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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 394/80

of 18 February 1980

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Portuguese Republic regarding prepared or preserved tomatoes falling within subheading 20.02 C of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas it is necessary to conclude the Agreement in the form of an exchange of letters between the European Economic Community and the Portuguese Republic regarding prepared or preserved tomatoes falling within subheading 20.02 C of the Common Customs Tariff,

HAS ADOPTED THIS REGULATION :

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the

Portuguese Republic regarding prepared or preserved tomatoes falling within subheading 20.02 C of the Common Customs Tariff is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to appoint the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

This Regulation shall enter into force on the 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, 18 February 1980.

For the Council

The President

G. MARCORA

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Portuguese Republic regarding prepared or preserved tomatoes falling within subheading 20.02 C of the Common Customs Tariff

Letter No 1

Brussels,

Sir,

I have the honour to refer to Article 3 of Protocol 8 to the Agreement between the European Economic Community and the Portuguese Republic signed on 22 July 1972 and to the exchange of letters of 5 December 1975.

I have the honour to inform you that for 1980 the Community is ready to renew the volume agreed for the preceding year. Accordingly, the Portuguese Government undertakes to adopt the necessary measures in order that the quantities of tomatoes that have been prepared or preserved otherwise than by vinegar or acetic acid, falling within subheading 20.02 C of the Common Customs Tariff and supplied to the Community in 1980, do not exceed 90 000 tonnes.

I should be grateful if you would kindly confirm the agreement of your Government to the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date worded as follows :

'I have the honour to refer to Article 3 of Protocol 8 to the Agreement between the European Economic Community and the Portuguese Republic signed on 22 July 1972 and to the exchange of letters of 5 December 1975.

I have the honour to inform you that for 1980 the Community is ready to renew the volume agreed for the preceding year. Accordingly, the Portuguese Government undertakes to adopt the necessary measures in order that the quantities of tomatoes that have been prepared or preserved otherwise than by vinegar or acetic acid, falling within subheading 20.02 C of the Common Customs Tariff and supplied to the Community in 1980, do not exceed 90 000 tonnes.

I should be grateful if you would kindly confirm the agreement of your Government to the contents of this letter.'

I have the honour to confirm the agreement of my Government with the contents of that letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the Portuguese Republic*

COMMISSION REGULATION (EEC) No 395/80**of 20 February 1980****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 1658/79⁽⁵⁾ and subsequent amending Regulations;

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 in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 19 February 1980;

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 21 February 1980.

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

Done at Brussels, 20 February 1980.

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 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 193, 1. 8. 1979, p. 5.

ANNEX

**to the Commission Regulation of 20 February 1980 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	84.39
10.01 B	Durum wheat	109.11 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	68.50 ⁽⁶⁾
10.03	Barley	73.38
10.04	Oats	71.17
10.05 B	Maize, other than hybrid maize for sowing	97.74 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	41.45 ⁽⁴⁾
10.07 C	Grain sorghum	89.42 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	132.27
11.01 B	Rye flour	109.07
11.02 A I a)	Durum wheat groats and meal	182.47
11.02 A I b)	Common wheat groats and meal	141.55

⁽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 396/80

of 20 February 1980

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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Article 15(6) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 1659/79⁽⁵⁾ and subsequent amending Regulations;

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 in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 19 February 1980;

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 21 February 1980.

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

Done at Brussels, 20 February 1980.

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 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 193, 1. 8. 1979, p. 7.

ANNEX

to the Commission Regulation of 20 February 1980 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 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat, and meslin	0	0	0	0.45
10.01 B	Durum wheat	0	0	0	10.57
10.02	Rye	0	0	0	8.04
10.03	Barley	0	0	0	5.49
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	0.63

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0.80	0.80
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0.60	0.60
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	9.77	9.77
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	7.30	7.30
11.07 B	Roasted malt	0	0	0	8.51	8.51

COMMISSION REGULATION (EEC) No 397/80
of 20 February 1980
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 113/80 ⁽²⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 134/80 ⁽³⁾, as last
amended by Regulation (EEC) No 329/80 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 134/80 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 21 February
1980.

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

Done at Brussels, 20 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 18, 24. 1. 1980, p. 5.

⁽⁴⁾ OJ No L 37, 14. 2. 1980, p. 5.

to the Commission Regulation of 20 February 1980 fixing the import levies on rice and broken rice

CCT heading No	Description	Third countries ⁽¹⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice : B. Other : I. Paddy rice ; husked rice : a) Paddy rice : 1. Round grain 2. Long grain b) Husked rice : 1. Round grain 2. Long grain II. Semi-milled or wholly milled rice : a) Semi-milled rice : 1. Round grain 2. Long grain b) Wholly milled rice : 1. Round grain 2. Long grain III. Broken rice	80.82 101.33 101.03 126.66 226.06 280.52 240.76 300.72 56.35	36.78 47.04 46.89 59.70 101.07 128.34 107.99 137.97 25.16

(²) 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 398/80**of 20 February 1980****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 113/80 ⁽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 135/80 ⁽³⁾, as last amended by Regulation (EEC)
No 330/80 ⁽⁴⁾;

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 21 February
1980.

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

Done at Brussels, 20 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 18, 24. 1. 1980, p. 8.

⁽⁴⁾ OJ No L 37, 14. 2. 1980, p. 7.

