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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 894/80**

**of 14 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1547/79<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(4)</sup>, 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<sup>(5)</sup> 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<sup>(6)</sup>, as amended by Regulation (EEC) No 1264/79<sup>(7)</sup>, 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 11 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 15 April 1980.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 188, 26. 7. 1979, p. 1.

<sup>(3)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(4)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(5)</sup> OJ No L 193, 1. 8. 1979, p. 5.

<sup>(6)</sup> OJ No L 84, 4. 4. 1979, p. 1.

<sup>(7)</sup> 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, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

# ANNEX

to the Commission Regulation of 14 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                  | 84.91                                |
| 10.01 B        | Durum wheat                               | 119.26 <sup>(1)</sup> <sup>(5)</sup> |
| 10.02          | Rye                                       | 79.07 <sup>(6)</sup>                 |
| 10.03          | Barley                                    | 76.37                                |
| 10.04          | Oats                                      | 60.40                                |
| 10.05 B        | Maize, other than hybrid maize for sowing | 91.62 <sup>(2)</sup> <sup>(3)</sup>  |
| 10.07 A        | Buckwheat                                 | 0                                    |
| 10.07 B        | Millet                                    | 28.94 <sup>(4)</sup>                 |
| 10.07 C        | Grain sorghum                             | 83.27 <sup>(4)</sup>                 |
| 10.07 D        | Canary seed; other cereals                | 0 <sup>(5)</sup>                     |
| 11.01 A        | Wheat or meslin flour                     | 134.30                               |
| 11.01 B        | Rye flour                                 | 125.17                               |
| 11.02 A I a)   | Durum wheat groats and meal               | 198.32                               |
| 11.02 A I b)   | Common wheat groats and meal              | 143.32                               |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

<sup>(2)</sup> 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'.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.81 ECU/tonne.

<sup>(4)</sup> Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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 895/80

of 14 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1547/79<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(4)</sup>, 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<sup>(5)</sup> 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<sup>(6)</sup>, as amended by Regulation (EEC) No 1264/79<sup>(7)</sup>, 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 11 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 15 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, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

# *ANNEX*

to the Commission Regulation of 14 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<br>4 | 1st period<br>5 | 2nd period<br>6 | 3rd period<br>7 |
|----------------|-------------------------------------------|--------------|-----------------|-----------------|-----------------|
| 10.01 A        | Common wheat, and meslin                  | 0            | 0               | 0               | 0               |
| 10.01 B        | Durum wheat                               | 0            | 0.76            | 0.76            | 1.58            |
| 10.02          | Rye                                       | 0            | 0               | 0               | 0.79            |
| 10.03          | Barley                                    | 0            | 1.40            | 1.40            | 1.40            |
| 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<br>4 | 1st period<br>5 | 2nd period<br>6 | 3rd period<br>7 | 4th period<br>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            | 2.49            | 2.49            | 2.49            | 2.49            |
| 11.07 A II (b) | Unroasted malt, other than that obtained from wheat, other than in the form of flour | 0            | 1.86            | 1.86            | 1.86            | 1.86            |
| 11.07 B        | Roasted malt                                                                         | 0            | 2.17            | 2.17            | 2.17            | 2.17            |

**COMMISSION REGULATION (EEC) No 896/80**  
**of 14 April 1980**  
**fixing the import levies on milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EEC) No 1761/78<sup>(2)</sup>, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Regulation (EEC) No 3006/79<sup>(3)</sup>, as last amended by Regulation (EEC) No 782/80<sup>(4)</sup>;

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

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

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

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3006/79 to the prices known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies referred to in Article 14 (2) of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 16 April 1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.  
<sup>(2)</sup> OJ No L 204, 28. 7. 1978, p. 6.  
<sup>(3)</sup> OJ No L 357, 29. 12. 1979, p. 53.  
<sup>(4)</sup> OJ No L 87, 1. 4. 1980, p. 5.  
<sup>(5)</sup> OJ No L 161, 29. 6. 1979, p. 7.  
<sup>(6)</sup> OJ No L 88, 1. 4. 1980, p. 20.  
<sup>(7)</sup> OJ No L 84, 4. 4. 1979, p. 1.  
<sup>(8)</sup> OJ No L 161, 29. 6. 1979, p. 1.

## ANNEX

to the Commission Regulation of 14 April 1980 fixing the import levies on milk and milk products

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

| CCT heading No     | Code | Import levy                   |
|--------------------|------|-------------------------------|
| 04.01 A I a)       | 0110 | 23.26                         |
| 04.01 A I b)       | 0120 | 20.85                         |
| 04.01 A II a) 1    | 0130 | 20.85                         |
| 04.01 A II a) 2    | 0140 | 25.99                         |
| 04.01 A II b) 1    | 0150 | 19.64                         |
| 04.01 A II b) 2    | 0160 | 24.78                         |
| 04.01 B I          | 0200 | 56.12                         |
| 04.01 B II         | 0300 | 118.71                        |
| 04.01 B III        | 0400 | 183.46                        |
| 04.02 A I          | 0500 | 14.55                         |
| 04.02 A II a) 1    | 0620 | 87.93                         |
| 04.02 A II a) 2    | 0720 | 153.18                        |
| 04.02 A II a) 3    | 0820 | 155.60                        |
| 04.02 A II a) 4    | 0920 | 168.07                        |
| 04.02 A II b) 1    | 1020 | 80.68                         |
| 04.02 A II b) 2    | 1120 | 145.93                        |
| 04.02 A II b) 3    | 1220 | 148.35                        |
| 04.02 A II b) 4    | 1320 | 160.82                        |
| 04.02 A III a) 1   | 1420 | 23.89                         |
| 04.02 A III a) 2   | 1520 | 32.25                         |
| 04.02 A III b) 1   | 1620 | 118.71                        |
| 04.02 A III b) 2   | 1720 | 183.46                        |
| 04.02 B I a)       | 1820 | 36.27                         |
| 04.02 B I b) 1 aa) | 2220 | per kg 0.8068 <sup>(11)</sup> |
| 04.02 B I b) 1 bb) | 2320 | per kg 1.4593 <sup>(11)</sup> |
| 04.02 B I b) 1 cc) | 2420 | per kg 1.6082 <sup>(11)</sup> |
| 04.02 B I b) 2 aa) | 2520 | per kg 0.8068 <sup>(12)</sup> |
| 04.02 B I b) 2 bb) | 2620 | per kg 1.4593 <sup>(12)</sup> |
| 04.02 B I b) 2 cc) | 2720 | per kg 1.6082 <sup>(12)</sup> |
| 04.02 B II a)      | 2820 | 39.10                         |
| 04.02 B II b) 1    | 2910 | per kg 1.1871 <sup>(12)</sup> |
| 04.02 B II b) 2    | 3010 | per kg 1.8346 <sup>(12)</sup> |
| 04.03 A            | 3110 | 215.84                        |
| 04.03 B            | 3210 | 263.32                        |
| 04.04 A I a) 1     | 3321 | 18.13                         |
| 04.04 A I a) 2     | 3420 | 175.65 <sup>(13)</sup>        |
| 04.04 A I b) 1 aa) | 3521 | 18.13                         |
| 04.04 A I b) 1 bb) | 3619 | 175.65 <sup>(13)</sup>        |
| 04.04 A I b) 2     | 3719 | 175.65 <sup>(13)</sup>        |
| 04.04 A II         | 3800 | 175.65                        |
| 04.04 B            | 3900 | 152.15 <sup>(14)</sup>        |
| 04.04 C            | 4000 | 158.46                        |
| 04.04 D I          | 4120 | 36.27                         |
| 04.04 D II a) 1    | 4410 | 142.10                        |
| 04.04 D II a) 2    | 4510 | 153.30                        |
| 04.04 D II b)      | 4610 | 250.02                        |
| 04.04 E I a)       | 4710 | 152.15                        |
| 04.04 E I b) 1     | 4835 | 182.42 <sup>(10)</sup>        |

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

| CCT heading No             | Code | Import levy            |
|----------------------------|------|------------------------|
| 04.04 E I b) 2 aa)         | 4922 | 149.02 <sup>(15)</sup> |
| 04.04 E I b) 2 bb)         | 5022 | 149.02 <sup>(16)</sup> |
| 04.04 E I b) 3             | 5030 | 149.02 <sup>(17)</sup> |
| 04.04 E I b) 4             | 5060 | 149.02 <sup>(17)</sup> |
| 04.04 E I b) 5             | 5120 | 149.02 <sup>(18)</sup> |
| 04.04 E I c) 1             | 5210 | 111.77                 |
| 04.04 E I c) 2             | 5250 | 245.74                 |
| 04.04 E II a)              | 5310 | 152.15                 |
| 04.04 E II b)              | 5410 | 245.74                 |
| 17.02 A II <sup>(18)</sup> | 5500 | 27.54                  |
| 21.07 FI                   | 5600 | 27.54                  |
| 23.07 B I a) 3             | 5700 | 62.93                  |
| 23.07 B I a) 4             | 5800 | 81.49                  |
| 23.07 B I b) 3             | 5900 | 76.55                  |
| 23.07 B I c) 3             | 6000 | 63.66                  |
| 23.07 B II                 | 6100 | 81.49                  |

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

<sup>(11)</sup> The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:  
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;  
b) 7.25 ECU; and  
c) 4.99 ECU.

<sup>(12)</sup> The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:  
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;  
and  
b) 4.99 ECU.

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

<sup>(14)</sup> The levy is limited to 6 % of the value for customs purposes.

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

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

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

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

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

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

**COMMISSION REGULATION (EEC) No 897/80****of 14 April 1980****fixing the export refunds on beef and veal**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
805/68 of 27 June 1968 on the common organization  
of the market in beef and veal <sup>(1)</sup>, as last amended by  
Regulation (EEC) No 2916/79 <sup>(2)</sup>, and in particular the  
first sentence of Article 18 (5) thereof,

Having regard to the opinion of the Monetary  
Committee,

Whereas Article 18 of Regulation (EEC) No 805/68  
provides that the difference between prices on the  
world market for the products listed in Article 1 of  
that Regulation and prices for those products within  
the Community may be covered by an export refund ;

Whereas Council Regulation (EEC) No 885/68 of 28  
June 1968 <sup>(3)</sup>, as last amended by Regulation (EEC)  
No 427/77 <sup>(4)</sup>, lays down general rules for granting  
export refunds and criteria for fixing the amount of  
such refunds ;

Whereas it follows from applying these rules and  
criteria to the foreseeable situation on the market in  
beef and veal that the refund should be as set out  
below ;

Whereas the current market situation in the Commu-  
nity and sales outlets, particularly in non-member  
countries, leads to granting export refunds on adult  
bovine animals of a live weight of at least 300 kilo-  
grams ; whereas experience gained in recent years has  
shown that it is advisable to treat live pedigree  
breeding animals of a weight of at least 300 kilograms  
in an identical manner to other bovine animals, while  
subjecting them to certain special administrative  
formalities ;

Whereas it is necessary to grant refunds for the export  
to certain destinations of certain fresh or chilled meat  
listed in the Annex under subheading ex 02.01 A II a)  
and of certain frozen meat listed in the Annex under  
subheading ex 02.01 A II b) and of certain other

prepared or preserved meat or meat offal listed in the  
Annex under subheading 16.02 B III b) 1 aa) ;

Whereas, in the case of meat of bovine animals,  
boned or boneless, salted and dried, there are tradi-  
tional trade flows to Switzerland ; whereas, to the  
extent necessary to allow this trade to continue, the  
refund must be fixed at an amount which will cover  
the difference between prices on the Swiss market and  
export prices in the Member States ;

Whereas, in the case of certain other cuts and  
preserves of meat or offals shown in the Annex under  
subheading 16.02 B III b) 1 bb), Community participa-  
tion in international trade may be ensured by granting  
a refund which takes account of the refund hitherto  
granted to exporters ;

Whereas, in the case of other beef and veal products, a  
refund need not be fixed since Community participa-  
tion in world trade in these products is not signifi-  
cant ;

Whereas Council Regulation (EEC) No 652/79 of 29  
March 1979 on the impact of the European monetary  
system on the common agricultural policy <sup>(5)</sup>, as  
amended by Regulation (EEC) No 1264/79 <sup>(6)</sup>, 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 ;

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 329, 24. 12. 1979, p. 15.

