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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1949/79**of 5 September 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 1547/79⁽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 1658/79⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1658/79 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 September
1979.

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

Done at Brussels, 5 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 193, 1. 8. 1979, p. 5.

ANNEX

to the Commission Regulation of 5 September 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	72.04
10.01 B	Durum wheat	108.56 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	54.21 ⁽⁶⁾
10.03	Barley	61.07
10.04	Oats	70.09
10.05 B	Maize, other than hybrid maize for sowing	81.79 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	33.01 ⁽⁴⁾
10.07 C	Grain sorghum	75.92 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	114.06
11.01 B	Rye flour	89.08
11.02 A I a)	Durum wheat groats and meal	181.32
11.02 A I b)	Common wheat groats and meal	122.96

⁽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 1950/79**of 5 September 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 1547/79⁽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
1659/79⁽³⁾ and subsequent amending Regulations ;

Whereas on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in

force, which are to be added to the levies, should be
altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 6 September
1979.

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

Done at Brussels, 5 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 193, 1. 8. 1979, p. 7.

ANNEX

to the Commission Regulation of 5 September 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 9	1st period 10	2nd period 11	3rd period 12
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1951/79
of 5 September 1979
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1552/79 ⁽²⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 1916/79 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1916/79 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 the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 September
1979.

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

Done at Brussels, 5 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 9.

⁽³⁾ OJ No L 222, 1. 9. 1979, p. 5.

ANNEX

to the Commission Regulation of 5 September 1979 fixing the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Third countries ⁽²⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	71.88	32.31
	b) Long grain	98.49	45.62
	II. Husked rice :		
	a) Round grain	89.85	41.30
	b) Long grain	123.11	57.93
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	171.67	73.87
	b) Long grain	273.60	124.38
	II. Wholly milled rice :		
	a) Round grain	182.83	79.03
	b) Long grain	293.30	134.26
	C. Broken rice :	62.65	28.31

⁽¹⁾ Subject to the application of the provisions of Article 9 of Regulation (EEC) No 706/76.

⁽²⁾ In accordance with Regulation (EEC) No 706/76, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ The import levy on rice entering the overseas department of Reunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 1952/79**of 5 September 1979****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1552/79 ⁽²⁾, and in particular Article
13 (6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 1917/79 ⁽³⁾;

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 September
1979.

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

Done at Brussels, 5 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 9.

⁽³⁾ OJ No L 222, 1. 9. 1979, p. 8.

ANNEX

to the Commission Regulation of 5 September 1979 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Current 9	1st period 10	2nd period 11	3rd period 12
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1953/79

of 5 September 1979

fixing the export refunds on white sugar and raw sugar, exported in the natural state

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 the first sentence of the last subparagraph of Article 19 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 3330/74 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

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

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74, undenatured and exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 September 1979.

(1) OJ No L 359, 31. 12. 1974, p. 1.

(2) OJ No L 170, 27. 6. 1978, p. 1.

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

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

(5) OJ No L 89, 10. 4. 1968, p. 3.

(6) OJ No L 50, 4. 3. 1970, p. 1.

(7) OJ No L 162, 1. 7. 1977, p. 6.

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

Done at Brussels, 5 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 5 September 1979 fixing the export refunds on white sugar and raw sugar, exported in the natural state

(ECU/100 kg)

CCT heading No	Description	Refund
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar ; flavoured or coloured sugar	21.80
	B. Raw sugar :	
	(a) Candy sugar	23.09 ⁽¹⁾
	(b) Other raw sugar	19.00 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 1954/79
of 5 September 1979

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 17 of Commission Regulation (EEC) No 3075/78⁽²⁾, as last amended by Regulation (EEC) No 1334/79⁽³⁾, provides in particular that aid shall only be paid for peas and field beans if the products in question are the subject of an application for aid during the marketing year in which the relevant contract has been lodged by the feedingstuffs manufacturer; whereas an exception must be provided in the case of products for which the contract has been lodged before 1 July 1979 but in respect of which it was not possible to submit an application for aid before that date;

