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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 780/80

of 31 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 Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁶⁾, as amended by Regulation (EEC) No 1264/79⁽⁷⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in

time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

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 27 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 1 April 1980.

⁽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.

⁽⁶⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁷⁾ OJ No L 161, 29. 6. 1979, p. 1.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 31 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	82.47
10.01 B	Durum wheat	112.64 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	73.85 ⁽⁶⁾
10.03	Barley	73.59
10.04	Oats	59.00
10.05 B	Maize, other than hybrid maize for sowing	93.00 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	26.70 ⁽⁴⁾
10.07 C	Grain sorghum	80.76 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	129.95
11.01 B	Rye flour	117.86
11.02 A I a)	Durum wheat groats and meal	188.00
11.02 A I b)	Common wheat groats and meal	138.62

⁽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 781/80

of 31 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 organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1547/79⁽²⁾, and in particular
Article 15(6) thereof,

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 agricul-
tural 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 Council Regulation (EEC) No 652/79 of 29
March 1979 on the impact of the European monetary
system on the common agricultural policy⁽⁶⁾, as
amended by Regulation (EEC) No 1264/79⁽⁷⁾, intro-
duced the ECU into the common agricultural policy;
whereas, since that time, pursuant to existing provi-
sions, the ECU has been taken into account in the
fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting
from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regula-
tion was limited to 31 March 1980; whereas it has not
been possible for a prolongation of those arrange-
ments, proposed by the Commission, to be adopted in
time by the Council; whereas, in order to avoid a

break in the arrangements resulting, in particular, in
alterations in the level of prices and of other amounts
in national currency, it appears necessary, in the
manifest public interest, as a precautionary measure
and pending a final decision on the matter by the
Council, to continue the application of the arrange-
ments in their present form;

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
27 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 1 April
1980.

(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.

(6) OJ No L 84, 4. 4. 1979, p. 1.

(7) OJ No L 161, 29. 6. 1979, p. 1.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 31 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 4	1st period 5	2nd period 6	3rd period 7
10.01 A	Common wheat, and meslin	0	0.77	0.77	0
10.01 B	Durum wheat	0	1.54	1.54	3.09
10.02	Rye	0	0	0	0
10.03	Barley	0	4.59	4.57	0
10.04	Oats	0	3.09	3.03	3.86
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	0.39	0.37	0.39
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	1.08	1.08	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1.37	1.37	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	1.02	1.02	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	8.17	8.13	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	6.10	6.08	0	0
11.07 B	Roasted malt	0	7.11	7.08	0	0

COMMISSION REGULATION (EEC) No 782/80
of 31 March 1980
fixing the import levies on milk and milk products

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 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Regulation (EEC) No 3006/79⁽³⁾, as last amended by Regulation (EEC) No 627/80⁽⁴⁾;

Whereas the threshold prices were fixed for the 1979/80 milk year by Council Regulation (EEC) No 1268/79 of 25 June 1979⁽⁵⁾, extended by Regulation (EEC) No 809/80⁽⁶⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁷⁾, as amended by Regulation (EEC) No 1264/79⁽⁸⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3006/79 to the prices 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 14 (2) of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 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 337, 29. 12. 1979, p. 53.

⁽⁴⁾ OJ No L 69, 15. 3. 1980, p. 22.

⁽⁵⁾ OJ No L 161, 29. 6. 1979, p. 7.

⁽⁶⁾ OJ No L 88, 1. 4. 1980.

⁽⁷⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁸⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 31 March 1980 fixing the import levies on milk and milk products

(ECU /100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	23.59
04.01 A I b)	0120	21.18
04.01 A II a) 1	0130	21.18
04.01 A II a) 2	0140	26.40
04.01 A II b) 1	0150	19.97
04.01 A II b) 2	0160	25.19
04.01 B I	0200	56.99
04.01 B II	0300	120.56
04.01 B III	0400	186.32
04.02 A I	0500	15.41
04.02 A II a) 1	0620	89.88
04.02 A II a) 2	0720	155.41
04.02 A II a) 3	0820	157.83
04.02 A II a) 4	0920	169.77
04.02 A II b) 1	1020	82.63
04.02 A II b) 2	1120	148.16
04.02 A II b) 3	1220	150.58
04.02 A II b) 4	1320	162.52
04.02 A III a) 1	1420	23.89
04.02 A III a) 2	1520	32.25
04.02 A III b) 1	1620	120.56
04.02 A III b) 2	1720	186.32
04.02 B I a)	1820	36.27
04.02 B I b) 1 aa)	2220	per kg 0.8263 ⁽¹¹⁾
04.02 B I b) 1 bb)	2320	per kg 1.4816 ⁽¹¹⁾
04.02 B I b) 1 cc)	2420	per kg 1.6252 ⁽¹¹⁾
04.02 B I b) 2 aa)	2520	per kg 0.8263 ⁽¹²⁾
04.02 B I b) 2 bb)	2620	per kg 1.4816 ⁽¹²⁾
04.02 B I b) 2 cc)	2720	per kg 1.6252 ⁽¹²⁾
04.02 B II a)	2820	39.10
04.02 B II b) 1	2910	per kg 1.2056 ⁽¹²⁾
04.02 B II b) 2	3010	per kg 1.8632 ⁽¹²⁾
04.03 A	3110	219.20
04.03 B	3210	267.42
04.04 A I a) 1	3321	18.13
04.04 A I a) 2	3420	169.43 ⁽¹³⁾
04.04 A I b) 1 aa)	3521	18.13
04.04 A I b) 1 bb)	3619	169.43 ⁽¹³⁾
04.04 A I b) 2	3719	169.43 ⁽¹³⁾
04.04 A II	3800	169.43
04.04 B	3900	161.24 ⁽¹⁴⁾
04.04 C	4000	158.46
04.04 D I	4120	36.27
04.04 D II a) 1	4410	142.27
04.04 D II a) 2	4510	154.11
04.04 D II b)	4610	250.83
04.04 E I a)	4710	161.24
04.04 E I b) 1	4835	185.44 ⁽¹⁰⁾

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.04 E I b) 2 aa)	4922	149.02 ⁽¹⁵⁾
04.04 E I b) 2 bb)	5022	149.02 ⁽¹⁶⁾
04.04 E I b) 3	5030	149.02 ⁽¹⁷⁾
04.04 E I b) 4	5060	149.02 ⁽¹⁷⁾
04.04 E I b) 5	5120	149.02 ⁽¹⁸⁾
04.04 E I c) 1	5210	111.77
04.04 E I c) 2	5250	245.74
04.04 E II a)	5310	161.24
04.04 E II b)	5410	245.74
17.02 A II ⁽¹⁸⁾	5500	27.54
21.07 F I	5600	27.54
23.07 B I a) 3	5700	64.39
23.07 B I a) 4	5800	83.40
23.07 B I b) 3	5900	78.31
23.07 B I c) 3	6000	65.02
23.07 B II	6100	83.40

For notes ⁽¹⁾ to ⁽¹⁸⁾, see notes ⁽¹⁾ to ⁽¹⁸⁾ of Council Regulation (EEC) No 2915/79 (OJ No L 329, 24. 12. 1979).

⁽¹¹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
- b) 7.25 ECU; and
- c) 4.99 ECU.

⁽¹²⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
- and
- b) 4.99 ECU.

⁽¹³⁾ The levy is limited to 9.07 ECU per 100 kg net weight.

⁽¹⁴⁾ The levy is limited to 6.9% of the value for customs purposes.

⁽¹⁵⁾ The levy is limited to 64.27 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁶⁾ The levy is limited to 88.45 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁷⁾ The levy is limited to 52.18 ECU per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

⁽¹⁸⁾ Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

⁽¹⁹⁾ Within the tariff quotas referred to in Article 9 (2) of Regulation (EEC) No 2915/79 the levy on 100 kg net weight shall be equal to 12.09 ECU.

NB: For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the ECU referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the ECU and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 783/80**of 31 March 1980****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1547/79⁽²⁾, and in particular the
fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice⁽³⁾, as last amended by Regu-
lation (EEC) No 113/80⁽⁴⁾, and in particular the
fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
and Article 17 of Regulation (EEC) No 1418/76
provide that the difference between quotations or
prices on the world market for the products listed in
Article 1 of those Regulations and prices for those
products within the Community may be covered by
an export refund;

Whereas Article 2 of Council Regulation (EEC) No
2746/75 of 29 October 1975⁽⁵⁾, and Article 2 of
Council Regulation (EEC) No 1431/76 of 21 June
1976⁽⁶⁾ laying down general rules for granting export
refunds on cereals and rice respectively and criteria for
fixing the amount of such refunds, provide that when
refunds are being fixed account must be taken of the
existing situation and the future trend with regard to
prices and availabilities of cereals, rice and broken rice
on the Community market on the one hand and
prices for cereals, rice, broken rice and cereal products
on the world market on the other; whereas the same
Articles provide that it is also important to ensure
equilibrium and the natural development of prices
and trade on the markets in cereals and rice and,
furthermore, to take into account the economic aspect
of the proposed exports, and the need to avoid distur-
bances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No
2744/75 of 29 October 1975 on the import and export
system for products processed from cereals and from
rice⁽⁷⁾, as last amended by Regulation (EEC) No
2245/78⁽⁸⁾, defines the specific criteria to be taken
into account when the refund on these products is
being calculated;