<sup>(3)</sup> OJ No L 156, 4. 7. 1968, p. 2.

<sup>(4)</sup> OJ No L 61, 5. 3. 1977, p. 16.

<sup>(5)</sup> OJ No L 84, 4. 4. 1979, p. 1.

<sup>(6)</sup> OJ No L 161, 29. 6. 1979, p. 1.

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

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

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The list of products on which the export refund referred to in Article 18 of Regulation (EEC) No 805/68 is granted and the amount of that refund shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 16 April 1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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## ANNEX

to the Commission Regulation of 14 April 1980 fixing the export refunds on beef and veal

(ECU/100 kg)

| CCT heading No | Description                                                                                                                                                         | Refund          |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
|                |                                                                                                                                                                     | — Live weight — |
| ex 01.02 A     | Live domestic animals of the bovine species :                                                                                                                       |                 |
|                | I. Pure-bred breeding animals :                                                                                                                                     |                 |
|                | (a) Adult bovine animals with a live weight equal to or greater than 300 kg                                                                                         | 68.000          |
|                | II. Other than pure-bred breeding animals :                                                                                                                         |                 |
|                | (a) Adult bovine animals with a live weight equal to or greater than 300 kg                                                                                         | 68.000          |
|                |                                                                                                                                                                     | — Net weight —  |
| ex 02.01 A II  | Meat of bovine animals :                                                                                                                                            |                 |
|                | a) Fresh or chilled :                                                                                                                                               |                 |
|                | 1. Carcasses, half-carcasses or 'compensated' quarters :                                                                                                            |                 |
|                | (aa) The front part of a carcass or of a half-carcass comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs :                        |                 |
|                | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 95.000          |
|                | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 88.000          |
|                | — Other third countries, except the United States of America                                                                                                        | 72.500          |
|                | (bb) Other :                                                                                                                                                        |                 |
|                | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 129.500         |
|                | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 122.500         |
|                | — Other third countries, except the United States of America                                                                                                        | 103.000         |
|                | 2. Separated or unseparated forequarters :                                                                                                                          |                 |
|                | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 95.000          |
|                | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 88.000          |
|                | — Other third countries, except the United States of America                                                                                                        | 72.500          |
|                | 3. Separated or unseparated hindquarters :                                                                                                                          |                 |
|                | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 164.000         |
|                | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 157.000         |
|                | — Other third countries, except the United States of America                                                                                                        | 133.500         |

| (ECU/100 kg)              |                                                                                                                                                                     |                |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| CCT heading No            | Description                                                                                                                                                         | Refund         |
|                           |                                                                                                                                                                     | — Net weight — |
| ex 02.01 A II<br>(cont'd) | 4. Other :                                                                                                                                                          |                |
|                           | (aa) Unboned (bone-in) :                                                                                                                                            |                |
|                           | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 95·000         |
|                           | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 88·000         |
|                           | — Other third countries, except the United States of America                                                                                                        | 72·500         |
|                           | ex (bb) Boned or boneless, excluding the thin flanks and the shin :                                                                                                 |                |
|                           | (11) Each piece individually wrapped :                                                                                                                              |                |
|                           | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 141·194        |
|                           | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 134·194        |
|                           | — Other third countries, except the United States of America                                                                                                        | 113·037        |
|                           | b) Frozen :                                                                                                                                                         |                |
|                           | 1. Carcasses, half-carcasses or 'compensated' quarters :                                                                                                            |                |
|                           | (aa) The front part of a carcass or of a half-carcass comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs :                        |                |
|                           | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 89·000         |
|                           | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 82·000         |
|                           | (bb) Other :                                                                                                                                                        |                |
|                           | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 108·500        |
|                           | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 101·500        |
|                           | 2. Separated or unseparated forequarters :                                                                                                                          |                |
|                           | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 89·000         |
|                           | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 82·000         |
|                           | 3. Separated or unseparated hindquarters :                                                                                                                          |                |
|                           | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 128·000        |
|                           | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 121·000        |

| (ECU/100 kg)              |                                                                                                                                                                     |                |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| CCT heading No            | Description                                                                                                                                                         | Refund         |
|                           |                                                                                                                                                                     | — Net weight — |
| ex 02.01 A II<br>(cont'd) | 4. Other :                                                                                                                                                          |                |
|                           | (aa) Unboned (bone-in) :                                                                                                                                            |                |
|                           | — For export to North African, Near and Middle East countries, within the meaning of Regulation No 2566/79 <sup>(1)</sup>                                           | 89-000         |
|                           | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 82-000         |
|                           | ex (bb) Boned or boneless, excluding the thin flanks and the shin each piece individually wrapped :                                                                 |                |
|                           | — for export to the U.S.A. carried out in accordance with Regulation (EEC) No 2973/79 <sup>(3)</sup>                                                                | 107-000        |
|                           | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 107-000        |
|                           | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 100-000        |
|                           | Other boned or boneless :                                                                                                                                           |                |
|                           | — for export to the U.S.A. carried out in accordance with Regulation (EEC) No 2973/79 <sup>(3)</sup>                                                                | 107-000        |
| ex 02.06 C I a) 2         | Meat of bovine animals, boned or boneless, salted and dried :<br>— For export to Switzerland                                                                        | 64-679         |
| ex 16.02 B III b) 1       | Other preparations and preserves containing bovine meat or offals, except those finely homogenized <sup>(4)</sup> :                                                 |                |
|                           | ex (aa) Uncooked, containing by weight the following percentages of bovine meats (excluding offal and fat) :                                                        |                |
|                           | (11) 80 % or more of meat :                                                                                                                                         |                |
|                           | — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup>                                     | 98-880         |
|                           | — For export to European third countries <sup>(2)</sup> , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 | 91-880         |
|                           | (22) 60 % or more, but less than 80 % of meat :                                                                                                                     |                |
|                           | — For export to African, Near and Middle East and European third countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup> <sup>(2)</sup>         | 55-007         |
|                           | (33) 40 % or more, but less than 60 % of meat :                                                                                                                     |                |
|                           | — For export to African, Near and Middle East and European third countries, within the meaning of Regulation (EEC) No 2566/79 <sup>(1)</sup> <sup>(2)</sup>         | 37-478         |

(ECU/100 kg)

| CCT heading No                  | Description                                                                                               | Refund         |
|---------------------------------|-----------------------------------------------------------------------------------------------------------|----------------|
|                                 |                                                                                                           | — Net weight — |
| ex 16.02 B III b) 1<br>(cont'd) | ex (bb) Other, containing by weight the following percentages of bovine meats (excluding offal and fat) : |                |
|                                 | (11) 80 % or more of meat                                                                                 | 45.336         |
|                                 | (22) 60 % or more, but less than 80 % of meat                                                             | 27.201         |
|                                 | (33) 40 % or more, but less than 60 % of meat                                                             | 18.134         |
|                                 | (44) 20 % or more, but less than 40 % of meat                                                             | 9.067          |

<sup>(1)</sup> OJ No L 294, 21. 11. 1979, p. 5.

<sup>(2)</sup> Within the meaning of this Regulation those destinations mentioned in Article 5 of Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1) to be understood as European third countries.

<sup>(3)</sup> OJ No L 336, 29. 12. 1979, p. 44.

<sup>(4)</sup> The products which contain a small quantity of visible pieces of meat are also excluded.

**NB :** Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

**COMMISSION REGULATION (EEC) No 898/80**  
**of 11 April 1980**

**re-establishing the levying of customs duties on goat and kidskin leather, except leather falling within heading No 41.06 or 41.08, other, other, falling within subheading 41.04 B II and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2789/79 of 10 December 1979 establishing preferential tariffs in respect of certain products originating in developing countries<sup>(1)</sup>, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in European units of account, which will be equal — with the exception of certain products, the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1977 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1977 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 110 or 115 % of that fixed for 1979;

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may be re-established at any time on imports of the products in question coming from any country or territory, with the exception of those listed in Annex C thereto, once the Community ceiling has been reached;

Whereas, in respect of goat and kidskin leather, except leather falling within heading No 41.06 or

41.08, other, other, the ceiling, calculated as indicated above, should be 5 500 000 European units of account; whereas, on 28 March 1980, the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2789/79 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 18 April 1980, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2789/79, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2789/79:

| CCT heading No | Description                                                                                                        |
|----------------|--------------------------------------------------------------------------------------------------------------------|
| 41.04          | Goat kidskin leather, except leather falling within heading No 41.06 or 41.08 :<br><br>B. Other :<br><br>II. Other |

*Article 2*

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

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

Done at Brussels, 11 April 1980.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

<sup>(1)</sup> OJ No L 328, 24. 12. 1979, p. 25.

**COMMISSION REGULATION (EEC) No 899/80**  
**of 11 April 1980**

**re-establishing the levying of customs duties on image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers, falling within heading No 90.09 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2789/79 of 10 December 1979 establishing preferential tariffs in respect of certain products originating in developing countries<sup>(1)</sup>, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in European units of account, which will be equal — with the exception of certain products, the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1977 and coming from countries and territories covered by those arrangements but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1977 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 110 or 115 % of that fixed for 1979;

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may be re-established at any time on imports of the products in question coming from any country or territory, with the exception of those listed in Annex C thereto, once the Community ceiling has been reached;

Whereas, in respect of image projectors (other than cinematographic projectors); photographic (except

cinematographic) enlargers and reducers, the ceiling, calculated as indicated above, should be 3 298 000 European units of account; whereas, on 28 March 1980, the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2789/79 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 18 April 1980, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2789/79, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2789/79:

| CCT heading No | Description                                                                                                            |
|----------------|------------------------------------------------------------------------------------------------------------------------|
| 90.09          | Image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers |

*Article 2*

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

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

Done at Brussels, 11 April 1980.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

<sup>(1)</sup> OJ No L 328, 24. 12. 1979, p. 25.

## COMMISSION REGULATION (EEC) No 900/80

of 11 April 1980

re-establishing the levying of customs duties on yarn of synthetic textile fibres (discontinuous or waste), put up for retail sale, products of category 56 (code 0560), originating in Peru and Hong Kong, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2894/79 of 10 December 1979 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas Article 3 (1) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated in column 6 of Annex B, for each of the beneficiaries indicated in column 5 of the same Annex;

Whereas Article 4 (1) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, once the relevant Community ceiling has been reached;

Whereas, in respect of yarn of synthetic textile fibres (discontinuous or waste), put up for retail sale, products of category 56, the ceiling should be two tonnes; whereas on 20 March 1980 the amounts of imports into the Community of the products in question originating in Peru and Hong Kong, a country covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2894/79 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Peru and Hong Kong,

HAS ADOPTED THIS REGULATION :

*Article 1*

As from 18 April 1980, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2894/79, shall be re-established in respect of the following products, imported into the Community and originating in Peru and Hong Kong :

| Code | Category | CCT heading No | NIMEXE code (1980) | Description                                                                                                                                                     |
|------|----------|----------------|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
|      | (1)      | (2)            | (3)                | (4)                                                                                                                                                             |
| 0560 | 56       | 56.06          | 56.06-11 ; 15      | Yarn of man-made fibres (discontinuous or waste), put up for retail sale :<br>Yarn of synthetic textile fibres (discontinuous or waste), put up for retail sale |

*Article 2*

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

<sup>(1)</sup> OJ No L 332, 27. 12. 1979, p. 1.