ANNEX

to the Commission Regulation of 20 February 1980 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 399/80

of 20 February 1980

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 21 February 1980.

⁽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, 20 February 1980.

For the Commission
Finn GUNDELACH
Vice-President

ANNEX

to the Commission Regulation of 20 February 1980 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	5.00
	B. Raw sugar :	
	(a) Candy sugar	5.04 ⁽¹⁾
	(b) Other raw sugar	4.00 ⁽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 400/80**of 19 February 1980****on a standing invitation to tender for butter held by intervention agencies and intended for export to certain non-member countries and amending Regulations (EEC) No 2140/79 and (EEC) No 1687/76**

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 Articles 6 (7) and 28 thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 2714/72⁽⁴⁾, and in particular Article 7a thereof,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States⁽⁵⁾, as last amended by Regulation (EEC) No 987/79⁽⁶⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture⁽⁷⁾, as last amended by Regulation (EEC) No 2835/79⁽⁸⁾, and in particular Article 4 (3) thereof,

Whereas the Community currently has large quantities of butter in public storage; whereas to the extent that outlets are available, steps should be taken to sell that butter;

Whereas certain quantities are suitable for sale for export to certain non-member countries; whereas exporters should be permitted to obtain supplies from intervention agencies;

Whereas in order to determine the selling price in line with market prices, to keep a check on the quanti-

ties sold and to ensure equal access for all concerned, the butter in question should be sold in accordance with a standing invitation to tender procedure;

Whereas, to simplify administration, export refunds should not be granted on butter exported under this Regulation, but an appropriate reduction made in the selling price;

Whereas, to ensure that the butter reaches its destination, supervision must be exercised from the time the butter leaves the store until it reaches its destination in the non-member country concerned; whereas, in addition to the supervisory provisions laid down in Commission Regulation (EEC) No 1687/76⁽⁹⁾, as last amended by Regulation (EEC) No 298/80⁽¹⁰⁾, it is necessary to lay down additional conditions in view of the specific nature of the operation;

Whereas for the application of monetary compensatory amounts fixed by Commission Regulation (EEC) No 2140/79⁽¹¹⁾, as last amended by Commission Regulation (EEC) No 300/80⁽¹²⁾, a coefficient should be introduced to take account of the difference between the price at sale by tender and the intervention price for butter forming the basis for the calculation of monetary compensatory amounts;

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 REGULATION:

Article 1

Butter bought in under Article 6 (1) of Regulation (EEC) No 804/68 and taken into storage before 1 April 1979 shall be sold under the conditions laid down hereinafter.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁶⁾ OJ No L 123, 19. 5. 1979, p. 5.

⁽⁷⁾ OJ No L 106, 29. 4. 1977, p. 27.

⁽⁸⁾ OJ No L 320, 15. 12. 1979, p. 58.

⁽⁹⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽¹⁰⁾ OJ No L 32, 9. 2. 1980, p. 23.

⁽¹¹⁾ OJ No L 247, 1. 10. 1979, p. 1.

⁽¹²⁾ OJ No L 32, 9. 2. 1980, p. 30.

Article 2

1. The butter shall be sold by means of a standing invitation to tender issued by each intervention agency for the quantity of butter in question held by it.

2. The intervention agency shall issue a notice of invitation to tender, indicating in particular :

- (a) the location of the coldstore or stores where the butter is held ;
- (b) the quantity of butter for sale in each store, specifying, where appropriate, the quantity of that butter having a fat content of less than 82 % ;
- (c) the time limit and place for the submission of tenders.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* at least eight days before the first closing date for the submission of tenders. In addition, the intervention agency may publish notices elsewhere.

Article 3

1. During the period of validity of the standing invitation to tender, the intervention agency shall issue individual invitations to tender. Each individual invitation to tender shall cover such part of the butter specified in Article 1 as is still available.

2. The period for the submission of each of such individual tenders shall expire at 12 noon each second and fourth Monday of the month, except the fourth Monday in December. If the Monday is a public holiday, the period shall be extended to 12 noon on the following working day.

The time limit for the first individual invitation to tender shall expire on 10 March 1980 at 12 noon.

Article 4

1. The intervention agency shall update and make available to prospective tenderers on request the list provided for in Article 2 (2) (b) of the quantity of butter for sale by tender in each coldstore. The intervention agency shall also publish the updated lists at regular intervals in an appropriate form to be specified in the notice of invitation to tender provided for in Article 2 (2).

2. The intervention agency shall take the measures necessary to enable prospective tenderers to examine at their own expense, before tendering, samples taken from the butter for sale.

Article 5

1. Individual tenders, which shall be in writing, shall either be handed in to the intervention agency against acknowledgement of receipt or be sent by registered letter addressed to the intervention agency. Intervention agencies may authorize the use of telex.

2. The tender shall state :

- (a) the name and address of the tenderer ;
- (b) the quantity to which the tender relates, specifying the fat content of the butter where the intervention agency concerned has offered for sale butter of a fat content of less than 82 % ;
- (c) the country of destination of the butter, which must be one of those within Zone C1 and C2 within the meaning of Commission Regulation (EEC) No 1098/68 ⁽¹⁾, as last amended by Regulation (EEC) No 242/80 ⁽²⁾.
- (d) the price offered per 100 kilograms of butter having the fat content required, account being taken of Article 14, exclusive of internal taxes, ex coldstore in which the butter is held, expressed in the currency of the Member State in which the invitation to tender is held ;
- (e) the coldstore in question and if desired an alternative store.