Whereas, on the basis of the criteria laid down in
Regulation (EEC) No 2744/75, particular account
should be taken of the prices and quantities of basic
products used to calculate the variable component of
the levy; whereas Article 8 of Regulation (EEC) No
2744/75 and Article 1 of Regulation (EEC) No
1077/68⁽⁹⁾, as amended by Regulation (EEC) No
2764/71⁽¹⁰⁾, provide that the amount of the export
refund should, for certain products, be reduced by an
amount equal to the production refund granted in
respect of the basic product;

Whereas it follows from applying these detailed rules
to the present situation on the market in products
processed from cereals and rice that the export refund
should be fixed at an amount which will cover the
difference between Community prices and world
market prices;

Whereas when the refund is being calculated account
should be taken of the quantities of raw materials
used to determine the variable component of the
levy; whereas the quantities of raw materials used for
certain processed products may vary according to the
end use of the product; whereas, depending on the
manufacturing process used, products other than the
main product are obtained, the quantity and value of
which may vary with the nature and quality of the
main products being manufactured; whereas cumula-
tion of the refunds on the various products manufac-
tured by a single process from the same basic product
may make it possible, in certain cases, to export to
third countries at prices which are lower than world
market prices; whereas the refund on certain products
should therefore be limited to an amount which,
while allowing access to the world market, will ensure
that the aims of the common organization of the
markets are respected;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 273, 29. 9. 1978, p. 1.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product ;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products ; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time ;

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

Whereas Regulation (EEC) No 2806/71 ⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice ;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy ⁽²⁾, as amended by Regulation (EEC) No 1264/79 ⁽³⁾, introduced the ECU into the common agricultural policy ; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to :

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products ;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980 ; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council ; whereas, in order to avoid a

break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form ;

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 once a month ; whereas it may be altered in the intervening period ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽³⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 31 March 1980 fixing the export refunds on products processed from cereals and rice

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % weight	108.75
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1.8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	120.35
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	133.14
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	114.12
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II)	82.74
11.01 F	Rice flour	40.92
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	112.38
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	120.35
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0.6 % by weight ⁽¹⁾	171.18
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight ⁽¹⁾	133.14
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1.3 % by weight but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1.0 % weight ⁽¹⁾	114.12
11.02 A VI	Rice groats and meal	40.92
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ⁽²⁾	108.75
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	106.98
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight, ('Grütze' or 'Grutten') ⁽²⁾	108.75
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2.3 % weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	113.66
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	145.00
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	116.00
11.02 C IV	Pearled oats ⁽³⁾	—
11.02 D I	Wheat not otherwise worked than kibbled	0
11.02 D II	Rye not otherwise worked than kibbled	35.00
11.02 E I b) 1 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	108.75
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	133.72
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content exceeding 0.1 % but not exceeding 1.5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	106.98
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.7 % by weight	152.16
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	123.63
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % weight	—
11.02 E II d) 1	Flaked rice	40.92
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	20.76
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	23.78

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	99.03
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	86.46
11.08 A I	Maize starch ⁽⁶⁾	153.11 ⁽⁵⁾
11.08 A II	Rice starch ⁽⁶⁾	20.28
11.08 A III	Wheat starch ⁽⁶⁾	182.69 ⁽⁵⁾
11.08 A IV	Potato starch ⁽⁷⁾	153.11 ⁽⁵⁾
11.08 A V	Starches other than maize, rice, wheat, or potato starch ⁽⁶⁾	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, not exceeding 82 % by weight ($N \times 6.25$)	261.32 ⁽⁵⁾
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	199.71 ⁽⁵⁾
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	153.11 ⁽⁵⁾
21.07 F II	Flavoured or coloured glucose and glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	153.11 ⁽⁵⁾
23.02 A I a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	20.05
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	20.05
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1.5 % by weight	20.05
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	20.05
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, not exceeding 63 % by weight ($N \times 6.25$)	175.29 ⁽⁵⁾

⁽¹⁾ The export refund is paid in respect of maize, groats and meal :

- of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
- of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.

⁽²⁾ 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).

⁽³⁾ 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).

⁽⁴⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.

⁽⁵⁾ The export refund to be granted shall be arrived at by first applying the monetary coefficient to the amount shown in this column and, thereafter, deducting a sum equal to the production refund per tonne of finished product as follows :

- 11.08 A I, 11.08 A IV, 11.08 A V, 17.02 B II b) and 21.07 F : 33.09 ECU/tonne,
- 11.08 A III : 64.60 ECU/tonne,
- 11.09 A : 117.48 ECU/tonne,
- 17.02 B II a) : 43.16 ECU/tonne,
- 23.03 A I : 41.10 ECU/tonne.

⁽⁶⁾ The export refund is granted on products falling within this subheading which have a starch content of not less than 85 % by weight.

⁽⁷⁾ The export refund is granted on products falling within this subheading which have a starch content of not less than 78 % by weight.

COMMISSION REGULATION (EEC) No 784/80**of 31 March 1980****fixing the export refunds on cereal-based compound feedingstuffs**

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 the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of 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⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as amended by Regulation (EEC) No 2560/77⁽⁵⁾, provides that, when export refunds on cereal-based compound feedingstuffs are being fixed, only the products normally used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as amended by Regulation (EEC) No 3116/75⁽⁷⁾, provides that calculation of the export refund must be based on the levy applicable to maize; whereas this calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of a quantity of maize which is representative of the usual cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

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

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁸⁾, as amended by Regulation (EEC) No 1264/79⁽⁹⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

(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. 1975, p. 78.

(4) OJ No L 281, 1. 11. 1975, p. 60.

(5) OJ No L 303, 28. 11. 1977, p. 1.

(6) OJ No L 246, 30. 9. 1969, p. 11.

(7) OJ No L 309, 29. 11. 1975, p. 64.

(8) OJ No L 84, 4. 4. 1979, p. 1.

(9) OJ No L 161, 29. 6. 1979, p. 1.

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 once a month ;
whereas it may be altered in the intervening period ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 31 March 1980 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I): Of a milk powder content of less than 50 % by weight and of a cereal products ⁽¹⁾ content by weight :	
	3010	— Exceeding 5 % but not exceeding 15 %	9.51
	4010	— Exceeding 15 % but not exceeding 30 %	23.78
	5010	— Exceeding 30 % but not exceeding 50 %	42.80
	6010	— Exceeding 50 % but not exceeding 65 %	57.06
	7010	— Exceeding 65 %	71.33

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

COMMISSION REGULATION (EEC) No 785/80

of 31 March 1980

fixing 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,

Having regard to the opinion of the Monetary Committee,

Whereas Article 15 (1) of Regulation (EEC) No 3330/74 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar ; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed ; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0.73 ECU from that average ;

Whereas the basic amount must be fixed each month ; whereas it must, however, be altered during

the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0.73 ECU from the average referred to above or from the levy on white sugar used to fix the basic amount ; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration ;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁵⁾, as amended by Regulation (EEC) No 1264/79⁽⁶⁾, introduced the ECU into the common agricultural policy ; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to :

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products ;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980 ; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council ; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form ;

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

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

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁶⁾ OJ No L 161, 29. 6. 1979, p. 1.

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68,

3330/74 shall be, per 100 kilograms of product, 0.1374 ECU per percentage point of sucrose content.

Article 2

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

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 786/80
of 31 March 1980

**fixing 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,

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) (d) of that Regulation and prices for those
products within the Community may be covered by
an export refund;

Whereas Article 8 of 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 the
export refund on 100 kilograms of the products listed
in Article 1 (1) (d) of Regulation (EEC) No 3330/74 is
equal to the basic amount multiplied by the sucrose
content, including, where appropriate, other sugars
expressed as sucrose; whereas the sucrose content of
the product in question is determined in accordance
with Article 13 of Commission Regulation (EEC) No
394/70 of 2 March 1970 on detailed rules for granting
export refunds on sugar⁽⁵⁾, as last amended by Regula-
tion (EEC) No 1467/77⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68
provides that the basic amount of the refund on
sorbose exported in the natural state must be equal to
the basic amount of the refund less one-hundredth of
the production refund applicable, pursuant to Council
Regulation (EEC) No 1400/78 of 20 June 1978 laying
down general rules for the production refund on sugar
used in the chemical industry⁽⁷⁾, to the products
listed in Annex I to the last mentioned Regulation;

Whereas the basic amount of the refund on the other
products listed in Article 1 (1) (d) of Regulation (EEC)
No 3330/74 exported in the natural state must be
equal to one-hundredth of an amount which takes
account, on the one hand, of the difference between
the intervention price for white sugar for the Commu-
nity area with the largest surplus for the month for
which the basic amount is fixed and quotations or
prices for white sugar on the world market and, on
the other, of the need to establish a balance between
the use of Community basic products in the manufac-
ture of processed goods for export to third countries
and the use of third country products brought in
under inward processing arrangements;

Whereas the application of the basic amount may be
limited to some of the products listed in Article 1 (1)
(d) of Regulation (EEC) No 3330/74;

Whereas Council Regulation (EEC) No 652/79 of 29
March 1979 on the impact of the European monetary
system on the common agricultural policy⁽⁸⁾, as
amended by Regulation (EEC) No 1264/79⁽⁹⁾, intro-
duced the ECU into the common agricultural policy;
whereas, since that time, pursuant to existing provi-
sions, the ECU has been taken into account in the
fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting
from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regula-
tion was limited to 31 March 1980; whereas it has not
been possible for a prolongation of those arrange-
ments, proposed by the Commission, to be adopted in
time by the Council; whereas, in order to avoid a
break in the arrangements resulting, in particular, in
alterations in the level of prices and of other amounts
in national currency, it appears necessary, in the
manifest public interest, as a precautionary measure
and pending a final decision on the matter by the
Council, to continue the application of the arrange-
ments in their present form;

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

⁽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 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁹⁾ OJ No L 161, 29. 6. 1979, p. 1.