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

Done at Brussels, 11 April 1980.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 901/80

of 11 April 1980

re-establishing the levying of customs duties on textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials, products of category 100 (code 1000), originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2894/79 of 10 December 1979 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas Article 3 (1) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated in column 6 of Annex B, for each of the beneficiaries indicated in column 5 of the same Annex;

Whereas Article 4 (1) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, once the relevant Community ceiling has been reached;

Whereas, in respect of textile fabrics impregnated, coated, covered or laminated with preparations of

cellulose derivatives or of other artificial plastic materials, products of category 100, the ceiling should be 20 tonnes; whereas on 20 March 1980 the amounts of imports into the Community of the products in question originating in South Korea, a country covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2894/79 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question in relation to South Korea,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 18 April 1980, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2894/79, shall be re-established in respect of the following products, imported into the Community and originating in South Korea:

| Code | Category | CCT heading No | NIMEXE code (1980)       | Description                                                                                                                                   |
|------|----------|----------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
|      | (1)      | (2)            | (3)                      | (4)                                                                                                                                           |
| 1000 | 100      | 59.08          | 59.08-10; 51; 61; 71; 79 | Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials |

*Article 2*

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

<sup>(1)</sup> OJ No L 332, 27. 12. 1979, p. 1.

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

Done at Brussels, 11 April 1980.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 902/80****of 14 April 1980****amending for the fifth time Regulation (EEC) No 223/77 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 222/77 of 13 December 1976 on Community transit<sup>(1)</sup>, as amended by Regulation (EEC) No 983/79<sup>(2)</sup>, and in particular Article 57 thereof,

Whereas Commission Regulation (EEC) No 223/77<sup>(3)</sup>, as last amended by Regulation (EEC) No 137/80<sup>(4)</sup>, contains provisions as to forms and their use in the Community transit procedure ;

Whereas it is necessary to amend these provisions to allow these forms to be prepared and completed by modern reproduction techniques ;

Whereas, in addition, there is a need to introduce a procedure for dividing the Control Copy T No 5 in cases where a consignment of goods accompanied by such a document is divided in such a way that its parts are consigned to different destinations ;

Whereas Article 17 of Regulation (EEC) No 223/77 stipulates that the guarantor must be informed of the non-discharge of a Community transit document within nine months from the date of issue thereof ;

Whereas the second paragraph of Article 35 of Regulation (EEC) No 222/77, which provides for the guarantor to be released from his obligations 12 months following the date of registration of a transit declaration where he has not been notified of non-discharge of the T document, adequately defines the obligations of the office of departure as to the period for giving such notification ;

Whereas the two different periods laid down in these provisions have led to difficulties of interpretation and it is therefore neither necessary nor desirable to retain Article 17 of Regulation (EEC) No 223/77 ;

Whereas, in the case of the simplified procedures for the carriage of goods by rail provided for in Regulation (EEC) No 223/77, it has proved necessary, so as to ensure proper control, to indicate on three copies of the documents used in these cases that the goods are moving under the external Community transit procedure ;

Whereas the railway authorities have combined together to constitute joint transport undertakings engaging in the international carriage of large containers and using for this purpose a document known as a 'Transfer Note', which covers the entire journey even where the latter includes parts covered by means other than rail ;

Whereas this situation allows the extension to the carriage of goods by means of large containers of the simplified procedures at present available when goods are transported wholly by rail, the railway administrations acting as principals for the movements in question ;

Whereas this extension makes it necessary to amend Article 9 of Regulation (EEC) No 223/77 ;

Whereas it has proved possible to simplify substantially the customs clearance of motorized road vehicles in free circulation in the Community by not requiring in the case of those vehicles the production of the document used to prove their Community status but by making use for this purpose of the evidence provided by their registration particulars ;

Whereas motorized road vehicles registered in Member States can be identified and their Community status satisfactorily established and this makes possible, in their case, the simplification of the Community transit formalities when they are being returned to the Member State in which they are registered by means other than their own power ;

<sup>(1)</sup> OJ No L 38, 9. 2. 1977, p. 1.

<sup>(2)</sup> OJ No L 123, 19. 5. 1979, p. 1.

<sup>(3)</sup> OJ No L 38, 9. 2. 1977, p. 20.

<sup>(4)</sup> OJ No L 18, 24. 1. 1980, p. 13.

Whereas the possibility of easily identifying packings being returned empty after use and of being satisfied as to their Community status makes possible a similar simplification of the Community transit formalities in their case ;

Whereas Regulation (EEC) No 223/77 should therefore be amended ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Community Transit Committee,

HAS ADOPTED THIS REGULATION :

#### *Article 1*

Regulation (EEC) No 223/77 is hereby amended as follows :

1. A new Article as follows is inserted after Article 2 :

##### *'Article 2a*

Each Member State may allow :

- (a) Community transit declaration forms to be completed by a process of reproduction instead of in typescript or manuscript ;
- (b) Community transit declaration forms to be produced and completed simultaneously by reproduction, provided that the provisions of Articles 1 and 2 as regards the specimens, the paper, the size, the language used, the legibility, the prohibition of erasures and alterations and as regards amendments are strictly observed.'

2. Article 9 is replaced by the following :

##### *'Article 9*

1. Where the provisions of Articles 36 to 53 operate, the provisions of Articles 5 (2), 6, 7 and 8 shall apply to loading lists which accompany the International Consignment Note or the Community Transit Transfer Note. In the former case, the number of such lists shall be shown in box 32 of the International Consignment Note ; in the latter case, the number of such lists shall be shown in the box for particulars of accompanying documents of the Community Transit Transfer Note. In addition, the loading list must include the wagon number to which the International Consignment Note refers or, where appropriate,

the number of the container containing the goods.

2. For operations beginning within the Community comprising at the same time goods referred to in Article 1 (2) and (3) of Regulation (EEC) No 222/77, separate loading lists shall be used ; in the case of goods carried in large containers under cover of Community Transit Transfer Notes, such separate lists shall be completed for each large container which contains both categories of goods. The serial numbers of the loading lists relating to the goods referred to in Article 1 (2) of the aforesaid Regulation shall be inserted either in box 25 of the International Consignment Note or in the box for the description of goods of the Community Transit Transfer Note.'

3. A new Article as follows is inserted after Article 13 :

##### *'Article 13 a*

1. The customs authorities of the Member States may, as an exceptional measure, permit that, in the case of a consignment of goods accompanied by a Control Copy T No 5, such consignment and the Control Copy T No 5 be divided before the completion of the procedure for which the form has been issued. Consignments resulting from such division may not themselves be further divided.

2. The provisions of paragraph 1 are without prejudice to the application of Community measures to products from intervention which are to be subjected to control of use and/or destination and which are processed in another Member State before being put to their final use or reaching their final destination.

3. The division referred to in paragraph 1 shall be carried out under the conditions set out in paragraphs 4 to 7 below. Member States need not apply these conditions in cases where all the consignments which result from the division are to be put to their final use or are to reach their final destination in the Member State where the division takes place.

4. The office at which the division takes place shall issue, in accordance with the provisions of Article 11, an extract Control Copy T No 5 for each part of the divided consignment, using for this purpose a Control Copy T No 5. Each extract

shall contain the additional information shown on the initial Control Copy T No 5 and give in these particulars the net weight of the goods to which that extract applies. Each extract must show in box 106 the registration number, date and office and country of issue of the initial Control Copy T No 5, using one of the following forms of wording:

- Extract of Control Copy : ..... ,  
..... ,  
(Number, date, office and country of issue)
- Udskrift af kontroleksemplar : ..... ,  
..... ,  
(nummer, dato, udstedende toldsted og land)
- Auszug aus dem Kontrollexemplar : ..... ,  
..... ,  
(Nummer, Datum, ausstellende Zollstelle und Land)
- Extrait de l'exemplaire de contrôle : ..... ,  
..... ,  
(numéro, date, bureau et pays de délivrance)
- Estratto dell'esemplare di controllo : ..... ,  
..... ,  
(numero, data, ufficio e paese di emissione)
- Uittreksel uit controle-exemplaar : ..... ,  
..... ,  
(Nummer, datum, kantoor en land van afgifte).

5. The office where the division takes place shall state on the initial Control Copy T No 5 that the form has been divided. It shall do this by entering one of the following statements in the 'control of use and/or destination' box:

- ..... (number) extracts issued — copies attached
- ..... (antal) udstedte udskrifter — kopier vedføjet
- ..... (Anzahl) Auszüge ausgestellt — Durchschriften liegen bei
- ..... (nombre) extraits délivrés — copies ci-jointes
- ..... (numero) estratti rilasciati — copie allegare
- ..... (aantal) uittreksels afgegeven — kopieën bijgevoegd

The initial Control Copy T No 5 shall be returned without delay to the office of departure accompanied by the copies of the extracts issued.

6. The originals of the extract Control Copies T No 5 shall, together with the document relating to the procedure used, accompany each part of the divided consignment.

7. The competent customs office in the Member State of destination of the parts of the

divided consignment shall carry out, or cause to be carried out under its responsibility, the control as to the use and/or destination provided for or prescribed. It shall return the extracts endorsed in accordance with Article 12 (4) to the office of departure of the initial consignment.'

4. (a) Article 17 is hereby repealed.  
(b) the heading which precedes Article 17 is deleted.
5. Article 36 and the immediately preceding subheading are replaced by the following:

#### **'General provisions relating to carriage by rail**

##### *Article 36*

Formalities under the Community transit procedure shall be simplified in accordance with the provisions of Articles 37 to 50 and 51 to 53 relating to the carriage of goods by railway authorities under cover of an International Consignment Note (CIM) or International Express Parcels Consignment Note (TIEEx).'

6. Article 42 (2) is replaced by the following:

'2. With respect to goods referred to in Article 1 (2) of Regulation (EEC) No 222/77, the office of departure shall indicate on sheet Nos 1, 2 and 3 of the International Consignment Note that the goods to which that document refers are carried under the external Community transit procedure.

The symbol T1 shall accordingly be clearly shown in box 25.'

7. Subparagraph (a) of Article 50 is replaced by the following:

'(a) the symbol required under Article 42 (2) shall be entered on sheet Nos 2, 3 and 4 of the International Express Parcels Consignment Note ;'.

8. The following is inserted after Article 50:

#### **'PROVISIONS RELATING TO GOODS CARRIED IN LARGE CONTAINERS**

##### **General**

##### *Article 50a*

Formalities under the Community transit procedure shall be simplified in accordance with Articles 50b to 52 and 53 (3) and (4) for the carriage of goods which the railway authorities effect by means of large containers, using transport undertakings as intermediaries and making use of Transfer Notes of a type specially devised to be used as a Community transit document and referred to for the purpose of this Regulation as

'Community Transit Transfer Note'. These operations include, whereas appropriate, the dispatch of consignments by transport undertakings using methods of transport other than the railway, in the country of consignment to the railway station of departure in that country and in the country of destination from the railway station of arrival in that country and any transport by sea in the course of the movement between these two stations.

