Grain sorghum	98.10 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	148.00
11.01 B	Rye flour	157.49
11.02 A I a)	Durum wheat groats and meal	241.38
11.02 A I b)	Common wheat groats and meal	157.70

⁽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 1101/79**of 5 June 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 6 June 1979.

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

Done at Brussels, 5 June 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 5 June 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. 6	1st period 7	2nd period 8	3rd period 9
10.01 A	Common wheat, and meslin	0	0	0	0.77
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	1.06

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	1.37	1.37
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	1.02	1.02
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 1102/79

of 5 June 1979

fixing the reference prices for plums for the 1979 marketing year

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 Article 27 (1) thereof,

Whereas pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas plums are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas plums harvested during a given crop year are marketed from June to October; whereas the quantities harvested during the first 10 days of June and during the last 10 days of October are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period from 11 June up to and including 20 October;

Whereas, pursuant to Article 23 (2) of Regulation (EEC) No 1035/72, the reference prices are fixed on the basis of the arithmetic mean of producer prices in each Member State plus an amount representing the cost of transporting Community products from the production areas to Community marketing centres; whereas the trend of production costs in the fruit and vegetables sector must also be taken into account;

Whereas, since the varieties of plums are not all comparable as regards the estimation of their commercial value, these varieties should be classified in two groups;

Whereas, to take seasonal variations into account the year should be divided into several periods and a reference fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative

market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, for the purpose of calculating entry prices, the varieties imported from third countries of which the entry prices are to be compared with the prices fixed for Group I and with those fixed for Group II respectively should be specified;

Whereas Council Regulation (EEC) No 652/79⁽³⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1979 marketing year, the reference prices for plums (subheading 08.07 D of the Common Customs Tariff), expressed in ECU per 100 kilograms net of packed products of Groups I and II, of Class I, of all sizes, shall be as follows for each of the groups of varieties:

	Group I	Group II
— from 11 June to 31 July:	44.37	—
— August:	42.50	34.59
— September:	36.52	28.64
— October (1 to 20):	—	27.03

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 116, 11. 5. 1979, p. 1.

⁽³⁾ OJ No L 84, 4. 4. 1979, p. 1.

2. The groups of varieties referred to in paragraph 1 shall be composed of the following varieties :

Group I:

Altesse double (Italian quetsche), Précoce favourite, Belle de Louvain, Conducta, Early Rivers, Kirk's Blue, Jefferson Gage, Lützelsachser (early Lützelsachsen quetsche), Anna Späth, Ersinger (early Ersingen quetsche), Zimmers (Zimmer quetsche), Bühler (early Bühl quetsche), Burbank, Florentia, Goccia d'oro, Reine Claude, Czar, Victorias, Purple Pershore, Damsons,

Group II:

Altesse simple (common quetsche, Hauszwetschge), Reine Claude d'Oullins, Sveskeblommer, Ruth Gerstetter, Ontario, Pershore (yellow egg).

3. The entry prices of imported products are to be compared :

(a) with the prices fixed for Group I where the imported products belong to varieties other than those shown in (b) ;

(b) with the prices fixed for Group II where the imported products belong to the following varieties : Altesse simple (common quetsche, Hauszwetschge), Reine Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheim (early Wangenheim quetsche), Pershore (yellow egg), Mirabelle, Bosniche.

Amendments to the preceding subparagraph shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72, having regard to changes in the varieties imported from third countries.

Article 2

This Regulation shall enter into force on 11 June 1979.

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

Done at Brussels, 5 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1103/79

of 5 June 1979

fixing the reference prices for peaches for the 1979 marketing year

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas peaches are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas peaches harvested during a given crop year are marketed from May to October; whereas the quantities harvested in May, during the first 10 days of June and in October are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period from 11 June up to and including 30 September;

Whereas, pursuant to Article 23 (2) of Regulation (EEC) No 1035/72, the reference prices are fixed on the bases of the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from the production areas to Community marketing centres; whereas the trend of production costs in the fruit and vegetables sector must also be taken into account;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative

market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas Council Regulation (EEC) No 652/79⁽³⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1979 marketing year, the reference prices for peaches (subheading 08.07 B of the Common Customs Tariff), expressed in ECU per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— June (11 to 20):	54.92,
(21 to 30):	49.99,
— July:	47.74,
— August and September:	45.12.