- 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 refunds referred to above must be fixed every month ; whereas they may be altered in the intervening period ;

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) (d) of Regulation (EEC) No 3330/74, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 31 March 1980 fixing 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 E. Artificial honey, whether or not mixed with natural honey ex F. Caramel made from sugar falling within heading No 17.01	 0.0678 0.0678 0.0678
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : IV. Other (than lactose, glucose and isoglucose syrups)	 0.0678

⁽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 787/80**of 31 March 1980****fixing the export refunds on olive oil**

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⁾,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation No 171/67/EEC of 27 June 1967 on export refunds and levies on olive oil⁽⁴⁾, as last amended by Regulation (EEC) No 2429/72⁽⁵⁾, and in particular the first sentence of Article 7 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas Article 9 of Regulation (EEC) No 2749/78 provides that Article 20 of Regulation No 136/66/EEC and the measures taken in application thereof apply, subject to the provisions of the Agreement establishing an Association between the European Economic Community and Greece, to trade between the Community and Greece;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulations No 171/67/EEC and (EEC) No 616/72⁽⁶⁾, as last amended by Regulation (EEC) No 2962/77⁽⁷⁾;

Whereas Article 2 of Regulation No 171/67/EEC provides that the refund must be the same for the whole Community;

Whereas Article 3 of Regulation No 171/67/EEC provides that when the refund on olive oil is being fixed account must be taken of:

— the existing situation and the future trend with regard to prices and availabilities of olive oil on the Community market and prices for olive oil on the world market;

— the aims of the common organization of the market in olive oil which are to ensure equilibrium and the natural development of prices and trade on this market;

— the need to avoid disturbances on the Community market; and

— the economic aspect of the proposed exports;

Whereas, furthermore, Article 4 of Regulation No 171/67/EEC provides that the said refund must be fixed in accordance with the following criteria:

— the olive oil prices in the main producing areas of the Community;

— the most favourable quotations recorded on the various markets of importing third countries and Greece; and

— the marketing costs and the most favourable transport charges from Community markets in the main producing areas to ports or other points of export in the Community, as well as costs incurred in placing the goods on the world market;

Whereas Article 5 of Regulation No 171/67/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 7 of Regulation No 171/67/EEC provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries and Greece that the refund should be as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁸⁾, as amended by Regulation (EEC) No 1264/79⁽⁹⁾, intro-

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

⁽⁴⁾ OJ No 130, 28. 6. 1967, p. 2600/67.

⁽⁵⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁶⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁷⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁸⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁹⁾ OJ No L 161, 29. 6. 1979, p. 1.

(1) OJ No L 25, 17. 1. 1975, p. 1.

COMMISSION REGULATION (EEC) No 788/80
of 31 March 1980
fixing the export refunds on oil seeds

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⁾,

Having regard to Council Regulation (EEC) No
2749/78 of 23 November 1978 on trade in oils and
fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation No 142/67/EEC
of 21 June 1967 on export refunds on colza, rape and
sunflower seeds⁽⁴⁾, as last amended by Regulation
(EEC) No 2429/72⁽⁵⁾, and in particular the first
sentence of Article 2 (3) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 28 of Regulation No 136/66/EEC
provides that a refund may be granted on exports to
third countries of oil seeds harvested within the
Community; whereas the amount of this refund may
not exceed the difference between prices within the
Community and prices on the world market where
the former are higher than the latter; whereas Article
21 of Regulation No 136/66/EEC provides that, at
present, Article 28 of that Regulation applies only to
colza, rape and sunflower seeds;

Whereas Article 9 of Regulation (EEC) No 2749/78
provides that Article 28 of Regulation No 136/
66/EEC and measures taken in application thereof
apply, subject to the provisions of the Agreement esta-
blishing an Association between the European
Economic Community and Greece, to trade between
the Community and Greece;

Whereas Article 3 of Regulation No 142/67/EEC
provides that when the refund is being calculated
account must be taken of prices ruling on the various
Community markets which are representative from
the point of view of processing and exportation; the
most favourable quotations recorded on the various
markets of importing third countries and Greece, and
costs incurred in placing the goods on the world
market; whereas, when the amount of the refund is
being fixed, account must also be taken of the level of
market prices within the Community for the oil seeds
referred to in Article 21 of Regulation No 136/
66/EEC and the future trend of these prices; whereas,
furthermore, account should be taken of the economic
aspect of the proposed exports and the situation in the
Community regarding the supply of and demand for
these seeds;

Whereas Article 1 of Commission Regulation (EEC)
No 651/71 of 29 March 1971 on certain detailed rules
for the application of export refunds on oil seeds⁽⁶⁾, as
amended by Regulation (EEC) No 1480/79⁽⁷⁾,
provides that the amount of the refund must be calcu-
lated on the basis of the weight of exported seeds;
whereas this weight must be adjusted to take account
of any differences between the percentages of mois-
ture and impurities found to exist and those used to
define the standard quality for which the target price
is fixed; whereas, when this adjustment is being
made, the weight of the exported seeds must be
increased by the amount of the difference between the
actual moisture and impurities content and that used
to define the standard quality if the former is lower
than the latter; whereas, if the opposite applies, the
weight of the exported seeds must be reduced by the
same amount;

Whereas the standard quality referred to above was
defined in Article 2 of Council Regulation (EEC) No
1294/79 of 25 June 1979 fixing the target prices and
basic intervention prices for colza and rape seed and
sunflower seed for the 1979/80 marketing year⁽⁸⁾;

Whereas Article 2 of Regulation No 142/67/EEC
provides that the refund may be varied according to
destination where the world market situation or the
specific requirements of certain markets make this
necessary;

Whereas Council Regulation (EEC) No 652/79 of 29
March 1979 on the impact of the European monetary
system on the common agricultural policy⁽⁹⁾, as
amended by Regulation (EEC) No 1264/79⁽¹⁰⁾, intro-

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

⁽⁴⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁵⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁶⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽⁷⁾ OJ No L 180, 17. 7. 1979, p. 13.

⁽⁸⁾ OJ No L 162, 30. 6. 1979, p. 13.

⁽⁹⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽¹⁰⁾ OJ No L 161, 29. 6. 1979, p. 1.

duced the ECU into the common agricultural policy ; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to :

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products ;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980 ; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council ; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form ;

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 it follows from applying these detailed rules to the present situation on the market in oil seeds, and in particular to quotations or prices for these products within the Community and on the markets of third countries and Greece, that the refund should be as set out in the Annex hereto for those products for which the marketing year has already begun ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The refund on the products referred to in Article 21 of Regulation No 136/66/EEC, exported to third countries and Greece, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 31 March 1980 fixing the export refunds on oil seeds

(ECU / 100 kg)

CCT heading No	Description	Refund
ex 12.01	Colza and rape seed, other than for sowing	18.00
ex 12.01	Sunflower seed, other than for sowing	—

COMMISSION REGULATION (EEC) No 789/80

of 31 March 1980

fixing 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 paragraph 5 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 4 of Regulation (EEC) No 1111/77, provision may be made for an export refund for isoglucose ;

Whereas the level of the refund is to be determined per 100 kilograms of dry matter, taking into account in particular the export refund fixed by virtue of Article 19 (1) of Regulation (EEC) No 3330/74 ⁽³⁾, for the products referred to in Article 1 (1) (d) of that Regulation and the economic aspects of the proposed export ;

Whereas the refund must be the same throughout the Community ; whereas it may be varied according to destination ;

Whereas the said refunds must be fixed every month ; whereas they may be altered in the intervening period ;

Whereas the refund is granted only in respect of isoglucose satisfying the conditions laid down in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75 ⁽⁴⁾ ;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy ⁽⁵⁾, as amended by Regulation (EEC) No 1264/79 ⁽⁶⁾, introduced the ECU into the common agricultural policy ; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to :

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products ;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980 ; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council ; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form ;

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 it follows from applying the detailed rules set out above that the refund for isoglucose 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 Isoglucose,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products referred to in Article 1 of Regulation (EEC) No 1111/77 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1980.

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 10.

⁽³⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽⁴⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁶⁾ OJ No L 161, 29. 6. 1979, p. 1.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 31 March 1980 fixing 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	6.78 ⁽¹⁾
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	6.78 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 790/80
of 31 March 1980
fixing the import levies on isoglucose

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose⁽¹⁾, as last amended by Regulation (EEC) No 1293/79⁽²⁾, and in particular Article 3 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas the levy must be fixed each month;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁴⁾, as amended by Regulation (EEC) No 1264/79⁽⁵⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 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 162, 1. 7. 1977, p. 9.

⁽⁴⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁵⁾ OJ No L 161, 29. 6. 1979, p. 1.