A tender relating to two or more stores, independently of any alternative store, shall be considered to comprise as many tenders as there are coldstores mentioned.

Tenders shall relate only to butter of uniform fat content (either equal to or greater than 82 %, or less than 82 %) intended for a single country of destination.

3. A tender shall not be valid unless it relates to a quantity of at least 50 tonnes. However, if the quantity available in a store is less than 50 tonnes, the available quantity shall constitute the minimum quantity for tender.

4. A tender shall not be valid unless :

- (a) it is accompanied by a written undertaking by the tenderer to export any butter awarded to him unaltered and in its original packaging referred to in Article 11, within the time limit laid down in Article 10 (3), to the country of destination specified in his tender in accordance with paragraph 2 (c) ;

⁽¹⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽²⁾ OJ No L 27, 2. 2. 1980, p. 27.

- (b) the tenderer encloses a declaration to the effect that he agrees to forego any claim as to the quality and characteristics of any butter sold to him ;
- (c) proof is furnished that, before expiry of the period set for the submission of tenders, the tenderer has lodged the tendering security referred to in Article 6 in respect of the relevant individual invitation to tender.

5. A tender may stipulate that it is not to be regarded as having been submitted :

- (a) unless a contract is awarded in respect of the entire quantity indicated in the tender ;
- (b) unless a contract is awarded in respect of a specific quantity indicated in the tender.

6. No tender may be withdrawn after the closing date as specified in Article 3 (2) for the individual invitation to tender concerned.

7. After the closing date for the submission of tenders under each individual invitation, the intervention agencies shall communicate immediately to the Commission, by telex, the quantities tendered for, the prices offered and the country of destination indicated in each tender.

Article 6

1. The tendering security shall be 60 ECU per tonne.

2. The security shall consist, at the option of the tenderer, either of a cash deposit or of a guarantee issued by an institution satisfying the requirements laid down by the Member State with which the security is to be lodged.

3. The tendering security shall be lodged in the Member State in which the tender is submitted.

Article 7

1. In the light of the tenders received in response to each individual invitation to tender and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, a minimum selling price shall be fixed, which may be varied according to the fat content of the butter and to the destination zone within the meaning of Regulation (EEC) No 1098/68 (C1 or C2).

A decision may be taken to make no award in respect of an invitation to tender.

2. At the same time as the minimum selling price is fixed and under the same procedure, the amount of the export security designed to ensure that the butter is exported and reaches the country of destination specified in the tender shall be fixed per 100 kilograms.

3. The minimum selling price and the price payable by the successful tenderer shall be converted into national currency using the representative rate valid on the closing date for the submission of tenders in respect of the individual invitation in question.

Article 8

1. A tender shall be rejected if the price offered is lower than the minimum price fixed for the individual invitation to tender, account being taken of the fat content of the butter in question.

2. Save as provided in paragraph 1, a contract shall be awarded to the tenderer whose tender differs most from the minimum price fixed for butter for the zone of destination specified in the tender. If the quantity available in the store in question is not exhausted by this award, contracts for the remaining quantity shall be awarded to the other tenderers according to the price offered, starting with the one whose price differs most from the relevant minimum price.

3. Where acceptance of a tender would lead to a contract being awarded for more butter than is available at the coldstore in question, a contract shall be awarded to the tenderer concerned only in respect of the quantity available.

4. Where acceptance of two or more tenders offering the same price for butter for the same zone of destination or differing by the same amount from the relevant minimum price would lead to contracts being awarded in excess of the quantity available, the award shall be made by dividing the quantity available proportionately to the quantities specified in the tenders concerned.

However, where such allocation would lead to any award of less than 20 tonnes of butter, the awards shall be made by drawing lots.

5. For the purposes of paragraphs 2, 3 and 4, 'quantity available' shall mean the quantity remaining available after tenders submitted under Regulations (EEC) No 1282/72, (EEC) No 1717/72, (EEC) No 2315/76, (EEC) No 649/78 and (EEC) No 262/79 have been taken into consideration.

6. Rights and obligations arising in connection with the invitation to tender shall not be transferable.

Article 9

1. Every tenderer shall immediately be notified by the intervention agency of the result of his participation in an individual invitation to tender.

2. The successful tenderer shall, before taking delivery of the butter, and within the period specified in Article 10 (2), pay the intervention agency an amount corresponding to his tender for the quantity which he intends to remove from store.

Article 10

1. Where the amount referred to in Article 9 (2) has been paid and the security referred to in Article 7 (2) has been lodged in accordance with Article 13 (1) of Regulation (EEC) No 1687/76, the intervention agency shall issue a removal warrant stating:

- (a) the quantity of butter in respect of which the conditions referred to above have been satisfied;
- (b) the coldstore where it is stored;
- (c) the final date for taking delivery;
- (d) the closing date for the individual invitation to tender under which the butter was sold;
- (e) country of destination.

2. The successful tenderer shall take delivery of the butter within 30 days of the final date for submission of tenders. Delivery may be in instalments.

Except in cases of *force majeure*, if the successful tenderer has not made the payment referred to in Article 9 (2) within the specified period, the sale shall be cancelled in respect of the remaining quantities.