Whereas the same Article lays down that a security must be lodged by the end of the month during which the contract is lodged; whereas special provisions must be made for products which are the subject of contracts lodged before 1 July 1979;

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

HAS ADOPTED THIS REGULATION:

Article 1

Paragraphs 1 and 2 of Article 17 of Regulation (EEC) No 3075/78 are hereby amended to read as follows:

'1. The amount of the aid to be granted shall be that applying on the day when the feedingstuffs manufacturer lodges the contract referred to in Article 5 (a) of Regulation (EEC) No 1418/78 with the agency designated for this purpose in the

Member State where the peas and field beans will be used for the manufacture of feedingstuffs, on condition that, except in cases of *force majeure*, an application as referred to in Article 5 (b) of the abovementioned Regulation is submitted in respect of the products in question by the end of the marketing year during which the contract was lodged.

However, the final date for the submission of applications shall be postponed until 31 December 1979 in the case of products which are the subject of contracts lodged before 1 July 1979.

The aid shall be granted in respect of a quantity not exceeding 107 % of the quantity indicated in the contract or, as appropriate, the quantity which can be produced on the area therein indicated.

2. Where the contract is lodged in a month other than that in which the application referred to in the said Article 5 (b) is submitted, a security shall be lodged by the end of the month during which the contract is lodged.

The amount of such security shall be 1.5 ECU per 100 kilograms. Where the contract relates to an area, the amount of the security shall be 30.0 ECU per hectare.

However, for contracts lodged before 1 July 1979, in respect of products:

- for which the application referred to above is submitted between 1 July and 30 September 1979, no security shall be lodged,
- for which the application referred to above is submitted on or after 1 October 1979, the security shall be lodged by 30 September 1979.'

Article 2

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

It shall apply with effect from 1 July 1979.

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 8.

⁽²⁾ OJ No L 367, 28. 12. 1978, p. 9.

⁽³⁾ OJ No L 162, 30. 6. 1979, p. 100.

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

Done at Brussels, 5 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1955/79

of 5 September 1979

amending Regulation (EEC) No 193/75 laying down detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products

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 1547/79⁽²⁾, and in particular Articles 12 (2), 15 (5) and 16 (6) thereof, and of the corresponding provisions of the other Regulations establishing a common organization of the markets for agricultural products,

Whereas the third indent of Article 4 (3) of Commission Regulation (EEC) No 193/75 of 17 January 1975⁽³⁾, as last amended by Regulation (EEC) No 1118/79⁽⁴⁾, provides that no licence shall be required for the purposes of operations relating to quantities such that the amount of the security for the corresponding licence would be two units of account or less; whereas the third subparagraph of Article 5 (4) of Regulation (EEC) No 193/75 provides that no security shall be required in respect of a licence or certificate where the amount involved is two units of account or less; whereas the third subparagraph of Article 18 (2) of Regulation (EEC) No 193/75 provides that if the security which would be forfeit is two units of account or less the whole of the security may be released;

Whereas, without prejudice to the provisions which derogate from the third indent of Article 4 (3) of Regulation (EEC) No 193/75 in respect of olive oil and hybrid maize for sowing and products of the sugar, isoglucose and wine sectors it is desirable, in order to simplify procedures where small quantities are involved, to increase these limits;

Whereas, where the limit is increased to 25 ECU, it is necessary to ensure that the absence of a security does not result in abuses and hence to require the licences and certificate to be returned after use so that compli-

ance with the obligation to import or export may be checked;

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 in Case 122/78 the Court of Justice of the European Communities has declared that, in its present version, Article 18 (4) of Regulation (EEC) No 193/75 is not valid in that forfeiture of the security in respect of a licence or certificate security is not justified where the proof of fulfilment of the relevant obligations is supplied outside the prescribed period;

Whereas it is necessary to know whether the obligation to import or export has been fulfilled;

Whereas in the event of the proof not being submitted within a reasonable period it is fair to assume that the obligation to import or export has not been fulfilled and, except in cases of *force majeure*, to treat the security as forfeit;

Whereas if, during a further period in which a competent trader can be expected to take action to have the security recovered, the proof is furnished, the amount forfeit shall be repaid, less a suitable proportion to mark the late submission of the proof and the additional administration involved;

Whereas for these reasons Article 18 (4) of Regulation (EEC) No 193/75 must be amended;

Whereas, since the existing provision no longer applies, it is reasonable to apply the amended provision to any case where at the time of entry into force of the Regulation the question of the release of the security has not finally been decided upon;

Whereas the measures provided for in the Regulation are in accordance with the opinions of all the management committees concerned,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 25, 31. 1. 1975, p. 10.

