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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 649/80

of 17 March 1980

laying down the rules for carrying out the registration of petroleum product imports in the European Community provided for by Regulation (EEC) No 1893/79

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas in Regulation (EEC) No 1893/79⁽¹⁾ the Council introduced registration for crude oil and/or petroleum product imports in the Community; whereas it reserved the right to lay down, after closer examination, in a supplementary Regulation, rules for carrying out such registration; whereas these rules should therefore be laid down;

Whereas in Regulation (EEC) No 2592/79⁽²⁾ the Council laid down the rules for registering crude oil;

Whereas it is necessary to harmonize the arrangements for the implementation of this Regulation with those to be adopted by other industrialized countries,

HAS ADOPTED THIS REGULATION:

Article 1

1. The data which all persons or undertakings are obliged to communicate to a Member State pursuant to Article 1 of Regulation (EEC) No 1893/79 shall relate to each import of at least 2 000 tonnes of any one of the petroleum products listed in Article 3 of this Regulation.

Any import broken down into separate consignments for transport purposes shall be regarded as a single import if a single price is charged.

Where an import of a single product is declared as having been broken down into separate consignments

corresponding to different prices, each consignment shall be the subject of a separate declaration.

2. 'Imports' shall mean any quantity of the petroleum products listed in Article 3 which enters the customs territory of a Member State from either a third country or another Member State of the Community for purposes other than transit.

Article 2

For the purposes of Article 1 of Regulation (EEC) No 1893/79, the characteristics of each import of petroleum products into a Member State shall include:

- the designation of the petroleum product,
- the point of customs clearance,
- the date of import,
- the origin or the earliest known point of loading,
- the quantity,
- the cif prices actually paid,
- the type of transaction (i.e. whether subject to a continuing supply arrangement or not and whether between associate companies or not).

Article 3

The list of petroleum products to be declared is as follows:

- naphtha,
- premium petrol,
- regular petrol,
- gas oil (heating oil/automotive diesel oil),
- regular sulphur fuel oil > 1 %,
- regular sulphur fuel oil ≤ 1 %,
- kerosene/kerosene turbo fuel.

⁽¹⁾ OJ No L 220, 30. 8. 1979, p. 1.

⁽²⁾ OJ No L 297, 24. 11. 1979, p. 1.

Article 4

The data referred to in Articles 1, 2 and 3 shall be forwarded to the Member State concerned in respect of each period not exceeding one month.

Article 5

The information which Member States are obliged to communicate to the Commission pursuant to Article 2 of Regulation (EEC) No 1893/79 shall be forwarded within one month of the end of each month referred to in Article 4 of this Regulation. This information shall consist, for each type of petroleum product, of an aggregation of the data which the Member States receive from persons and undertakings. For each type of petroleum product, the information shall comprise in respect of the quantities referred to in Article 1 (1):

- the designation of the petroleum product,
- the classification of types of petroleum products according to origin or to the earliest known point of loading, distinguishing between the European Community as a whole and third countries as a whole only,
- the quantity,
- the average prices,
- the maximum and minimum prices,
- the type of transaction whether between associate companies or not,
- the number of persons or undertakings.

Article 6

1. The Commission shall analyze and communicate to the Member States each month the information gathered pursuant to Article 5.
2. The Member States and the Commission shall consult at regular intervals at the request of a Member State or on the initiative of the Commission. These consultations shall relate in particular to the Commission communications referred to in paragraph 1.

Consultations may be organized with international organizations and third countries which have set up similar information systems.

Article 7

1. The data communicated pursuant to Article 1 and the information provided for in Article 5 shall be confidential.

This provision shall not, however, prevent the distribution of data in terms which do not disclose details relating to individual undertakings (i.e. in terms which refer to at least three undertakings).

2. The information forwarded to the Commission on the basis of Article 5 and the communications referred to in Article 6 (1) may be used only for the purposes of Article 6 (2).

3. The Member States shall also send the Commission a list of the persons and undertakings who communicate to them the data referred to in Articles 1 and 2.

4. If the Commission notes, in the information communicated to it by the Member States in accordance with Article 5, the existence of anomalies or inconsistencies which prevent it from obtaining a true picture of developments in the conditions under which imports have taken place, it may ask the Member States to permit it to acquaint itself with the appropriate unaggregated data supplied by the undertakings and with the calculation and assessment procedures used to arrive at the aggregated data.

