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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 869/80

of 10 April 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 9 April 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 11 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, 10 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 10 April 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	83.50
10.01 B	Durum wheat	117.98 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	79.07 ⁽⁶⁾
10.03	Barley	76.37
10.04	Oats	60.40
10.05 B	Maize, other than hybrid maize for sowing	89.61 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	28.94 ⁽⁴⁾
10.07 C	Grain sorghum	83.27 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	131.39
11.01 B	Rye flour	125.17
11.02 A I a)	Durum wheat groats and meal	196.33
11.02 A I b)	Common wheat groats and meal	140.17

⁽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 870/80**of 10 April 1980****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Article 15(6) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

Whereas 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 9 April 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 11 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, 10 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 10 April 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	0	0
10.01 B	Durum wheat	0	0	0	1.58
10.02	Rye	0	0	0	0.79
10.03	Barley	0	0.67	0.67	0.67
10.04	Oats	0	6.04	6.04	7.55
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 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	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	1.19	1.19	1.19	1.19
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0.89	0.89	0.89	0.89
11.07 B	Roasted malt	0	1.04	1.04	1.04	1.04

COMMISSION REGULATION (EEC) No 871/80

of 10 April 1980

fixing minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

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 16 (2) thereof,

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⁾, and in particular Article 5 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽⁴⁾, as amended by Regulation (EEC) No 2761/78⁽⁵⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁶⁾, as last amended by Regulation (EEC) No 2761/78, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as amended by Regulation (EEC) No 2761/78, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁸⁾, as amended by Regulation (EEC) No 2766/78⁽⁹⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹⁰⁾,

Whereas by Regulation (EEC) No 3131/78 of 28 December 1978⁽¹¹⁾ the Commission decided to use the tendering procedure to fix levies on olive oil ;

Whereas Article 3 of Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world or Greek markets and the Community market and of the levy rates indicated by tenderers ;

Whereas in the collection of the levy account should be taken of the provisions in the Agreements between the Community and certain third countries ; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries ;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 7 and 8 April 1980 leads to the minimum levies being fixed as indicated in Annex I to this Regulation ;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽¹³⁾, as amended by Regulation (EEC) No 1264/79⁽¹⁴⁾, 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

(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 L 169, 28. 6. 1976, p. 24.

(⁵) OJ No L 332, 29. 11. 1978, p. 13.

(⁶) OJ No L 169, 28. 6. 1976, p. 43.

(⁷) OJ No L 169, 28. 6. 1976, p. 9.

(⁸) OJ No L 142, 9. 6. 1977, p. 10.

(⁹) OJ No L 332, 29. 11. 1978, p. 26.

(¹⁰) OJ No L 181, 21. 7. 1977, p. 4.

(¹¹) OJ No L 370, 30. 12. 1978, p. 60.

(¹²) OJ No L 331, 28. 11. 1978, p. 6.

(¹³) OJ No L 84, 4. 4. 1979, p. 1.

(¹⁴) OJ No L 161, 29. 6. 1979, p. 1.

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 the import levy on olives falling within subheadings 07.01 N II and 07.03 A II of the Common Customs Tariff and on products falling within subheadings 15.17 B I and 23.04 A II of the Common Customs Tariff must be calculated from the minimum levy applicable on the olive oil contained in these products ; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate ; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 11 April 1980.

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

Done at Brussels, 10 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Greece	Non-member countries
15.07 A I a)	9.50 ⁽¹⁾	27.40 ⁽¹⁾
15.07 A I b)	3.50 ⁽¹⁾	18.00 ⁽¹⁾
15.07 A I c)	7.80 ⁽¹⁾	31.90 ⁽¹⁾
15.07 A II a)	4.50	34.20 ⁽²⁾
15.07 A II b)	18.00	61.20 ⁽³⁾

⁽¹⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

(a) Greece, Spain and Lebanon: 0.60 ECU/100 kg;

(b) Turkey: 22.36 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;

(c) Algeria, Morocco, Tunisia: 24.78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this tariff subheading:

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3.86 ECU/100 kg;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3.09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading:

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7.25 ECU/100 kg;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5.80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Greece	Non-member countries
07.01 N II	0.77	3.96
07.03 A II	0.77	3.96
15.17 B I a)	1.75	9.00
15.17 B I b)	2.80	14.40
23.04 A II	0.62	2.55

COMMISSION REGULATION (EEC) No 872/80
of 10 April 1980
fixing the export refunds on 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 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 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 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 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 world
market on the other; whereas the same Article
provides that it is also important to ensure equi-
librium and the natural development of prices and
trade on cereal markets and, furthermore, to take into
account the economic aspect of the proposed exports,
and the need to avoid disturbances on the Commu-
nity market;

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice⁽⁴⁾, as
last amended by Regulation (EEC) No 2245/78⁽⁵⁾,
defines the specific criteria to be taken into account
when the refund on these products is being calcu-
lated;

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 the world market situation or the specific
requirements of certain markets may make it neces-
sary to vary the refund for certain products 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⁽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 Regu-
lation 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:

- 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

⁽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. 65.

⁽⁵⁾ OJ No L 273, 29. 9. 1978, p. 1.

⁽⁶⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁷⁾ OJ No L 161, 29. 6. 1979, p. 1.

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 malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 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 11 April 1980.

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

Done at Brussels, 10 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 10 April 1980 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
CCT heading No	Refund
11.07 A I b)	61.18
11.07 A II b)	79.29
11.07 B	92.41

COMMISSION REGULATION (EEC) No 873/80**of 10 April 1980****amending Regulation (EEC) No 756/70 on granting aid for skimmed milk
processed into casein and caseinates**

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 11 (3) thereof,

Whereas the amount of aid for 100 kilograms of
skimmed milk processed into casein or caseinates was
fixed at 6.25 ECU by Article 2 (1) of Commission
Regulation (EEC) No 756/70⁽³⁾, as last amended by
Regulation (EEC) No 2213/79⁽⁴⁾; whereas the
amount of aid must be adjusted to take account of the
movement of prices for caseins in international trade ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In Article 2 (1) of Regulation (EEC) No 756/70, the
amount '6.25 ECU' is replaced by '5.75 ECU'.