Article 2

This Regulation shall enter into force on 11 June 1979.

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

Done at Brussels, 5 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 116, 11. 5. 1979, p. 1.

⁽³⁾ OJ No L 84, 4. 4. 1979 p. 1.

COMMISSION REGULATION (EEC) No 1104/79

of 5 June 1979

fixing, for June 1979, the maximum withdrawal prices for tomatoes grown under glass

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 last subparagraph of Article 18 (1) thereof,

Whereas, under the last subparagraph of Article 18 (1) of Regulation (EEC) No 1035/72, producers' organizations may be authorized, in view of the characteristics of the market under consideration, to fix, under certain conditions, withdrawal prices above the levels referred to in Article 18 (1) (a) of that Regulation;

Whereas the market in tomatoes grown under glass has different characteristics from those of the market in open-grown tomatoes; whereas tomatoes grown under glass are mainly 'Extra' Class and Class I products, the prices for which are considerably higher than those for open-grown products;

Whereas, in order to provide more effective support for the market in tomatoes grown under glass, producers' organizations or associations of such organizations should be allowed to fix their withdrawal price at a level higher than the Community withdrawal price; whereas, for the present marketing year, the information currently available does not make it possible to fix maximum price levels for tomatoes grown under glass beyond the month of June; whereas, in order to ensure the continued marketing of tomatoes, it is therefore necessary to maintain for the month of June 1979 the maximum price levels

valid for the same period of the 1978/79 marketing year;

Whereas Council Regulation (EEC) No 652/79⁽³⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the month of June 1979 producers' organizations or associations of such organizations may fix withdrawal price for tomatoes grown under glass at levels in ECU per 100 kilograms net, not exceeding the following:

- June (11 to 20): 28.99,
(21 to 30): 26.57.

Article 2

The producers' organizations shall supply the following information to the national authorities, who shall communicate it to the Commission:

- the period during which withdrawal prices are applicable,
- the levels of withdrawal prices proposed and applied.

Article 3

This Regulation shall enter into force on 11 June 1979.

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

Done at Brussels, 5 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 116, 11. 5. 1979, p. 1.

⁽³⁾ OJ No L 84, 4. 4. 1979, p. 1.

COMMISSION REGULATION (EEC) No 1105/79

of 5 June 1979

amending for the second time Regulation (EEC) No 3077/78 on the equivalence with Community certificates of attestations accompanying hops imported from non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops ⁽¹⁾, as last amended by Regulation (EEC) No 235/79 ⁽²⁾, and in particular Article 5 ⁽²⁾ thereof,

Whereas Commission Regulation (EEC) No 3077/78 ⁽³⁾, as amended by Regulation (EEC) No 673/79 ⁽⁴⁾, recognized the equivalence with Community certificates of attestations accompanying hops imported from certain non-member countries and drew up a list of the bodies in these countries authorized to issue the attestations of equivalence;

Whereas, since that time, Spain has undertaken to comply with the requirements laid down for the

marketing of hops and hop products and has authorized a body to issue attestations of equivalence; whereas it is appropriate, therefore, to recognize these attestations as being equivalent with Community certificates and to allow into free circulation the products which they cover; whereas it is necessary to supplement in this respect the Annex to Regulation (EEC) No 3077/78;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3077/78 is amended by the addition of the following:

Country of origin	Bodies authorized to issue attestations	Products	CCT heading No
SPAIN	Servicio Oficial de Inspección, Vigilancia y Regulación de las Exportaciones (SOIVRE), Madrid	Hop cones	ex 12.06
		Hop powders	ex 12.06
		Saps and extracts of hops	13.03 A VI

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, 5 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽²⁾ OJ No L 34, 9. 2. 1979, p. 4.