#### *Article 50b*

For the purposes of Article 50a to 52 and 53 (3) and (4):

1. "transport undertaking" means an undertaking constituted by the railway authorities as a corporate entity of which they are members, such undertaking being set up for the purpose of carrying goods by means of large containers under cover of Transfer Notes;
2. 'large container' means a device for the carriage of goods that is:
  - permanent in nature,
  - specially designed to facilitate the carriage of goods, without intermediate reloading, by one or more means of transport,
  - designed for easy attachment and/or handling,
  - designed in such a way that it can be properly sealed when the application of Article 50j requires this,
  - of a size such that the area bounded by the four lower external angles is not less than 7 m<sup>2</sup>;
3. "Community Transit Transfer Note" means the document which comprises the contract of carriage by which the transport undertaking arranges for one or more large containers to be carried from a consignor to a consignee in international transport. The Community Transit Transfer Note must be serially numbered in the top right hand corner to enable it to be identified. This number must be made up of six digits, three of which precede and three of which follow the letters TR.

The Community Transit Transfer Note shall consist of the following sheets, in numerical order:

1. sheet for the head office of the transport undertaking;
2. sheet for the national representative of the transport undertaking in the station of destination;
- 3A. sheet for the customs;
- 3B. sheet for the consignee;
4. sheet for the head office of the transport undertaking;

5. sheet for the national representative of the transport undertaking in the station of departure;
6. sheet for the consignor.

Each sheet of the Community Transit Transfer Note, with the exception of sheet No 3A, shall have a green band approximately four centimetres wide along its right hand edge.

#### *Article 50c*

The Community Transit Transfer Note used by the transport undertaking shall be treated as equivalent to:

- (a) a T1 declaration or document, as the case may be, for goods referred to in Article 1 (2) of Regulation (EEC) No 222/77;
- (b) a T2 declaration or document, as the case may be, for goods referred to in Article 1 (3) of the aforementioned Regulation.

#### *Article 50d*

1. In each Member State the transport undertaking shall, for purposes of control, make available to the customs authorities through the medium of its national representative or representatives the records held at its accounting office or offices or at those of its national representative or representatives.

2. At the request of the customs authorities, the transport undertaking or its national representative or representatives shall communicate to them forthwith any documents, accounting records or information relating to carriage operations already completed or still being undertaken of which those authorities consider they should be informed.

3. The transport undertaking or its national representative or representatives shall inform:

- (a) the customs office of destination of any Community Transit Transfer Note sheet 1 of which has been sent to it without a customs stamp;
- (b) the customs office of departure of any Community Transit Transfer Note sheet 1 of which has not been returned to it and in respect of which it has been unable to ascertain that the consignment has either been presented in proper fashion to the customs office of destination or been exported from the Community to a third country under the provisions of Article 50l.

*Article 50e*

1. For the carriage of goods as referred to in Article 50a accepted by the transport undertaking in a Member State, the railway administration of that Member State shall be the principal.

2. For the carriage of goods as referred to in Article 50a accepted by the transport undertaking in a third country, the railway administration of the Member State by way of which the goods enter the Community shall be the principal.

*Article 50f*

Where customs formalities have to be carried out during carriage by means other than rail to the station of departure or from the station of destination only one large container may be covered by each Community Transit Transfer Note.

*Article 50g*

The transport undertaking shall ensure that consignments carried under the Community transit procedure are identified by labels marked "Douane / Zoll / Dogana / Customs / Told". The labels shall be affixed to the Community Transit Transfer Note and to the large container or containers concerned.

*Article 50h*

Where a contract of carriage is modified so that :

- a carriage operation which was to end outside the Community ends within the Community,
- a carriage operation which was to end within the Community ends outside the Community,

the transport undertaking shall not carry out the modified contract except with the prior agreement of the office of departure.

Where the contract of carriage is modified so that the carriage operation ends within the Member State of departure, the modified contract shall be carried out subject to conditions to be determined by the customs authorities of that Member State.

In all other cases, the transport undertaking may carry out the modified contract ; it shall forthwith inform the office of departure of the modification made.

**Movement of goods between Member States***Article 50i*

1. Where a carriage operation starts and is to end within the Community, the Community Transit Transfer Note shall be produced at the office of departure.

2. In the case of goods referred to in Article 1 (2) of Regulation (EEC) No 222/77, the office of departure shall indicate on sheet Nos 2, 3A and 3B of the Community Transit Transfer Note that the goods to which it refers are carried under the external Community transit procedure.

The symbol T1 shall accordingly be clearly shown in the box for customs use of sheet Nos 2, 3A and 3B of the Community Transit Transfer Note.

3. Where one or more of the large containers carried under cover of a Community Transit Transfer Note contain goods referred to in Article 1 (2) of Regulation (EEC) No 222/77 and where the other large container or containers contain only goods referred to in Article 1 (3) of that Regulation, a reference to the large container or containers containing the goods referred to in Article 1 (2) of the said Regulation shall be made by the office of departure in the box for customs use of sheet Nos 2, 3A and 3B of the Community Transit Transfer Note, opposite the symbol T1.

4. All sheets of the Community Transit Transfer Note shall be returned to the party concerned.

5. Each Member State may provide that goods referred to in Article 1 (3) of Regulation (EEC) No 222/77 may, under conditions which it shall lay down, be placed under the internal Community transit procedure without it being necessary to produce to the office of departure the Community Transit Transfer Note relating to those goods. Production of the said Transfer Note may not, however, be waived in the case of goods in respect of which the provisions of Title III are to apply.

6. The Community Transit Transfer Note shall be produced to the customs office — hereinafter referred to as the office of destination — at which

a declaration is made with a view to the goods in question being entered for home use or placed under some other customs procedure.

#### *Article 50j*

Identification of goods shall be ensured in accordance with Article 18 of Regulation (EEC) No 222/77. However, in cases where, under the provisions of Article 50 i (5), the Community Transit Transfer Note is not produced to the office of departure, the customs, having regard to the identification measures taken by the railway authorities, shall not normally seal the large containers. If customs seals are affixed, the box for customs use on sheet Nos 3A and 3B of the Community Transit Transfer Note shall be noted accordingly.

#### *Article 50k*

1. The transport undertaking shall forward to the customs office of destination sheet Nos 1, 2 and 3A of the Community Transit Transfer Note.
2. The office of destination shall without delay return sheet Nos 1 and 2 to the transport undertaking after stamping them and shall retain sheet No 3A.

#### **Carriage of goods to or from third countries**

##### *Article 50l*

1. Where a carriage operation starts within the Community and is to end outside the Community, the provisions of Article 50 i (1) to (5) and 50 j shall apply.
2. The customs office responsible for the frontier station through which the goods leave the territory of the Community shall act as the office of destination.
3. No formalities need be carried out at the office of destination.

##### *Article 50m*

1. Where a carriage operation starts outside the Community and is to end within the Community, the customs office responsible for the frontier station through which the goods enter the Community shall act as the office of departure. No formalities need be carried out at the office of departure.
2. The customs office to which the goods are presented shall act as the office of destination. The formalities provided for in Article 50k shall be carried out at the office of destination.

##### *Article 50n*

1. Where a carriage operation starts and is to end outside the Community, the customs offices

which are to act as the office of departure and the office of destination shall be those referred to in Article 50m (1) and Article 50l (2) respectively.

2. No formalities need be carried out at the offices of departure or of destination.

##### *Article 50o*

Goods carried according to the arrangements referred to in Article 50m (1) or Article 50n (1) shall be considered as moving under the external Community transit procedure unless there is produced a movement certificate DD3 or an internal Community transit document T2L completed in such a way as to establish the Community nature of the goods concerned.'

9. Article 51 is replaced by the following :

##### *'Article 51*

1. The railway authorities shall, for the purpose of compiling transit statistics, supply the department responsible for the external trade statistics in the Member State of departure with the necessary information regarding each Community transit operation in respect of which they have acted as principals by virtue of Articles 39 and 50e.
2. Until such time as a Community procedure has been introduced for the purposes of the implementation of paragraph 1 and transmissions of the information to the departments responsible for external trade statistics in the Member States, other than the Member State of departure, whose territory is crossed during any Community transit operation, each Member State shall determine the method whereby the national railway authorities are to supply the necessary information to the responsible national department.
3. In the case of carriage operations effected by means of large containers as referred to in Article 50a to 50o, each Member State may stipulate that the information to be provided by virtue of paragraphs 1 and 2 shall relate also to carriage by road, within the said Member State, to the station of departure or from the station of destination ; such information should include mention of any transshipment carried out in connection with such carriage operations.
4. The railway authorities may not, for the purpose of applying paragraphs 1, 2 and 3, require the consignor to supply any further information in addition to the information shown on the International Consignment Note, the International Express Parcels Consignment Note or the Community Transit Transfer Note except for the names of the countries of consignment and of destination of the goods carried.'

10. Article 53 is replaced by the following :

*'Article 53*

1. The provisions of Articles 36 to 50 shall not preclude the use of the procedure provided for in Regulation (EEC) No 222/77, in which case Articles 38 and 40 shall nevertheless apply.

2. In addition, sheet No 2 of the International Consignment Note or of the International Express Parcels Consignment Note shall be produced at one of the customs offices for the different stations involved in the Community transit operation.

That customs office shall stamp the document presented after ascertaining that carriage of the goods is covered by one or more Community transit documents.

3. The procedure laid down in Regulation (EEC) No 222/77 may not be used when the provisions of Articles 50a to 50o are applied.

4. Where a Community transit operation is effected under cover of a Community Transit Transfer Note in accordance with the provisions of Articles 50a to 50o, the International Consignment Note used for the operation shall be excluded from the scope of Articles 36 to 50, 51 to 52 and 53 (1) and (2).

The International Consignment Note shall bear a clear reference in box 32 to the Community Transit Transfer Note. This reference must comprise the words "Transfer Note" followed by the serial number.'

11. Article 58 (1) is replaced by the following :

'1. The authorization shall stipulate that the box to be used for the registration of declaration on the front of the Community transit declaration form shall :

(a) be stamped in advance with the stamp of the office of departure and be signed by an official of that office ; or

(b) be stamped by the approved consignor with a special metal stamp approved by the customs authorities and conforming to the specimen shown in Annex XV. The imprint of the stamp may be pre-printed on the forms where the printing is entrusted to a printing works approved for that purpose.

The authorized consignor shall complete that box by indicating the date of consignment of the goods and must give the declaration a number in accordance with the rules to that effect in the authorization.'

12. Article 68 is replaced by the following :

*'Article 68*

1. When production of the Community transit declaration at the office of departure is not required in respect of goods referred to in Article 1 (2) of Regulation (EEC) No 222/77, which are to be dispatched under cover of an International Consignment Note, an International Express Parcels Consignment Note, or a Community Transit Transfer Note, in accordance with the provisions of Articles 36 to 53, the customs authorities shall take the necessary measures to ensure that sheet Nos 1, 2 and 3 of the International Consignment Note, sheet Nos 2, 3 and 4 of the International Express Parcels Consignment Note or sheet Nos 2, 3A and 3B of the Community Transit Transfer Note bear the symbol "T1".

2. When goods carried under the provisions of Articles 36 to 53 are intended for an authorized consignee, the customs authorities may provide that, by way of derogation from Articles 62 (2) and 65 (1) (b), sheet Nos 2 and 3 of the International Consignment Note, sheet Nos 2 and 4 of the International Express Parcels Consignment Note or sheet Nos 1, 2 and 3A of the Community Transit Transfer Note are to be delivered direct by the railway authorities or by the transport undertaking to the office of destination.'