Article 8

The Commission shall, after consulting the Member States, adopt the arrangements for implementing this Regulation.

Article 9

This Regulation shall expire on 31 December 1980.

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

Done at Brussels, 17 March 1980.

For the Council

The President

J. SANTER

COMMISSION REGULATION (EEC) No 650/80

of 18 March 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 17 March 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 19 March 1980.

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

Done at Brussels, 18 March 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 18 March 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	78.06
10.01 B	Durum wheat	98.87 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	75.12 ⁽⁶⁾
10.03	Barley	67.02
10.04	Oats	60.98
10.05 B	Maize, other than hybrid maize for sowing	92.43 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	30.29 ⁽⁴⁾
10.07 C	Grain sorghum	80.06 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	123.59
11.01 B	Rye flour	119.46
11.02 A I a)	Durum wheat groats and meal	166.65
11.02 A I b)	Common wheat groats and meal	131.96

⁽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⁾ In accordance with Regulation (EEC) No 435/80, 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⁾ 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 651/80**of 18 March 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 17 March 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 19 March 1980.

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

Done at Brussels, 18 March 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 18 March 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 3	1st period 4	2nd period 5	3rd period 6
10.01 A	Common wheat, and meslin	0	0.75	0.75	2.26
10.01 B	Durum wheat	0	12.06	12.06	13.57
10.02	Rye	0	0	0	0
10.03	Barley	0	7.54	7.54	7.54
10.04	Oats	0	0	0	2.23
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	0.37
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	1.07	1.07	3.18

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1.34	1.34	4.02	4.02
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	1.00	1.00	3.01	3.01
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	13.42	13.42	13.42	13.42
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	10.03	10.03	10.03	10.03
11.07 B	Roasted malt	0	11.69	11.69	11.69	11.69

COMMISSION REGULATION (EEC) No 652/80**of 18 March 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 organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1328/79⁽³⁾, as last amended by Regulation (EEC) No 648/80⁽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 Regulation (EEC) No 3330/74 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 March 1980.

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

Done at Brussels, 18 March 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 72, 18. 3. 1980, p. 10.

ANNEX

to the Commission Regulation of 18 March 1980 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	15.06
	B. Raw sugar	11.51 ⁽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 28 February 1980

authorizing the French Republic not to apply Community treatment to tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian), falling within heading No 69.11 of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the other Member States

(Only the French text is authentic)

(80/319/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 20 February 1980 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian), falling within heading No 69.11 of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the other Member States,

Whereas in France the importation of the products in question originating in the People's Republic of China is, in accordance with Council Decision 80/158/EEC of 20 December 1979⁽¹⁾, subject to an annual quota, which has not yet been opened;

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 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 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⁽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 in view of the small amount involved,

⁽¹⁾ OJ No L 42, 18. 2. 1980, p. 1.

⁽²⁾ OJ No L 121, 3. 6. 1971, p. 26.

HAS ADOPTED THIS DECISION :

Article 2

This Decision shall apply until 30 September 1980.

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in the People's Republic of China and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 18 February 1980 :

Article 3

This Decision is addressed to the French Republic.

CCT heading No	Description
69.11	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian)

Done at Brussels, 28 February 1980.

For the Commission

Christopher TUGENDHAT

Member of the Commission

COMMISSION DECISION**of 28 February 1980**

on the reimbursement by the Guidance Section of the EAGGF to Ireland of expenditure incurred during 1978 on annuities relating to measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purpose of structural improvement

(Only the English text is authentic)

(80/320/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement ⁽¹⁾, as last amended by Directive 73/358/EEC ⁽²⁾, and in particular Article 12 (2) thereof,

Whereas the measures taken by Ireland to implement Directive 72/160/EEC were the subject of a favourable Commission Decision pursuant to Article 9 of the said Directive ;

Whereas Ireland has submitted an application for reimbursement of expenditure incurred on annuities granted during 1978 to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement ; whereas such application is complete and has been submitted in due form and in accordance with the provisions of Commission Decision 74/581/EEC of 16 October 1974 concerning applications for reimbursement in respect of aid granted by the Member States pursuant to Directives 72/159/EEC, 72/160/EEC and 72/161/EEC ⁽³⁾, and payments on account which can be authorized ;