*ANNEX***to the Commission Regulation of 31 March 1980 fixing the import levies on isoglucose**

<i>(ECU)</i>		
CCT heading No	Description	Levies per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : D. Other sugars and syrups : I. Isoglucose	23·41
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	23·41

COMMISSION REGULATION (EEC) No 791/80**of 31 March 1980****fixing the rate of the aid for peas and field beans used in the feeding of animals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1119/78 of 22 May 1978 laying down special measures for peas and field beans used in the feeding of animals ⁽¹⁾, and in particular Article 2 (5) thereof,

Whereas the amount of the aid referred to in Article 2 of Regulation (EEC) No 1119/78 was fixed by Regulation (EEC) No 509/80 ⁽²⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy ⁽³⁾, as amended by Regulation (EEC) No 1264/79 ⁽⁴⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to :

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products ;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980 ; whereas it has not been possible for a prolongation of those arrange-

ments, proposed by the Commission, to be adopted in time by the Council ; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form ;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 509/80 to the information at present available to the Commission that the amount of the subsidy at present in force should be altered as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The aid referred to in Article 2 of Regulation (EEC) No 1119/78 is fixed at 7.963 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 8.

⁽²⁾ OJ No L 58, 1. 3. 1980, p. 38.

⁽³⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁴⁾ OJ No L 161, 29. 6. 1979, p. 1.

COMMISSION REGULATION (EEC) No 792/80**of 31 March 1980****fixing the rate of the additional aid for dried fodder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 114/80⁽²⁾, and in particular Article 5(3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 5(1) of Regulation (EEC) No 1117/78 when the guide price is higher than the average world market price a supplementary aid is given for dried fodder as described under Article 1 (a), (b) and (c) of that Regulation obtained from fodder plants harvested in the Community; whereas this aid is equal to a percentage of the difference between these two prices;

Whereas that percentage and the guide price were fixed by Council Regulation (EEC) No 810/80 of 27 March 1980 fixing the flat-rate production aid and the guide price for certain dried fodder products for the period 1 to 30 April 1980⁽³⁾;

Whereas the average world market price is determined for a bulk pelleted product delivered Rotterdam of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, the average world market price for the products described in the first indent of Article 1 (b) Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the supplementary aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above;

Whereas when no offer or quotation for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 can be used to determine the average world market price it is to be determined from offers on the world market of and quotations on the exchanges important for international trade for the products described in the second indent of Article 1 (b) of Regulation (EEC) No 1117/78;

Whereas under Article 3 of Regulation (EEC) No 1417/78 when no offer or quotation can be used to determine the average world market price it is determined from the last average world market price determined, this being adjusted on the basis of price developments for the same products of Community origin and world prices of competing products;

Whereas the adjustments referred to above were set out in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁵⁾, as last amended by Regulation (EEC) No 332/80⁽⁶⁾;

Whereas under Article 11 of Regulation (EEC) No 1417/78 when forward prices differ from that applying in the month when the application is lodged the supplementary aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas the correcting amount is equal to the difference between the average world market price and the average forward world market price multiplied by the percentage fixed in Article 3 of Regulation (EEC) No 1299/79; whereas when for one of the months following that of the introduction of supplementary aid the average forward world market price cannot be determined by applying the criteria specified in Article 1 of Regulation (EEC) No 1417/78 the price determined for the previous month is used to calculate the difference; whereas when for two or more consecutive months following that of the introduction of supplementary aid the average forward world market prices cannot be determined by applying the criteria set out in Article 1 of Regulation (EEC) No 1417/78 the prices previously determined for these months, adjusted on the basis of the difference between the average world market price and the last forward price determined for the month, are used to calculate the differences for the months in question;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 3.

⁽³⁾ OJ No L 88, 1. 4. 1980.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁶⁾ OJ No L 37, 14. 2. 1980, p. 11.

Whereas when the average world market price is determined in accordance with Articles 2 and 3 of Regulation (EEC) No 1417/78 the correcting amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria specified in Articles 1 and 2 of the said Regulation and valid for delivery during a month other than that of the introduction of the supplementary aid, multiplied by the percentage fixed in Article 3 of Regulation (EEC) No 642/79 for the product concerned; whereas when for one or more months the average forward world market price cannot be determined by applying the criteria specified in Articles 1 and 2 of Regulation (EEC) No 1417/78 the correcting amount is to be fixed for the month(s) in question to give a nil rate for the supplementary aid;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽¹⁾, as amended by Regulation (EEC) No 1264/79⁽²⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure

and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

Whereas, if the aid 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 rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽²⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 31 March 1980 fixing the rate of the supplementary aid for dried fodder

Additional aid applicable from 1 April 1980 to dried fodder

(ECU/tonne)

CCT heading No	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.07 C	Fodder otherwise dried ex 12.10 B
Additional aid	4.820	2.754

Additional aid in case of advance fixing for the month of :

(ECU/tonne)

May 1980	5.911	3.377
June 1980	7.309	4.176
July 1980	7.309	4.176
August 1980	7.309	4.176
September 1980	7.309	4.176
October 1980	7.309	4.176
November 1980	7.309	4.176
December 1980	7.309	4.176
January 1981	7.309	4.176
February 1981	7.309	4.176
March 1981	7.309	4.176

COMMISSION REGULATION (EEC) No 793/80
of 31 March 1980
fixing the amount of the subsidy on oil seeds

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 27 (4) thereof,

Whereas the amount of the subsidy referred to in
Article 27 of Regulation No 136/66/EEC was fixed by
Regulation (EEC) No 620/80⁽³⁾, as last amended by
Regulation (EEC) No 737/80⁽⁴⁾;

Whereas, in the absence of the indicative price for the
1980/81 marketing year and in the absence of the
amount for the monthly increase for September 1980
for colza and rape seed in case of pre-fixation for July,
August and September 1980, the amount of subsidy
on these products has been obtainable only on the
basis of the indicative price for July, August and
September 1979 and on the basis of the monthly
increase for September 1979; whereas this amount
may, therefore, be applied on a temporary basis and
should be confirmed or replaced when the indicative
price for the 1980/81 marketing year is known;

Whereas Council Regulation (EEC) No 652/79 of 29
March 1979 on the impact of the European monetary
system on the common agricultural policy⁽⁵⁾, as
amended by Regulation (EEC) No 1264/79⁽⁶⁾, intro-
duced the ECU into the common agricultural policy;
whereas, since that time, pursuant to existing provi-
sions, the ECU has been taken into account in the
fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting
from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regula-
tion was limited to 31 March 1980; whereas it has not
been possible for a prolongation of those arrange-
ments, proposed by the Commission, to be adopted in
time by the Council; whereas, in order to avoid a
break in the arrangements resulting, in particular, in
alterations in the level of prices and of other amounts
in national currency, it appears necessary, in the
manifest public interest, as a precautionary measure
and pending a final decision on the matter by the
Council, to continue the application of the arrange-
ments in their present form;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 620/80 to the infor-
mation known to the Commission that the amount of
the subsidy at present in force should be altered to the
amount set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy referred to in Article
27 of Regulation No 136/66/EEC shall be as set out
in the Annex hereto.

2. The amount of the subsidy for July, August and
September 1980 will, however, for colza and rape seed,
be confirmed or replaced as from 1 April 1980 to take
into account the indicative price which is fixed for
these products for the 1980/81 marketing year, and on
the basis of the monthly increase for September 1980.

Article 2

This Regulation shall enter into force on 1 April
1980.

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 68, 14. 3. 1980, p. 16.

⁽⁴⁾ OJ No L 83, 28. 3. 1980, p. 32.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁶⁾ OJ No L 161, 29. 6. 1979, p. 1.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 31 March 1980 fixing the amount of the subsidy on oil seeds

(ECU / 100 kg)

CCT heading No	Description	Subsidy
ex 12.01	Colza and rape seed	18.989
ex 12.01	Sunflower seed	22.269

(ECU / 100 kg)

CCT heading No	Description	Subsidy in the case of advance fixing for the month of					
		April 1980	May 1980	June 1980	July 1980	August 1980	September 1980
ex 12.01	Colza and rape seed	18.989	18.989	18.838	16.095 ⁽¹⁾	15.793 ⁽¹⁾	16.359 ⁽¹⁾
ex 12.01	Sunflower seed	22.269	22.269	21.966	21.588	—	—

⁽¹⁾ Subject to confirmation.

COMMISSION REGULATION (EEC) No 794/80

of 31 March 1980

fixing the world market price for colza and rape seed

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 markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 852/78⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 336/80⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed ;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 620/80 of 13 March 1980 fixing the amount of the subsidy on oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 793/80⁽⁸⁾ ;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁹⁾, as amended by Regulation (EEC) No 1264/79⁽¹⁰⁾, introduced the ECU into the common agricultural policy ; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to :

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products ;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980 ; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council ; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form ;

Whereas, if the price system is to operate normally, the world market price should be calculated on the following basis :

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

Whereas it follows from applying these provisions that the world market price for colza and rape seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 37, 14. 2. 1980, p. 17.

⁽⁷⁾ OJ No L 68, 14. 3. 1980, p. 16.

⁽⁸⁾ See page 31 of this Official Journal.