Article 2

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

It shall apply with effect from 15 April 1980.

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

Done at Brussels, 10 April 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 91, 25. 4. 1970, p. 28.

⁽⁴⁾ OJ No L 256, 11. 10. 1979, p. 23.

COMMISSION REGULATION (EEC) No 874/80

of 10 April 1980

fixing additional amounts for certain pigmeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1423/78⁽²⁾, and in particular the second subparagraph of Article 13 (5) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 202/67/EEC of 28 June 1967 on fixing the additional amount for imports of pigmeat products from third countries⁽³⁾, as amended by Regulation No 614/67/EEC⁽⁴⁾;

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

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports listed according to product and country of origin in that Annex;

Whereas Council Regulation (EEC) No 2767/75 of 29 October 1975⁽⁵⁾ laid down general rules for the fixing of additional amounts for those products for which no sluice-gate price is fixed;

Whereas Regulation No 202/67/EEC lays down certain detailed rules, to that end, and in particular for determining the free-at-frontier offers for those products; whereas, according to the information received by the Commission, offers from third coun-

tries in the determination of which not only the prices shown in customs documents but also all other indications concerning the prices ruling in third countries, are taken into account, are developing in such a way that additional amounts should be fixed for those products at the level shown in the Annex;

Whereas, in accordance with Article 1 of Regulation No 121/65/EEC⁽⁶⁾ and with Regulations (EEC) No 564/68⁽⁷⁾, (EEC) No 998/68⁽⁸⁾, (EEC) No 2260/69⁽⁹⁾ and (EEC) No 1570/71⁽¹⁰⁾, the levy on certain products listed in those Regulations which originate in and come from the Federal Republic of Austria, the People's Republic of Poland, the Hungarian People's Republic, the Socialist Republic of Romania and the People's Republic of Bulgaria should not be increased by an additional amount;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽¹¹⁾, as amended by Regulation (EEC) No 1264/79⁽¹²⁾, 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 the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 19.

⁽³⁾ OJ No 134, 30. 6. 1967, p. 2837/67.

⁽⁴⁾ OJ No 231, 27. 9. 1967, p. 6.

⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 29.

⁽⁶⁾ OJ No 155, 18. 9. 1965, p. 2560/65.

⁽⁷⁾ OJ No L 107, 8. 5. 1968, p. 6.

⁽⁸⁾ OJ No L 170, 19. 7. 1968, p. 14.

⁽⁹⁾ OJ No L 286, 14. 11. 1969, p. 22.

⁽¹⁰⁾ OJ No L 165, 23. 7. 1971, p. 23.

⁽¹¹⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽¹²⁾ OJ No L 161, 29. 6. 1979, s. 1.

HAS ADOPTED THIS REGULATION :

the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 1

The additional amounts provided for in Article 13 of Regulation (EEC) No 2759/75 shall be as set out in

Article 2

This Regulation shall enter into force on 14 April 1980.

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

Done at Brussels, 10 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 10 April 1980 fixing additional amounts for certain pigmeat products

(ECU/100 kg)

CCT heading No	Description	Supplementary amount	Origin of imports
01.03	Live swine : A. Domestic species : II. Other : b) Other	3.00	Origin : German Democratic Republic (1)
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen : A. Meat : III. Of swine : a) Of domestic swine : 1. Carcases or half-carcases, with or without heads, feet or flare fat	6.00	Origin : German Democratic Republic (1)

(1) With the exception of the German internal trade pursuant to the Protocol on German internal trade and connected problems.

COMMISSION REGULATION (EEC) No 875/80
of 10 April 1980
altering the export refunds on certain 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 17 (4) thereof,

Whereas the export refunds on milk and milk products were fixed by Commission Regulation (EEC) No 739/80⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 739/80 to the information known to the Commission that the export refunds for the products listed in the Annex hereto should be altered to the amounts set out therein;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state, as fixed in the Annex to Regulation (EEC) No 739/80, are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

Article 2

This Regulation shall enter into force on 11 April 1980.

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

Done at Brussels, 10 April 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 83, 28. 3. 1980, p. 36.

⁽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 10 April 1980 altering the export refunds on certain milk products

Heading Nos 04.01, 04.02, 04.03 and 23.07 of the Annex to Regulation (EEC) No 739/80 and the corresponding amounts shall read as follows :

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % ⁽¹⁾ :		
	II. Other :		
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0150 21	5.00
	ex B. Other, excluding whey, of a fat content, by weight ⁽¹⁾ :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) Of a fat content, by weight, not exceeding 10 %	0200 05	16.27
	(b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	26.05
	(c) Of a fat content, by weight, exceeding 17 %	0200 21	39.73
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) Of a fat content, by weight, not exceeding 35 %	0300 12	47.55
	(b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 %	0300 13	74.41
	(c) Of a fat content, by weight, exceeding 39 %	0300 20	82.73
	III. More than 45 % :		
	(a) Of a fat content, by weight, not exceeding 68 %	0400 11	94.45
	(b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 %	0400 22	139.41
	(c) Of a fat content, by weight, exceeding 80 %	0400 30	162.86
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar ⁽²⁾ :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620 00	50.00
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	50.00