If the payment referred to in Article 9 (2) has been made without delivery of the butter having been taken within the period referred to above, the successful tenderer shall bear the cost of storing the butter with effect from the day following that referred to in paragraph 1 (c).

3. Butter, delivery of which has been taken by the purchaser, must be exported within 180 days from the closing date for the submission of tenders in respect of the individual invitation to tender in question.

Article 11

Butter shall be delivered by the intervention agency in packages bearing one or more of the following endorsements in letters at least 1 cm high:

- 'Butter for export (Regulation (EEC) No 400/80)',
- 'Beurre destiné à l'exportation (règlement (CEE) n° 400/80)',
- 'Smør bestemt til export (forordning (EØF) nr. 400/80)',
- 'Butter zur Ausfuhr Verordnung (EWG) Nr. 400/80)',
- 'Burro destinato all'exportazione (regolamento (CEE) n. 400/80)',
- 'Boter voor uitvoer (Verordening (EEG) nr. 400/80)',

and an endorsement showing the country of destination.

Article 12

1. Except in cases of *force majeure*, the tendering security shall be forfeit in respect of any quantity for which the tenderer:

- (a) withdrew the tender after expiry of the time limit as specified in Article 3 (2) for the submission of tenders; or
- (b) did not, within the period prescribed, pay the amount corresponding to the tender referred to in Article 9 (2) or lodge the export security referred to in Article 7 (2).

2. The tendering security in respect of any quantity for which no contract is awarded shall be released immediately.

3. Except in cases of *force majeure*, the export security referred to in Article 7 (2) shall be forfeit in proportion to the quantities for which the proof referred to in Article 13 (4) of Regulation (EEC) No 1687/76 has not been produced within 18 months, calculated from the final day for submission of tenders in respect of the individual invitation to tender in question.

Article 13

1. In cases of *force majeure* not coming within Article 11 (1) of Regulation (EEC) No 1687/76, the intervention agency shall take the measures necessary in view of the circumstances invoked.

2. The Member States shall inform the Commission each quarter of the cases in which they have applied paragraph 1, specifying the circumstances invoked, the quantity involved and the measures taken.

Article 14

1. No export refund shall be granted on butter sold and exported under this Regulation.

However, such butter shall be considered as satisfying the provisions of Article 2 (1) (b) of Regulation (EEC) No 754/76 from the time when the customs export formalities have been completed. If the provisions of Article 2 (2) of the said Regulation apply, an amount equal to the security referred to in Article 7 (2) of this Regulation must be paid. The amount shall be considered as a security which has been forfeit within the meaning of Article 2 of Regulation (EEC) No 352/78.

2. The monetary compensatory amounts applicable to butter sold under this Regulation shall be equal to the monetary compensatory amounts fixed under Regulation (EEC) No 974/71 multiplied by the coefficient given in Part 5 of Annex I in the corresponding note to the Commission Regulation fixing the monetary compensatory amounts.

If necessary the Commission may adjust this coefficient.

Article 15

The following is added to note (4) of Part 5 of Annex I to Regulation (EEC) No 2140/79 :

'In Regulation (EEC) No 400/80, the amount indicated is multiplied by a coefficient equal to the quotient of the division of the amount of the minimum selling price fixed for the tendering concerned, by the buying-in price for butter of the same type applicable on the day set as the final date for the submission of tenders.'

Article 16

Regulation (EEC) No 1687/76 is amended as follows :

In Part I of the Annex, 'Products to be exported in the same state as that in which they were when removed

from intervention stock', the following point 18 and footnote (18) relating thereto are added :

'18. Commission Regulation (EEC) No 400/80 of 19 February 1980 on a standing invitation to tender for butter held by intervention agencies and intended for export to certain non-member countries (18).

(18) OJ No L 46, 21. 2. 1980, p. 14.'

Article 17

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, 19 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 401/80**of 20 February 1980****altering the export refunds on syrups and certain other sugar products 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 organi-
zation 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,

Whereas the refunds on syrups and certain other sugar
products were fixed by Regulation (EEC) No
216/80 ⁽³⁾, as last amended by Regulation (EEC) No
320/80 ⁽⁴⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)
No 216/80 to the information at present available to
the Commission that the export refunds at present in
force should be altered as shown in the Annex to this
Regulation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The refunds to be granted on the products listed in
Article 1 (1) (d) of Regulation (EEC) No 3330/74,
exported in the natural state, as fixed in the Annex to
amended Regulation (EEC) No 216/80 are hereby
altered to the amounts shown in the Annex to this
Regulation.

Article 2

This Regulation shall enter into force on 21 February
1980.

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

Done at Brussels, 20 February 1980.

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 26, 1. 2. 1980, p. 23.

⁽⁴⁾ OJ No L 36, 13. 2. 1980, p. 8.