⁽⁹⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽¹⁰⁾ OJ No L 161, 29. 6. 1979, p. 1.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 31 March 1980 fixing the world market price for colza and rape seed

(ECU/100 kg) ⁽¹⁾

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	20.088

(ECU/100 kg) ⁽¹⁾

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		April 1980	May 1980	June 1980	July 1980	August 1980	September 1980
ex 12.01	Colza and rape seed	20.088	20.088	20.239	20.315	20.617	20.432

⁽¹⁾ The conversion rates from ECU into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 ECU = DM	2.48208
1 ECU = FI	2.74362
1 ECU = Bfr/Lfr	39.7897
1 ECU = FF	5.84700
1 ECU = Dkr	7.72336
1 ECU = I £	0.668201
1 ECU = £	0.603628
1 ECU = Lit	1 148.14

COMMISSION REGULATION (EEC) No 795/80**of 31 March 1980****fixing the import levies on live cattle and on beef and veal other than frozen**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 2916/79 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Regulation (EEC) No 1365/79 ⁽³⁾, as last amended by Regulation (EEC) No 449/80 ⁽⁴⁾;

Whereas the guide prices for adult bovine animals to be applied from 2 July 1979 were fixed by Council Regulation (EEC) No 1274/79 of 25 June 1979 ⁽⁵⁾, extended by Regulation (EEC) No 808/80 ⁽⁶⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy ⁽⁷⁾, as amended by Regulation (EEC) No 1264/79 ⁽⁸⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1365/79 to the quotations and other 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 on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.
⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.
⁽³⁾ OJ No L 163, 2. 7. 1979, p. 30.
⁽⁴⁾ OJ No L 53, 27. 2. 1980, p. 11.
⁽⁵⁾ OJ No L 161, 29. 6. 1979, p. 15.
⁽⁶⁾ OJ No L 88, 1. 4. 1980.
⁽⁷⁾ OJ No L 84, 4. 4. 1979, p. 1.
⁽⁸⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 31 March 1980 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾ for the period beginning 7 April 1980

(ECU/100 kg)

CCT heading No	Austria/Sweden/Switzerland	Other third countries
	— Live weight —	
01.02 A II a) (a)	—	58·874
01.02 A II b) (b)	14·145	65·801
	— Net weight —	
02.01 A II a) 1 aa) (a)	—	111·861
02.01 A II a) 1 bb)	26·876	125·022
02.01 A II a) 2 aa) (a)	—	89·489
02.01 A II a) 2 bb)	21·500	100·017
02.01 A II a) 3 aa) (a)	—	134·234
02.01 A II a) 3 bb)	32·251	150·026
02.01 A II a) 4 aa)	40·314	187·532
02.01 A II a) 4 bb)	46·113	214·510
02.06 C I a) 1	40·314	187·532
02.06 C I a) 2	46·113	214·510
16.02 B III b) 1 aa)	46·113	214·510

(¹) In accordance with Regulation (EEC) No 706/76, 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.

(a) The levy shall be established in accordance with the provisions set out in Annex I to the Trade Agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

(b) The levy which is to be applied to young male bovine animals, intended for fattening, of a live weight of 300 kg or less, imported under the conditions set out in Article 13 of Council Regulation (EEC) No 805/68 of 27 June 1968, and in the provisions adopted for its application, is totally or partially suspended in accordance with those provisions.

COMMISSION REGULATION (EEC) No 796/80
of 31 March 1980
fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 2916/79⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Regulation (EEC) No 1366/79⁽³⁾, as last amended by Regulation (EEC) No 450/80⁽⁴⁾;

Whereas the guide prices for adult bovine animals to be applied from 2 July 1979 were fixed by Council Regulation (EEC) No 1274/79 of 25 June 1979⁽⁵⁾, extended by Regulation (EEC) No 808/80⁽⁶⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁷⁾, as amended by Regulation (EEC) No 1264/79⁽⁸⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1366/79 to the quotations and other information known to the Commission, that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽³⁾ OJ No L 163, 2. 7. 1979, p. 34.

⁽⁴⁾ OJ No L 53, 27. 2. 1980, p. 13.

⁽⁵⁾ OJ No L 161, 29. 6. 1979, p. 15.

⁽⁶⁾ OJ No L 88, 1. 4. 1980.

⁽⁷⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁸⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 31 March 1980 fixing the import levies on frozen beef and veal ⁽¹⁾ for the period beginning 7 April 1980

(ECU/100 kg)

CCT heading No	Levy
	— Net weight —
02.01 A II b) 1	101.449
02.01 A II b) 2	81.159 (a)
02.01 A II b) 3	126.811
02.01 A II b) 4 aa)	152.173
02.01 A II b) 4 bb) 11	126.811 (a)
02.01 A II b) 4 bb) 22 (b)	126.811 (a)
02.01 A II b) 4 bb) 33	174.492 (a)

⁽¹⁾ In accordance with Regulation (EEC) No 706/76, 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.

(a) Where products are imported under the conditions set out in Article 14 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in provisions adopted for its application, the levy is totally or partially suspended in accordance with those provisions.

(b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 797/80**of 31 March 1980****adjusting export levies and refunds fixed in advance in the sugar sector**

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 Articles 17 (5), 19 (2) and 19 (4) thereof,

Whereas Article 12 of 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 1439/76 ⁽⁴⁾, provides that if between :

- the date on which is lodged an application for an export licence with advance fixing of the refund, or
- in the case of a refund fixed by tender, the date on which the time limit for the submission of tenders expires,

and the date of exportation, there is an alteration in the prices for sugar and molasses fixed pursuant to Regulation (EEC) No 3330/74, provision may be made for an adjustment of the amount of the refund ;

Whereas pursuant to Commission Regulation (EEC) No 561/80 of 5 March 1980 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar ⁽⁵⁾, export levies may also be fixed in advance ; whereas it is therefore appropriate to extend to such levies the possibility provided for in Article 12 of Regulation (EEC) No 766/68 ;

Whereas it is anticipated that an increase in sugar prices and in the storage levy will be introduced with effect from 1 July 1980 and that a certain number of export licences applied for before that date and fixing an export refund or levy in advance will not be used until after that date ; whereas it appears that exporters now find it impossible to secure supplies of sugar for

delivery on or after 1 July 1980 at prices applying in the current marketing year ; whereas it is therefore appropriate to make use of the possibility of adjusting the export refunds and levies fixed in advance before 1 July 1980 in respect of exports for which customs formalities are completed after that date ; whereas this adjustment should be calculated according to the difference between the sugar intervention price valid for the 1979/80 marketing year and that valid for the 1980/81 marketing year, each of these prices being increased by the inclusion of the relevant storage levy ;

Whereas the third subparagraph of Article 5 (2) of Council Regulation (EEC) No 2682/72 of 12 December 1972 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amount of such refunds ⁽⁶⁾, as last amended by Regulation (EEC) No 707/78 ⁽⁷⁾, provides that the rate of the refund under the system of advance fixing is to be adjusted according to the same rules applying to the advance fixing of the refunds on basic products exported in the natural state ; whereas it is therefore appropriate in this case to provide for the relevant adjustment ;

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

1. In so far as the conditions set out in Article 12 of Regulation (EEC) No 766/68 are satisfied, any export refunds and export levies fixed in advance before 1 July 1980 for the products listed in the Annex hereto and exported on or after that date shall, at the request of the party concerned, be adjusted in accordance with paragraph 2.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 28. 3. 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 61, 6. 3. 1980, p. 18.

⁽⁶⁾ OJ No L 289, 27. 12. 1972, p. 13.

⁽⁷⁾ OJ No L 94, 8. 4. 1978, p. 7.

2. For purposes of the adjustment referred to in paragraph 1, the export refund shall be increased, and the export levy decreased, by the difference, expressed in ECU per 100 kilograms, between the intervention price of the product in question applicable with effect from 1 July 1980 in the area most in surplus and the intervention price of that product applicable on 30 June 1980 in the same area.

In calculating the difference referred to in the preceding subparagraph there shall be added to these intervention prices the relevant storage levy as referred to under (a) of the third subparagraph of Article 8 (1) of Regulation (EEC) No 3330/74.

In the case of raw sugar, where the yield differs from that of the standard quality as defined in Regulation

(EEC) No 431/68⁽¹⁾ the amount of the adjustment shall be modified in accordance with Article 2 of Regulation (EEC) No 837/68⁽²⁾.

Article 2

The provisions of Article 1 shall apply also to the products referred to in the Annex to this Regulation which are exported in the form of the goods listed in the Annexes to Regulation (EEC) No 2682/72.

Article 3

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

It shall apply with effect from 1 July 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽²⁾ OJ No L 151, 30. 6. 1968, p. 42.