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	b) Other, excluding products containing fish meal or fish oil or fish liver oil and iron carbonate or sulphate, of a fat weight content ⁽³⁾ :		
	1. Not exceeding 1.5 %	1020 00	50.00
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	50.00
	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net content of 2.5 kg or less and of a non-fat content by weight not exceeding 11 % :		
	2. Other, of a non-fat lactic dry matter content :		
	(aa) Of less than 15 % , by weight	1520 10	22.14
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % and of a non-fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(33) Exceeding 8.9 % , by weight, but not exceeding 11 %	1630 10	22.14
	(44) Exceeding 11 % , by weight, but not exceeding 21 %	1630 20	28.00
	(55) Exceeding 21 % , by weight, but not exceeding 39 %	1630 30	47.55
	(66) Exceeding 39 %	1630 40	82.73
	2. Exceeding 45 %	1720 00	94.45
	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2220 00	0.5000 (*) per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0.5000 (*) per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.5000 (*) per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.5000 (*) per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
	(cc) Of a fat content by weight, exceeding 9.5 % but not exceeding 21 % and of a non-fat lactic dry matter content, by weight, less than 15 %	2910 80	0.2409 (*) per kg

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	(dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	2910 85	0.4755 (*) per kg
	(ee) Of a fat content, by weight, exceeding 39 %	2910 90	0.8273 (*) per kg
	2. Exceeding 45 %	3010 00	0.9445 (*) per kg
04.03	Butter :		
	ex A. Of a fat content, by weight, not exceeding 85 % :		
	(I) Of a fat content, by weight, of 62 % or more, but less than 78 % :		
	(a) In tins of a net capacity of 2.5 kg or less or in other immediate packings of a net capacity of 500 g or less, for retail sale ⁽¹⁰⁾	3110 06	128.54
	(b) Other	3110 07	
	For exports to :		
	— Zones C 1 and C 2		—
	— Other destinations		128.54
	(II) Of a fat content, by weight, of 78 % or more, but less than 80 % :		
	(a) In tins of a net capacity of 2.5 kg or less or in other immediate packings of a net capacity of 500 g or less, for retail sale ⁽¹⁰⁾	3110 17	161.71
	(b) Other	3110 18	
	For exports to :		
	— Zones C 1 and C 2		—
	— Other destinations		161.71
	(III) Of a fat content, by weight, of 80 % or more, but less than 82 % :		
	(a) In tins of a net capacity of 2.5 kg or less or in other immediate packings of a net capacity of 500 g or less, for retail sale ⁽¹⁰⁾	3110 23	165.85
	(b) Other	3110 24	
	For exports to :		
	— Zones C 1 and C 2		—
	— Other destinations		165.85
	(IV) Of a fat content, by weight, of 82 % or more :		
	(a) In tins of a net capacity of 2.5 kg or less or in other immediate packings of a net capacity of 500 g or less, for retail sale ⁽¹⁰⁾	3110 33	170.00
	(b) Other	3110 34	
	For exports to :		
	— Zones C 1 and C 2		—
	— Other destinations		170.00
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03 (cont'd)	For exports to : — Zones C 1 and C 2 — Other destinations (II) Exceeding 99.5 % For exports to : — Zones C 1 and C 2 — Other destinations	 3210 20 <	

- (1) When the product falling within this subheading is a mixture containing added whey and/or added lactose, no export refund shall be granted.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose have been added to the product.
- (2) The weight of the added non-lactic matter and/or added lactose shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose, the added whey and/or added lactose shall not be taken into account in the calculation of the amount of refund.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (3) Products falling within subheading 04.02 A II b) and denatured in accordance with Annex III to Regulation (EEC) No 2054/76 are also included.
- (4) The weight of added non-lactic matter and/or added lactose shall not be taken into account for the purpose of calculating the fat content, by weight.
The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components :
(a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product ; however, where whey and/or lactose have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose, contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (5) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements :
(a) the amount per 100 kg shown ; however, where whey and/or lactose have been added to the product, the amount per 100 kg shown shall be :
— multiplied by the weight of the lactic part other than the added whey and/or added lactose contained in 100 kg of product, and then
— divided by the weight of the lactic part contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (6) No refund shall be applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.
- (7) This amount applies to the net weight, minus the weight of the brine.
- (8) 'Special compound feedingstuffs' are compound feedingstuffs containing skimmed-milk powder and fish meal and/or fish oil and/or fish liver oil and/or more than 6 grams of iron (as ferrous sulphate) and/or more than 1.2 grams of copper (as copper sulphate) in 100 kg of product.
- (9) When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the skimmed-milk powder content, by weight,
— the content by weight of the added whey and/or lactose, and
— the lactose content of the added whey
per 100 kg of finished product.
- (10) Plastic packings of a rigid nature and wrappings of aluminium foil and parchment paper, as well as paper treated with paraffin, and tins will be considered as immediate packings put up for retail sale.
- N.B. : — For the purposes of this Regulation 'countries near the Community' means : Zone D, Andorra, Austria, Liechtenstein, Switzerland, Yugoslavia plus the destinations indicated in Article 3 of Regulation (EEC) No 192/75.
— Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 242/80.
— 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras al Khaimah), Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

COMMISSION REGULATION (EEC) No 876/80

of 10 April 1980

altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 17 (5) thereof,

Whereas Commission Regulation (EEC) No 774/80 of 28 March 1980⁽³⁾ has fixed the rates of refunds applicable from 1 April 1980 to certain dairy products exported in the form of goods not covered by Annex II to the Treaty;

Whereas the rates of the refunds per 100 kilograms of each of the basic products concerned shall be fixed for each month, according to the first subparagraph of Article 4 (1) 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 criteria for fixing the amount of such refunds⁽⁴⁾ as last amended by Regulation (EEC) No 707/78⁽⁵⁾; whereas these rules, established in order to create security conditions necessary for the processing industry to conclude their export contracts, should not form an obstacle to adjusting the rates of refunds during the month for which they were fixed in exceptional situations created by important fluctuations of the world market prices; whereas it is therefore necessary to alter the rates of the refunds which applied to certain milk products exported in the form of products which are not included in Annex II to the Treaty;

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,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to certain milk products exported in the form of the products which appear in the Annex to Regulation (EEC) No 804/68 are hereby altered as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 April 1980.