⁽⁴⁾ OJ No L 139, 7. 6. 1979, p. 12.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 193/75 is amended as follows :

1. The last indent of Article 4 (3) is amended to read as follows :
‘— relating to quantities such that the amount of security for the corresponding licence would be 5 ECU or less.’
2. The last subparagraph of Article 5 (4) is amended to read as follows :
‘Where the total amount of security in respect of any licence or certificate would be 5 ECU or less no security shall be required.’
3. A further subparagraph as follows is added to Article 5 (4) :
‘In addition, Member States may issue licences or certificates without security where the amount of security involved is 25 ECU or less, provided the applications are lodged with the competent agency in the Member State in which the applicant is established. Such licences and certificates shall be returned to the issuing agency as soon as possible and not later than on expiry of their period of validity.’
4. In Article 8 (1) and (2) the expression ‘units of account’ is replaced by ‘ECU’.
5. The last subparagraph of Article 18 (2) is amended to read as follows :

‘Furthermore, if the total amount of the security which would be forfeit is 5 ECU or less for a given licence or certificate the Member State concerned may release the whole of the security.’

6. Article 18 (4) is replaced by the following :

- ‘4. (a) Where the proofs referred to in Article 17 have not been furnished within six months following the expiry of the licence or certificate then, save in case of *force majeure*, the security shall be forfeit.
- (b) However, where such proofs are furnished between six and 24 months following the expiry of the licence or certificate a sum shall be repaid. The sum to be repaid shall be 80 % of : the amount forfeited in accordance with subparagraph (a), less any amount to be forfeited pursuant to paragraph 2.’

Article 2

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

The provisions set out in points 1, 2, 3, 4 and 5 of Article 1 shall apply with effect from 1 October 1979.

The provisions set out in point 6 of Article 1 shall apply in respect of any licence or certificate issued prior to the date of entry into force of this Regulation where the release of the security has not finally been decided upon.

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

Done at Brussels, 5 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1956/79
of 5 September 1979
amending Regulation (EEC) No 398/76 fixing the export refunds for wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as amended by Regulation (EEC) No 1303/79 ⁽²⁾, and in particular Article 20 (4) thereof,

Whereas in the Annex to Commission Regulation (EEC) No 398/76 of 24 February 1976 fixing the export refunds for wine ⁽³⁾ there is a list of the products in respect of which refunds may be granted; whereas rosé wines are not explicitly mentioned amongst the said products, although it is justified to grant refunds in respect of the said wines on account

of their close economic relationship with red table wines; whereas, in order to avoid any difficulty in interpretation, the Annex to Regulation (EEC) No 398/76 should therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Sole Article

In the Annex to Regulation (EEC) No 398/76, in the second box of the 'description' column, the words 'red table wine' shall be replaced by 'red or rosé table wine'.

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

Done at Brussels, 5 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 28.

⁽³⁾ OJ No L 49, 25. 2. 1976, p. 7.

COMMISSION REGULATION (EEC) No 1957/79
of 5 September 1979

re-establishing the levying of customs duties on gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, falling within heading No 61.10 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 1195/79 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1195/79 of 12 June 1979 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) of that Regulation provides that customs duties may, for each category of products listed in Annex C thereto, be suspended up to a Community ceiling equal to 96 % of the sum arrived at by adding together the tonnage of the products in question, imported into the Community in 1968 and coming from countries listed in Annex D, but not including products coming from countries already covered by various preferential tariff arrangements established by the Community, and 5 % of the 1970 tonnage of such imports coming from other countries and from countries already covered by such arrangements; whereas Article 3 (1) of that Regulation provides that the levying of customs duties may be re-established at any time once the Community ceiling has been reached;