ANNEX

to the Commission Regulation of 20 February 1980 altering the export refunds on syrups and certain other sugar products exported in the natural state*(ECU/100 kg)*

CCT heading No	Description	Basic amount per percentage point of sucrose content ⁽¹⁾
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 (other than lactose, glucose and maple) : ex II. Other, excluding sorbose	0.0548
	E. Artificial honey, whether or not mixed with natural honey	0.0548
	ex F. Caramel made from sugar falling within heading No 17.01	0.0548
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : IV. Other (than lactose, glucose and isoglucose syrups)	0.0548

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

COMMISSION REGULATION (EEC) No 402/80
of 20 February 1980
altering the export refunds 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 1293/79 ⁽²⁾, and in particular the first sentence of the third subparagraph of Article 4 (2) and Article 4 (5) thereof,

Whereas the refunds on isoglucose were fixed by Regulation (EEC) No 219/80 ⁽³⁾, as last amended by Regulation (EEC) No 321/80 ⁽⁴⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EEC) No 219/80 to the information at present available to the Commission that the export refunds at present in force should be altered as shown in the Annex to this Regulation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products referred to in Article 1 of Regulation (EEC) No 1111/77, as fixed in the Annex to amended Regulation (EEC) No 219/80, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 February 1980.

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

Done at Brussels, 20 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 10.

⁽³⁾ OJ No L 26, 1. 2. 1980, p. 29.

⁽⁴⁾ OJ No L 36, 13. 2. 1980, p. 10.

ANNEX

to the Commission Regulation of 20 February 1980 altering the export refunds on isoglucose

(ECU)

CCT heading No	Description	Refund 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	5.48 ⁽¹⁾
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	5.48 ⁽¹⁾

⁽¹⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 403/80**of 20 February 1980****altering the rates of the refunds applicable to sugar and beet or cane syrups
exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the rates of the refunds applicable from 1
February 1980 to sugar, to beet or cane syrups and to
molasses exported in the form of goods not covered
by Annex II to the Treaty were fixed by Regulation
(EEC) No 221/80⁽³⁾, as last amended by Regulation
(EEC) No 323/80⁽⁴⁾;

Whereas it follows from applying the rules and
criteria contained in Regulation (EEC) No 221/80 to
the information at present available to the Commis-
sion that the export refunds at present in force should
be altered as shown in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds fixed by Regulation (EEC) No
221/80 for white sugar, raw sugar and beet or cane
syrups containing by weight in the dry state 98 % or
more of sucrose, exported in the form of goods listed
in the Annex to amended Regulation (EEC) No
3330/74, are hereby altered as shown in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 21 February
1980.

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

Done at Brussels, 20 February 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 26, 1. 2. 1980, p. 33.

⁽⁴⁾ OJ No L 36, 13. 2. 1980, p. 14.

ANNEX

to the Commission Regulation of 20 February 1980 altering the rates of the refunds applicable to sugar and beet or cane syrups exported in the form of goods not covered by Annex II to the Treaty

Table I

Rate of refund in ECU/100 kg :	White sugar :	1.37
	Raw sugar :	0
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$1.37 \times \frac{S^{(1)}}{100}$
	Molasses :	—

Table II

Rate of refund in ECU/100 kg :	White sugar :	5.48
	Raw sugar :	0
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$5.48 \times \frac{S^{(1)}}{100}$
	Molasses :	—

(¹) 'S' represents the weight of sucrose (including invert sugar expressed as sucrose) in 100 kilograms of syrup.

COMMISSION REGULATION (EEC) No 404/80**of 20 February 1980****altering the rate of the refund applicable to isoglucose exported in the form of goods not covered by Annex II to the Treaty**

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 1293/79 ⁽²⁾, and in particular the third subparagraph of Article 4 (2) and Article 4 (5) thereof,

Whereas the rate of the refund applicable from 1 February 1980 to isoglucose exported in the form of goods not covered by Annex II to the Treaty was fixed by Regulation (EEC) No 222/80 ⁽³⁾, as last amended by Regulation (EEC) No 324/80 ⁽⁴⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 222/80 to the information at present available to the Commission that the export refund applicable to isoglucose at

present in force should be altered as shown in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the refund fixed by Regulation (EEC) No 222/80 for isoglucose exported in the form of goods listed in the Annex to Regulation (EEC) No 1111/77 is hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 21 February 1980.

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

Done at Brussels, 20 February 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 10.

⁽³⁾ OJ No L 26, 1. 2. 1980, p. 35.

⁽⁴⁾ OJ No L 36, 13. 2. 1980, p. 16.

ANNEX

to the Commission Regulation of 20 February 1980 altering the rate of the refund applicable to isoglucose exported in the form of goods not covered by Annex II to the Treaty

(ECU)

CCT heading No	Description	Amount of refund for 100 kg of dry matter
17.02 D I	Isoglucose	5.48

COMMISSION REGULATION (EEC) No 405/80**of 20 February 1980****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 215/80⁽³⁾, as last amended by Regulation (EEC) No 392/80⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 215/80 to the infor-

mation 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, 0.1057 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 21 February 1980.

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

Done at Brussels, 20 February 1980.

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 26, 1. 2. 1980, p. 21.

⁽⁴⁾ OJ No L 45, 20. 2. 1980, p. 15.

COMMISSION REGULATION (EEC) No 406/80
of 20 February 1980
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 organ-
ization 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 1328/79⁽³⁾,
as last amended by Regulation (EEC) No 393/80⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1328/79 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 Regu-
lation (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 21 February
1980.

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

Done at Brussels, 20 February 1980.

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 162, 30. 6. 1979, p. 85.

⁽⁴⁾ OJ No L 45, 20. 2. 1980, p. 16.