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

Done at Brussels, 10 April 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 85, 29. 3. 1980, p. 36.

⁽⁴⁾ OJ No L 289, 27. 12. 1972, p. 13.

⁽⁵⁾ OJ No L 94, 8. 4. 1978, p. 7.

⁽⁶⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁷⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 10 April 1980 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	Rate of refund (ECU/100 kg)
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of less than 1.5 % by weight and with a water content of less than 5 % by weight (PG 2) : a) On exportation of goods of CCT heading No 35.01 b) On exportation of other goods	— 50.00
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	100.00
ex 04.02 A III	Concentrated milk, with a fat content by weight of 7.5 % and a content by weight in dry matter equal to 25 % (PG 4)	23.69
ex 04.03	Butter, with a fat content by weight of 82 % (PG 6) : a) On exportation of the following goods manufactured under the conditions laid down in Article 6 of Regulation (EEC) No 232/75, Articles 4 and 5 of Regulation (EEC) No 262/79 and Article 1 of Regulation (EEC) No 1468/79 : — goods falling within CCT heading No 19.08 or subheadings 18.06 B and 21.07 C, — powdered preparations for making ice-cream and similar edible products called 'ice-mix' falling within CCT subheading 18.06 D and heading No 21.07, — raw doughs and powdered preparations falling within CCT subheading 19.02 B II b) b) On exportation of goods of CCT subheadings 21.07 G VII a) and 21.07 G VIII a) with a content of non-milk fats of more than 20 % c) On exportation of other goods	— — — 177.85 170.00

COMMISSION REGULATION (EEC) No 877/80
of 10 April 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 832/80⁽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 11 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 11 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 90, 3. 4. 1980, p. 11.

⁽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, 10 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 10 April 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	18.692
ex 12.01	Sunflower seed	21.623

(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	18.692	18.692	18.692	15.319 ⁽¹⁾	15.084 ⁽¹⁾	15.269 ⁽¹⁾
ex 12.01	Sunflower seed	21.623	21.623	21.466	21.231	—	—

⁽¹⁾ Subject to confirmation.

COMMISSION REGULATION (EEC) No 878/80
of 10 April 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 877/80⁽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;

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 11 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 21 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, 10 April 1980.

For the Commission
Finn GUNDELACH
Vice-President

ANNEX

to the Commission Regulation of 10 April 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	20.385

(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	20.385	20.385	20.385	21.091	21.326	21.522

(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 = Fl 2.74362
- 1 ECU = Bfr/Lfr 39.7897
- 1 ECU = FF 5.84700
- 1 ECU = Dkr 7.72336
- 1 ECU = l £ 0.668201
- 1 ECU = £ 0.596178
- 1 ECU = Lit 1 148.14

COMMISSION REGULATION (EEC) No 879/80**of 10 April 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 865/80⁽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 11 April 1980.

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

Done at Brussels, 10 April 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 93, 10. 4. 1980, p. 15.

⁽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 10 April 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	10.07
	B. Raw sugar	4.66 ⁽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 880/80

of 10 April 1980

altering the import levies 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 organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1547/79 ⁽²⁾, and in particular Article 14 ⁽⁴⁾ thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 113/80 ⁽⁴⁾, and in particular Article 12 ⁽⁴⁾ 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 723/80 ⁽⁷⁾;

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;

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 9 April 1980;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3.02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74 ⁽¹⁰⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 ⁽¹¹⁾, as last amended by Regulation (EEC) No 2245/78 ⁽¹²⁾, as fixed in the Annex to Regulation (EEC) No 723/80 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 April 1980.

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

Done at Brussels, 10 April 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 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 16, 22. 1. 1980, p. 1.
⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.
⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.
⁽⁷⁾ OJ No L 83, 28. 3. 1980, p. 5.
⁽⁸⁾ OJ No L 84, 4. 4. 1979, p. 1.
⁽⁹⁾ OJ No L 161, 29. 6. 1979, p. 1.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.
⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽¹²⁾ OJ No L 273, 29. 9. 1978, p. 1.

ANNEX

to the Commission Regulation of 10 April 1980 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in ECU/tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	13.59 ⁽¹⁾	11.78 ⁽¹⁾⁽⁵⁾
11.01 C ⁽²⁾	141.98	135.94
11.02 A III ⁽²⁾	141.98	135.94
11.02 B I a) 1 ⁽²⁾	123.85	120.83
11.02 B I b) 1 ⁽²⁾	123.85	120.83
11.02 C III ⁽²⁾	194.84	188.80
11.02 D III ⁽²⁾	80.05	77.03
11.02 E I a) 1 ⁽²⁾	80.05	77.03
11.02 E I b) 1 ⁽²⁾	157.08	151.04
11.02 F III ⁽²⁾	141.98	135.94
11.04 C I	16.61	9.96 ⁽⁵⁾
11.07 A II a)	145.31 ⁽⁴⁾ ^a	134.43
11.07 A II b)	111.32	100.44
11.07 B	127.94 ⁽⁴⁾	117.06

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes.

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polametric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 0.45 u.a./100 kg for products originating in Turkey.

⁽⁵⁾ In accordance with Regulation (EEC) No 706/76 the levy shall not be charged on the following products originating in the countries and territories:

- arrowroot falling within subheading ex 07.06 A,
- flours and meal of arrowroot falling within subheadings ex 11.04 C I, ex 11.04 C II a) and b),
- arrowroot falling within subheading ex 11.08 A V.