⁽³⁾ OJ No L 367, 28. 12. 1978, p. 28.

⁽⁴⁾ OJ No L 85, 5. 4. 1979, p. 25.

COMMISSION REGULATION (EEC) No 1106/79
of 5 June 1979
amending Regulation (EEC) No 3016/78 laying down certain rules for applying
conversion rates in the sugar and isoglucose sectors

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⁾,

Whereas Article 1 of Commission Regulation (EEC) No 3016/78⁽³⁾ provides *inter alia* for the storage levy on preferential refined sugar to be converted into national currencies by applying the representative rate applicable on the last day of the month in which the quantity in question was refined;

Whereas this rule should be amended so as to take account of the actual day from which the new representative rate is applied; whereas it should accordingly be provided that the conversion rate for the storage levy of the said sugar shall be the representative rate applicable on the day of refining; whereas the provisions so amended should apply with effect from a date prior to the entry into force of Council Regulation (EEC) No 643/79 of 29 March 1979 amending, as regards the French franc, the Italian lira,

the pound sterling and the Irish pound, Regulation (EEC) No 878/77 on the exchange rates to be applied in agriculture⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The text relating to the conversion rate to be applied in respect of the amount under I (c) of the Annex to Regulation (EEC) No 3016/78 shall be amended to read as follows:

‘Representative rate applicable on the day on which the quantity in question was refined.’

Article 2

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

It shall apply with effect from 1 April 1979.

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

Done at Brussels, 5 June 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 359, 22. 12. 1978, p. 11.

⁽⁴⁾ OJ No L 83, 3. 4. 1979, p. 1.

COMMISSION REGULATION (EEC) No 1107/79

of 5 June 1979

abolishing the countervailing charge on tomatoes originating in Morocco

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 Commission Regulation (EEC) No
1056/79⁽³⁾ introduced a countervailing charge on
tomatoes originating in Morocco;

Whereas the present trend of prices for Moroccan
products on the representative markets referred to in
Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by
Regulation (EEC) No 668/78⁽⁵⁾, recorded or calcu-
lated in accordance with the provisions of Article 5 of
that Regulation indicates that entry prices have been

at least equal to the reference price for two consecu-
tive market days; whereas the conditions specified in
the second indent of Article 26 (1) of Regulation
(EEC) No 1035/72 are therefore fulfilled and the coun-
tervailing charge on imports of these products origi-
nating in Morocco can be abolished;

Whereas Council Regulation (EEC) No 652/79 of 29
March 1979⁽⁶⁾ laid down the coefficient for
expressing amounts, fixed in units of account, in
ECU,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1056/79 is hereby repealed.

Article 2

This Regulation shall enter into force on 6 June 1979.

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

Done at Brussels, 5 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 116, 11. 5. 1979, p. 1.

⁽³⁾ OJ No L 133, 31. 5. 1979, p. 22.

⁽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.

COMMISSION REGULATION (EEC) No 1108/79**of 5 June 1979****altering the basic amount of the import levy on syrups and certain other sugar products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1396/78 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 1065/79 ⁽³⁾;

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 1065/79 to the information known to the Commission that the basic amount of the levy at present in force should be altered to the amount set out below,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 shall be, per 100 kilograms of product, 0.3128 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 6 June 1979.

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

Done at Brussels, 5 June 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 135, 1. 6. 1979, p. 18.

⁽⁴⁾ OJ No L 84, 4. 4. 1979, p. 1.

COMMISSION REGULATION (EEC) No 1109/79

of 5 June 1979

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1550/78⁽³⁾, as last amended by Regulation (EEC) No 1057/79⁽⁴⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979⁽⁵⁾, 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 1550/78 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 June 1979.

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

Done at Brussels, 5 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 182, 5. 7. 1978, p. 17.

