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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1449/80**of 10 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 9 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 11 June 1980.

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

Done at Brussels, 10 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 10 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	97.88
10.01 B	Durum wheat	118.73 ⁽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	98.23 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	3.86
10.07 B	Millet	16.98 ⁽⁴⁾
10.07 C	Grain sorghum	91.58 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	151.89
11.01 B	Rye flour	131.32
11.02 A I a)	Durum wheat groats and meal	197.62
11.02 A I b)	Common wheat groats and meal	161.88

⁽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 1450/80

of 10 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 organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1547/79⁽²⁾, and in particular
Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary
Committee,

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

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

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

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

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

Whereas these exchange rates being those recorded on
9 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 11 June
1980.

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

Done at Brussels, 10 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 10 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	0.18	0.18	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 1451/80**of 3 June 1980****on the establishment of supplementary quotas for imports into the Community of certain textile products originating in certain third countries participating in the 1980 Berlin Trade Fairs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3059/78 of 21 December 1978 establishing a common procedure for administering quantitative quotas ⁽¹⁾, as last amended by Regulation (EEC) No 2143/79 ⁽²⁾, and in particular Article 9 (3) thereof,

Whereas, by Regulation (EEC) No 3059/78, the importation of textile products originating in certain third countries was made subject to quantitative limitation and allocation among the Member States and to common rules for authorization ;

Whereas trade fairs are to be held, as last year, in Berlin in August and October 1980 at which third countries which export products subject to Regulation (EEC) No 3059/78 are expected to participate ; whereas supplementary quotas have already been established, in respect of the 1979 fairs, by Commission Regulations (EEC) No 1478/79 ⁽³⁾ and (EEC) No 1798/79 ⁽⁴⁾ ; whereas the existing shares of Community quotas allocated to the Federal Republic of Germany may again be insufficient to meet the requirements of the trade fairs ;

Whereas it is therefore necessary to establish supplementary quotas for the Berlin Trade Fairs and to allocate these to the Federal Republic of Germany ;

Whereas it is desirable that import authorizations should be issued in accordance with the requirements on origin specified in Article 2 of Regulation (EEC) No 3059/78 ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Textile Committee set up by Regulation (EEC) No 3059/78,

Article 1

In addition to the quantitative limits on imports established by Regulation (EEC) No 3059/78, supplementary quotas as set out in the Annex hereto shall be established in respect of the Berlin Trade Fairs to be held between 27 and 31 August and 12 and 16 October 1980 and shall be allocated to the Federal Republic of Germany.

Article 2

1. The authorities of the Federal Republic of Germany shall authorize imports, not exceeding the supplementary quotas referred to in Article 1, only in respect of such contracts signed in Berlin during the Berlin Trade Fairs as are recognized by those authorities as being eligible, provided that products covered by such approved contracts are placed on board for exportation to the Federal Republic of Germany in the third country in which they originate after 1 October 1980.

2. The period of validity of import authorizations or equivalent documents issued in accordance with paragraph 1 shall not extend beyond 31 December 1981.

3. The Commission shall be informed not later than 31 December 1980 of the total quantities covered by contracts authorized under paragraph 1.

Article 3

Importation of the textile products covered by authorizations given in accordance with Article 2 shall be made in accordance with the provisions of Article 2 of Regulation (EEC) No 3059/78.

Article 4

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

⁽¹⁾ OJ No L 365, 27. 12. 1978, p. 1.

⁽²⁾ OJ No L 248, 2. 10. 1979, p. 1.

⁽³⁾ OJ No L 180, 17. 7. 1979, p. 5.

⁽⁴⁾ OJ No L 206, 14. 8. 1979, p. 10.