13. The following Section shall be inserted in Title IV :

**'SECTION III**

**SIMPLIFICATION OF FORMALITIES APPLICABLE TO CERTAIN GOODS**

**Provisions relating to motorized road vehicles**

*Article 68a*

Without prejudice to the provisions applicable to the temporary importation of road vehicles, the provisions of the Treaty establishing the European

Economic Community regarding the free circulation of goods shall apply to all motorized road vehicles registered in a Member State of the Community :

- (a) provided that they are accompanied by their registration plates and documents and that the registration particulars shown on the registration documents and plates clearly establish the Community nature of the goods ;
- (b) in other cases, if an internal Community transit document is produced.

#### *Article 68b*

The formalities of the Community transit procedure shall not be compulsory for the dispatch of a motorized road vehicle registered in a Member State of the Community which is returned to this Member State by means other than its own power provided that it satisfies the conditions laid down in Article 68a (a).

#### **Provisions relating to certain packings**

#### *Article 68c*

1. The formalities of the Community transit procedure shall not be compulsory for the dispatch of the packings defined in paragraph 3 below which can be identified as belonging to a person established in a Member State and which are being returned empty after use from another Member State, provided that they are declared as Community goods and that there is no doubt as to the accuracy of that declaration.

2. The provisions of the Treaty establishing the European Economic Community relating to the free movement of goods shall apply to packing which, pursuant to paragraph 1, are carried without the formalities of the Community transit procedure.

3. The simplification provided for in paragraph 1 shall be granted for receptacles, packings, pallets and other similar equipment used for the carriage of goods consigned within the Community, excluding those containers which are defined in Article 1 (b) of the Geneva Customs Convention on Containers of 18 May 1956.'

14. Article 77 (2) is replaced by the following :

'2. Not later than on consignment of the goods, the authorized consignor shall complete the form T2L and sign it. In addition, he shall enter in the space reserved for the customs certificate the name of the responsible customs office, the date of completion of the document, such particulars of export documentation as are required by the Member State of exportation and the words "simplified procedure".'

15. Annex XIII shall be replaced by the Annex to this Regulation.

#### *Article 2*

This Regulation shall enter into force on 1 July 1981. However, points 3 and 13 of Article 1 shall enter into force on 1 August 1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

## ANNEX

## ANNEX XIII

LIST OF GOODS WHICH WHEN TRANSPORTED GIVE RISE TO AN INCREASE IN  
THE FLAT-RATE GUARANTEE

(Article 24 (3))

| 1                                                  | 2                                                                                                  | 3                                                          |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| CCT heading No                                     | Description                                                                                        | Quantity corresponding to the standard amount of 7 000 EUA |
| 02.01 A II<br>02.06 C I a)<br>16.02 B III b) 1 aa) | } Meat of bovine animals                                                                           | 5 000 kg                                                   |
| 04.02                                              | Milk and cream, preserved, concentrated or sweetened                                               | 5 000 kg                                                   |
| 04.03                                              | Butter                                                                                             | 3 000 kg                                                   |
| 04.04                                              | Cheese and curd                                                                                    | 5 000 kg                                                   |
| 09.01 A I                                          | Coffee unroasted                                                                                   | 5 000 kg                                                   |
| 09.01 A II                                         | Coffee roasted                                                                                     | 3 500 kg                                                   |
| ex 21.02 A                                         | Coffee extracts and essences                                                                       | 1 200 kg                                                   |
| 09.02                                              | Tea                                                                                                | 3 500 kg                                                   |
| ex 21.02 B                                         | Tea extracts and essences                                                                          | 1 200 kg                                                   |
| 21.07 G V to IX                                    | Other food preparations, not elsewhere specified or included, containing 18 % or more of milk fats | 5 000 kg                                                   |
| 22.05 A                                            | Sparkling wine                                                                                     | 20 hl                                                      |
| 22.06                                              | Vermouth and similar wines                                                                         | 20 hl                                                      |
| 22.08 B<br>22.09 A                                 | } Ethyl alcohol, undenatured                                                                       | 10 hl                                                      |
| ex 22.09                                           | Alcoholic beverages                                                                                | 20 hl                                                      |
| 24.02 A                                            | Cigarettes                                                                                         | 125 000 pieces                                             |
| ex 24.02 B                                         | Cigarillos                                                                                         | 125 000 pieces                                             |
| ex 24.02 B                                         | Cigars                                                                                             | 50 000 pieces                                              |
| 24.02 C                                            | Smoking tobacco                                                                                    | 1 000 kg                                                   |
| ex 27.10                                           | Petrol, gas-oil                                                                                    | 400 hl                                                     |
| ex 33.06 A II                                      | Perfumes and toilet water                                                                          | 10 hl'                                                     |

## COMMISSION REGULATION (EEC) No 903/80

of 14 April 1980

fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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, pursuant to Regulation (EEC) No 565/68<sup>(5)</sup>, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69<sup>(6)</sup>, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70<sup>(7)</sup>, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2164/72<sup>(8)</sup>, the import levies on slaughtered fowls and

geese originating in and coming from Bulgaria are not 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<sup>(9)</sup>, as amended by Regulation (EEC) No 1264/79<sup>(10)</sup>, 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 Poultrymeat and Eggs has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

### Article 1

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

### Article 2

This Regulation shall enter into force on 16 April 1980.

<sup>(9)</sup> OJ No L 84, 4. 4. 1979, p. 1.

<sup>(10)</sup> OJ No L 161, 29. 6. 1979, p. 1.

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 77.

<sup>(2)</sup> OJ No L 45, 21. 2. 1976, p. 3.

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

<sup>(4)</sup> OJ No L 154, 9. 6. 1973, p. 1.

<sup>(5)</sup> OJ No L 107, 8. 5. 1968, p. 7.

<sup>(6)</sup> OJ No L 286, 14. 11. 1969, p. 24.

<sup>(7)</sup> OJ No L 265, 8. 12. 1970, p. 13.

<sup>(8)</sup> OJ No L 232, 12. 10. 1972, p. 3.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

# *ANNEX*

## **Additional amounts applicable to live and slaughtered poultry and halves or quarters**

*(ECU/100 kg)*

| CCT heading No | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Additional amount                     | Imports affected                                                                                            |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------|
| 01.05          | Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls :<br>B. Other :<br>I. Fowls<br>IV. Turkeys                                                                                                                                                                                                                                                                                                                                                                                                            | 10-00<br>4-00                         | Origin : Austria or Yugoslavia<br>Origin : Hungary                                                          |
| 02.02          | Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen :<br>A. Whole poultry :<br>I. Fowls :<br>a) Plucked and gutted, with heads and feet, known as '83 % chickens'<br>b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens'<br>c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens'<br>IV. Turkeys<br>V. Guinea fowls | 5-00<br>5-00<br>5-00<br>10-00<br>8-00 | Origin : Spain<br>Origin : Spain<br>Origin : Spain<br>Origin : United States of America<br>Origin : Hungary |

**COMMISSION REGULATION (EEC) No 904/80****of 14 April 1980****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 831/80<sup>(3)</sup>, as amended by Regulation (EEC) No 856/80<sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 831/80 to the infor-

mation known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 831/80 are hereby altered to the amounts set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 15 April 1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 90, 3. 4. 1980, p. 9.

<sup>(4)</sup> OJ No L 92, 9. 4. 1980, p. 27.

*ANNEX*

**to the Commission Regulation of 14 April 1980 altering the export refunds on white sugar  
and raw sugar exported in the natural state**

*(ECU / 100 kg)*

| CCT<br>heading<br>No | Description                                  | Refund              |
|----------------------|----------------------------------------------|---------------------|
| 17.01                | Beet sugar and cane sugar, solid :           |                     |
|                      | A. White sugar ; flavoured or coloured sugar | 5.00                |
|                      | B. Raw sugar :                               |                     |
|                      | (a) Candy sugar                              | 4.35 <sup>(1)</sup> |
|                      | (b) Other raw sugar                          | 0 <sup>(1)</sup>    |

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

**COMMISSION REGULATION (EEC) No 905/80****of 14 April 1980****altering the export refunds on syrups and certain other sugar products exported  
in the natural state**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

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

Whereas the refunds on syrups and certain other sugar  
products were fixed by Regulation (EEC) No  
786/80<sup>(3)</sup>;

Whereas it follows from applying the rules, criteria  
and other provisions contained in Regulation (EEC)  
No 786/80 to the information at present available to

the Commission that the export refunds at present in  
force should be altered as shown in the Annex to this  
Regulation ;

HAS ADOPTED THIS REGULATION :

*Article 1*

The refunds to be granted on the products listed in  
Article 1 (1) (d) of Regulation (EEC) No 3330/74,  
exported in the natural state, as fixed in the Annex to  
Regulation (EEC) No 786/80 are hereby altered to the  
amounts shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 15 April  
1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 87, 1. 4. 1980, p. 17.

## ANNEX

to the Commission Regulation of 14 April 1980 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU / 100 kg)

| CCT heading No | Description                                                                                                                                                                                                                                                                                                                                                                                                        | Basic amount per percentage point of sucrose content (1) |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 17.02          | Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :<br>D. Other sugars and syrups (other than lactose, glucose and maple) :<br>ex II. Other, excluding sorbose<br>E. Artificial honey, whether or not mixed with natural honey<br>ex F. Caramel made from sugar falling within heading No 17.01 | <br><br><br>0.0473<br>0.0473<br>0.0473                   |
| 21.07          | Food preparations not elsewhere specified or included :<br>F. Flavoured or coloured sugar syrups :<br>IV. Other (than lactose, glucose and isoglucose syrups)                                                                                                                                                                                                                                                      | <br><br>0.0473                                           |

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

**COMMISSION REGULATION (EEC) No 906/80**  
**of 14 April 1980**  
**altering the export refunds on isoglucose**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
1111/77 of 17 May 1977 laying down common provi-  
sions for isoglucose <sup>(1)</sup>, as last amended by Regulation  
(EEC) No 1293/79 <sup>(2)</sup>, and in particular the second  
sentence of the third subparagraph of Article 4 (2) and  
Article 4 (5) thereof,

Whereas the refunds on isoglucose were fixed by  
Regulation (EEC) No 789/80 <sup>(3)</sup>;

Whereas it follows from applying the rules, criteria  
and other provisions contained in Regulation (EEC)  
No 789/80 to the information at present available to

the Commission that the export refunds at present in  
force should be altered as shown in the Annex to this  
Regulation,

HAS ADOPTED THIS REGULATION :

*Article 1*

The export refunds on the products referred to in  
Article 1 of Regulation (EEC) No 1111/77, as fixed in  
the Annex to Regulation (EEC) No 789/80, are hereby  
altered to the amounts set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 15 April  
1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 134, 28. 5. 1977, p. 4.

<sup>(2)</sup> OJ No L 162, 30. 6. 1979, p. 10.

<sup>(3)</sup> OJ No L 87, 1. 4. 1980, p. 23.

*ANNEX*

**to the Commission Regulation of 14 April 1980 altering the export refunds on isoglucose**

| <i>(ECU)</i>   |                                                                                                                                                                                                                             |                                 |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| CCT heading No | Description                                                                                                                                                                                                                 | Refund per 100 kg of dry matter |
| 17.02          | Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :<br><br>D. Other sugars and syrups :<br>I. Isoglucose | 4.73 <sup>(1)</sup>             |
| 21.07          | Food preparations not elsewhere specified or included :<br><br>F. Flavoured or coloured sugar syrups :<br>III. Isoglucose                                                                                                   | 4.73 <sup>(1)</sup>             |

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

## COMMISSION REGULATION (EEC) No 907/80

of 14 April 1980

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

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

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

Whereas the rates of the refunds applicable from 1  
April 1980 to sugar, to beet or cane syrups and to  
molasses exported in the form of goods not covered  
by Annex II to the Treaty were fixed by Regulation  
(EEC) No 772/80<sup>(3)</sup>;

Whereas Council Regulation (EEC) No 652/79 of 29  
March 1979 on the impact of the European monetary  
system on the common agricultural policy<sup>(4)</sup>, as  
amended by Regulation (EEC) No 1264/79<sup>(5)</sup>, 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 rules and  
criteria contained in Regulation (EEC) No 772/80 to  
the information at present available to the Commis-  
sion that the export refunds at present in force should  
be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds fixed by Regulation (EEC) No  
772/80 for white sugar, raw sugar and beet or cane  
syrups containing by weight in the dry state 98 % or  
more of sucrose, exported in the form of goods listed  
in the Annex to amended Regulation (EEC) No  
3330/74, are hereby altered as shown in the Annex to  
this Regulation.