⁽⁴⁾ OJ No L 133, 31. 5. 1979, p. 24.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

ANNEX

to the Commission Regulation of 5 June 1979 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (ECU/100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar	31.28 25.81 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 1110/79

of 5 June 1979

fixing the import levies on isoglucose

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose ⁽¹⁾, as last amended by Regulation (EEC) No 1298/78 ⁽²⁾, and in particular Article 3 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas the levy must be fixed each month;

Whereas, if the levy system is to operate normally, levies 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 ⁽⁴⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU;

Whereas it follows from applying these provisions that the levies on isoglucose should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 June 1979.

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

Done at Brussels, 5 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 160, 17. 6. 1978, p. 9.

⁽³⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁴⁾ OJ No L 84, 4. 4. 1979, p. 1.

ANNEX

to the Commission Regulation of 5 June 1979 fixing the import levies on isoglucose

(in ECU)		
CCT heading No	Description	Levies per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : D. Other sugars and syrups : I. Isoglucose	40.95
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	40.95

COUNCIL REGULATION (EEC) No 1111/79

of 5 June 1979

opening, allocating and providing for the administration of a Community tariff quota for fresh table grapes falling within subheading ex 08.04 A I of the Common Customs Tariff and originating in Cyprus (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas Article 2 of the Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and the Republic of Cyprus⁽²⁾ provides for the opening of an annual Community tariff quota of 7 000 tonnes of fresh table grapes falling within subheadings ex 08.04 A I a) and b) of the Common Customs Tariff, originating in Cyprus, at rates of customs duty equal to 40 % of the customs duty in the Common Customs Tariff, for the period 8 June to 31 July 1979; whereas the Community tariff quota should be opened for the period in question;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volumes should be allocated in initial shares, to take into account demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member

States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 93 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas the method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volumes have been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity of the initial share remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 8 June to 31 July 1979 the Common Customs Tariff duties for the products listed below, originating in Cyprus, shall be partially suspended at the levels shown below, within the limits of a Community tariff quota of 7 000 tonnes:

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

⁽²⁾ OJ No L 172, 28. 6. 1978, p. 10.

CCT heading No	Description	Rate of duty
08.04	Grapes, fresh or dried : A. fresh : I. Table grapes : ex a) From 1 November to 14 July : — From 8 June to 14 July ex b) From 15 July to 31 October : — From 15 July to 31 July	 7.2 % 8.8 %

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. The first tranche, amounting to 6 504 tonnes, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 July 1979, shall be as follows :

— Benelux :	200 tonnes,
— Denmark :	200 tonnes,
— Germany :	200 tonnes,
— France :	2 tonnes,
— Ireland :	200 tonnes,
— Italy :	2 tonnes,
— United Kingdom :	5 700 tonnes.

3. The second tranche, amounting to 496 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the corresponding reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State

has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 July 1979.

Article 5

The Member States shall return to the reserve, not later than 15 July 1979, such unused portion of their initial share as, on 10 July 1979, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 15 July 1979, of the total quantities of the products in question imported up to 10 July 1979 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 20 July 1979, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.
2. The Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to them.
3. The Member States shall charge the imports of the products concerned against their shares as and

when the products are entered with customs authorities for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 10

This Regulation shall enter into force on 8 June 1979.

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

Done at Brussels, 5 June 1979.

For the Council

The President

J. FRANÇOIS-PONCET

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 May 1979

authorizing Ireland not to apply Community treatment to shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres ; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers of regenerated textile fibres, falling within heading No ex 60.04 of the Common Customs Tariff (NIMEXE codes 60.04-01, 05, 13, 18, 28, 29, 30, 41, 50, 58) (category 4), originating in Thailand and in free circulation in the other Member States

(Only the English text is authentic)

(79/512/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 1 May 1979 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres ; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers of regenerated textile fibres, falling within heading No ex 60.04 of the Common Customs Tariff (NIMEXE codes 60.04-01, 05, 13, 18, 28, 29, 30, 41, 50, 58) (category 4), originating in Thailand and in free circulation in the other Member States,