Whereas an examination of the figures provided shows that eligible expenditure of £ Irl 31 453·40 has been incurred in accordance with Directive 72/160/EEC ; whereas the Guidance Section of the European Agricultural Guidance and Guarantee Fund should therefore reimburse 65 % thereof, i.e. £ Irl 20 444·71 ;

Whereas a payment on account of £ Irl 15 333·53 has been paid pursuant to Article 12 (3) of Directive 72/160/EEC and of Article 4 (1) of Decision 74/581/EEC ; whereas the balance of £ Irl 5 111·18 should therefore be paid to the Member State ;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION :

Article 1

The final contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund towards the expenditure incurred by Ireland during 1978 in respect of annuities to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement shall be £ Irl 20 444·71.

The balance of the contribution, i.e. £ Irl 5 111·18 shall be paid to Ireland.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 28 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 9.

⁽²⁾ OJ No L 326, 27. 11. 1973, p. 17.

⁽³⁾ OJ No L 320, 29. 11. 1974, p. 1.

COMMISSION DECISION

of 28 February 1980

on the reimbursement by the Guidance Section of the EAGGF to the Kingdom of Denmark of expenditure incurred during 1978 on aids relating to the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture

(Only the Danish text is authentic)

(80/321/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/161/EEC of 17 April 1972 concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture⁽¹⁾, as last amended by Directive 73/358/EEC⁽²⁾, and in particular Article 14 (2) thereof,

Whereas the measures taken by the Kingdom of Denmark to implement Directive 72/161/EEC were the subject of a favourable Commission Decision pursuant to Article 11 of the said Directive;

Whereas the Kingdom of Denmark has made an application for reimbursement of expenditure incurred on aids granted during 1978 for the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture; whereas the application is complete and has been submitted in due form and in accordance with the requirements of Commission Decision 74/581/EEC of 16 October 1974 concerning applications for reimbursement in respect of aid granted by the Member States pursuant to Directives 72/159/EEC, 72/160/EEC and 72/161/EEC⁽³⁾, and also with the payments on account which can be agreed;

Whereas an examination of the information provided shows that eligible expenditure of Dkr 884 361 broken down as follows:

- under Title I: Dkr 24 456
- under Title II: Dkr 859 905

has been incurred under the conditions laid down in Directive 72/161/EEC; whereas the Guidance Section of the European Agricultural Guidance and Guarantee

Fund should therefore reimburse 25 % thereof, i.e. Dkr 221 090;

Whereas a payment on account of Dkr 165 817 has been granted in application of Article 14 (3) of Directive 72/161/EEC and of Article 4 (1) of Decision 74/581/EEC; whereas a balance of Dkr 55 273 should therefore be granted to the Member State;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The final contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund towards the expenditure incurred by the Kingdom of Denmark during 1978 in respect of aids relating to the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture shall be Dkr 221 090.

The balance of the contribution, i.e. Dkr 55 273 shall be paid to the Kingdom of Denmark.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 28 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 15.

⁽²⁾ OJ No L 326, 27. 11. 1973, p. 17.

⁽³⁾ OJ No L 320, 29. 11. 1974, p. 1.

COMMISSION DECISION**of 28 February 1980****on the lodging of applications for import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland****(80/322/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, and in particular Article 23 thereof,

Having regard to Commission Regulation (EEC) No 486/80 of 28 February 1980 laying down detailed rules for the application in the beef and veal sector of Regulation (EEC) No 435/80⁽²⁾, and in particular Article 2 (3) thereof,

Whereas it is appropriate to fix the quantities in respect of which it will be possible to apply for import licences from 1 to 10 March 1980,

HAS ADOPTED THIS DECISION:

Article 1

Applications for licences may be submitted during the first 10 days of March 1980, in respect of the following quantities of boned beef and veal:

— Botswana :	15 763 tonnes,
— Kenya :	118 tonnes,
— Madagascar :	6 316 tonnes,
— Swaziland :	2 803 tonnes.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 56, 29. 2. 1980, p. 22.