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

Done at Brussels, 3 June 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

ANNEX

Category	CCT heading No	NIMEXE code (1980)	Description	Third countries	Units	Quantities
4	ex 60.04	60.04-19; 20; 22; 23; 24; 26; 41; 50; 58; 71; 79; 89	Under garments, knitted or crocheted, not elastic or rubberized: Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers, of regenerated textile fibres	Malaysia Pakistan Philippines Thailand	1 000 pieces 1 000 pieces 1 000 pieces 1 000 pieces	55 69 106 94
5	ex 60.05 A	60.05-01; 27; 28; 29; 30; 33; 36; 37; 38	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: Jerseys, pullovers, slip-overs, twinsets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres	Hungary Pakistan Philippines Poland Thailand	1 000 pieces 1 000 pieces 1 000 pieces 1 000 pieces 1 000 pieces	40 89 71 40 91
6	ex 61.01 B ex 61.02 B	61.01-62; 64; 66; 72; 74; 76 61.02-66; 68; 72	Men's and boys' outer garments: Women's, girls' and infants' outer garments: B. Other: Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres	Poland Sri Lanka Thailand	1 000 pieces 1 000 pieces 1 000 pieces	80 43 25
7	ex 60.05 A II ex 61.02 B	60.05-22; 23; 24; 25 61.02-78; 82; 84	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: II. Other Women's, girls' and infants' outer garments: B. Other: Blouses and shirt-blouses, knitted or crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres	Hungary India Malaysia Pakistan Philippines Singapore Sri Lanka Thailand	1 000 pieces 1 000 pieces 1 000 pieces 1 000 pieces 1 000 pieces 1 000 pieces 1 000 pieces 1 000 pieces	10 183 12 40 49 117 44 45

Category	CCT heading No	NIMEXE code (1980)	Description	Third countries	Units	Quantities
8	ex 61.03	61.03-11 ; 15 ; 19	Men's and boys' under garments, including collars, shirt fronts and cuffs :	Malaysia	1 000 pieces	59
			Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres	Pakistan	1 000 pieces	54
				Singapore	1 000 pieces	63
				Sri Lanka	1 000 pieces	127
9	ex 55.08	55.08-10 ; 30 ; 50 ; 80 62.02-71	Terry towelling and similar terry fabrics of cotton	Brazil	Tonnes	127
	ex 62.02 B		Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles :	India	Tonnes	27
			B. Other : Woven cotton terry fabrics ; toilet and kitchen linen of woven cotton terry fabrics	Pakistan	Tonnes	22
11	ex 60.02	60.02-50 ; 60 ; 70 ; 80	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized :	Philippines	1 000 pairs	60
			Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, other than those of category 10, of wool, of cotton or of man-made textile fibres	Thailand	1 000 pairs	102
13	ex 60.04	60.04-48 ; 56 ; 75 ; 85	Under garments, knitted or crocheted, not elastic or rubberized : Men's and boys' underpants and briefs, women's, girls' and infants' (other than babies') knickers and briefs, knitted or crocheted, not elastic or rubberized, of cotton or synthetic textile fibres	Brazil	1 000 pieces	65
15 B	ex 61.02 B	61.02-31 ; 32 ; 33 ; 35 ; 36 ; 37 ; 39 ; 40	Women's, girls' and infants' outer garments :	Hungary	1 000 pieces	60
			B. Other :	India	1 000 pieces	11
			Women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, other than garments of category 15 A, of wool, of cotton or of man-made textile fibres	Philippines	1 000 pieces	18
				Poland	1 000 pieces	50
18	ex 61.03	61.03-51 ; 55 ; 59 ; 81 ; 85 ; 89	Men's and boys' under garments, including collars, shirt fronts and cuffs : Men's and boys' woven under garments other than shirts, of wool, of cotton or of man-made textile fibres	Singapore	1 000 pieces	52