*Article 2*

This Regulation shall enter into force on 15 April  
1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 85, 29. 3. 1980, p. 32.

<sup>(4)</sup> OJ No L 84, 4. 4. 1979, p. 1.

<sup>(5)</sup> OJ No L 161, 29. 6. 1979, p. 1.

## ANNEX

to the Commission Regulation of 14 April 1980 altering the rates of the refunds applicable to sugar and beet or cane syrups exported in the form of goods not covered by Annex II to the Treaty

Table I

|                                       |                                                                                                                                                    |                                   |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <i>Rate of refund in ECU/100 kg :</i> | White sugar :                                                                                                                                      | 0.62                              |
|                                       | Raw sugar :                                                                                                                                        | 0                                 |
|                                       | Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) : | $0.62 \times \frac{S^{(1)}}{100}$ |
|                                       | Molasses :                                                                                                                                         | —                                 |

Table II

|                                       |                                                                                                                                                    |                                   |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <i>Rate of refund in ECU/100 kg :</i> | White sugar :                                                                                                                                      | 4.73                              |
|                                       | Raw sugar :                                                                                                                                        | 0                                 |
|                                       | Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) : | $4.73 \times \frac{S^{(1)}}{100}$ |
|                                       | Molasses :                                                                                                                                         | —                                 |

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

## COMMISSION REGULATION (EEC) No 908/80

of 14 April 1980

altering the rate of the refund applicable to isoglucose exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose<sup>(1)</sup>, as last amended by Regulation (EEC) No 1293/79<sup>(2)</sup>, and in particular the third subparagraph of Article 4 (2) and Article 4 (5) thereof,

Whereas the rate of the refund applicable from 1 April 1980 to isoglucose exported in the form of goods not covered by Annex II to the Treaty was fixed by Regulation (EEC) No 773/80<sup>(3)</sup>;

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

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

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

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

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 773/80 to the information at present available to the Commission that the export refund applicable to isoglucose at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rate of the refund fixed by Regulation (EEC) No 773/80 for isoglucose exported in the form of goods listed in the Annex to Regulation (EEC) No 1111/77 is hereby altered as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 15 April 1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 134, 28. 5. 1977, p. 4.

<sup>(2)</sup> OJ No L 162, 30. 6. 1979, p. 10.

<sup>(3)</sup> OJ No L 85, 29. 3. 1980, p. 34.

<sup>(4)</sup> OJ No L 84, 4. 4. 1979, p. 1.

<sup>(5)</sup> OJ No L 161, 29. 6. 1979, p. 1.

*ANNEX*

**to the Commission Regulation of 14 April 1980 altering the rate of the refund applicable to isoglucose exported in the form of goods not covered by Annex II to the Treaty**

*(ECU)*

| CCT heading No | Description | Amount of refund<br>for 100 kg<br>of dry matter |
|----------------|-------------|-------------------------------------------------|
| 17.02 D I      | Isoglucose  | 4.73                                            |

**COMMISSION REGULATION (EEC) No 909/80****of 14 April 1980****altering the basic amount of the import levy on syrups and certain other sugar products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar <sup>(1)</sup>, as last amended by Regulation (EEC) No 1396/78 <sup>(2)</sup>, and in particular Article 15 (7) thereof,

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 785/80 <sup>(3)</sup>, as last amended by Regulation (EEC) No 892/80 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 785/80 to the infor-

mation known to the Commission that the basic amount of the levy at present in force should be altered to the amount set out below,

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 shall be, per 100 kilograms of product, 0.0796 ECU per percentage point of sucrose content.

*Article 2*

This Regulation shall enter into force on 15 April 1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 87, 1. 4. 1980, p. 15.

<sup>(4)</sup> OJ No L 96, 12. 4. 1980, p. 32.

**COMMISSION REGULATION (EEC) No 910/80****of 14 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1396/78<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 893/80<sup>(4)</sup>;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy<sup>(5)</sup>, as amended by Regulation (EEC) No 1264/79<sup>(6)</sup>, 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 15 April 1980.

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

Done at Brussels, 14 April 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 162, 30. 6. 1979, p. 85.

<sup>(4)</sup> OJ No L 96, 12. 4. 1980, p. 33.

<sup>(5)</sup> OJ No L 84, 4. 4. 1979, p. 1.

<sup>(6)</sup> OJ No L 161, 29. 6. 1979, p. 1.

*ANNEX*

**to the Commission Regulation of 14 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 :<br>A. White sugar; flavoured or coloured sugar<br>B. Raw sugar | 7.96<br>2.14 <sup>(1)</sup> |

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

## II

*(Acts whose publication is not obligatory)*

# COMMISSION

## COMMISSION DECISION

of 20 March 1980

**on the implementation pursuant to Directive 72/159/EEC of the reform of agricultural structures in the Kingdom of the Netherlands**

*(Only the Dutch text is authentic)*

(80/394/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms<sup>(1)</sup>, and in particular Article 18 (3) thereof,

Whereas on 22 January 1980 the Government of the Netherlands notified, pursuant to Article 17 (4) of the abovementioned Directive, its redetermination of the comparable income for 1980 within the meaning of Article 4 thereof;

Whereas Article 18 (3) of the Directive requires the Commission to determine whether, having regard to the abovementioned communication, the existing provisions in the Netherlands for the implementation of the Directive continue to satisfy the conditions for financial contribution by the Community towards common measures within the meaning of Article 15 thereof;

Whereas the determination of the comparable income for 1980 meets the requirements of the Directive, and in particular Article 4 (1) thereof;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

### *Article 1*

Having regard to the fixing of the comparable income for 1980, the provisions for the implementation of Directive 72/159/EEC in the Netherlands continue to satisfy the conditions for a Community financial contribution towards common measures within the meaning of Article 15 thereof.

### *Article 2*

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 96, 23. 4. 1972, p. 1.

**COMMISSION DECISION****of 20 March 1980****approving a programme under Regulation (EEC) No 355/77 for the improvement of conditions under which flowers and plants are sold by auction in the Netherlands****(Only the Dutch text is authentic)****(80/395/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures for improving the conditions under which agricultural projects are processed and marketed<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas on 30 March 1979 the Netherlands Government forwarded its programme for the improvement of conditions under which flowers and plants are sold by auction and supplied additional information on 17 December 1979;

Whereas the said programme relates to the expansion and modernization of facilities for the sale by auction of flowers and plants, for the purpose of improving the quality of the products sold and adapting to market requirements; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the programme contains sufficient details to comply with Article 3 of Regulation (EEC) No 355/77, showing that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of the flowers and plants sector in the Netherlands; whereas the schedule for implementation of

the programme does not exceed the time limit laid down in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The programme for the improvement of conditions under which flowers and plants are sold by auction forwarded by the Netherlands Government pursuant to Regulation (EEC) No 355/77 on 30 March 1979, and concerning which additional information was supplied on 17 December 1979, is hereby approved.

*Article 2*

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

**COMMISSION DECISION****of 20 March 1980****approving a programme under Regulation (EEC) No 355/77 to improve the marketing of fresh fruit and vegetables through auctions in the Netherlands****(Only the Dutch text is authentic)****(80/396/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas on 19 October 1978 the Government of the Netherlands notified its programme to improve the marketing of fresh fruit and vegetables through auctions in the Netherlands and on 31 July 1979 provided additional details;

Whereas the said programme concerns the concentration, rationalization, modernization and equipment of facilities for the sale by auction of fresh fruit and vegetables with the aim of improving prices, lowering costs and stabilizing earnings for fruit and vegetable producers; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the programme contains sufficient details to comply with Article 3 of Regulation (EEC) No 355/77, showing that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of fruit and vegetable production; whereas the scheduled time for implementation of the programme

does not exceed the limit laid down in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The programme to improve the marketing of fresh fruit and vegetables through auctions pursuant to Regulation (EEC) No 355/77, communicated by the Government of the Netherlands on 19 October 1978 and supplemented on 31 July 1979, is hereby approved.

*Article 2*

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

**COMMISSION DECISION****of 20 March 1980****approving a programme under Regulation (EEC) No 355/77 for meat processing  
and the manufacture of meat products in France****(Only the French text is authentic)****(80/397/EEC)**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
355/77 of 15 February 1977 on common measures to  
improve the conditions under which agricultural  
products are processed and marketed<sup>(1)</sup>, and in parti-  
cular Article 5 thereof,

Whereas on 24 January 1979 the French Government  
forwarded the programme for meat processing and the  
manufacture of meat products and supplied additional  
details on 13 November 1979;

Whereas the said programme relates to the reorganiza-  
tion, modernization, rationalization and expansion of  
facilities for the primary and secondary processing of  
meat (slaughtering and cutting) from cattle, pigs,  
sheep and goats and facilities for the tertiary  
processing of beef and veal, pigmeat and poultrymeat  
with the aim of improving the profitability of those  
facilities and increasing the incomes of stock farmers;  
whereas the programme therefore constitutes a  
programme within the meaning of Article 2 of Regula-  
tion (EEC) No 355/77;

Whereas the programme contains sufficient details to  
comply with Article 3 of Regulation (EEC) No  
355/77, showing that the objectives laid down in  
Article 1 of that Regulation can be achieved in the

sector in question; whereas the schedule for imple-  
mentation of the programme does not exceed the  
time limit laid down in Article 3 (1) (g) of the Regula-  
tion;

Whereas the measures provided for in this Decision  
are in accordance with the opinion of the Standing  
Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The programme for meat processing and manufacture  
of meat products notified by the French Government  
on 24 January 1979 pursuant to Regulation (EEC) No  
355/77 and supplemented on 13 November 1979 is  
hereby approved.

*Article 2*

This Decision is addressed to the French Republic.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

**COMMISSION DECISION****of 20 March 1980****approving a programme under Regulation (EEC) No 355/77 for processed fruit  
and vegetables in France****(Only the French text is authentic)****(80/398/EEC)**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
355/77 of 15 February 1977 on common measures to  
improve the conditions under which agricultural  
products are processed and marketed<sup>(1)</sup>, and in parti-  
cular Article 5 thereof,

Whereas on 25 January 1979 the French Government  
forwarded a programme for processed fruit and vegeta-  
bles and on 19 November 1979 provided additional  
information ;

Whereas this programme concerns the expansion of  
processing capacities in the whole processed fruit and  
vegetable industry as well as the modernization and  
rationalization of ancillary facilities (storage and pack-  
aging facilities) in order to improve the competitive-  
ness of the industry, reduce the specific risks to which  
it is exposed, make optimum use of industrial  
processing plant and increase the value of fruit and  
vegetable production ; whereas it therefore constitutes  
a programme within the meaning of Regulation (EEC)  
No 355/77 ;

Whereas approval of the programme does not affect  
decisions under Article 14 of Regulation (EEC) No  
355/77 on the Community financing of projects, in  
particular as regards an examination as to whether the  
new capacities will actually find the sales outlets envis-  
aged in the programme and whether the conditions of  
Articles 9 and 18 of that Regulation have been  
fulfilled ;

Whereas the programme includes sufficient details to  
comply with Article 3 of Regulation (EEC) No  
355/77, showing that the objectives laid down listed in  
Article 1 of that Regulation can be achieved in the  
processed fruit and vegetable sector in France ;  
whereas the estimated time for implementation of the  
programme does not exceed the period laid down in  
Article 3 (1) (g) of the Regulation ;

Whereas the measures provided for in this Decision  
are in accordance with the opinion of the Standing  
Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

*Article 1*

The programme for processed fruit and vegetables  
which was forwarded by the French Government on  
25 January 1979 pursuant to Regulation (EEC) No  
355/77 and on which additional information was  
provided on 19 November 1979 is hereby approved.