ANNEX

to the Commission Regulation of 20 February 1980 fixing the import levies on white sugar
and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	10.57
	B. Raw sugar	5.85 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 January 1980

authorizing Ireland not to apply Community treatment to woven and knitted or crocheted dresses, falling within subheadings ex 60.05 A II and ex 61.02 B II of the Common Customs Tariff (category 26), originating in India and in free circulation in the other Member States

(Only the English text is authentic)

(80/202/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 14 January 1980 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to woven and knitted or crocheted dresses, falling within subheadings ex 60.05 A II and ex 61.02 B II of the Common Customs Tariff (category 26), originating in India and in free circulation in the other Member States,

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

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

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the

individual markets ; whereas there are therefore disparities existing between the import conditions in the various Member States ; whereas uniformity can only be achieved progressively ;

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

Whereas further indirect imports, in addition to those already made, 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,

HAS ADOPTED THIS DECISION :

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, where they orig-

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

inate in India and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 7 January 1980 :

CCT heading No	Description
ex 60.05 A II and ex 61.02 B II (NIMEXE codes 60.05-41, 42, 43, 44 ; 61.02-48, 52, 53, 54) (category 26)	Women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 30 September 1980.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 25 January 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION**of 25 January 1980**

authorizing Ireland not to apply Community treatment to women's, girls' and infants' woven suits and costumes, falling within subheading ex 61.02 B II of the Common Customs Tariff (category 29), originating in India and in free circulation in the other Member States

(Only the English text is authentic)

(80/203/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 14 January 1980 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to women's, girls' and infants' woven suits and costumes, falling within subheading ex 61.02 B II of the Common Customs Tariff (category 29), originating in India and in free circulation in the other Member States,

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

Whereas under that Agreement India 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, the realization of all the imports which gave rise to the application submitted would in view of the substantial volume involved aggravate these difficulties and call into question the objectives sought by 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;

Whereas, however, the application for all the licences which gave rise to the application in question does not need to be covered by such an authorization,

HAS ADOPTED THIS DECISION:

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, where they originate in India and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 7 January 1980. In any case this authorization does not cover a quantity representing 2 000 pieces. This quantity is to be distributed between the abovementioned applicants for which the applications for import licences are on the date of this Decision pending with the Irish authorities:

CCT heading No	Description
ex 61.02 B II (NIMEXE codes 61.02-42, 43, 44) (category 29)	Women's, girls' and infants' (other than babies') woven suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres, excluding ski suits

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

Article 2

Done at Brussels, 25 January 1980.

This Decision shall apply until 30 September 1980.

*For the Commission**Article 3*

Wilhelm HAFERKAMP

This Decision is addressed to Ireland.

Vice-President

COMMISSION DECISION

of 25 January 1980

fixing the minimum selling prices for butter for the 21st individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 262/79

(80/204/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 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 1272/79⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁵⁾, as last amended by Regulation (EEC) No 2478/79⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 16 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according

to the use to which the butter is to be put and according to the fat content of the butter; whereas alternatively a decision may be taken not to proceed with the invitation to tender; whereas the amounts of the processing security must be fixed in the light of the difference between the minimum selling prices and the market prices of the butter;

Whereas, in the light of the tenders received in response to the 21st individual invitation to tender, the minimum selling prices should be fixed at the levels specified below and the processing securities determined accordingly;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979⁽⁷⁾ 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 21st individual invitation to tender under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders was 22 January 1980, the minimum selling prices and the processing securities shall be fixed as follows:

Use to which the butter is to be put (Article 4 (1), (2) and (3) of Regulation (EEC) No 262/79)	Fat content of the butter	Minimum selling price (ECU per 100 kg butter)	Processing security (ECU per 100 kg butter)
Formula A and/or C	82 % or more	106.00	202.00
	Less than 82 %	103.40	197.07
Formula B	82 % or more	157.00	151.00
	Less than 82 %	—	—

(¹) OJ No L 148, 28. 6. 1968, p. 13.

(²) OJ No L 204, 28. 7. 1978, p. 6.

(³) OJ No L 169, 18. 7. 1968, p. 1.

(⁴) OJ No L 161, 29. 6. 1979, p. 13.

(⁵) OJ No L 41, 16. 2. 1979, p. 1.

(⁶) OJ No L 281, 9. 11. 1979, p. 25.

(⁷) OJ No L 84, 4. 4. 1979, p. 1.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 25 January 1980

establishing that, since 1 November 1977, the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Farrand-Spectrofluorometer MK 1' have not been fulfilled

(80/205/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as amended by Regulation (EEC) No 1027/79⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 25 July 1979, the Government of the Federal Republic of Germany requested the Commission to invoke the procedure at present laid down in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Farrand-Spectrofluorometer MK 1' to be used, in particular, in the framework of the following research:

- structural analyses of proteins and protein — lipid interaction,
- measurement of fluorescence spectra and fluorescence dying-out time of organic molecules at variable temperatures approaching absolute zero,
- measurement of the total content of algal pigments in living algal,
- selective measurement of individual pigments on the basis of the emission spectra,

should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 10 January 1980 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination showed that the apparatus in question is a fluorescence spectrometer; whereas its objective technical characteristics such as the sensitivity, the stability, the reproducibility and the use to which it is put make it specially suited to scientific research; whereas apparatus of the same kind are principally used for the realization of scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, since 1 November 1977, to the apparatus 'JY 3 CI' manufactured by the firm Jobin Yvon, 16-18, rue du Canal, F-91160 Longjumeau;

Whereas the spectrometer in question was the subject of three orders, made respectively on 18 May 1976, 20 April and 20 September 1977; whereas it was not possible at that time for Community manufacturers to supply a spectrometer of equivalent scientific value to that for which duty-free admission is requested; whereas relief from import duty is therefore justified in respect of the apparatus in question; whereas the granting of such relief must, however, be limited to cases where the order for the apparatus was placed prior to 1 November 1977,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Farrand-Spectrofluorometer MK 1' is considered to be a scientific apparatus.

