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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1402/80

of 30 May 1980

on the temporary total suspension of the Common Customs Tariff duties for certain iron phosphides falling within subheading ex 28.55 A

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Whereas the autonomous Common Customs Tariff duties on certain iron phosphides falling within subheading ex 28.55 A should be totally suspended from 1 July until 31 December 1980,

HAS ADOPTED THIS REGULATION :

Article 1

The autonomous Common Customs Tariff duties relating to iron phosphides (ferro-phosphorus) containing 15 % or more by weight of phosphorus, for use exclusively in the manufacture of refined phosphoric iron or steel, falling within subheading ex 28.55 A, shall be totally suspended from 1 July until 31 December 1980.

Control of the use for this special purpose shall be effected pursuant to the relevant Community provisions.

Article 2

This Regulation shall enter into force on 1 July 1980.

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

Done at Brussels, 30 May 1980.

For the Council

The President

G. ZAMBERLETTI

COMMISSION REGULATION (EEC) No 1403/80

of 4 June 1980

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2.25 %, a rate of exchange based on their effective parity;

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 3 June 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 5 June 1980.

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

Done at Brussels, 4 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 193, 1. 8. 1979, p. 5.

ANNEX

to the Commission Regulation of 4 June 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	94.53
10.01 B	Durum wheat	117.86 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	82.57 ⁽⁶⁾
10.03	Barley	86.41
10.04	Oats	76.14
10.05 B	Maize, other than hybrid maize for sowing	99.49 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	2.93
10.07 B	Millet	24.63 ⁽⁴⁾
10.07 C	Grain sorghum	91.73 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	147.20
11.01 B	Rye flour	130.44
11.02 A I a)	Durum wheat groats and meal	195.29
11.02 A I b)	Common wheat groats and meal	156.08

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

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

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

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

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 1404/80**of 4 June 1980****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2.25 % a rate of exchange based on their effective parity;

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 3 June 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 5 June 1980.

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

Done at Brussels, 4 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 193, 1. 8. 1979, p. 7.

ANNEX

to the Commission Regulation of 4 June 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 6	1st period 7	2nd period 8	3rd period 9
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
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	0	0	0	0
11.07 A II(b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1405/80
of 4 June 1980
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 134/80 ⁽³⁾, as last
amended by Regulation (EEC) No 1321/80 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 134/80 to today's

offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 June 1980.

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

Done at Brussels, 4 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 18, 24. 1. 1980, p. 5.

⁽⁴⁾ OJ No L 135, 31. 5. 1980, p. 5.

ANNEX

to the Commission Regulation of 4 June 1980 fixing the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Third countries ⁽¹⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	76.55	34.65
	2. Long grain	112.90	52.82
	b) Husked rice :		
	1. Round grain	95.69	44.22
	2. Long grain	141.13	66.94
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	191.28	83.68
	2. Long grain	246.25	111.20
	b) Wholly milled rice :		
	1. Round grain	203.72	89.47
	2. Long grain	263.98	119.60
	III. Broken rice	29.73	11.85

⁽¹⁾ Subject to the application of the provisions of Article 10 of Regulation (EEC) No 435/80.

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 1406/80**of 4 June 1980****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 135/80 ⁽³⁾, as last amended by Regulation (EEC)
No 1322/80 ⁽⁴⁾;

Whereas on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be
altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 5 June 1980.

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

Done at Brussels, 4 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 18, 24. 1. 1980, p. 8.

⁽⁴⁾ OJ No L 135, 31. 5. 1980, p. 7.