ANNEX

CCT heading No	Description
17.01	Beet sugar and cane sugar in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar : (a) Candy sugar (b) Other

COMMISSION REGULATION (EEC) No 798/80**of 31 March 1980****laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Articles 16(6) and 24 thereof, and to the corresponding provisions of the other Regulations on the common organization of markets in agricultural products,

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⁽³⁾, as last amended by Regulation (EEC) No 987/79⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁵⁾,

Whereas Regulation (EEC) No 565/80 lays down general rules for paying in advance of export an amount equal to the export refunds; whereas the right to export refunds shall be established in accordance with the rules laid down to that end, in particular those of Commission Regulation (EEC) No 2730/79 of 29 November 1979 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁶⁾;

Whereas Article 2 of Regulation (EEC) No 2730/79 provides that that Regulation shall be applicable without prejudice to the Community provisions for the payment in advance of refunds;

Whereas Article 3 of Regulation (EEC) No 565/80 provides that products for which a refund equal to or greater than 0 has been fixed shall be eligible to benefit from that Regulation; whereas, to ensure equal treatment of traders within the Community, negative monetary compensatory amounts should not be taken into consideration when determining whether or not a refund of 0 or more has been fixed; whereas, as a consequence thereof, products and goods may also benefit from that Regulation in cases where

a negative monetary compensatory amount is greater than the refund;

Whereas Article 4 (5) and (6) of Regulation (EEC) No 565/80 provides that the day on which basic products are brought under customs control shall determine the rate of refund or where the refund is fixed in advance, any adjustment to be made to that rate; whereas that day, as well as the operative day for determining the rate of refund and any adjustment in respect of products brought under the customs warehousing or free zone procedure, should be specified; whereas the dates should be so determined as to accord with economic requirements and ensure equal treatment for exporters in the Member States;

Whereas the operative date should accordingly be the day on which the customs authorities accept the declaration from the person concerned, in which he declares his intention to export the products and to qualify for a refund; whereas that declaration must include the necessary particulars for the calculation of refunds and any compensatory amounts;

Whereas a security shall be furnished to ensure that reimbursement will be made if the conditions for granting the refund are not fulfilled; whereas negative monetary compensatory amounts shall be deducted from the refunds; whereas, in cases where no right to a refund is proved, the negative compensatory amounts may have fallen due; whereas the collection of such amounts must be ensured;

Whereas positive monetary compensatory amounts have an effect similar to refunds in trade with third countries; whereas such amounts should be paid in advance on similar conditions to refund; whereas the advance payment of refunds has consequences for the period of validity for export licences; whereas to ensure equal treatment in all Member States, positive monetary compensatory amounts should be paid in advance only if they are granted in addition to a refund;

Whereas reimbursement of the amount paid in advance of export shall be made if there proves to be no right to the export refund or if there was a right to a smaller refund; whereas the reimbursement must include an additional amount to avoid abuses; whereas in cases of *force majeure* the additional amount shall not be reimbursed;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁴⁾ OJ No L 123, 19. 5. 1979, p. 9.

⁽⁵⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁶⁾ OJ No L 317, 12. 12. 1979, p. 1.

Whereas a time limit shall be set for the export of the products concerned; whereas that time limit shall be set taking into consideration the system of export licences and advance fixing certificates; whereas the time limit laid down in Article 9 (1) of Regulation (EEC) No 2730/79 should also be taken into consideration;

Whereas Article 5 (1) of Regulation (EEC) No 2730/79 provides that certain destinations shall be treated as exports from the Community; whereas products and goods delivered to victualling warehouses referred to in Article 26 (1) of that Regulation must subsequently be delivered for the victualling within the Community; whereas deliveries to such warehouses cannot be treated as final exports for refund purposes;

Whereas the Member States should communicate to the Commission the particulars necessary to follow the application of the arrangements;

Whereas the provisions of the present Regulation will replace the provisions of Regulation (EEC) No 1957/69⁽¹⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the relevant Management Committees,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down detailed rules for the application of the arrangements introduced by Regulation (EEC) No 565/80.

2. For the application of Article 3 of that Regulation the negative monetary compensatory amounts shall not be taken into consideration when determining whether or not a refund of 0 or more has been fixed.

3. The arrangements referred to in paragraph 1 shall also apply to positive monetary compensatory amounts when they are granted in addition to a refund.

Article 2

1. Admission under the arrangements shall be subject to the lodging with the customs authorities of a declaration, hereinafter referred to as the 'payment declaration', in which the exporter states his intention to place the products or goods under one of the arrangements referred to in Articles 4 and 5 of Regulation (EEC) No 565/80 and to export them after processing or storage and to qualify for a refund.

Member States may give the 'payment declaration' another title.

2. The payment declaration shall include all such particulars as are necessary for determining the refund and, where applicable, the monetary compensatory amount in respect of the products or goods to be exported, in particular:

- (a) a description of the products or goods in accordance with the nomenclatures used for refunds and monetary compensatory amounts;
- (b) the net weight of the products or goods, or, where applicable, the unit of measurement to be taken into account in calculating the refund or the monetary compensatory amount;
- (c) in so far as it is necessary for determining the refund or the monetary compensatory amount, particulars of the composition of the products or goods or the relevant reference.

Furthermore, in cases where basic products are to be processed, the payment declaration shall include:

- a description of the basic products,
- the quantity of basic products,
- the rate of yield or similar information.

3. Notwithstanding the provisions of paragraph 2, provisional particulars of the goods to be obtained from basic products may where circumstances so warrant and on request from the exporter be included in the payment declaration. In such cases the exporter shall declare to the competent authorities the final particulars when the processing is completed.

4. The payment declaration shall also include indication of the use or destination of the products or goods:

- (a) where the exporter requests payment of an amount equal to the refund applicable for the use or destination to which the product or goods are intended;
- (b) where the use or destination is necessary for determining the period under which the products or goods may remain under customs control for processing or a customs warehousing or free zone procedure.

5. The use or destination shall be indicated as:

- a specific use or a specific country of destination, or
- a group of countries of destination for which the same rate of refund is applicable.

⁽¹⁾ OJ No L 250, 4. 10. 1969, p. 1.

Article 3

1. At the time of acceptance of the payment declaration, the products or goods shall be placed under customs control.
2. The date of acceptance of the payment declaration shall determine:
 - (a) the rates of the refund and the monetary compensatory amount where the rates are not fixed in advance;
 - (b) any adjustments to be made to the rates of refund and the monetary compensatory amount where they are so fixed.

Article 4

1. In respect of processed products or goods obtained from basic products, the result of the examination of the payment declaration whether or not combined with the examination of the basic products, shall be used for determining the refund and monetary compensatory amount.
2. In respect of products or goods to be exported after having been under a customs warehousing or free zone procedure, the result of the examination of the payment declaration and of the products or goods themselves shall be used for determining the refund and monetary compensatory amount.
3. Paragraphs 1 and 2 shall not preclude any subsequent verification by the competent authorities of the Member State concerned nor any consequences of such verification in the application of existing provisions.
4. Loss of weight of products or goods occurring through natural shrinkage during their storage in customs warehouses or free zones shall not give rise to any reimbursement mentioned in Article 10.

Damage to products or goods is not considered to be natural shrinkage.

Article 5

1. The customs export formalities shall be completed in the Member State in which the payment declaration was accepted.
2. Belgium, Luxembourg and the Netherlands shall be considered as a single Member State in respect of the application of Article 5 of Regulation (EEC) No 565/80.

Article 6

1. The amount to be paid in advance of export shall be paid by the Member State in which the payment declaration was accepted.

2. The amount shall be paid only on written application by the exporter. Member States may prescribe a special form to be used for that purpose.

3. The amount shall be calculated by using the rate of refund applicable for the use or destination if that is indicated. In other cases the lowest rate of refund shall be used.

The rate used, reduced or increased, as the case may be, by any accession compensatory amounts, shall be multiplied by the coefficient fixed pursuant to Article 4 (3) of Regulation (EEC) No 1380/75.

4. The amount established pursuant to paragraph 3 shall be reduced or increased, as the case may be, by any monetary compensatory amounts applicable in the Member State in which the payment declaration is accepted.

Where Article 2 (3) applies the reduction or the increase shall be made by using:

- the highest monetary compensatory amount concerned when a reduction is involved, and
- the lowest one when an increase is involved.

These provisional amounts shall be adjusted accordingly when the final amounts are known.

Article 7

1. A security equal to the amount calculated in accordance with Article 6 (3) plus any positive monetary compensatory amount, and increased by 20 % of these amounts, shall be furnished prior to the acceptance of the payment declaration.

The increase shall not be less than 3 ECU per 100 kilograms net.

2. Notwithstanding the provisions of paragraph 1, the competent authorities of the Member States may allow acceptance of the payment declaration on the prior lodgement of a provisional security at least equal to the increase referred to in paragraph 1 based on the refund and any positive monetary compensatory amounts applicable on the day on which the security is furnished. In such cases the provisional security shall be adjusted to the amount referred to in paragraph 1 before the advance payment may be made.

3. Member States applying negative monetary compensatory amounts may calculate the securities provided for in paragraphs 1 and 2 on the basis of the refund reduced by any negative monetary compensatory amount on condition that a national administrative procedure shall ensure the collection of the monetary compensatory amounts falling due if there is no entitlement to a refund or an entitlement to a refund lower than the monetary compensatory amount.

4. Member States may allow the security referred to in paragraph 1 to be furnished after the acceptance of the payment declaration provided that national provisions :

- oblige the exporter to lodge the security within a maximum period of 30 days after this acceptance and before the advance payment is made,
- ensure the payment of an amount equal to the increase referred to in paragraph 1 if the security is not furnished in time, save in cases of *force majeure*. Such payments shall, for the purpose of Regulation (EEC) No 352/78, be considered as forfeited securities.

Article 8

1. In cases where any additional security necessary pursuant to Article 7 (2) is not presented within 30 days after the acceptance of the payment declaration, an amount of the provisional security equal to the increase referred to in Article 7 (2) shall be forfeited unless an equivalent amount is paid by the declarant within two weeks of its being requested.

2. In the cases referred to in paragraph 1, the payment declaration concerned shall be considered as cancelled. Such cancellation shall in no way preclude the application of sanctions for an offence committed by the declarant.

3. Where the additional security referred to in paragraph 1 is not presented within the prescribed period although the declarant has acted with all due diligence, he may be granted an extension of time.