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

Whereas under that agreement Thailand 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 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 ;

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

Ireland is authorized not to apply Community treatment to the products indicated below, where they originate in Thailand and are in free circulation in the other Member States, and in respect of which application for import licences were lodged after 26 April 1979 :

CCT heading No	Description
ex 60.04 (NIMEXE codes 60.04-01, 05, 13, 18, 28, 29, 30, 41, 50, 58) (category 4)	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers of regenerated textile fibres

Article 2

This Decision shall apply until 30 September 1979.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 8 May 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION

of 14 May 1979

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to men's and boys' woven industrial and occupational clothing ; women's, girls' and infants' woven aprons, smock-overalls and other industrial clothing (whether or not also suitable for domestic use), of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 and subheading ex 61.02 B of the Common Customs Tariff (NIMEXE codes 61.01-13, 15, 17, 19 ; 61.02-12, 14) (category 76), originating in Bulgaria and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(79/513/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 4 May 1979 by the Benelux Governments to the Commission of the European Communities, for authorization not to apply Community treatment to men's and boys' woven industrial and occupational clothing, women's, girls' and infants' woven aprons, smock-overalls and other industrial clothing (whether or not also suitable for domestic use), of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 and subheading ex 61.02 B of the Common Customs Tariff (NIMEXE codes 61.01-13, 15, 17, 19 ; 61.02-12, 14) (category 76), originating in Bulgaria and in free circulation in the other Member States,

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

Whereas under that Agreement Bulgaria 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, although the imports which gave rise to the application submitted would appear to be an isolated operation, they are nevertheless likely, in view of the substantial volume of the imports, 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,

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to the products indicated below, where they originate in Bulgaria and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 24 April 1979 and are, at the date of this Decision, pending with the Benelux authorities :

CCT heading No	Description
ex 61.01 and ex 61.02 B (NIMEXE codes 61.01-13, 15, 17, 19 ; 61.02-12, 14) (category 76)	Men's and boys' woven industrial and occupational clothing ; women's, girls' and infants' woven aprons, smock-overalls and other industrial clothing (whether or not also suitable for domestic use), of wool, of cotton or of man-made textile fibres

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

Article 2

Done at Brussels, 14 May 1979.

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

For the Commission

Wilhelm HA FERKAMP

Vice-President

COMMISSION DECISION

of 16 May 1979

fixing the maximum amount of the export refund for the 91st partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77

(79/514/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 91st 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 91st partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77 is hereby fixed at 30.718 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 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 16 May 1979

fixing the maximum amount of the export refund for the 67th partial invitation to tender for raw beet sugar issued under Regulation (EEC) No 1790/77

(79/515/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 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 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 67th 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 67th partial invitation to tender for raw beet sugar issued under Regulation (EEC) No 1790/77 is hereby fixed at 26.948 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 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 16 May 1979

on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland

(79/516/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States⁽¹⁾, as last amended by Regulation (EEC) No 2993/78⁽²⁾, and in particular Article 3 thereof,

Having regard to Commission Regulation (EEC) No 3006/78 of 20 December 1978 laying down detailed rules for the application of Regulation (EEC) No 3328/75⁽³⁾, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 3328/75 provides the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 May 1979, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 3006/78, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested and to fix the remaining quantities in respect of which it will be possible to apply for licences from 1 June 1979,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 May 1979 import licences concerning beef and veal

products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. *France:*

(a) 100.0 tonnes originating from Swaziland;

2. *United Kingdom:*

(a) 880.0 tonnes originating from Botswana;

(b) 72.3 tonnes originating from Swaziland;

3. *Federal Republic of Germany:*

(a) 317.0 tonnes originating from Swaziland.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 3006/78 during the first 10 days of June 1979, in respect of the following quantities of boned beef and veal:

Botswana:	9 358.9 tonnes,
Kenya:	130.0 tonnes,
Madagascar:	6 304.7 tonnes,
Swaziland:	1 284.1 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 16 May 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 329, 23. 12. 1975, p. 4.