ANNEX

to the Commission Regulation of 4 June 1980 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1407/80**of 3 June 1980****establishing the standard average values for customs purposes of citrus fruits
and apples and pears**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Commission Regulation (EEC) No
1570/70 of 3 August 1970 establishing a system of
standard average values for citrus fruits⁽¹⁾, as last
amended by Regulation (EEC) No 223/78⁽²⁾, and in
particular Article 2 thereof,

Having regard to Commission Regulation (EEC) No
1641/75 of 27 June 1975 establishing a system of
standard average values for the determination of the
value for customs purposes of apples and pears⁽³⁾, as
amended by Regulation (EEC) No 224/78⁽⁴⁾, and in
particular Article 2 thereof,

Whereas it follows from the application of the notes
and criteria laid down by Regulations (EEC) No

1570/70 and (EEC) No 1641/75 to the elements
communicated to the Commission in accordance with
Article 4 (1) of Regulation (EEC) No 1570/70 and
Article 4 (1) of Regulation (EEC) No 1641/75 that the
standard average values should be fixed as shown in
the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The standard average values provided for in Article 2
(1) of Regulation (EEC) No 1570/70 and in Article 2
(1) of Regulation (EEC) No 1641/75 shall be as shown
in the tables in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 6 June 1980.

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

Done at Brussels, 3 June 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 171, 4. 8. 1970, p. 10.

⁽²⁾ OJ No L 32, 3. 2. 1978, p. 7.

⁽³⁾ OJ No L 165, 28. 6. 1975, p. 45.

⁽⁴⁾ OJ No L 32, 3. 2. 1978, p. 10.

ANNEX

Table I: Citrus fruits

Code	Description	Amount of standard average values/100 kg gross							
		Bfrs/Lfrs	Dkr	DM	FF	£Irl	Lit	Fl	£
1.	Lemons :								
1.1	— Spain	1 654	320.34	103.08	240.07	27.69	48 362	113.20	24.75
1.2	(deleted)								
1.3	— Countries in southern Africa.	1 533	296.82	95.51	222.44	25.66	44 810	104.89	22.93
1.4	— Other African countries and countries on the Mediterranean	1 462	283.11	91.10	212.17	24.47	42 741	100.04	21.87
1.5	— USA	1 549	300.00	96.54	224.83	25.94	45 291	106.01	23.18
1.6	— Other countries	—	—	—	—	—	—	—	—
2.	Sweet oranges :								
2.1	— Countries on the Mediterranean :								
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	1 387	268.63	86.44	201.32	23.22	40 555	94.93	20.75
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines.	—	—	—	—	—	—	—	—
2.1.3	— Other	—	—	—	—	—	—	—	—
2.2	— Countries in southern Africa.	1 272	246.46	79.31	184.70	21.31	37 208	87.09	19.04
2.3	— USA	1 378	266.81	85.86	199.95	23.07	40 280	94.28	20.61
2.4	— Brazil	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾
2.5	— Other countries	1 097	212.54	68.39	159.28	18.37	32 087	75.10	16.42
3.	Grapefruit and pomelos :								
3.1	(deleted)								
3.2	— Cyprus, Egypt, Gaza, Israel, Turkey	1 240	240.20	77.29	180.01	20.76	36 262	84.88	18.56
3.3	— Countries in southern Africa.	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾
3.4	— USA	2 095	405.71	130.56	304.05	35.08	61 250	143.37	31.35
3.5	— Other American countries.	1 342	260.01	83.67	194.85	22.48	39 253	91.88	20.09
3.6	— Other countries	1 126	218.08	70.18	163.44	18.85	32 924	77.06	16.85
4.	Clementines.	—	—	—	—	—	—	—	—
5.	Mandarines, including wilkings	—	—	—	—	—	—	—	—
6.	Monreales and satsumas	1 869	361.95	116.48	271.25	31.29	54 644	127.90	27.97
7.	Tangerines, tangelos, tangors and other citrus fruits falling within subheading 08.02 B of the Common Customs Tariff, not elsewhere specified or included	674	130.57	42.01	97.85	11.29	19 712	46.14	10.09

⁽¹⁾ The standard average value for this code number is established by Regulation (EEC) No 2044/79 of 18 September 1979 (OJ No L 236, 20. 9. 1979).