Article 9

When the entitlement to a refund and/or a monetary compensatory amount has been proved in respect of products or goods admitted under the arrangements, the sum due shall be set off against the amount paid in advance. In cases where the entitlement for the quantity exported is for an amount higher than that paid in advance, the difference is to be paid to the person concerned.

Article 10

1. The release in full of the security shall be subject to the production of proof that :

- (a) the time limits laid down in Article 11 have been respected ;
- (b) the products concerned have an entitlement to a refund equal to or higher than the amount determined in accordance with Article 6 (3).

2. The security shall also be released in full :

- in cases where the conditions of paragraph 1 (b) have been fulfilled but where, as a case of *force majeure*, the time limits laid down in Article 11 have not been respected,

- in other cases where the time limits laid down in Article 11 have not been respected or the conditions of paragraph 1 (b) have not been fulfilled but where any amounts requested to be reimbursed in accordance with the present Article have been paid within weeks of their being requested.

3. On application by the person concerned, Member States may release the security by instalments in proportion to the quantities of products or goods in respect of which the proofs referred to in paragraph 1 have been provided.

4. Without prejudice to cases of *force majeure*, reimbursement of the following amounts shall be requested :

- (a) where the time limits laid down in Article 11 have not been respected :
 - an amount equal to the security ;
- (b) where the time limits laid down in Article 11 have been respected but the entitlement to refund covers a smaller amount than that referred to in paragraph 1 (b) :
 - where Article 7 (3) applies, an amount equal to the security, less the amount of the actual refund reduced by any negative monetary compensatory amount, increased by 20 %,
 - in other cases, an amount equal to the security, less the amount of the actual refund and any positive monetary compensatory amount due, increased by 20 %.

5. Where, as a case of *force majeure*, the entitlement to refund covers a smaller amount than that referred to in paragraph 1 (b), the reimbursement of an amount equal to the difference between :

- the amount referred to in paragraph 1 (b), and
- the amount of the actual refund due,

shall be requested.

This provision shall also apply in cases where the entitlement to refund covers a smaller amount than that referred to in paragraph 1 (b) and where the time limits laid down in Article 11 have not, as a case of *force majeure*, been respected.

6. Where paragraph 4 (a) applies and it is established that the products or goods :

- have not left the territory of the Member State in which the payment declaration was accepted, the reimbursement to be requested shall be reduced by any negative monetary compensatory amount, unless the Member State applies the provisions of Article 7 (3),
- have left the territory of the Member State in which the payment declaration was accepted, the reimbursement to be requested shall be reduced by any positive monetary compensatory amount increased by 20 %.

7. In cases where the amounts referred to in paragraphs 4 and 5 are not paid within the fixed time limit, that part of the security equal to the reimbursement due shall be forfeited.

8. Entitlement to refunds and monetary compensatory amounts shall be established in accordance with the provisions laid down to that end. Except in cases of *force majeure*, the relevant documents shall be submitted to the competent authorities within six months from the expiry of the time limits laid down in Article 11 (1) and (2). In respect of the documents referred to in Article 31 (2) of Regulation (EEC) No 2730/79, the period may be extended in accordance with the provisions of that paragraph.

Article 11

1. The time limit during which the basic products may remain under customs control with a view to their being processed shall be six months from the date of acceptance of the payment declaration.

However, where the export is subject to the presentation of an export licence or where an advance fixing certificate is submitted, the time limit shall be equal to the remainder of the period of validity of the licence or the certificate. In cases where this would result in a time limit of:

- less than three months, that period shall be increased to three months,
- more than one year, that period shall be limited to one year.

2. The time limit during which the products or goods may remain under a customs warehousing or free zone procedure shall be six months from the date of acceptance of the payment declaration.

3. Within 60 days from the date on which the products or goods are no longer subject to the customs control or procedure provided for in Articles 4 and 5 of Regulation (EEC) No 565/80 they shall:

- leave the geographical territory of the Community, unaltered, or
- in the cases specified in Article 5 (1) of Regulation (EEC) No 2730/79, reach their destination, unaltered.

4. Where products or goods are placed under the procedure provided for in Section I of Title IV of Regulation (EEC) No 223/77 for carriage to a station of destination outside the geographical territory of the Community, they shall be considered as exported from the moment when they are placed under the said procedure.

Article 12

1. Member States shall communicate to the Commission separately for the processing under customs control and the warehousing of free zone procedure the quantities of products which are admitted under the arrangements:

- without advance fixing of the refund,
- with advance fixing of the refund.

The information shall be broken down by subheading of the refund nomenclature and by destination, if indicated in the payment declaration.

2. These communications shall be made for the six month periods ending 31 March and 30 September each year not later than the end of the month following each period.

Article 13

Regulation (EEC) No 1957/69 is hereby repealed. It shall however continue to apply to transactions entered into under that Regulation.

Article 14

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 799/80**of 31 March 1980****laying down detailed rules and conditions for granting temporary abandonment premiums and premiums for the renunciation of replanting in the wine sector for the 1979/80 wine year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 459/80⁽²⁾,

Having regard to Council Regulation (EEC) No 456/80 of 18 February 1980 on the granting of temporary and permanent abandonment premiums in respect of certain areas under vines and of premiums for the renunciation of replanting⁽³⁾, and in particular Articles 2 (6), 4 (7), 6 (3), 8 (3) and 10 (3) thereof,

Whereas since the provisions of Regulation (EEC) No 456/80 apply for the current wine year only to the renunciation premium and the temporary abandonment premium in respect of areas benefiting from the special conversion grant under the programme provided for in Council Directive 78/627/EEC⁽⁴⁾, rules for granting the premiums should be fixed not for the entire duration of the common measure but for the 1979/80 wine year;

Whereas the conditions under which the premiums provided for by Regulation (EEC) No 456/80 are to be granted should be defined;

Whereas the recommended or authorized varieties which may be covered by the grubbing operation in areas benefiting from a special conversion grant under the programme provided for in Directive 78/627/EEC should be defined;

Whereas, in order to ensure that the system is effective, the information to be included with the premium application should be laid down and provision should be made for verification of the accuracy of that information;

Whereas the right referred to in Article 5 (1) of Regulation (EEC) No 456/80, giving rise to eligibility for the renunciation premium, should be defined;

Whereas, before the premium is paid, confirmation should be obtained that grubbing has actually taken

place; whereas this should be certified so that the applicant has evidence that he has undertaken grubbing;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of wine-grape varieties referred to in the second indent of Article 2 (1) (a) of Regulation (EEC) No 456/80 is given in the Annex to this Regulation.

Article 2

For the purposes of the second indent of Articles 2 (2), 2 (3) (c) and 4 (1) of Regulation (EEC) No 456/80:

- (a) an area under vines of low productivity shall be one where the age and state of maintenance of the vines and the proportion of stocks missing, as found by the competent authority designated by the Member State concerned, imply that the production per hectare, in normal conditions, will be more than 20 hectolitres but less than 45 hectolitres;
- (b) an area under vines of average productivity shall be one where the age and state of maintenance of the vines and the proportion of stocks missing, as found by the competent authority designated by the Member State concerned, imply that the production per hectare, under normal conditions, will be not less than 45 hectolitres but less than 95 hectolitres;
- (c) an area under vines of high productivity shall be one where the age and state of maintenance of the vines and the proportion of stocks missing, as found by the competent authority designated by the Member State concerned, imply that the production per hectare, under normal conditions, will be not less than 95 hectolitres;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 57, 29. 2. 1980, p. 32.

⁽³⁾ OJ No L 57, 29. 2. 1980, p. 16.

⁽⁴⁾ OJ No L 206, 29. 7. 1978, p. 1.

- (d) an area under vines of very low productivity shall be one where the age and state of maintenance of the vines and the proportion of stocks missing, as found by the competent authority designated by the Member State concerned, imply that the production per hectare will be not more than 20 hectolitres.

Article 3

1. Applications for the temporary abandonment premium referred to in the first indent of Article 1 (1) of Regulation (EEC) No 456/80 shall include the following information :

- the name and address of the applicant and the capacity in which he cultivates vines in respect of which the premium is applied for,
- the area under vines cultivated as a specialized or mixed crop by the applicant,
- sufficient data for identifying the vineyards intended for temporary abandonment and in respect of which the premium is applied for,
- the total area, in hectares, ares or centiares, of vines to be grubbed,
- the age of the vines to be grubbed and the manner in which they are trained,
- the varieties in question,
- the approximate date on which grubbing is anticipated.

2. Applications for the renunciation premium referred to in Article 5 (1) of Regulation (EEC) No 456/80 shall include :

- the name and address of the applicant and the capacity in which he holds the right in respect of which the renunciation premium is applied for,
- the area in hectares, ares or centiares, covered by the right which he intends to renounce.

Article 4

For the purposes of this Regulation, the right referred to in Article 5 (1) of Regulation (EEC) No 456/80 shall be that arising from grubbing carried out before 1 March 1976.

Article 5

The competent authority shall, on receipt of the application :

- classify the areas concerned in accordance with the provisions of Article 29 (4) of Regulation (EEC) No 337/79,
- verify the information required under Article 3,
- record the declarations provided for in Article 3 (2) or 7 (2) of Regulation (EEC) No 456/80,
- record the data required for calculating the premium in accordance with Article 2,
- advise the applicant of the amount of premium to which he is entitled, after giving him the opportunity to put forward his comments.

Article 6

1. On application by the interested party, the competent authority shall establish that grubbing has been carried out and shall issue a document certifying the time when it was carried out.