COMMISSION DECISION

of 28 February 1980

fixing the minimum selling prices for butter for the 23rd individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 262/79

(80/323/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 23rd 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 23rd individual invitation to tender under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders was 26 February 1980, the minimum selling prices and 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	170.00	138.00
	Less than 82 %	165.85	134.63

⁽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, 28 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 29 February 1980

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 319/80, the maximum amounts for the costs of delivery of skimmed-milk powder as food aid

(80/324/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 319/80 of 11 February 1980 on the delivery of various consignments of skimmed-milk powder as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of delivery as food aid of 1 500 tonnes of skimmed-milk powder for certain third countries and beneficiary organizations;

Whereas Article 16 of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, as last amended by Regulation (EEC) No 1488/79⁽⁵⁾, lays down that, on the basis of tenders received, a maximum amount shall be fixed for each lot put up for tender or it shall be decided not to proceed with the tender;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below;

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

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 319/80 shall be fixed as follows:

- Lot A 1: 8 798 ECU,
- Lot A 2: 8 711 ECU,
- Lot A 3: 7 636 ECU.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 February 1980.

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 36, 13. 2. 1980, p. 6.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 181, 18. 7. 1979, p. 20.

COMMISSION DECISION

of 3 March 1980

establishing that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'ETEC Autoscan scanning electron microscope' are not fulfilled

(80/325/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 3 September 1979, the Italian Government 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 'ETEC Autoscan scanning electron microscope', to be used in particular for the submicroscopic study of the surfaces of samples of animal and vegetable tissues, microorganisms, minerals and processed metals, 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 5 February 1980 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination showed that the apparatus in question is an electron microscope; whereas its objective technical characteristics such as the very high resolution and the use to which it is put make it specially suited to scientific research; whereas apparatus of the same kind is 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, is currently being manufactured in the Community; whereas this applies, in particular, since 1 January 1972, to the 'PSEM 500' apparatus and since 1 February 1977, to the 'SEM 501' apparatus manufactured by Philips Nederland BV, Boschdijk 525, Eindhoven, Netherlands, since 1 January 1973, to the 'Camebax' apparatus manufactured by Cameca, 103, boulevard St Denis, 92400 Courbevoie, France, since 1 November 1973, to the 'AMR 1000' apparatus manufactured by Ernst Leitz Wetzlar GmbH, D-6330 Wetzlar, Germany and, since 1 June 1975, to the 'Stereoscan 150 mark 2' apparatus and to the 'Stereoscan 180' apparatus manufactured by Cambridge Scientific Instruments Ltd, Rustat Road, Cambridge CB1 3QH, United Kingdom,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'ETEC Autoscan scanning electron microscope' 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, 3 March 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 3 March 1980

establishing that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'ETEC Autospec WD/ED X-ray spectrometer' are not fulfilled

(80/326/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 3 September 1979, the Italian Government 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 'ETEC Autospec WD/ED X-ray spectrometer', to be used in particular for the submicroscopic study of the surfaces of samples of animal and vegetable tissues, microorganisms, minerals and processed metals, 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 5 February 1980 within the Committee on Duty-Free Arrangements to examine this particular case ;

Whereas this examination showed that the apparatus in question is an X-ray spectrometer ; whereas its objective technical characteristics and, in particular, the resolution realized during the spectral analysis and

the use to which it is put make it specially suited to scientific research ; whereas apparatus of the same kind is 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, is currently being manufactured in the Community ; whereas this applies, in particular, since 1975, to the 'energy dispersive X-ray microanalyzer, system 860' apparatus manufactured by Link Systems, Halifax Road, High Wycombe, Buckinghamshire HP12 3SE, United Kingdom,

HAS ADOPTED THIS DECISION :

Article 1

1. The apparatus described as 'ETEC Autospec WD/ED X-ray spectrometer' 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, 3 March 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 3 March 1980****refusing to accept the scientific character of the apparatus described as 'Benthos boomerang corer, model 1890'****(80/327/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 28 September 1979, the United Kingdom Government 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 'Benthos boomerang corer, model 1890', to be used for the study of Atlantic Ocean circulation, 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 5 February 1980 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination showed that the apparatus in question serves for taking sediment samples of the bottom of the sea; whereas it does not have the requisite objective characteristics making it specifically suited to scientific research; whereas apparatus of the same kind is 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 'Benthos boomerang corer, model 1890' is not considered to be a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 March 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 3 March 1980****fixing the minimum selling price for colza and rape seed for the invitation to tender provided for in Regulation (EEC) No 354/80****(Only the Dutch and French texts are authentic)****(80/328/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽²⁾, and in particular Article 26 (3) thereof,