*Article 2*

This Decision is addressed to the French Republic.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

**COMMISSION DECISION****of 20 March 1980****approving a programme under Regulation (EEC) No 355/77 for the processing  
and marketing of wine in Italy****(Only the Italian text is authentic)****(80/399/EEC)**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
355/77 of 15 February 1977 on common measures to  
improve the conditions under which agricultural  
products are processed and marketed<sup>(1)</sup>, and in parti-  
cular Article 5 thereof,

Whereas on 17 December 1979 the Italian Govern-  
ment forwarded the programme for the processing  
and marketing of wine ;

Whereas the programme relates to the development,  
modernization and rationalization of facilities for  
wine-making, storage, bottling and marketing of wine  
and facilities for derived products, in particular by  
cooperatives set up with the aim of increasing the  
quantities handled by cooperatives, improving quality,  
adapting to market requirements and improving the  
profitability of the sector ; whereas it therefore consti-  
tutes a programme within the meaning of Article 2 of  
Regulation (EEC) No 355/77 ;

Whereas approval of the programme does not extend  
to projects the purpose of which is primarily the  
production and marketing of products not listed in  
Annex II to the Treaty ; whereas it also relates only to  
projects covering wines for which sales prospects are  
good having regard to their type and quality ;

Whereas the programme contains sufficient details to  
comply with Article 3 of Regulation (EEC) No

355/77, showing that the objectives laid down in  
Article 1 of that Regulation can be achieved in respect  
of the wine sector in Italy ; whereas the schedule for  
implementation of the programme does not exceed the  
time limit laid down in Article 3 (1) (g) of the Regula-  
tion ;

Whereas the measures provided for in this Decision  
are in accordance with the opinion of the Standing  
Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

*Article 1*

The programme for the processing and marketing of  
wine submitted by the Italian Government on 17  
December 1979 pursuant to Regulation (EEC) No  
355/77 is hereby approved, subject to the restrictions  
set out in the recitals.

*Article 2*

This Decision is addressed to the Italian Republic.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

**COMMISSION DECISION****of 20 March 1980****on the implementation pursuant to Directive 72/159/EEC of the reform of agricultural structures in the United Kingdom****(Only the English text is authentic)****(80/400/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms<sup>(1)</sup>, and in particular Article 18 (3) thereof,

Whereas on 8 January 1980 the Government of the United Kingdom notified provisions determining for 1980 the comparable earned income and indicating its rate of growth ;

Whereas Article 18 (3) of Directive 72/159/EEC requires the Commission to determine whether, having regard to the abovementioned notification, the existing provisions in the United Kingdom for the implementation of the Directive continue to satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 thereof ;

Whereas the comparable income for 1980 and its rate of growth as indicated in the abovementioned provisions correspond to the objectives of Article 4 of the Directive ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

*Article 1*

The provisions for the implementation of Directive 72/159/EEC, as notified by the Government of the United Kingdom on 22 May 1974, continue, having regard to the provisions notified on 8 January 1980 specifying the comparable income for 1980 and indicating its rate of growth, to satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 of Directive 72/159/EEC.

*Article 2*

This Decision is addressed to the United Kingdom.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 96, 23. 4. 1972, p. 1.

**COMMISSION DECISION****of 20 March 1980****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 107/80**

(80/401/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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<sup>(3)</sup>, and in particular Article 5 thereof,

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

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

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

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

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 107/80 is hereby fixed on the basis of the tenders submitted by 20 March 1980 at 54.47 ECU per tonne.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 188, 26. 7. 1979, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 14, 19. 1. 1980, p. 24.

<sup>(5)</sup> OJ No L 31, 5. 2. 1975, p. 8.

<sup>(6)</sup> OJ No L 351, 15. 12. 1978, p. 16.

**COMMISSION DECISION****of 20 March 1980****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EEC) No 108/80****(80/402/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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<sup>(3)</sup>, and in particular Article 5 thereof,

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

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

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

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

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum export refund on barley to be exported pursuant to the invitation to tender for the export of barley issued in Regulation (EEC) No 108/80 is hereby fixed on the basis of the tenders submitted by 20 March 1980 at 58.75 ECU per tonne.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 188, 26. 7. 1979, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 14, 19. 1. 1980, p. 27.

<sup>(5)</sup> OJ No L 31, 5. 2. 1975, p. 8.

<sup>(6)</sup> OJ No L 351, 15. 12. 1978, p. 16.

**COMMISSION DECISION****of 20 March 1980****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1990/79****(80/403/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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<sup>(3)</sup>, and in particular Article 5 thereof,

Whereas an invitation to tender for the export refund on common wheat was issued under Commission Regulation (EEC) No 1990/79<sup>(4)</sup>, as last amended by Regulation (EEC) No 69/80 of 15 January 1980<sup>(5)</sup>;

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

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

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

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1990/79 is hereby fixed on the basis of the tenders submitted by 20 March 1980 at 54.47 ECU per tonne.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 188, 26. 7. 1979, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 229, 11. 9. 1979, p. 12.

<sup>(5)</sup> OJ No L 11, 16. 1. 1980, p. 8.

<sup>(6)</sup> OJ No L 31, 5. 2. 1975, p. 8.

<sup>(7)</sup> OJ No L 351, 15. 12. 1978, p. 16.

**COMMISSION DECISION****of 20 March 1980****fixing the maximum export refund on barley in connection with the invitation  
to tender issued in Regulation (EEC) No 2293/79  
(80/404/EEC)**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

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

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<sup>(3)</sup>, and  
in particular Article 5 thereof,

Whereas an invitation to tender for the export refund  
on barley was issued under Commission Regulation  
(EEC) No 2293/79<sup>(4)</sup>, as amended by Regulation  
(EEC) No 70/80 of 15 January 1980<sup>(5)</sup>;

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

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

Whereas the measures provide for in this Decision are  
in accordance with the opinion of the Management  
Committee for Cereals,

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum export refund on barley to be exported  
pursuant to the invitation to tender for the export of  
barley issued in Regulation (EEC) No 2293/79 is  
hereby fixed on the basis of the tenders submitted by  
20 March 1980 at 58.75 ECU per tonne.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 188, 26. 7. 1979, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 263, 19. 10. 1979, p. 14.

<sup>(5)</sup> OJ No L 11, 16. 1. 1980, p. 10.

<sup>(6)</sup> OJ No L 31, 5. 2. 1975, p. 8.

<sup>(7)</sup> OJ No L 351, 15. 12. 1978, p. 16.

**COMMISSION DECISION****of 21 March 1980****approving a programme under Regulation (EEC) No 355/77 for the improvement of the processing and the marketing of fruit in Lower Saxony****(Only the German text is authentic)****(80/405/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas on 29 August 1979 the Government of the Federal Republic of Germany notified the programme for the improvement of the processing and marketing of fruit in Lower Saxony;

Whereas the said programme concerns the creation, extension and modernization of facilities for the special storage, deep freezing, grading, packaging and dispatch of fruit by producers' associations with the aim of stabilizing the market in fruit in Lower Saxony so as to maintain satisfactory earnings for fruit producers; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the programme contains sufficient details to comply with Article 3 of Regulation (EEC) No 355/77, showing that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of fruit production in Lower Saxony; whereas the scheduled time for implementation of the

programme does not exceed the limit laid down in Article 3 (1) (g) of the Regulation;

Whereas the finding in this Decision is in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The programme for the improvement of the processing and the marketing of fruit in Lower Saxony communicated by the Government of the Federal Republic of Germany on 29 August 1979 pursuant to Regulation (EEC) No 355/77, is hereby approved.

*Article 2*

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 21 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

**COMMISSION DECISION****of 21 March 1980****approving a programme under Regulation (EEC) No 355/77 to improve the processing and marketing of wine in Hesse****(Only the German text is authentic)****(80/406/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas on 19 July 1979 the Government of the Federal Republic of Germany notified the programme to improve the processing and marketing of wine in Hesse and on 13 November 1979 provided additional details ;

Whereas the said programme relates to the development, rationalization and modernization of facilities for grape reception and the treatment, storage, bottling and marketing of wine and sparkling wine by producer groups and wine cooperatives, with the aim of achieving high quality wine production and the stabilization of price fluctuations and thereby improving producers' incomes ; whereas it is therefore a programme within the meaning of Article 2 of Regulation (EEC) No 355/77 ;

Whereas the programme contains sufficient details to comply with Article 3 of Regulation (EEC) No 355/77, showing that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of the wine sector in Hesse ; whereas the sche-

duled time for implementation of the programme does not exceed the limit laid down in Article 3 (1) (g) of the Regulation ;

Whereas the finding in this Decision is in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

*Article 1*

The programme to improve the processing and marketing of wine in Hesse, communicated by the Government of the Federal Republic of Germany on 19 July 1979 pursuant to Regulation (EEC) No 355/77 and supplemented on 13 November 1979, is hereby approved.

*Article 2*

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 21 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1

**COMMISSION DECISION****of 21 March 1980****on the implementation pursuant to Directive 72/159/EEC of the reform of agricultural structures in the Kingdom of Denmark****(Only the Danish text is authentic)****(80/407/EEC)**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Directive 72/159/EEC of 17  
April 1972 on the modernization of farms<sup>(1)</sup>, and in  
particular Article 18 (3) thereof,

Whereas on 18 December 1979 the Government of  
the Kingdom of Denmark notified provisions redeter-  
mining for 1980 the comparable earned income and  
indicating its rate of growth ;

Whereas Article 18 (3) of Directive 72/159/EEC  
requires the Commission to determine whether,  
having regard to the abovementioned provisions, the  
existing provisions for the implementation in the  
Kingdom of Denmark of Directive 72/159/EEC  
continue to satisfy the conditions for financial contri-  
bution by the Community to common measures  
within the meaning of Article 15 of Directive  
72/159/EEC ;

Whereas the comparable income for 1980 and its rate  
of increase as indicated in the abovementioned provi-  
sions correspond to the objectives of Article 4 of  
Directive 72/159/EEC ;

Whereas the measures provided for in this Decision  
are in accordance with the opinion of the Standing  
Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

*Article 1*

The provisions for the implementation of the reform  
of agricultural structures in the Kingdom of Denmark  
pursuant to Directive 72/159/EEC, as set out in  
Commission Decision 75/316/EEC of 30 April 1975  
and in the light of the provisions notified on 18  
December 1979 specifying the comparable income for  
1980 and indicating its rate of growth, continue to  
satisfy the conditions for financial contribution by the  
Community to common measures within the  
meaning of Article 15 of Directive 72/159/EEC.

*Article 2*

This Decision is addressed to the Kingdom of  
Denmark.

Done at Brussels, 21 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 96, 23. 4. 1972, p. 1.