Whereas, in respect of gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, falling within heading No 61.10, the ceiling, calculated as indicated above, should be 23.1 tonnes; whereas on 3 September 1979 the amounts of

imports into the Community of the products in question, originating in countries covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 1195/79 which provides that the ceiling should not be exceeded, the levying of customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 9 September 1979, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 1195/79, shall be re-established in respect of the following products, imported into the Community:

CCT heading No	Description
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods

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 September 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 154, 21. 6. 1979, p. 1.

COMMISSION REGULATION (EEC) No 1958/79

of 5 September 1979

fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as amended by Regulation (EEC) No 369/76⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

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

Whereas the regular review of the information serving as a basis for the determination of average offer prices

for poultrymeat products other than slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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 the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

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 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 3.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

ANNEX

Additional amounts applicable to poultrymeat products with the exception of live and slaughtered poultry and halves or quarters

(ECU/100 kg)

CCT heading No	Description	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen :		
	B. Poultry cuts (excluding offals) :		
	I. Boned or boneless	30.00	Origin : People's Republic of China
	II. Unboned (bone-in) :		
	e) Legs and cuts of legs :		
	3. Of other poultry	15.00	Origin : United States of America

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 2 August 1979

authorizing the French Republic not to apply Community treatment to natural honey, falling within heading No 04.06 of the Common Customs Tariff, originating in Australia and in free circulation in the other Member States

(Only the French text is authentic)

(79/753/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 24 July 1979 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to natural honey, falling within heading No 04.06 of the Common Customs Tariff, originating in Australia and in free circulation in the other Member States,

Whereas in France the importation of the products in question originating in Australia is subject to a quantitative restriction ;

Whereas the disparities which exist in the commercial policy measures applied in connection with these products by the Member States are causing deflection of trade, thereby preventing the execution of those commercial policy measures which are in force because of the difficult economic situation in the sector concerned ;

Whereas according to information supplied by the French Government, the honey production sector,

which is characteristic of certain economically less-favoured mountain regions, is faced with a serious economic crisis ;

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 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 ;

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

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in Australia and are in

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

free circulation in the other Member States, and in respect of which applications for import licences were lodged after 20 July 1979 :

CCT heading No	Description
04.06	Natural honey

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 2 August 1979.

Article 2

This Decision shall apply until new opportunities arise in France for the importation of these products from Australia or until 30 September 1979, whichever is the earlier.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION

of 6 August 1979

authorizing the French Republic not to apply Community treatment to television receivers, falling within subheading 85.15 A ex III of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States

(Only the French text is authentic)

(79/754/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 30 July 1979 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to television receivers, falling within subheading 85.15 A ex III of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States,

Whereas in France the importation of the products in question originating in Taiwan is prohibited;

Whereas the disparities which exist in the commercial policy measures applied in connection with these products by the Member States are causing deflection of trade, thereby preventing the execution of those commercial policy measures which are in force because of the difficult economic situation in the sector concerned;

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, would be likely to aggravate these difficulties;

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the condi-

tions 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 French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in Taiwan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 25 July 1979:

CCT heading No	Description
85.15 A ex III	Television receivers

Article 2

This Decision shall apply until new opportunities arise in France for the importation of these products from Taiwan or until 31 December 1979, whichever is the earlier.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 6 August 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 6 August 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 jackets and blazers, of wool, of cotton or of man-made textile fibres, falling within subheading 61.01 ex B of the Common Customs Tariff (NIMEXE codes 61.01-34, 36, 37) (category 17), originating in Romania and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(79/755/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 26 July 1979 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to men's and boys' woven jackets and blazers, of wool, of cotton or of man-made textile fibres, falling within subheading 61.01 ex B of the Common Customs Tariff (NIMEXE codes 61.01-34, 36, 37) (category 17), originating in Romania and in free circulation in the other Member States ;

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

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

Whereas it was not possible on that occasion to allocate those 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 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 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 ;

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

HAS ADOPTED THIS DECISION :

Article 1

The 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 Romania and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 25 July 1979 :

CCT heading No	Description
61.01 ex B (NIMEXE codes 61.01-34, 36, 37) (category 17)	Men's and boys' woven jackets and blazers, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 30 September 1979.