⁽²⁾ OJ No L 357, 21. 12. 1978, p. 5.

⁽³⁾ OJ No L 357, 21. 12. 1978, p. 44.

COMMISSION DECISION

of 16 May 1979

**fixing the minimum selling prices for boned beef put up for sale by tender in
accordance with Regulation (EEC) No 79/75**

(79/517/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 425/77 ⁽²⁾, and in particular
Article 7 (3) thereof,

Whereas, pursuant to Article 11 of Commission Regu-
lation (EEC) No 216/69 ⁽³⁾, the minimum selling
prices for meat put up for sale by tender should be
fixed taking into account tenders submitted;

Whereas in accordance with Article 1 of Commission
Regulation (EEC) No 79/75 ⁽⁴⁾, as last amended by
Regulation (EEC) No 2746/78 ⁽⁵⁾, tenders have been
invited for certain quantities of boned beef and veal;
whereas consequently the minimum selling prices
should be fixed;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The minimum selling prices for boned beef
stored by the intervention agencies which are to be
adopted for the invitation to tender held in accor-
dance with Regulation (EEC) No 79/75, for which the
time limit for submitting bids was 7 May 1979 shall
be as set out in the Annex to this Decision.

2. Tenders submitted in response to the invitation
referred to in paragraph 1 shall be rejected unless they
are for the products listed in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 May 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 28, 5. 2. 1969, p. 10.

⁽⁴⁾ OJ No L 10, 15. 1. 1975, p. 9.

⁽⁵⁾ OJ No L 330, 25. 11. 1978, p. 25.

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — ANNEX — BILAG

BUNDESREPUBLIK DEUTSCHLAND (1)

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgsspriser Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton
<i>Ochsen A</i>	
Filet	8 546
Roastbeef	5 017
Oberschalen	3 400
Unterschalen	3 247
Kugeln	3 325
Hüftstücke	2 834
Kniekehlfleisch	2 223
Hesse	1 940
Dünnung	1 463
<i>Bullen A</i>	
Filet	8 537
Roastbeef	5 162
Oberschalen	3 440
Unterschalen	3 368
Kugeln	3 383
Hüftstücke	2 899
Kniekehlfleisch	2 270
Hesse	2 060
Dünnung	1 688

(1) Avis d'adjudication n° D P — 32, JO n° C 102 du 24. 4. 1979, p. 6.

(1) Ausschreibung Nr. D P — 32, ABl. Nr. C 102 vom 24. 4. 1979, S. 6.

(1) Bando di gara n. D P — 32, GU n. C 102 del 24. 4. 1979, pag. 6.

(1) Bericht van inschrijving nr. D P — 32, PB nr. C 102 van 24. 4. 1979, blz. 6.

(1) Notice of invitation to tender No D P — 32, OJ No C 102, 24. 4. 1979, p. 6.

(1) Licitationsbekendtgørelse nr. D P — 32, EFT nr. C 102 af 24. 4. 1979, s. 6.

DANMARK (2)

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgsspriser Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton
<i>Ungtyske af første kvalitet</i>	
Bryst og slag	1 686

(2) Avis d'adjudication n° DK P — 47, JO n° C 102 du 24. 4. 1979, p. 9.

(2) Ausschreibung Nr. DK P — 47, ABl. Nr. C 102 vom 24. 4. 1979, S. 9.

(2) Bando di gara n. DK P — 47, GU n. C 102 del 24. 4. 1979, pag. 9.

(2) Bericht van inschrijving nr. DK P — 47, PB nr. C 102 van 24. 4. 1979, blz. 9.

(2) Notice of invitation to tender No DK P — 47, OJ No C 102, 24. 4. 1979, p. 9.

(2) Licitationsbekendtgørelse nr. DK P — 47, EFT nr. C 102 af 24. 4. 1979, s. 9.