The evidence referred to in the first subparagraph of Article 4 (6) of Regulation (EEC) No 456/80 shall be furnished by the grower by submitting to the competent authority the document referred to in the above subparagraph.

2. Before paying the premium, the competent authority shall verify that the conditions referred to in Articles 3 (4) and 7 (2) (a) of Regulation (EEC) No 456/80 are fulfilled and shall undertake the verification referred to in Article 10 of that Regulation.

Article 7

Commission Regulation (EEC) No 2034/79 of 17 August 1979 laying down detailed rules and conditions for the granting of the conversion premium in the wine sector⁽¹⁾, is hereby repealed.

Article 8

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

It shall apply as from 1 March 1980 in the case of applications for the granting of premiums submitted during the 1979/80 wine year.

⁽¹⁾ OJ No L 226, 18. 8. 1976, p. 10.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

List of wine-grape varieties the grubbing of which may give rise to the grant of a temporary abandonment premium in the French overseas departments covered by Council Directive 78/627/EEC

All the authorized or recommended vine varieties, except :

- those given in the classification as authorized varieties pursuant to Article 11 (1) (b) of Council Regulation (EEC) No 347/79 ⁽¹⁾,
- the following :
 - Cabernet franc N,
 - Cabernet Sauvignon N,
 - Cot N,
 - Fer N,
 - Gamay N,
 - Merlot N,
 - Pinot noir N,
 - Syrah N,
 - Tannat N,

in the departments where they are recommended.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 75.

COMMISSION REGULATION (EEC) No 800/80**of 31 March 1980****indicating the basic products which do not benefit from the advance payment of export refunds**

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 16 (6) thereof, and to the corresponding provisions of the other Regulations on the common organization of markets in agricultural products,

Having regard to Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽³⁾,

Whereas Article 4 (2) of Regulation (EEC) No 565/80 applies to processed products and goods obtained from basic products provided that inward processing arrangements are not prohibited for comparable products; whereas the list referred to in Article 8 of Regulation (EEC) No 565/80 setting out these products should be drawn up; whereas inward processing is prohibited for certain products which are comparable with basic products;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the relevant Management Committees,

HAS ADOPTED THIS REGULATION:

Article 1

The basic products which do not benefit from the arrangements provided for in Article 4 of Regulation (EEC) No 565/80 are set out in the Annex (Parts I and II).

However the basic products set out in Part II of the Annex are excluded only when they are intended to be used in the processing of products shown:

- (a) in Annex A to Regulation (EEC) No 2727/75, excluding the products falling within subheading 23.07 B of the Common Customs Tariff;
- (b) in Article 1 (1) (c) of Regulation (EEC) No 1418/76⁽⁴⁾, as last amended by Regulation (EEC) No 113/80⁽⁵⁾.

Article 2

This Regulation shall enter into force in 1 April 1980.

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

Done at Brussels, 31 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 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁵⁾ OJ No L 16, 22. 1. 1980, p. 1.

ANNEX

CCT heading No	Description
04.02	PART I Milk and cream, preserved, concentrated or sweetened : A. Not containing added sugar : II. Milk and cream, in powder or granules : b) Other (than in immediate packings of a net capacity of 2.5 kg or less) of a fat content by weight : 1. Not exceeding 1.5 %
	04.03 Butter
	PART II
	11.02 G. Germ of cereals, whole, rolled, flaked or ground
11.04	C. Flour and meal of sago and roots and tubers falling within heading No 07.06 :
	II. Other (than denaturated)
11.09	Wheat gluten, whether or not dried
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables :
	A. Of cereals
23.03	A. Residues from the manufacture of starch from maize (excluding concentrated steeping liquors) of a protein content, calculated on the dry products :
	I. Exceeding 40 % by weight

COMMISSION REGULATION (EEC) No 801/80**of 31 March 1980****fixing, for the second quarter of 1980, the quantities of high-quality, fresh, chilled or frozen beef and veal which may be imported under special conditions**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2957/79 of 20 December 1979 opening a Community tariff quota for high-quality fresh, chilled or frozen beef and veal falling within subheadings 02.01 A II a) and 02.01 A II b) of the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas Article 7 of Commission Regulation (EEC) No 2972/79⁽²⁾ provides that the quantities of meat referred to in Article 1 (1) (d) thereof which may be imported under the tariff quota shall be fixed for each quarter; whereas there are continuing administrative difficulties in relation to the meat trade between the United States of America and the Community; whereas, in these circumstances, it is not appropriate to fix the amount of beef that can be imported from

this non-member country for the second quarter of 1980;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quantity of beef and veal referred to in Article 1 (1) (d) of Regulation (EEC) No 2972/79 which may be imported during the second quarter of 1980 is hereby fixed at zero tonnes.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 336, 29. 12. 1979, p. 5.

⁽²⁾ OJ No L 336, 29. 12. 1979, p. 37.

COMMISSION REGULATION (EEC) No 802/80**of 27 March 1980****on the classification of goods falling within subheading 04.03 A of the Common Customs Tariff**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff ⁽¹⁾, as last amended by Regulation (EEC) No 280/77 ⁽²⁾, and in particular Article 3 thereof,

Whereas provisions are necessary to ensure the uniform application of the Common Customs Tariff nomenclature in regard to certain products having the physical structure, the typical taste and qualitative chemical composition of butter but containing only from 75 to 80 % of milkfats;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68 ⁽³⁾, as last amended by Council Regulation (EEC) No 3000/79 ⁽⁴⁾, lists butter under heading No 04.03;

Whereas the presence of an above-average quantity of water does not cause the products in question to cease to have the character of goods of heading No 04.03 of the Common Customs Tariff;

Whereas, within heading No 04.03, subheading 04.03 A must be chosen for the products in question;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Products having the physical structure, the typical taste and the qualitative chemical composition of butter but containing only from 75 to 80 % of milkfats, shall be classified in the Common Customs Tariff under subheading:

04.03 Butter:

A. Of a fat content, by weight not exceeding 85 %.

Article 2

This Regulation shall enter into force on the 21st 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, 27 March 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 40, 11. 2. 1977, p. 1.

⁽³⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 342, 31. 12. 1979, p. 1.

COMMISSION REGULATION (EEC) No 803/80**of 27 March 1980****on the classification of goods falling within heading No 19.07 of the Common Customs Tariff**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 280/77⁽²⁾, and in particular Article 3 thereof,

Whereas in order to ensure uniform application of the nomenclature of the Common Customs Tariff, provisions must be laid down concerning the tariff classification of certain ordinary bakers' wares;

Whereas heading No 19.07 of the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68⁽³⁾, as last amended by Regulation (EEC) No 3000/79⁽⁴⁾, refers among other products, to 'bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit';

Whereas the products in question contain fats and sugars (reducing and non-reducing) as normal ingredients, not added as such, but derived from the flour employed and possibly from any bakery 'improvers' that are used;

Whereas the content of fats and sugars (determined and expressed as glucose after inversion), not added as such, may each amount to 5 % by weight calculated on the dry product without the products in question thereby losing the character of goods falling within heading No 19.07;

Whereas, on the basis of present analytical methods, it can be stated as regards contents of fats or sugars (reducing and non-reducing) up to 5 % by weight calculated on the dry product that it does not seem possible to detect with certainty any fats or sugars that have been added as such to the products concerned;

Whereas classification of a product in the nomenclature must be made according to established objective criteria;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Ordinary bakers' wares, containing an amount not exceeding 5 % each by weight calculated on the dry product of either fats or sugars (determined and expressed as glucose after inversion) shall fall within Common Customs Tariff heading No

19.07 Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products.

Article 2

This Regulation shall enter into force on the 42nd 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, 27 March 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

(1) OJ No L 14, 21. 1. 1969, p. 1.

(2) OJ No L 40, 11. 2. 1977, p. 1.

(3) OJ No L 172, 22. 7. 1968, p. 1.

(4) OJ No L 342, 31. 12. 1979, p. 1.

**COMMISSION REGULATION (EEC) No 804/80
of 31 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 777/80 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy ⁽⁵⁾, as amended by Regulation (EEC) No 1264/79 ⁽⁶⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrange-

ments, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

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 1 April 1980.

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

Done at Brussels, 31 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 85, 29. 3. 1980, p. 42.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁶⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 31 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 B. Raw sugar	12.59 8.77 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 805/80**of 31 March 1980****altering 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 second sentence of the last subparagraph of Article 19 ⁽²⁾ thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 658/80 ⁽³⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy ⁽⁴⁾, as amended by Regulation (EEC) No 1264/79 ⁽⁵⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrange-

ments, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 658/80 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

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, as fixed in the Annex to Regulation (EEC) No 658/80 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 31 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 74, 20. 3. 1980, p. 13.

⁽⁴⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁵⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 31 March 1980 altering 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	7.00
	B. Raw sugar :	
	(a) Candy sugar	6.24 ⁽¹⁾
	(b) Other raw sugar	6.00 ⁽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.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 723/80 of 26 March 1980 fixing the import levies on products processed from cereals and rice

(Official Journal of the European Communities No L 83 of 28 March 1980)

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footnote ⁽⁵⁾ must read as follows :

⁽⁵⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :

- arrowroot falling within subheading 07.06 A,
 - flours and meal of arrowroot falling within subheading 11.04 C,
 - arrowroot starch falling within subheading 11.08 A V.
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