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

Article 3

Done at Brussels, 6 August 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

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

COMMISSION DECISION

of 8 August 1979

authorizing the French Republic not to apply Community treatment to blouses and shirt-blouses, knitted or crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres, falling within subheadings ex 60.05 A II and ex 61.02 B of the Common Customs Tariff (NIMEXE codes 60.05-22, 23, 24, 25 ; 61.02-78, 82, 84) (category 7), originating in Pakistan and in free circulation in the other Member States

(Only the French text is authentic)

(79/756/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 August 1979 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to blouses and shirt-blouses, knitted or crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres, falling within subheadings ex 60.05 A II and ex 61.02 B of the Common Customs Tariff (NIMEXE codes 60.05-22, 23, 24, 25 ; 61.02-78, 82, 84) (category 7), originating in Pakistan and in free circulation in the other Member States,

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

Whereas under that Agreement Pakistan 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 those ceilings on the basis of the needs of the individual markets ; whereas there are therefore disparities existing between the import conditions in the various Member States ; whereas uniformity can only be achieved progressively ;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned involving a considerable drop in production and employment ;

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

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 ;

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

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in Pakistan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 27 July 1979 :

CCT heading No	Description
ex 60.05 A II and ex 61.02 B (NIMEXE codes 60.05-22, 23, 24, 25 ; 61.02-78, 82, 84) (category 7)	Blouses and shirt-blouses, knitted or crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

Article 2

This Decision shall apply until 30 September 1979.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 8 August 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION

of 8 August 1979

authorizing the French Republic not to apply Community treatment to cotton yarn not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff (NIMEXE codes 55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 52, 58, 61, 65, 67, 69, 72, 78, 92, 98) (category 1), originating in Argentina and in free circulation in the other Member States

(Only the French text is authentic)

(79/757/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 2 August 1979 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to cotton yarn not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff (NIMEXE codes 55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 52, 58, 61, 65, 67, 69, 72, 78, 92, 98) (category 1), originating in Argentina and in free circulation in the other Member States,

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

Whereas under that Agreement Argentina 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 those ceilings on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned involving a considerable drop in production and employment;

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

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;

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

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in Argentina and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 31 July 1979:

CCT heading No	Description
55.05 (NIMEXE codes 55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 52, 58, 61, 65, 67, 69, 72, 78, 92, 98) (category 1)	Cotton yarn not put up for retail sale

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

Article 2

This Decision shall apply until 30 September 1979.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 8 August 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION**of 10 August 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 leather footwear, including boots, falling within heading No ex 64.02 of the Common Customs Tariff, originating in Romania and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(79/758/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 6 August 1979 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to men's leather footwear, including boots, falling within heading No ex 64.02 of the Common Customs Tariff, originating in Romania and in free circulation in the other Member States,

Whereas in the Benelux countries the importation of the products in question originating in Romania is, in accordance with Council Decision 79/252/EEC of 21 December 1978 ⁽¹⁾, subject to an annual quota, which has already been wholly taken up;

Whereas the disparities which exist in the commercial policy measures applied in connection with these products by the Member States are causing deflection of trade, thereby preventing the execution of those commercial policy measures which are in force because of the difficult economic situation in the sector concerned;

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 and a progressive decline in its market share;

Whereas these economic difficulties are caused largely by unequal conditions of competition, which allow exports to be made at prices appreciably lower than those of the Community products in question;

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽²⁾, 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 Romania and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 24 July 1979:

CCT heading No	Description
ex 64.02	Men's leather footwear, including boots

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of these products from Romania or until 31 December 1979, whichever is the earlier.

Article 3

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

Done at Brussels, 10 August 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 60, 12. 3. 1979, p. 1.