Table II: Apples and pears

8.	Apples :								
8.1	— Countries of the southern hemisphere.	1 994	386.23	124.29	289.45	33.39	58 309	136.48	29.84
8.2	— European third countries	—	—	—	—	—	—	—	—
8.3	— Countries of the northern hemisphere other than European countries	2 287	442.96	142.55	331.96	38.30	66 874	156.53	34.23
9.	Pears :								
9.1	— Countries of the southern hemisphere.	2 591	501.65	161.43	375.95	43.37	75 734	177.27	38.76
9.2	— European third countries	—	—	—	—	—	—	—	—
9.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—	—

COMMISSION REGULATION (EEC) No 1408/80
of 4 June 1980
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽²⁾, and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1078/80⁽³⁾, as last amended by Regulation (EEC) No 1332/80⁽⁴⁾;

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

the 1980/81 marketing year and this increase are known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1078/80 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC shall be as set out in the Annex hereto.
2. The amount of the subsidy for July, August, September, October, November and December 1980 for colza and rape seed, and for September 1980 for sunflower seed, will, however, be confirmed or replaced as from 5 June 1980 to take into account the indicative price which is fixed for these products for the 1980/81 marketing year, and the amount of the monthly increase for September, October, November and December 1980.

Article 2

This Regulation shall enter into force on 5 June 1980.

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

Done at Brussels, 4 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 113, 1. 5. 1980, p. 59.

⁽⁴⁾ OJ No L 135, 31. 5. 1980, p. 29.

ANNEX

to the Commission Regulation of 4 June 1980 fixing the amount of the subsidy on
oil seeds

(ECU / 100 kg)

CCT heading No	Description	Subsidy
ex 12.01	Colza and rape seed	19.366
ex 12.01	Sunflower seed	22.082

(ECU / 100 kg)

CCT heading No	Description	Subsidy in the case of advance fixing for the month of						
		June 1980	July 1980	August 1980	September 1980	October 1980	November 1980	December 1980
ex 12.01	Colza and rape seed	19.366	16.699 ⁽¹⁾	16.448 ⁽¹⁾	16.256 ⁽¹⁾	16.387 ⁽¹⁾	16.624 ⁽¹⁾	16.110 ⁽¹⁾
ex 12.01	Sunflower seed	22.082	22.082	22.082	19.571 ⁽¹⁾	—	—	—

⁽¹⁾ Subject to confirmation.

COMMISSION REGULATION (EEC) No 1409/80
of 4 June 1980
fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1078/80

of 30 April 1980 fixing the amount of the subsidy on oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 1408/80⁽⁸⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 June 1980.

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

Done at Brussels, 4 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 37, 14. 2. 1980, p. 17.

⁽⁷⁾ OJ No L 113, 1. 5. 1980, p. 59.

⁽⁸⁾ See page 12 of this Official Journal.

ANNEX

to the Commission Regulation of 4 June 1980 fixing the world market price for colza and rape seed

(ECU / 100 kg)⁽¹⁾

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	19.711

(ECU / 100 kg)⁽¹⁾

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of						
		June 1980	July 1980	August 1980	September 1980	October 1980	November 1980	December 1980
ex 12.01	Colza and rape seed	19.711	19.711	19.962	20.535	20.785	20.929	21.824

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

1 ECU = DM	2.48208
1 ECU = Fl	2.74362
1 ECU = Bfrs/Lfrs	39.7897
1 ECU = FF	5.84700
1 ECU = Dkr	7.72336
1 ECU = £Irl	0.668201
1 ECU = £	0.602051
1 ECU = Lit	1 162.87

COMMISSION REGULATION (EEC) No 1410/80
of 4 June 1980
altering the export levy on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾, and in particular Article 17 (6) thereof,

Having regard to Council Regulation (EEC) No 608/72 of 23 March 1972 laying down rules to be applied in cases of considerable price rises on the world sugar market⁽³⁾, and in particular Article 1 (2) thereof,

Whereas the export levy on white sugar and raw sugar was fixed by Regulation (EEC) No 375/80⁽⁴⁾, as last amended by Regulation (EEC) No 1401/80⁽⁵⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in the Regulation (EEC) No 375/80 to the information at present available to the Commission, that the export levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The export levy on sugar provided for in the first subparagraph of Article 17 (1) of Regulation (EEC) No 3330/74 is fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 June 1980.