COMMISSION REGULATION (EEC) No 881/80
of 10 April 1980
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 113/80 ⁽²⁾, and in particular Article 11 (2) thereof,

Whereas the import levies on rice and broken rice were fixed by Regulation (EEC) No 134/80 ⁽³⁾, as last amended by Regulation (EEC) No 859/80 ⁽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 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 134/80 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 April 1980.

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

Done at Brussels, 10 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 18, 24. 1. 1980, p. 5.

⁽⁴⁾ OJ No L 93, 10. 4. 1980, p. 5.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁶⁾ OJ No L 161, 29. 6. 1979, p. 1.

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

COMMISSION REGULATION (EEC) No 882/80

of 10 April 1980

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 113/80 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Regulation (EEC) No 135/80 ⁽³⁾, as last amended by Regulation (EEC) No 860/80 ⁽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 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 on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 11 April 1980.

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

Done at Brussels, 10 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 18, 24. 1. 1980, p. 8.

⁽⁴⁾ OJ No L 93, 10. 4. 1980, p. 7.

⁽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 10 April 1980 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 883/80**of 10 April 1980****fixing the corrective amount applicable to the refund on cereals**

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 third sentence of the second subparagraph of Article 16 (4) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 2245/78⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is 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 possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same

Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas it may be altered in the period between fixings;

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;

⁽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. 65.

⁽⁵⁾ OJ No L 273, 29. 9. 1978, p. 1.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁸⁾ OJ No L 161, 29. 6. 1979, p. 1.

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 preceding indent;

Whereas it follows from applying the provisions set out above that the corrective amount must 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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 April 1980.

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

Done at Brussels, 10 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 10 April 1980 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
10.01 A	Common wheat, and meslin	0	0	0	0	—	—	—
10.01 B	Durum wheat	0	0	0	—	—	—	—
10.02	Rye	0	0	0	—	—	—	—
10.03	Barley	0	0	0	—10.00	—	—	—
10.04	Oats	0	0	0	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	—	—
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 March 1980

authorizing Ireland not to apply Community treatment to jerseys, pullovers, slipovers, waistcoats, twinsets, cardigans, bedjackets and jumpers, falling within subheading ex 60.05 A I of the Common Customs Tariff (category 5), originating in Peru and in free circulation in the other Member States

(Only the English text is authentic)

(80/380/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the application under the first para-
graph of Article 115 of the Treaty, made on 6 March
1980 by the Irish Government to the Commission of
the European Communities, for authorization not to
apply Community treatment to jerseys, pullovers,
slipovers, waistcoats, twinsets, cardigans, bedjackets
and jumpers, falling with subheading ex 60.05 A I of
the Common Customs Tariff (category 5), originating
in Peru and in free circulation in the other Member
States,

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

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

Whereas it was not possible on that occasion to allo-
cate these ceilings on the basis of the needs of the
individual markets; whereas there are therefore dispar-
ities existing between the import conditions in the
various Member States; whereas uniformity can only
be achieved progressively;

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

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

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

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

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

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

HAS ADOPTED THIS DECISION :

Article 2

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, where they originate in Peru and are in free circulation in the other Member States, and in respect of which applications for import licenses were lodged after 3 March 1980 :

This Decision shall apply until 30 September 1980.

Article 3

This Decision is addressed to Ireland.

CCT heading No	Description
ex 60.05 A I (NIMEXE codes 60.05-1, 27, 28, 29, 30, 33, 36, 37, 38) (category 5)	Jerseys, pullovers, slipovers, waist- coats, twinsets, cardigans, bedjackets, and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres

Done at Brussels, 14 March 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION**of 14 March 1980**

authorizing the French Republic not to apply Community treatment to men's and boys' woven suits, falling within subheading ex 61.01 B of the Common Customs Tariff (category 16), originating in Yugoslavia and in free circulation in the other Member States

(Only the French text is authentic)

(80/381/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 7 March 1980 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to men's and boys' woven suits, falling within subheading ex 61.01 B of the Common Customs Tariff (category 16), originating in Yugoslavia and in free circulation in the other Member States,

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

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

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

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

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

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

Whereas authorization should accordingly be given for the application of protective measures under the

first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

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

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in Yugoslavia and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 5 March 1980:

CCT heading No	Description
ex 61.01 B (NIMEXE codes 61.01-51, 54, 57) (category 16)	Men's and boys' woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together) of wool; of cotton or of man-made textile fibres, excluding ski-suits

Article 2

This Decision shall apply until 30 June 1980.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 14 March 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 14 March 1980

fixing the minimum selling prices for butter for the 24th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 262/79

(80/382/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 6 (7) thereof,

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

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

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

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

Whereas, in the light of the tenders received in response to the 24th individual invitation to tender, the minimum selling prices should be fixed at the levels specified below and the processing securities determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 24th individual invitation to tender under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders was 11 March 1980, the minimum selling prices and processing securities shall be fixed as follows:

Use to which the butter is to be put (Article 4 (1), (2) and (3) of Regulation (EEC) No 262/79)	Fat content of the butter	Minimum selling price (ECU per 100 kg butter)	Processing security (ECU per 100 kg butter)
Formula A and/or C	82 % or more	106.00	202.00
	Less than 82 %	103.40	197.07
Formula B	82 % or more	170.00	138.00
	Less than 82 %	165.85	134.63

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 161, 29. 6. 1979, p. 13.

⁽⁵⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁶⁾ OJ No L 281, 9. 11. 1979, p. 25.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION OPINION**of 17 March 1980****concerning the draft Convention on the law applicable to contractual obligations****(80/383/EEC)****I**

The Convention on the law applicable to contractual obligations was prepared between 1969 and 1979 by experts from the Governments of the Member States and from the Commission of the European Communities in consultation with the Council and the Commission. It is to be signed in 1980 by the plenipotentiaries of the Member States meeting within the Council.