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 354/80⁽³⁾, the Belgian intervention agency has offered for sale, by tender, three lots of colza and rape seed, making a total quantity of approximately 410 tonnes;

Whereas Article 5 of that Regulation provides that in the light of the tenders submitted a minimum selling price is to be fixed;

Whereas, having regard to the tenders submitted and to the situation of the market, the minimum selling price should be fixed in accordance with this Decision;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum selling price referred to in Article 5 of Regulation (EEC) No 354/80 shall be fixed at Bfrs 1 495 per 100 kilograms of standard quality.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 3 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 38, 15. 2. 1980, p. 17.

COMMISSION DECISION**of 5 March 1980****fixing the maximum amount of the export refund for the 130th partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77****(80/329/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 1634/77 of 19 July 1977 on a standing invitation to tender to determine export refunds for white sugar⁽³⁾, as last amended by Regulation (EEC) No 1573/79⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

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

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

Whereas, following an examination of the tenders submitted in response to the 130th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the 130th partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77 is hereby fixed at 4.138 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 March 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 181, 21. 7. 1977, p. 35.

⁽⁴⁾ OJ No L 188, 26. 7. 1979, p. 44.

⁽⁵⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁶⁾ OJ No L 167, 26. 6. 1976, p. 13.

COMMISSION DECISION**of 6 March 1980****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 107/80****(80/330/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas an invitation to tender for the export refund on common wheat was issued under Commission Regulation (EEC) No 107/80⁽⁴⁾,

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

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

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 107/80 is hereby fixed on the basis of the tenders submitted by 6 March 1980 at 54.74 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 March 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 L 281, 1. 11. 1978, p. 78.

⁽⁴⁾ OJ No L 14, 19. 1. 1980, p. 24.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 6 March 1980

fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 108/80

(80/331/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1547/79⁽²⁾,

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

Whereas an invitation to tender for the export refund
on barley was issued under Commission Regulation
(EEC) No 108/80⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 108/80 is
hereby fixed on the basis of the tenders submitted by
6 March 1980 at 57.75 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 March 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 L 281, 1. 11. 1978, p. 78.

⁽⁴⁾ OJ No L 14, 19. 1. 1980, p. 27.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 6 March 1980****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1990/79****(80/332/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas an invitation to tender for the export refund on common wheat was issued under Commission Regulation (EEC) No 1990/79⁽⁴⁾, as last amended by Regulation (EEC) No 69/80⁽⁵⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75⁽⁶⁾, as amended by Regulation (EEC) No 2944/78⁽⁷⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in fixing this maximum the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

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

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1990/79 is hereby fixed on the basis of the tenders submitted by 6 March 1980 at 54.74 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 March 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 L 281, 1. 11. 1978, p. 78.

⁽⁴⁾ OJ No L 229, 11. 9. 1979, p. 12.

⁽⁵⁾ OJ No L 11, 16. 1. 1980, p. 8.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 6 March 1980****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 2293/79****(80/333/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1547/79⁽²⁾,

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

Whereas an invitation to tender for the export refund
on barley was issued under Commission Regulation
(EEC) No 2293/79⁽⁴⁾, as amended by Regulation
(EEC) No 70/80⁽⁵⁾;

Whereas, pursuant to Article 5 of Commission Regula-
tion (EEC) No 279/75⁽⁶⁾, as amended by Regulation
(EEC) No 2944/78⁽⁷⁾, the Commission, acting under
the procedure laid down in Article 26 of Regulation
(EEC) No 2727/75, may decide to fix a maximum
export refund; whereas in fixing this maximum the
criteria provided for in Articles 2 and 3 of Regulation
(EEC) No 2746/75 must be taken into account;
whereas a contract is awarded to any tenderer whose
tender is equal to or less than the maximum export
refund;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 2293/79 is
hereby fixed on the basis of the tenders submitted by
6 March 1980 at 57.75 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 March 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 L 281, 1. 11. 1978, p. 78.

⁽⁴⁾ OJ No L 263, 19. 10. 1979, p. 14.

⁽⁵⁾ OJ No L 11, 16. 1. 1980, p. 10.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 351, 15. 12. 1978, p. 16.