⁽²⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION**of 13 August 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 leather footwear, falling within heading No ex 64.02 of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(79/759/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 8 August 1979 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to men's leather footwear, falling within heading No ex 64.02 of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States,

Whereas in the Benelux countries the importation of the products in question originating in Czechoslovakia is, in accordance with Council Decision 79/252/EEC of 21 December 1978⁽¹⁾, subject to an annual quota, which has already been wholly taken up;

Whereas the disparities which exist in the commercial policy measures applied in connection with these products by the Member States are causing deflection of trade, thereby preventing the execution of those commercial policy measures which are in force because of the difficult economic situation in the sector concerned;

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 and a progressive decline in its market share;

Whereas these economic difficulties are caused largely by unequal conditions of competition, which allow exports to be made at prices appreciably lower than those of the Community products in question;

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971⁽²⁾, and in particular Article 1 thereof;

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,

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 Czechoslovakia and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 3 August 1979:

CCT heading No	Description
ex 64.02	Men's leather footwear

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of these products from Czechoslovakia or until 31 December 1979, whichever is the earlier.

⁽¹⁾ OJ No L 60, 12. 3. 1979, p. 1.

⁽²⁾ OJ No L 121, 3. 6. 1971, p. 26.

Article 3

Done at Brussels, 13 August 1979.

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

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION

of 17 August 1979

**fixing the maximum amount of special aid for skimmed-milk powder for the
24th individual invitation to tender issued pursuant to Regulation (EEC) No
1844/77**

(79/760/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Article 10 (3) thereof,

Whereas, pursuant to Commission Regulation (EEC)
No 1844/77 of 10 August 1977 on the granting by
tender of special aid for skimmed-milk powder
intended as feed for animals other than young
calves⁽³⁾, as last amended by Regulation (EEC) No
1726/79⁽⁴⁾, the intervention agencies have opened a
standing invitation to tender for the amount of this
special aid;

Whereas, according to Article 6 of the said Regula-
tion, for each individual invitation to tender a
maximum amount of aid shall be fixed or a decision
shall be taken not to proceed with the tender;

Whereas, account being taken of the minimum price
valid pursuant to Regulation (EEC) No 368/77 for the
individual invitation to tender of the month
concerned, of the situation on the skimmed milk and
soya markets and of the quantities offered, a
maximum amount of special aid for the 24th indi-
vidual invitation to tender shall be fixed at the level
specified below;

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 the Management Committee for Milk and
Milk Products has not delivered an opinion within the
time limit set by its chairman,

HAS ADOPTED THIS DECISION:

Article 1

For the 24th individual invitation to tender pursuant
to Regulation (EEC) No 1844/77, in respect of which
the time limit for the submission of tenders expires
on 13 August 1979, the maximum amount of special
aid shall be fixed at 94.10 ECU per 100 kilograms of
skimmed-milk powder.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 August 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 205, 11. 8. 1977, p. 11.

⁽⁴⁾ OJ No L 199, 7. 8. 1979, p. 10.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

COMMISSION DECISION**of 17 August 1979****fixing the minimum selling price for skimmed-milk powder for the 30th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 368/77****(79/761/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 7 (5) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 368/77 of 23 February 1977 on the sale by tender of skimmed-milk powder for use in feed for pigs and poultry⁽³⁾, as last amended by Regulation (EEC) No 1726/79⁽⁴⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them;

Whereas, according to Article 11 of the said Regulation in the light of the tenders received in response to each individual invitation to tender, a minimum selling price shall be fixed or a decision shall be taken to make no award; whereas the amount of the processing security shall also be fixed taking account of the difference between the market price of skimmed-milk powder and the minimum price fixed;

Whereas, in the light of the tenders received in response to the 30th individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 30th individual invitation to tender under Regulation (EEC) No 368/77, in respect of which the time limit for the submission of tenders expired on 13 August 1979:

- the minimum selling price shall be fixed at 17.75 ECU per 100 kilograms,
- the processing security shall be fixed at 105.00 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 August 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 52, 24. 2. 1977, p. 19.

⁽⁴⁾ OJ No L 199, 7. 8. 1979, p. 10.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.