**COMMISSION DECISION****of 21 March 1980****approving a programme under Regulation (EEC) No 355/77 for the pigmeat sector and related industries in Ireland****(Only the English text is authentic)****(80/408/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures for improving the conditions under which agricultural products are processed and marketed<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas on 1 June 1979 the Irish Government forwarded its programme for the pigmeat sector and related industries and supplied additional information on 15 November 1979;

Whereas the said programme relates to the reorganization, modernization, re-equipment and expansion of pig slaughterhouses and processing plants in Ireland, with the aim of adapting the quantity and quality of the products and marketed to the requirements and possibilities of the market, thereby providing breeders with a fair and stable income; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the programme contains sufficient details to comply with Article 3 of Regulation (EEC) No 355/77, showing that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of the pigmeat sector in Ireland; whereas the

schedule for implementation of the programme does not exceed the time limit laid down in Article 3 (1) (g) of the Regulation;

Whereas the finding in this Decision is in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The programme for the pig sector and related industries forwarded by the Irish Government pursuant to Regulation (EEC) No 355/77 on 1 June 1979, concerning which additional information was supplied on 15 November 1979, is hereby approved.

*Article 2*

This Decision is addressed to Ireland.

Done at Brussels, 21 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

**COMMISSION DECISION****of 21 March 1980****approving a programme under Regulation (EEC) No 355/77 for the improved marketing of cheese in the Netherlands****(Only the Dutch text is authentic)****(80/409/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures for improving the conditions under which agricultural products are processed and marketed<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas on 15 November 1978 the Netherlands Government forwarded its programme for the improved marketing of cheese ;

Whereas the said programme relates to the expansion and renovation of existing cheese storage and ripening capacity, with the aim of widening the range of products offered by marketing more mature cheese and thereby improving the profitability of the products ; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77 ;

Whereas approval of the programme can be given only subject to future Community policy for rectifying the structural surpluses in the milk sector ; whereas it does not extend either to projects leading to an expansion of existing milk processing capacity or for the production of cheese varieties for which there is already surplus capacity and for which market outlets are not guaranteed ;

Whereas the programme contains sufficient details to comply with Article 3 of Regulation (EEC) No

355/77, showing that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of cheese processing in the Netherlands ; whereas the schedule for implementation of the programme does not exceed the time limit laid down in Article 3 (1) (g) of the Regulation ;

Whereas the Standing Committee on Agricultural Structure has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS DECISION :

*Article 1*

The programme for the improved marketing of cheese forwarded by the Netherlands Government pursuant to Regulation (EEC) No 355/77 on 15 November 1978 is hereby approved, subject to the restrictions set out in the recitals.

*Article 2*

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 21 March 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

**COMMISSION DECISION****of 10 April 1980**

**accepting undertakings given in connection with the anti-dumping proceedings concerning certain filament lamps for lighting exceeding 28 volts, originating in Czechoslovakia, the German Democratic Republic, Hungary and Poland, and terminating those proceedings**

**(80/410/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the Community<sup>(1)</sup>, and in particular Article 10 thereof,

After hearing the opinions expressed by the Advisory Committee set up under that Regulation,

Whereas in June 1978 the Commission received a complaint lodged by the Liaison Organization for the European Mechanical, Electrical and Engineering Industries and Metal Working Industries (Orgalime) on behalf of almost all the Community manufacturers of General Lighting Services (GLS) electric light bulbs exceeding 28 volts; whereas the complaint contained evidence of the existence of dumping in respect of like products originating in Czechoslovakia, the German Democratic Republic, Hungary and Poland, and of material injury resulting therefrom;

Whereas the said evidence was sufficient to justify initiating an investigation;

Whereas the Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*<sup>(2)</sup>, the initiation of proceedings concerning imports of certain filament lamps for lighting exceeding 28 volts originating in Czechoslovakia, the German Democratic Republic, Hungary and Poland, and commenced an investigation of the matter at Community level;

Whereas the Commission officially so advised the exporters and imports known to be concerned;

Whereas the Commission has given the parties directly concerned the opportunity to make known their views in writing and to be heard orally, and to meet so that opposing views might be presented and rebuttal arguments put forward;

Whereas the majority of the parties concerned have taken this opportunity;

Whereas, in order to arrive at a preliminary determination of the dumping margin and injury, the Commission carried out investigations at the premises of the great majority of exporters' agents and importers, including: in Belgium, Beldal SA (Brussels), Massive NV (Mortsel), and SAB Tungsram (Brussels); in France, Neff et Meyer (Strasbourg) and Cofrinec (Gentilly); in the Federal Republic of Germany, August Töpfer GmbH (Hamburg), Tungsram GmbH (Frankfurt), and L. Q. Licht (Hanau); in Ireland, Terra Nova Ltd (Dublin); in Italy, M. Metzmacher (Milan), Veneta Motori SNC (Padova), and Luxelectron (Reggiolo); and in the United Kingdom, J. J. Bustin and Co. (London), Sunbeam Lamps and Lighting Ltd (Leeds), and Sifcon International Ltd (London); whereas the Commission contacted a number of other agents and importers; whereas the Commission also carried out investigations at the premises of the main complainant Community producers, viz. in Belgium, GTE Sylvania NV (Zellik); in France, the Compagnie des Lampes SA (Paris); in the Federal Republic of Germany, Osram GmbH (Munich); in Ireland, Solus Ltd (Bray); in Italy, FILE SpA (Lecco); in the Netherlands, NV Philips Gloeilampenfabrieken (Eindhoven) and in the United Kingdom, GEC Lamps and Lighting Ltd (London) and Thorn Lighting Ltd (London);

Whereas, in order to establish whether the above mentioned imports were dumped, the Commission had to take into account the fact that Czechoslovakia, the German Democratic Republic, Hungary and Poland are not market economy countries;

Whereas, for that reason, the Commission had to base its calculations on the normal value in a market economy country; whereas in that connection, the complaint had suggested the Austrian, Finnish, Greek, Portuguese and Spanish domestic markets;

<sup>(1)</sup> OJ No L 339, 31. 12. 1979, p. 1.

<sup>(2)</sup> OJ No C 211, 5. 9. 1978, p. 2.

Whereas in the course of the discussions with the exporters concerned, the comparability of the Austrian, Finnish, Greek and Portuguese markets was contested because the Greek and Portuguese GLS light bulb industries differed considerably in scale of production and technology and because the prices of the Austrian and Finnish electric light bulb industries were unrepresentative because of their particular market situation; whereas a comparison with the price of GLS electric light bulbs on the Spanish domestic market appeared reasonable at least for the purposes of a preliminary determination of dumping, since the scale of production and the technology are similar and prices seemed to be representative; whereas, however, the Polish and Hungarian exporters claimed that their manufacturing processes, scale of production and technology were more comparable with the GLS electric light bulb industry in the United States of America; whereas this argument was accepted for Hungary and a comparison was made with prices on the American domestic market as far as like products existed; whereas for Poland this claim seemed unreasonable, and a comparison was, therefore, made with Spanish domestic market prices;

Whereas all price comparisons for the preliminary assessment of dumping were made at ex-factory level for the first quarter of 1979, as the prices at the beginning of the investigation period were outdated;

Whereas, to take due account of the differences affecting price comparability, the maximum discounts for bulk orders and cash payment, and sales and services costs borne by the Spanish and American manufacturers, were deducted from their prices; whereas the Spanish prices were adjusted to take account of the import duties paid on imports of raw materials; whereas account was taken of the difference between first brands and second brands;

Whereas the above preliminary examination of the facts shows the existence of dumping in respect of the imports considered in the investigation, the dumping margin being equal to the amount by which the normal value as established above exceeds the price at which the goods are exported to the Community; whereas the margin varies depending on the type of bulb, the exporting country, and the importing Member State; whereas for standard bulbs of 25 to 60 watts, which are the commonest types, these margins fell mostly within a range of 0.016 to 0.05 EUA per piece;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of the electric light bulbs in question originating in the countries covered by the investigation rose from approximately 41.8 million units in 1975 to 70.4 million units in 1978, and reached 32.4 million units in the first six months of 1979;

Whereas, in the absence of separate production and import figures relating to GLS electric light bulbs alone, it is difficult to gauge exactly the size of the Community market for such bulbs; whereas, nevertheless, the best information available suggests that for 1979 the market shares held by imports of GLS electric light bulbs originating in the countries covered by the investigation were 7.5 % in the Community, 25 % in Belgium, 17 % in Denmark, 4 % in France, 10 % in Ireland, 15 % in Italy, 14 % in the Federal Republic of Germany (excluding inter-German trade), 2 % in the Netherlands and 4 % in the United Kingdom;

Whereas the resale prices in the Community of GLS bulbs originating in the countries in question undercut those of like bulbs produced by Community manufacturers mostly within a range up to 50 %;

Whereas the consequent impact on the Community industry, whose volume of production has been almost stagnant since 1976, is characterized by a depression of Community prices or prevention of price increases which otherwise would have occurred, making it impossible in some instances to cover production costs;

Whereas most of the Community firms are consequently making considerable losses or considerably reduced profits on the GLS bulbs covered by the procedure and the profitability of the GLS electric light bulb industry as a whole is, therefore, at risk; whereas, although it is difficult to calculate exactly the numbers employed directly in the manufacture of these bulbs, the best information available suggests that there has been a fall from approximately 7 000 in 1974/75 to approximately 6 700 in 1978/79;

Whereas this decrease can be attributed not only to the dumped imports, but also to increased automation;

Whereas injuries caused by other factors which could adversely affect the Community industry, such as the volume and prices of other imports, or stagnation of demand, have been examined, and any adverse effects caused by these factors have not been attributed to the imports under consideration;

Whereas, in view of the foregoing, the preliminary examination of the facts shows that dumping exists, and that there is sufficient evidence of consequent injury;

Whereas the Commission, after having examined the Community producers' and importers' prices, costs, profitability and marketing conditions, has determined the import prices necessary to eliminate the injury caused;

Whereas the exporters and agents concerned were informed of the main findings of the preliminary investigation and commented on them; whereas undertakings were consequently offered concerning imports from Czechoslovakia, (Kovo Foreign Trade Corporation, Prague), the German Democratic Republic (Heim-Electric Volkseigener Aussenhandelsbetrieb, Berlin), Hungary (Tungsram United Incandescent Lamp and Electrical Co., Budapest), and Poland (Unitra Foreign Trade Company, Warsaw);

Whereas the effect of the said undertakings will be to increase import prices into the Community to a level necessary to eliminate injury; whereas the said increases take account not only of the differences noted in the course of investigations between the prices charged by the various exporting countries, but also of the particular situation of the industry in the different Member States; whereas these increases in no case exceed the dumping margin and are generally below this level;

Whereas the Commission has, therefore, determined that it is not now necessary to take protective action in respect of imports from countries having entered into such undertakings;

Whereas the Commission will ensure that the undertakings are strictly complied with, in particular by carrying out periodically the necessary checks and inspections;

Whereas the decision to accept these undertakings may be reconsidered should the Commission discover that they are failing to eliminate the injury;

Whereas in these circumstances, the undertakings offered are considered acceptable and the proceedings may therefore be terminated without imposition of anti-dumping duties,

HAS DECIDED AS FOLLOWS:

*Article 1*

The Commission hereby accepts the undertakings given in connection with the anti-dumping proceedings concerning filament lamps for lighting exceeding 28 volts<sup>(1)</sup>, originating in Czechoslovakia, the German Democratic Republic, Hungary and Poland.

*Article 2*

The anti-dumping proceedings concerning imports of filament lamps for lighting exceeding 28 volts, originating in Czechoslovakia, the German Democratic Republic, Hungary and Poland are hereby terminated.

Done at Brussels, 10 April 1980.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

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<sup>(1)</sup> NIMEXE code 85.20-15; Common Customs Tariff subheading ex 85.20 A.