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

Done at Brussels, 4 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 40, 16. 2. 1980, p. 41.

⁽⁵⁾ OJ No L 138, 4. 6. 1980, p. 7.

ANNEX

to the Commission Regulation of 4 June 1980 altering the export levy on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Amount of the export levy
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar : flavoured or coloured sugar ex B. Raw sugar other than candy sugar	6.72 11.44 ⁽¹⁾

⁽¹⁾ This amount applies to raw sugar with a 92 % yield. If the yield of the exported raw sugar is different from 92 % the levy to be applied shall be calculated in conformity with Article 2 of Regulation (EEC) No 825/75.

Information on the entry into force of the Interim Agreement and Interim Protocol between the European Economic Community and the Socialist Federal Republic of Yugoslavia, both signed in Brussels on 6 May 1980 ⁽¹⁾

Since the instruments of notification of the completion of the procedures necessary for the entry into force of the Interim Agreement and the Interim Protocol between the European Economic Community and the Socialist Federal Republic of Yugoslavia, both signed in Brussels on 6 May 1980, were exchanged on 30 May 1980 in Brussels, this Interim Agreement and Interim Protocol will come into force, in accordance with Article 42 of the Agreement and Article 16 of the Protocol, on 1 July 1980.

⁽¹⁾ OJ No L 130, 27. 5. 1980.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 May 1980

fixing the minimum selling prices for butter for the 28th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 262/79

(80/542/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, pursuant to Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice cream and other foodstuffs⁽⁵⁾, as last amended by Regulation (EEC) No 925/80⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them ;

Whereas Article 16 of that Regulation provides that, in the light of the tenders received, a minimum

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

Whereas, in the light of the tenders received in response to the 28th individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly ;

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

HAS ADOPTED THIS DECISION :

Article 1

For the 28th individual invitation to tender under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders expired on 13 May 1980, the minimum selling prices and processing securities shall be fixed as follows :

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 161, 29. 6. 1979, p. 13.

⁽⁵⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁶⁾ OJ No L 99, 17. 4. 1980, p. 13.

Use to which the butter is to be put (Article 4 (1), (2) and (3) of Regulation (EEC) No 262/79)	Fat content of the butter	Minimum selling price in ECU per 100 kg of butter	Processing security in ECU per 100 kg butter
Formula A and/or C	82 % or more	115	200
	less than 82 %	112.19	195.12
Formula B	82 % or more	170	145
	less than 82 %	—	—

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION**of 20 May 1980****cancelling the fifth invitation to tender for butter provided for by Regulation (EEC) No 400/80****(80/543/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, pursuant to Commission Regulation (EEC) No 400/80 of 19 February 1980 on a standing invitation to tender for butter held by intervention agencies and intended for export to certain non-member countries⁽⁵⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 7 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed; whereas a decision may be taken not to proceed with the invitation to tender;

Whereas, in the light of the tenders received in response to the fifth individual invitation to tender, it should therefore be cancelled;

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

HAS ADOPTED THIS DECISION:

Article 1

The fifth individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 400/80, in respect of which the time limit expired on 12 May 1980, is hereby cancelled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 161, 29. 6. 1979, p. 13.

⁽⁵⁾ OJ No L 46, 21. 2. 1980, p. 14.

COMMISSION DECISION**of 20 May 1980****on the issue of import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland****(80/544/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas the applications for import licences submitted between 1 and 10 May 1980, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 486/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested; whereas, in the case of Botswana, Decision 80/354/EEC of 17 March 1980⁽³⁾ currently subjects imports to health measures;

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

HAS ADOPTED THIS DECISION:

Article 1

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

United Kingdom: 125.3 tonnes originating in Swaziland.

Article 2

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

Botswana:	15 763.0 tonnes
Kenya:	118.0 tonnes
Madagascar:	5 736.0 tonnes
Swaziland:	1 896.8 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 56, 29. 2. 1980, p. 22.