IRELAND ⁽¹⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton	
	A	B
<i>Steers 1 and 2 and Heifers 2</i>		
Striploin	4 811	4 482
Insides	3 409	—
Rumps	3 522	—
Plates and flanks	1 562	—
Brisket	1 795	—
Cube rolls	4 920	—
Forequarters	2 020	—
A = stored in Ireland.		
B = stored in the United Kingdom.		

(1) Avis d'adjudication n° IRL P — 47, JO n° C 102 du 24. 4. 1979, p. 14.

(1) Ausschreibung Nr. IRL P — 47, ABl. Nr. C 102 vom 24. 4. 1979, S. 14.

(1) Bando di gara n. IRL P — 47, GU n. C 102 del 24. 4. 1979, pag. 14.

(1) Bericht van inschrijving nr. IRL P — 47, PB nr. C 102 van 24. 4. 1979, blz. 14.

(1) Notice of invitation to tender No IRL P — 47, OJ No C 102, 24. 4. 1979, p. 14.

(1) Licitationsbekendtgørelse nr. IRL P — 47, EFT nr. C 102 af 24. 4. 1979, s. 14.

UNITED KINGDOM ⁽²⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton
<i>Steers L/M, L/H and Heifers T</i>	
Fillets	7 497
Topside	3 553
Silverside	3 469
Rumps	3 592
Shins and shanks	1 716
Briskets	1 463
Foreribs	2 700
Clod and sticking	1 829
Forequarter flanks	1 311
Thin flanks	1 311

(2) Avis d'adjudication n° UK P — 25, JO n° C 102 du 24. 4. 1979, p. 11.

(2) Ausschreibung Nr. UK P — 25, ABl. Nr. C 102 vom 24. 4. 1979, S. 11.

(2) Bando di gara n. UK P — 25, GU n. C 102 del 24. 4. 1979, pag. 11.

(2) Bericht van inschrijving nr. UK P — 25, PB nr. C 102 van 24. 4. 1979, blz. 11.

(2) Notice of invitation to tender No UK P — 25, OJ No C 102, 24. 4. 1979, p. 11.

(2) Licitationsbekendtgørelse nr. UK P — 25, EFT nr. C 102 af 24. 4. 1979, s. 11.

COMMISSION DECISION

of 17 May 1979

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

(79/518/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 17 May 1979 at 73.75 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 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. 1975, 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.

COMMISSION DECISION

of 18 May 1979

concerning the 'special financing scheme for investments to increase exporting firms' production capacity' in France

(Only the French text is authentic)

(79/519/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given notice to those concerned to submit their observations,

Whereas :

I. Under the 'special financing scheme for investments to increase exporting firms' production capacity' in France, 'specialized financial institutions' float loans on foreign financial markets denominated in foreign currencies with an exchange rate guarantee provided by the State ; the interest rate on the loans is lower than that which could be obtained for loans in French francs on the domestic market.

The funds obtained in this way are on-lent to French firms in the form of long-term loans (up to 15 years) denominated in French francs at a rate of interest approximately two points lower than the terms given by institutions for their own normal loan business. The loans may cover up to 35 % of investment costs intended to increase production capacity. The firms concerned must undertake to increase the proportion of their sales accounted for by their exports to non-member countries.

This favourable rate of interest can be charged by the financial institutions in question only because of the State guarantee against the exchange risks they run when converting funds raised in foreign currencies into loans in French francs. Without the guarantee they would either have to rule out the conversion operation or cover themselves against the risk by charging firms interest rates or a premium which would bring the cost of the loans up to ordinary French commercial rates.

II. By so doing the French authorities 'favour' certain firms whose investments, thanks to the

exchange rate guarantee, have the advantage of a preferential rate of interest. Without running any exchange rate risk at all, since their loans are expressed in French francs, these firms in practice receive an interest relief grant of some two percentage points.

The provision of a State guarantee of whatever type constitutes an aid, whether or not the State concerned later has to make good a loss. In any event, in the present case the guarantee has resulted in the effective utilization of 'State resources', as the State budget expended some FF 20 million in 1976 on this head and some FF 40 million in 1977.