The draft is the first step towards unification and codification of general rules of conflict in the field of civil law in the Community. Unification will make it easier to determine the law applicable and will increase legal certainty. It should also ensure that all courts in the Community always apply the same substantive law to the same matter in dispute between the same parties. Where the parties are free to choose between courts in different Member States, their choice should not influence the law applicable to the action, and this should operate to prevent forum shopping. The Convention is a logical complement to the Convention of 27 September 1968 on jurisdiction and the enforcement of judgments in civil and commercial matters (the Judgments Convention)⁽¹⁾ and to the Convention of Accession of 9 October 1978⁽²⁾ of the Kingdom of Denmark, of Ireland and of the United Kingdom of Great Britain and Northern Ireland to the Convention of 27 September 1968.

II

The Convention has a very wide scope of application in view of the fact that the courts of the Contracting States will always have to apply it whenever they have to decide what substantive law is applicable in an individual case, whether the choice is between the laws of several Contracting States or of several non-contracting States or of both Contracting and non-contracting States.

The uniform conflict rules created by the Convention cover in principle all types of contract. They are supplemented by special rules of conflict for certain

types of contract which are contained in the Convention itself, e.g. the rules relating to contracts of carriage, or which have been adopted, or will later be adopted in Community legal instruments or in bilateral or multilateral international treaties.

The content of the Convention takes full account of the legal principles prevailing in the Member States. It has regard to developments which have taken place in case-law, legal theory and law reform in the Contracting States and outside them.

The basic rule is that the parties may themselves select the substantive law applicable to their contract except where all the elements relevant to the situation are connected with one country only. In that case, the fact that a foreign law has been chosen will not result in the exclusion of the mandatory rules of the law of that country.

If the parties have not made a choice of law, the contract is as a general rule governed by the law of the country with which it is most closely connected. There is a rebuttable presumption that this is the country where the party who is to perform the obligation which is characteristic of the contract has, at the time of conclusion of the contract, his habitual residence or, in the case of a legal person, its central administration.

III

The Commission welcomes the proposed unification of rules in the field of private international law and endorses the principles embodied in the Convention. It regrets, however, the fact that it has not been possible in this Convention, which is the first on private international law, to cover non-contractual obligations as well. Cases will in fact frequently occur where not only contractual but also non-contractual claims form the subject-matter of the same action. Other cases will turn on the question whether a claim is to be considered as contractual or non-contractual (delictual or quasi-delictual). The application of the Convention in its present form may therefore result in the situation in which if an action is brought in one

⁽¹⁾ OJ No L 304, 30. 10. 1978, p. 77 (which gives the text as amended by the Convention of Accession next referred to).

⁽²⁾ OJ No L 304, 30. 10. 1978, p. 1.

Contracting State it will be decided in accordance with the rules contained in the Convention, whereas if it is brought in another Contracting State it will be decided in accordance with the conflicts rules of the *lex fori* which have not yet been unified. This shortcoming is, however, not so serious that the Commission would wish to oppose signature of the Convention as it stands.

IV

Much more important, however, is the fact that in a number of respects the Convention does not fully succeed in creating a set of rules common to all the Member States :

1. Entry into force in all Member States is not guaranteed. Five ratifications will be sufficient for it to enter into force (Article 28).
2. It has not been concluded for an unlimited period. Its duration may be restricted to 10 years by denunciation (Article 29).
3. Uniform interpretation of the Convention is likewise not guaranteed since the Member States have so far been unable to agree on the incorporation in the Convention, or in a Protocol corresponding to the Protocol of 3 June 1971 on the interpretation of the Judgments Convention⁽¹⁾, of a provision based on Article 177 of the EEC Treaty. The inclusion of such a provision would confer jurisdiction on the Court of Justice of the European Communities to give preliminary rulings concerning the interpretation of the Convention.

The defects mentioned at 1 and 2 above might have the effect of preventing the creation and maintenance of a unified juridical area within the Community. They are both fundamental defects, as a result of which the Convention cannot contribute, or can contribute only temporarily, to the functioning of the common market. Another consequence is that the rights and obligations of nationals of the Member States in intra-Community and international trade and legal transactions will continue to be dissimilar. Forum shopping will still be possible. The Convention no longer has any semblance of being a 'Community convention'. The close connection with the Judgments Convention does in fact require that the territorial scope of both conventions be the same.

The Convention will likewise have to be applicable in all Member States if uniform interpretation by the Court of Justice is to be guaranteed. It is of course not

inconceivable, nor impossible, that the Court would interpret legal instruments that are in force only in some Member States. Nevertheless, the Community's supreme judicial authority should be able, when interpreting a rule of law, to take into account the legal position in all Member States. It is debatable whether this is still possible where a rule does not apply in all those States.

Above all, however, the absence of provisions guaranteeing uniform interpretation and conferring jurisdiction for that purpose on the Court of Justice is a totally unacceptable omission in a set of legal rules which aim among other things at uniform application and development of the uniform rules now prepared. It is precisely because of its numerous framework provisions and the imprecision of many of the legal concepts employed that this Convention needs to be interpreted in a uniform manner. Past experience with other conventions has shown that, without the intervention of the Court of Justice, the same text is inevitably interpreted after a short space of time in different ways by the courts of the individual Contracting States.

The Commission has therefore repeatedly stated through its representatives that it considers the insertion of a provision based on Article 177 of the EEC Treaty to be necessary in order to guarantee uniformity of interpretation and application from the moment the Convention enters into force.

The Commission would be willing to accept that the matter be dealt with by means of a Protocol on interpretation, along the lines of the Protocol dated 3 June 1971, so that at least some national courts are empowered, or are placed under the obligation, to refer questions of interpretation to the Court of Justice for a preliminary ruling.