⁽³⁾ OJ No L 79, 23. 3. 1980, p. 23.

COMMISSION DECISION**of 21 May 1980****fixing the minimum export levy for the 11th partial invitation to tender for
white sugar issued under Regulation (EEC) No 561/80****(80/545/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78⁽²⁾, and in particular
Article 17 (5) thereof,

Having regard to Council Regulation (EEC) No
608/72 of 23 March 1972 laying down rules to be
applied in case of considerable price rises on the
world sugar market⁽³⁾, and in particular Article 1 (1)
thereof,

Whereas Commission Regulation (EEC) No 561/80 of
5 March 1980 on a standing invitation to tender in
order to determine levies and/or refunds on exports of
white sugar⁽⁴⁾, as amended by Regulation (EEC) No
863/80⁽⁵⁾, requires partial invitations to tender to be
issued for the export of this sugar ;

Whereas, pursuant to Article 9 (1) of Regulation (EEC)
No 561/80 a minimum export levy shall be fixed, as
the case may be, account being taken in particular of
the state and foreseeable development of the Commu-
nity and world markets in sugar, for the partial invita-
tion to tender in question ;

Whereas, following an examination of the tenders
submitted in response to the 11th partial invitation to
tender, the provisions set out in Article 1 should be
adopted ;

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

HAS ADOPTED THIS DECISION :

Article 1

The minimum export levy for the 11th partial invita-
tion to tender for white sugar issued under Regulation
(EEC) No 561/80 is hereby fixed at 5.160 ECU per
100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 61, 6. 3. 1980, p. 18.

⁽⁵⁾ OJ No L 93, 10. 4. 1980, p. 13.

COMMISSION DECISION**of 21 May 1980****fixing the minimum export levy for the first partial invitation to tender for raw
beet sugar issued under Regulation (EEC) No 1216/80****(80/546/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar ⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78 ⁽²⁾, and in particular
Article 17 (5) thereof,

Having regard to Council Regulation (EEC) No
608/72 of 23 March 1972 laying down rules to be
applied in case of considerable price rises on the
world sugar market ⁽³⁾, and in particular Article 1 (1)
thereof,

Whereas Commission Regulation (EEC) No 1216/80
of 14 May 1980 on a standing invitation to tender in
order to determine levies and/or refunds on exports of
raw beet sugar ⁽⁴⁾, requires partial invitations to tender
to be issued for the export of this sugar ;

Whereas, pursuant to Article 9 (1) of Regulation (EEC)
No 1216/80, a minimum export levy shall be fixed, as
the case may be, account being taken in particular of
the state and foreseeable development of the Commu-
nity and world markets in sugar, for the partial invita-
tion to tender in question ;

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

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

HAS ADOPTED THIS DECISION :

Article 1

The minimum export levy for the first partial invita-
tion to tender for raw beet sugar issued under Regula-
tion (EEC) No 1216/80 is hereby fixed at 7.120 ECU
per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 122, 15. 5. 1980, p. 29.

COMMISSION DECISION

of 22 May 1980

finding that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Packard-Auto-Gamma Spectrometer, model 5921 S, with teletype' are not fulfilled

(80/547/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 13 November 1979, the Government of the Federal Republic of Germany has requested the Commission to invoke the procedure now provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Packard-Auto-Gamma Spectrometer, model 5921 S, with teletype', to be used for simultaneous measurement of various isotopes and in particular for accurate quantitative measurement of the conversion and incorporation of these isotopes in biological structures, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 29 April 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a multichannel gamma counter;

Whereas its objective technical characteristics, such as the number of channels and the use to which it is put,

make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, since 1 June 1977, to the apparatus 'CG 4000' combined with the apparatus 'IN 45' manufactured by Kontron Analytique, 6, rue des Trèves Caudron, 78140 Vélizy, France and, since 1 November 1979, to the apparatus 'PW 4800' manufactured by Philips Nederland BV, Boschdijk 525, Eindhoven, the Netherlands,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Packard-Auto-Gamma Spectrometer, model 5921 S, with teletype' is considered to be a scientific apparatus.