2. The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are not fulfilled. Apparatus ordered prior to 1 November 1977 may,

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

however, be imported free of Common Customs Tariff duties.

Done at Brussels, 25 January 1980.

For the Commission

Article 2

Étienne DAVIGNON

This Decision is addressed to the Member States.

Member of the Commission

COMMISSION DECISION

of 25 January 1980

establishing that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Spectraphonics-Speech Spectrographic Display Unit, model SSD 11', are fulfilled

(80/206/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as amended by Regulation (EEC) No 1027/79⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 24 July 1979, the Government of the United Kingdom requested the Commission to invoke the procedure at present laid down in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Spectraphonics-Speech Spectrographic Display Unit, model SSD 11', to be used for scientific research in the phonetic and linguistic field, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 4 December 1979 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination showed that the apparatus in question is a single channel videograph; whereas

its objective technical characteristics such as the arrangement of the acoustic characteristics of a language and the use to which it is put make it specially suited to scientific research; whereas apparatus of the same kind are principally used for the realization of scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Spectraphonics-Speech Spectrographic Display Unit, model SSD 11', is considered to be a scientific apparatus.
2. The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 25 January 1980****refusing to accept the scientific character of the apparatus described as 'NNSS-Satellite Timing Receiver, model T 200'****(80/207/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as amended by Regulation (EEC) No 1027/79⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 14 June 1979, the Government of Italy requested the Commission to invoke the procedure at present laid down in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'NNSS-Satellite Timing Receiver, model T 200', to be used for the determination of universal time, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 15 November 1979 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination showed that the apparatus in question is a receiver of signals transmitted by a satellite; whereas it does not have the requisite objective characteristics making it specifically suited to scientific research; whereas, apparatus of the same kind are principally used for the realization of non-scientific activities; whereas its use in the case in question could not alone confer upon it the character of a scientific apparatus; whereas it therefore cannot be regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'NNSS-Satellite Timing Receiver, model T 200', is not considered to be a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 25 January 1980

refusing to accept the scientific character of the apparatus described as 'Microdyne-Telemetry Receiver, model 1100 AR'

(80/208/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾, as amended by Regulation (EEC) No 1027/79 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 14 June 1979, the Government of Italy requested the Commission to invoke the procedure at present laid down in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Microdyne-Telemetry Receiver, model 1100 AR', to be used for the reception of time signals, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community ;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 15 November 1979 within the Committee on Duty-Free Arrangements to examine this particular case ;

Whereas this examination showed that the apparatus in question is a radio-receiver for wavelengths measuring several metres and adapted for the reception of signals transmitted by satellites ; whereas it does not have the requisite objective characteristics making it specifically suited to scientific research ; whereas apparatus of the same kind are principally used for the realization of non-scientific activities ; whereas its use in the case in question could not alone confer upon it the character of a scientific apparatus ; whereas it therefore cannot be regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION :

Article 1

The apparatus described as 'Microdyne-Telemetry Receiver, model 1100 AR', is not considered to be a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 25 January 1980

refusing to accept the scientific character of the apparatus described as
'Magnavox-Satellite Navigator, model MX 1102'

(80/209/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1798/75 of 10 July 1975 on the importation free of
Common Customs Tariff duties of educational, scien-
tific and cultural materials ⁽¹⁾, as amended by Regula-
tion (EEC) No 1027/79 ⁽²⁾,

Having regard to Commission Regulation (EEC) No
2784/79 of 12 December 1979 laying down provisions
for the implementation of Regulation (EEC) No
1798/75 ⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 14 June 1979, the Govern-
ment of Italy requested the Commission to invoke the
procedure at present laid down in Article 7 of Regula-
tion (EEC) No 2784/79 in order to determine whether
or not the apparatus described as 'Magnavox-Satellite
Navigator, model MX 1102', to be used for research
concerning the comparison and accuracy of different
systems for determining a fixed or mobile spot at sea,
should be considered as a scientific apparatus and,
where the reply is in the affirmative, whether appa-
ratus of equivalent scientific value is currently being
manufactured in the Community;

Whereas, in accordance with the provisions of Article
7 (5) of Regulation (EEC) No 2784/79, a group of
experts composed of representatives of all the Member
States met on 15 November 1979 within the
Committee on Duty-Free Arrangements to examine
this particular case;

Whereas this examination showed that the apparatus
in question is a receiver of signals transmitted by a
satellite; whereas it does not have the requisite objec-
tive characteristics making it specifically suited to
scientific research; whereas apparatus of the same
kind are principally used for the realization of non-
scientific activities; whereas its use in the case in ques-
tion could not alone confer upon it the character of a
scientific apparatus; whereas it therefore cannot be
regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Magnavox-Satellite Navi-
gator, model MX 1102', is not considered to be a scien-
tific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 25 January 1980****refusing to accept the scientific character of the apparatus described as
'Magnavox-Geoceiver Satellite Surveyor, model MX 1502'****(80/210/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1798/75 of 10 July 1975 on the importation free of
Common Customs Tariff duties of educational, scien-
tific and cultural materials⁽¹⁾, as amended by Regula-
tion (EEC) No 1027/79⁽²⁾,