The scheme favours 'certain undertakings and the production of certain goods' since it applies only to investments that expand production capacity in firms undertaking to increase their sales on non-member country markets, even if the production realized as a result of the investment is not used for the purpose of such sales.

Such an aid scheme is likely to affect trade between Member States and to threaten to distort competition.

This conclusion is not invalidated by the argument that the loans are granted at a higher rate of interest than is charged on the financial markets of other Member States.

The fact that a national measure offsets certain disparities between the costs of firms in one Member State and the costs of firms in another does not deprive it of its character of an aid measure. The Court of Justice's judgments on this question were particularly clear in joined cases 6 and 11/69 and case 173/73, where the French and Italian Governments had adduced differences between Member States, concerning rates of interest in one case and the cost of certain social security charges in the other, as grounds for their aids.

III. The scheme constitutes a general scheme of aid, since it is not intended to solve any specific industrial or regional problems defined in advance but may be applied to investment by any firm provided this is linked to increasing its sales in non-member countries.

By reason of the scope of its application the scheme does not, therefore, satisfy the tests for the derogations of Article 92 (3) (a) and (c) as aid to facilitate the development of 'certain economic activities or of certain economic areas', since its benefit may be enjoyed by industrial investment regardless of location and regardless of line of business.

In view of this extensive scope the Commission cannot assess the effects of the scheme of aid on trade and competition within the Community or check for compliance with the principles and disciplines laid down for sectoral and regional aids.

Where a Member State plans to institute sectoral or regional aids it must comply with the requirements and procedures of Article 93 (2) and (3) of the Treaty; whereas, under the present scheme of general aids, the French Government can at any time take equivalent measures without complying with the said requirements and procedures.

On its current terms the scheme cannot therefore be considered compatible with the common market.

IV. Most of the Member States feel the need for general schemes of aid enabling them to facilitate the adjustment or development of industry in the new context of international competition without being tied in advance to specific sectoral or regional constraints.

In the past the Commission has considered that it could take account of this need while nevertheless ensuring compliance with Community requirements as regards aids, if, before aids were granted under such a scheme, it was in a position to verify that its application satisfied the tests of the Treaty for use of the derogation from the principle of incompatibility with the common market offered by Article 92 (3) (c) and if they satisfy its general policy on use of this derogation.

To this end the Commission, as regards the 'special financing scheme for investments to increase

exporting firms' production capacity', must be given advance notice, pursuant to Article 93 (3) of the EEC Treaty, as is the case for other general schemes of aid existing in the Community, of:

- any sectoral programmes drawn up by the French Government for the application of this scheme, or, in their absence,
- individual decisions to grant aid to individual firms where there are likely to be significant effects on trade and competition within the Community.

This procedure extends only to investments in products not listed in Annex II to the Treaty, aids in respect of Annex II products being subject to the rules of the common agricultural policy,

HAS ADOPTED THIS DECISION:

Article 1

The Government of the French Republic shall take the necessary measures to ensure that loans given by specialized financial institutions under the 'special financing scheme for investment by exporting firms' are henceforth granted only where the following conditions are fulfilled:

- where such loans are granted under programmes for an entire sector or branch of industry, such programmes shall be notified to the Commission in accordance with Article 93 (3) of the EEC Treaty,
- where such loans are granted to one or more individual firms, significant cases as defined in Article 2 shall be notified to the Commission in like manner.

This procedure does not extend to investments in respect of products listed in Annex II to the EEC Treaty.

Article 2

Given the current terms as to interest and duration of the loans in question, significant cases of application shall mean, for the purpose of the first indent of Article 1, cases where the amount of the investment is equal to or greater than three million EUA.

Article 3

Done at Brussels, 18 May 1979.

This Decision is addressed to the French Republic, which within one month from its date of adoption shall inform the Commission of the measures taken to comply therewith.

For the Commission

Raymond VOUEL

Member of the Commission