2. However, the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 May 1980.

For the Commission

Etienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 22 May 1980**

finding that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'S.M.I. — Atomic Analysis System, Spectraspan III' are fulfilled

(80/548/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 7 November 1979, the United Kingdom Government has requested the Commission to invoke the procedure now provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'S.M.I. — Atomic Analysis System, Spectraspan III', used for identifying and measuring the relative quantity of chemical elements contained in a sample, and especially for monitoring the nutritive value of foodstuffs, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 27 March 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a spectro-analyzer; whereas its objective

technical characteristics, such as its high degree of dispersion and the use to which it is put, make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'S.M.I. — Atomic Analysis System, Spectraspan III' is considered to be a scientific apparatus.
2. The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 May 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 22 May 1980**

finding that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Scientific-Atlanta — Antenna Data Collection System, model 2031, with positioner' are fulfilled

(80/549/EEC)**THE COMMISSION OF THE EUROPEAN COMMUNITIES,**

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 13 November 1979, the Belgian Government has requested the Commission to invoke the procedure now provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Scientific-Atlanta — Antenna Data Collection System, model 2031, with positioner', designed to be used in the study of integrated microwave antennas, in particular, to formulate theoretical descriptions of simple planar radiator and integrated planar arrays, to devise design methods for both simple and composite radiator configurations and to design and optimize an integrated planar-array antenna, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 27 March 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is an antenna data collection and recording system; whereas its objective technical characteristics such as its very wide frequency range and the use to which it is put make it specially suited

to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

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

Whereas, however, rapid technical developments that may occur in the coming months could deprive this type of apparatus of its scientific character; whereas a similar forecast may be made as regards its use; whereas the period of validity of this Decision should therefore be limited,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Scientific-Atlanta — Antenna Data Collection System, model 2031, with positioner' is considered to be a scientific apparatus.

2. The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are fulfilled.

Article 2

This Decision shall apply until 31 December 1980.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 22 May 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 22 May 1980****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 107/80****(80/550/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

Whereas the 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 22 May 1980 at 69.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 14, 19. 1. 1980, p. 24.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 22 May 1980****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 108/80****(80/551/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 108/80 is
hereby fixed on the basis of the tenders submitted by
22 May 1980 at 71.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 14, 19. 1. 1980, p. 27.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 2 June 1980

terminating the anti-subsidy proceedings concerning certain stainless steel bars
originating in Brazil

(80/552/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⁽¹⁾, and in particular
Article 9 thereof,

After consulting the Advisory Committee set up
under that Regulation,

Whereas in November 1979 the Commission received
a complaint lodged by the British Independent Steel
Producers' Association (BISPA) on behalf of all the
Community manufacturers of stainless steel bars,
containing evidence of the existence of dumping and
subsidies in respect of like products falling within
NIMEXE codes ex 73.73-53 and ex 73.73-83, origi-
nating in Brazil, and of material injury resulting there-
from;

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⁽²⁾,
the initiation of proceedings concerning imports of
certain stainless steel bars originating in Brazil and
commenced an investigation of the matter at Commu-
nity level;

Whereas the Commission officially so advised the
exporters and importers known to be concerned as
well as representatives of the exporting country and
the complainants;

Whereas the Commission has given the parties
directly concerned the opportunity to make known
their views in writing, 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 of making known their views
in writing;

Whereas, in order to arrive at a preliminary determina-
tion of the existence of subsidies and injury resulting

therefrom, representatives of the Commission first
visited Brasilia to seek clarification from the Brazilian
authorities; whereas they subsequently carried out
investigations at the premises of the main Brazilian
exporters, including Aços Villares SA (São Paulo), Aços
Finos Piratini SA (Porto Alegre) and Inter Bras
Comercio Internacional SA (Rio de Janeiro), and the
main United Kingdom importers, including Amari
World Steel Ltd (London), GME Steels Ltd (Maccles-
field) and G. M. Elders Steels (Sheffield); whereas the
Commission contacted a number of other agents and
importers and also sought and verified all information
it deemed to be necessary from the main Community
producers concerned, viz. the United Kingdom
producers, including Spartan Redheugh Ltd (Shef-
field), Firth Vickers Special Steels Ltd (Sheffield),
Osborn Steels Ltd (Sheffield) and British Steel Corpora-
tion (Rotherham);