The Commission would not consider it satisfactory, however, that no obligation to refer to the Court of Justice be placed on national courts from whose judgments no further appeal lies under national law; nor would it be satisfactory that those courts be allowed discretion to determine whether they refer questions of interpretation to the Court of Justice. Consistency of case-law and uniform application of the law cannot be achieved in all Contracting States unless those courts are bound to refer to the Court of Justice. This is the only way of ensuring that the law contained in the Convention, which is a law common to all the Contracting States, is not fragmented as a result of divergent interpretation by the national courts.

⁽¹⁾ OJ No L 304, 30. 10. 1978, p. 97 (text as amended by the Convention of Accession).

A restriction of the jurisdiction of the Court of Justice to the giving of rulings on questions of interpretation 'in the interests of the law', which have no effect on the judgments which gave rise to the reference to the Court, would, in the Commission's opinion, be completely inadequate.

V

For these reasons, the Commission delivers the following opinion pursuant to the Treaty establishing the European Economic Community, and in particular the second indent of Article 155 thereof:

1. The Commission favours the signature and ratification of the Convention on the law applicable to contractual obligations by all Member States of the European Communities, on condition that the Governments of the Member States at least express their willingness in a joint declaration made at the time of signature of the Convention to negotiate forthwith a Protocol conferring on the Court of

Justice of the European Communities powers which guarantee the uniform interpretation and application of the Convention in all Member States.

2. In the absence of such a declaration, the Commission will feel free to propose that the Council adopt a legal instrument based on the EEC Treaty to attain the desired unification of private international law and thereby eliminate the defects mentioned at IV above.
3. This opinion is addressed to the Member States.

Done at Brussels, 17 March 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION**of 17 March 1980**

concerning requests for authorization submitted by the Kingdom of Denmark pursuant to Article 13 (2) of Regulation (EEC, Euratom, ECSC) No 2892/77 relating to own resources accruing from VAT

(Only the Danish text is authentic)

(80/384/EEC, Euratom, ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Council Decision 70/243/ECSC, EEC, Euratom of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources⁽¹⁾,

Having regard to Council Regulation (EEC, Euratom, ECSC) No 2892/77 of 19 December 1977 implementing in respect of own resources accruing from value added tax the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources⁽²⁾, and in particular Article 5 (3) (b), the first subparagraph of Article 9 (3) and Article 13 (2) thereof,

Having regard to the requests for authorization submitted by the Kingdom of Denmark,

Whereas Denmark applies the method laid down in Section A of Title III of Regulation (EEC, Euratom, ECSC) No 2892/77 to determine the basis for collecting VAT resources for a given financial year;

Whereas in the cases referred to in Article 9 (2) of Regulation (EEC, Euratom, ECSC) No 2892/77 the Member States — in accordance with paragraph 1 of this Article — determine the VAT resources basis from the returns made by taxable persons in accordance with Article 22 of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽³⁾, hereinafter called the 'Sixth Directive'; whereas, in the absence of returns or where returns do not contain the necessary information, the assessment is based on appropriate data such

as other tax returns, professional accounts and complete statistical series;

Whereas under the first indent of Article 9 (3) of the same Regulation the Member States may, in certain circumstances, be authorized not to take into account in calculating the VAT resources basis one or more categories of transactions listed in Annexes E, F and G to the Sixth Directive to which the provisions of Article 9 (2) apply;

Whereas Denmark has submitted such requests for authorization to the Commission in cases where it considers that a precise calculation of the VAT resources basis would cause an unjustified administrative burden in relation to the effect of the relevant transactions on its total VAT resources basis;

Whereas Denmark exempts services supplied by authors, artists and composers, but whereas the greater part of these services are provided by undertakings with a turnover of less than 10 000 EUA, and whereas these services are supplied in part to taxable persons;

Whereas, in Denmark, the services supplied by undertakers and cremation services are exempted while the supplies of goods incidental to these services are taxed;

Whereas in the matter of credit management only occasional transactions are performed by persons or bodies other than those which granted the credit; whereas these services are often supplied to taxable persons;

Whereas Denmark has granted the option of the status of taxable persons to a limited number of professional associations for a period limited to three years on condition they provide information services for their members;

Whereas the Commission accepts that, in the case of these requests by Denmark, such a calculation would indeed cause an unjustified burden in relation to the effect of the transactions in question on the State's total VAT resources basis;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 19.

⁽²⁾ OJ No L 336, 27. 12. 1977, p. 8.

⁽³⁾ OJ No L 145, 13. 6. 1977, p. 1.

Whereas Denmark should therefore be authorized, pursuant to the first indent of Article 9 (3) of Regulation (EEC, Euratom, ECSC) No 2892/77, not to take into account in determining the VAT resources basis the corresponding categories of transactions listed in Annexes F and G to the Sixth Directive ;

Whereas the statements made in the returns submitted by newspaper publishers do not make it possible to determine with any accuracy the VAT resources basis relating to the sales of newspapers ; whereas Denmark should be authorized under Article 5 (3) (b) of the said Regulation to apply a corrective factor to these statements so as to arrive at a determination of the VAT resources basis containing no more than a negligible margin of error ;

Whereas during the early years of the implementation of the Sixth Directive annual authorizations should be granted ;

Whereas the Advisory Committee on Own Resources has approved the report containing the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION :

Article 1

For the purpose of calculating the VAT resources basis for the financial year 1979, the Kingdom of Denmark is hereby authorized, pursuant to the first indent of Article 9 (3) of Regulation (EEC, Euratom, ECSC) No 2892/77, not to take into account the following categories of transaction referred to in Annexes F and G of the Sixth Directive :

1. *Services supplied by authors, artists, performers, lawyers and other members of the liberal professions, other than the medical and para-medical professions, in so far as these are not the services specified in Annex B to the Second Council Directive of 11 April 1967 :*

Services supplied by authors, artists and performers
(Annex F, ex point 2).