Having regard to Commission Regulation (EEC) No
2784/79 of 12 December 1979 laying down provisions
for the implementation of Regulation (EEC) No
1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 14 June 1979, the Govern-
ment of Italy requested the Commission to invoke the
procedure at present laid down in Article 7 of Regula-
tion (EEC) No 2784/79 in order to determine whether
or not the apparatus described as 'Magnavox-
Geoceiver Satellite Surveyor, model MX 1502', to be
used in the study of the structure of the field of terres-
trial gravity, should be considered as a scientific appa-
ratus and, where the reply is in the affirmative,
whether apparatus of equivalent scientific value is
currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article
7 (5) of Regulation (EEC) No 2784/79, a group of
experts composed of representatives of all the Member
States met on 4 December 1979 within the
Committee on Duty-Free Arrangements to examine
this particular case;

Whereas this examination showed that the apparatus
in question is a portable receiver of signals trans-
mitted by a satellite; whereas it does not have the
requisite objective characteristics making it specifi-
cally suited to scientific research; whereas apparatus
of the same kind are principally used for the realiza-
tion of non-scientific activities; whereas its use in the
case in question could not alone confer upon it the
character of a scientific apparatus; whereas it there-
fore cannot be regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Magnavox-Geoceiver Satel-
lite Surveyor, model MX 1502', is not considered to be
a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 25 January 1980****establishing that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Ortec- GE (Li) Detector System, model 1513-16280', are not fulfilled**

(80/211/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾, as amended by Regulation (EEC) No 1027/79 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 24 July 1979, the Government of the Federal Republic of Germany requested the Commission to invoke the procedure at present laid down in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Ortec- GE (Li) Detector System, model 1513-16280', to be used for research by means of X-ray diagnoses and, in particular, for the determination of the genetically significant absorbed dose, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 10 January 1980 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination showed that the apparatus in question is a detection system; whereas its objective technical characteristics such as the very small

distortion introduced in the spectrum of low energies and the use to which it is put make it specially suited to scientific research; whereas apparatus of the same kind are principally used for the realization of scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'EGPX' and 'EGPP' manufactured by the firm Enertec-Schlumberger, 1, rue Nieuport, F-78140 Velizy-Villacoublay,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Ortec- GE (Li) Detector System, model 1513-16280', is considered to be a scientific apparatus.
2. The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 25 January 1980

supplementing the Decision of 13 October 1978 excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Beckman-Liquid Scintillation System, model LS 8000'

(80/212/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as amended by Regulation (EEC) No 1027/79⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by the Decision of 13 October 1978⁽⁴⁾, the Commission excluded the scientific apparatus described as 'Beckman-Liquid Scintillation System, model LS 8000', from admission free of Common Customs Tariff duties because apparatus of equivalent scientific value and capable of being used for the same purposes was manufactured in the Community until 1975;

Whereas, by letter dated 24 July 1979, the Government of the Federal Republic of Germany requested the Commission to invoke the procedure at present laid down in Article 7 of Regulation (EEC) No 2784/79 in order to verify whether apparatus of scientific value equivalent to the apparatus described as 'Beckman-Liquid Scintillation System, model LS 8000', was currently and in accordance with the basic information for the above Decision of 13 October 1978 being manufactured in the Community, having regard to differences between the above apparatus and that of apparatus manufactured in the Community, in particular regarding the possibilities of automatic quench compensation by calibration and of the 'plastic-effect';

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member

States met on 10 January 1980 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination showed that performances comparable to that of the 'Beckman-Liquid Scintillation System, model LS 8000', can be given by apparatus manufactured in the Community even taking account of the possibilities of automatic quench compensation by calibration and of the 'plastic-effect'; whereas this applies, in particular, to the 'Mark III' apparatus made by G.D. Searle Nederland BV, Wiegerbruinlaan 75, NL-Uithoorn, 'PW 4540' apparatus made by Philips Nederland BV, Boschdijk 525, NL-Eindhoven, and the 'SL 4200' apparatus made by Inter technique, F-78370 Plaisir, at present, the 'SL 3000' and 'SL 4000' apparatus made by Kontron Analytique, 6, rue des Frères Caudron, F-78140 Velizy-Villacoublay,

HAS ADOPTED THIS DECISION:

Article 1

The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Beckman-Liquid Scintillation System, model LS 8000', even taking account of the possibilities of automatic quench compensation by calibration and of the 'plastic-effect', are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

⁽⁴⁾ OJ No L 314, 8. 11. 1978, p. 9.

CORRIGENDUM

to Council Regulation (EEC) No 2894/79 of 10 December 1979 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories

(Official Journal of the European Communities No L 332 of 27 December 1979)

Page 17, Annex A, code 0151, columns 5 and 6 :

for: 'Yugoslavia 1',
read: 'Yugoslavia 1.1'.

Page 21, Annex A, code 0230 :

Columns 5 and 6 should be completed as follows :

'(5) (6)

Brazil 13'