Whereas the preliminary assessment of the subsidies
was carried out at the same time as the investigation
of dumping by Brazilian producers; whereas for this
reason the assessment was made in respect of sales
from 1 December 1978 to 30 November 1979;

Whereas the above preliminary examination of the
facts showed that certain Brazilian Government
programmes have brought financial advantages to
producers and exporters of the product in question;

Whereas it was thus established that by a number of
resolutions, notably Nos 331, 398, 515 and 583, the
Brazilian Government authorized preferential credit
terms for exports; whereas there was, in respect of
exports, an excessive remission of the tax on industrial
products (IPI), in that a tax credit was granted which
exceeded the amount of tax actually collected at the
production stage; whereas, furthermore, under Govern-
ment resolution No 515 Brazilian producers had
access to working capital at lower rates of interest than
those obtaining on the commercial market;

Whereas the above preliminary examination of the
facts shows that in the period under consideration the
Brazilian Government provided export subsidies equiv-
alent to around 20 % of the fob export price; whereas
a countervailing duty could have been imposed in
respect of those subsidies;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 317, 18. 12. 1979, p. 3.

Whereas, with regard to the injury caused to the Community industry by those subsidies and by the dumping by Brazilian producers, the evidence available to the Commission shows that imports into the Community of stainless steel bars originating in Brazil rose from about three tonnes in 1975 to 120 tonnes in 1978 and 1 267 tonnes in 1979; whereas these imports are concentrated almost entirely on the market of the United Kingdom (which produces a large part of the Community output), where they have risen from about three tonnes in 1975 to 120 tonnes in 1978 and 1 167 tonnes in 1979;

Whereas in 1979 the imports in question attained a market share of 3 % in the Community and 17 % in the United Kingdom and, therefore, had a considerable influence on the United Kingdom market, while constituting a real threat to other Community producers;

Whereas, according to the information available to the Commission, the prices of the imported product substantially undercut the prices of the same product manufactured by Community producers; whereas, in November 1979, for example, the price to the distributor in the United Kingdom of stainless steel bars originating in Brazil was 10 % to 30 % lower than the prices charged by domestic producers;

Whereas the consequent impact on the Community industry has taken the form of stagnation of production and sales at a level of 4 000 tonnes, the loss of about 3 000 jobs since 1975 and a depression of prices, making it impossible in most cases to cover production costs; whereas, for this reason, the United Kingdom undertakings concerned are making considerable losses;

Whereas injuries caused by other factors which could adversely affect the Community industry, such as the volume of other imports, which has been steadily contracting, or the prices of such imports, or the stagnation of demand, have been examined, and any

adverse effects caused by these factors have not been attributed to the imports under consideration;

Whereas by ministerial notice No 960 of 7 December 1979, however, the Brazilian authorities abolished the excessive remission of internal taxes, known as 'IPI Credit', and the advantages hitherto accorded in respect of working capital;

Whereas it is therefore clear from the preliminary examination that since that date the only advantage accorded to Brazilian producers and exporters consists in the availability of preferential credit terms for exports under Government resolutions Nos 331, 398, 515 and 583;

Whereas the subsidy resulting from the use of these advantages by Aços Finos Piratini SA and Aços Villares SA amounts to less than 1 % of the fob export price and is, therefore, negligible as a factor in the injury caused to Community producers;

Whereas for this reason there is no need at present to impose a countervailing duty in respect of exports of the product in question and the proceedings may, therefore, be terminated,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-subsidy proceedings concerning imports of certain stainless steel bars originating in Brazil are hereby terminated.

Done at Brussels, 2 June 1980.

For the Commission

Wilhelm HA FERKAMP

Vice-President