2. *Services supplied by undertakers and cremation services other than the supplies of goods related thereto :*

(Annex F, ex point 6).

3. *Management of credit and credit guarantees by a person or body other than the one which granted the credit :*

(Annex F, point 13).

4. *For taxable persons having an option under Article 28 (3) (c) of the Sixth Directive in respect of taxation covered by the provisions of paragraph 2 of Annex G to that Directive :*

Supplies of services by professional associations which have opted for the status of taxable persons to their members solely for their information activities

(Annex G, ex point 2).

Article 2

For the purpose of calculating the VAT resources basis for the financial year 1979, the Kingdom of Denmark is hereby authorized, pursuant to Article 5 (3) (b) of Regulation (EEC, Euratom, ECSC) No 2892/77, to apply to the information extracted from the returns made by newspaper publishers a corrective factor calculated on the basis of the appropriate data obtained from the statistics of the publishing industry.

Article 3

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 17 March 1980.

For the Commission

Christopher TUGENDHAT

Member of the Commission

COMMISSION DECISION**of 19 March 1980**

authorizing the French Republic not to apply Community treatment to men's and boys' shirts, woven, falling within heading No ex 61.03 of the Common Customs Tariff (category 8), originating in Sri Lanka and in free circulation in the other Member States

(Only the French text is authentic)

(80/385/FEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 11 March 1980 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to men's and boys' shirts, woven, falling within heading No ex 61.03 of the Common Customs Tariff (category 8), originating in Sri Lanka and in free circulation in the other Member States,

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

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

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

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

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

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

Whereas authorization should accordingly be given for the application of protective measures under the

first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

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

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in Sri Lanka and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 7 March 1980:

CCT heading No	Description
ex 61.03 (NIMEXE codes 61.03-11, 15, 19) (category 8)	Men's and boys' shirts, woven of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 30 June 1980.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 19 March 1980.

For the Commission

Wilhelm HAERKAMP

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 19 March 1980

authorizing Ireland not to apply Community treatment to jerseys, pullovers, slipovers, waistcoats, twinsets, cardigans, bedjackets and jumpers, falling within heading No ex 60.05 A I of the Common Customs Tariff (category 5), originating in Hong Kong and in free circulation in the other Member States

(Only the English text is authentic)

(80/386/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 10 March 1980 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to jerseys, pullovers, slipovers, waistcoats, twinsets, cardigans, bedjackets and jumpers, falling within heading No ex 60.05 A I of the Common Customs Tariff (category 5), originating in Hong Kong and in free circulation in the other Member States,

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

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

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

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

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

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

Whereas authorization should accordingly be given for the application of protective measures under the

first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof,

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

HAS ADOPTED THIS DECISION:

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, where they originate in Hong Kong and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 7 March 1980:

CCT heading No	Description
ex 60.05 A I (NIMEXE codes 60.05-1, 27, 28, 29, 30, 33, 36, 37, 38) (category 5)	Jerseys, pullovers, slipovers, waistcoats, twinsets, cardigans, bedjackets, and jumpers knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 30 September 1980.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 19 March 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION**of 19 March 1980****fixing the maximum export refund for the second partial invitation to tender
for white sugar issued under Regulation (EEC) No 561/80****(80/387/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas Commission Regulation (EEC) No 561/80 of
5 March 1980 on a standing invitation to tender to
determine levies and/or refunds on export of white
sugar⁽³⁾, requires partial invitations to tender to be
issued for the export of this sugar ;

Whereas, pursuant to Article 9 (1) of Regulation (EEC)
No 561/80, a maximum export refund shall be fixed,
as the case may be, account being taken in particular
of the state and foreseeable development of the
Community and world markets in sugar, for the
partial invitation to tender in question ;

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

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum export refund for the second partial
invitation to tender for white sugar issued under Regu-
lation (EEC) No 561/80 is hereby fixed at 12·900
ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 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 61, 6. 3. 1980, p. 18.

COMMISSION DECISION**of 19 March 1980****fixing the maximum amount of the export refund for the 90th partial invitation to tender for raw beet sugar issued under Regulation (EEC) No 1790/77****(80/388/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 1790/77 of 2 August 1977 on a standing invitation to tender to determine export refunds for raw beet sugar⁽³⁾, as last amended by Regulation (EEC) No 2214/79⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar ;

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

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

Whereas, following an examination of the tenders submitted in response to 90th partial invitation to tender, the provisions set out in Article 1 should be adopted ;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum amount of the export refund for the 90th partial invitation to tender for raw beet sugar issued under Regulation (EEC) No 1790/77 is hereby fixed at 10.990 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 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 197, 4. 8. 1977, p. 11.

⁽⁴⁾ OJ No L 256, 11. 10. 1979, p. 24.

⁽⁵⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁶⁾ OJ No L 167, 26. 6. 1976, p. 13.

COMMISSION DECISION**of 19 March 1980****on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland****(80/389/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Regulation (EEC) No 435/80 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 March 1980, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 486/80, do not, exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the quantities in respect of which it will be possible to apply for licences from 1 April 1980 should be fixed,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 March 1980 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. United Kingdom:
47.8 tonnes originating from Swaziland.
2. Federal Republic of Germany:
(a) 350.0 tonnes originating from Madagascar;
(b) 160.2 tonnes originating from Swaziland.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 486/80 during the first 10 days of April 1980, in respect of the following quantities of boned beef and veal:

Botswana:	15 763 tonnes,
Kenya:	118 tonnes,
Madagascar:	5 966 tonnes,
Swaziland:	2 595 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 56, 29. 2. 1980, p. 22.