Cate- gory	CCT heading No	NIMEXE code (1980)	Description	Third countries	Units	Quantities
19	61.05 B	61.05-30 ; 99	Handkerchiefs :	India	1 000 pieces	1 669
			B. Other : Handkerchiefs of woven fabrics, of a value of not more than 15 EUA/kg	Malaysia	1 000 pieces	2 090
20	ex 62.02 B	62.02-11 ; 19	Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles :	Brazil	Tonnes	98
			B. Other : Bed linen, woven	India	Tonnes	137
21	ex 61.01 B	61.01-29 ; 31 ; 32 ; 61.02-25 ; 26 ; 28	Men's and boys' outer garments :	Philippines	1 000 pieces	132
	ex 61.02 B		Women's, girls' and infants' outer garments :	Singapore	1 000 pieces	13
			B. Other : Parkas, anoraks, windcheaters and the like, woven, of wool, of cotton or of man-made textile fibres	South Korea	1 000 pieces	128
22	56.05 A	56.05-03 ; 05 ; 07 ; 09 ; 11 ; 13 ; 15 ; 19 ; 21 ; 23 ; 25 ; 28 ; 32 ; 34 ; 36 ; 38 ; 39 ; 42 ; 44 ; 45 ; 46 ; 47 56.05-21 ; 23 ; 25 ; 28 ; 32 ; 34 ; 36	Yarn of man-made fibres (discontinuous or waste) not put up for retail sale :	Malaysia	Tonnes	142
			A. Of synthetic textile fibres :	Singapore	Tonnes	111
			Yarn of discontinuous or waste synthetic fibres not put up for retail sale : a) Of which : Acrylic	Thailand	Tonnes	30
24	ex 60.04	60.04-47 ; 73	Under garments, knitted or crocheted, not elastic or rubberized :	Brazil	1 000 pieces	8
			Men's and boys' pyjamas, knitted or crocheted, of cotton or of synthetic textile fibres	Pakistan	1 000 pieces	5
				Singapore	1 000 pieces	9
25	ex 60.04	60.04-51 ; 53 ; 81 ; 83	Under garments, knitted or crocheted, not elastic or rubberized :	Brazil	1 000 pieces	31
			Women's, girls' and infants' (other than babies') knitted or crocheted pyjamas and night dresses, of cotton or synthetic fibres	Malaysia	1 000 pieces	7
				Philippines	1 000 pieces	25
				Singapore	1 000 pieces	8
26	ex 60.05 A II		Outer garments and other articles, knitted or crocheted, not elastic or rubberized :	India	1 000 pieces	149
			A. Outer garments and clothing accesso- ries : II. Other	Philippines	1 000 pieces	41

Category	CCT heading No	NIMEXE code (1980)	Description	Third countries	Units	Quantities
26 (cont'd)	ex 61.02 B	60.05-41 ; 42 ; 43 ; 44 61.02-48 ; 52 ; 53 ; 54	Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies) woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres			
27	ex 60.05 A II ex 61.02 B	60.05-51 ; 52 ; 54 ; 58 61.02-57 ; 58 ; 62	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies) woven and knitted or crocheted skirts, including divided skirts	India Singapore	1 000 pieces 1 000 pieces	124 17
29	ex 61.02 B	61.02-42 ; 43 ; 44	Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies) woven suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres	India	1 000 pieces	9
30 A	ex 61.04	61.04-11 ; 13 ; 18	Women's, girls' and infants' under garments : Women's, girls' and infants' woven pyjamas and night dresses, of wool, of cotton or of man-made textile fibres	Singapore South Korea	1 000 pieces 1 000 pieces	149 89
30 B	ex 61.04	61.04-91 ; 93 ; 98	Women's, girls' and infants' under garments : Women's, girls' and infants' (other than babies) woven under garments other than pyjamas and night dresses, of wool, of cotton or of man-made textile fibres	Brazil India	Tonnes Tonnes	6 5
31	ex 61.09	61.09-50	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic : Brassières, woven, knitted or crocheted	Brazil Philippines South Korea	1 000 pieces 1 000 pieces 1 000 pieces	65 185 99

Category	CCT heading No	NIMEXE code (1980)	Description	Third countries	Units	Quantities
39	ex 62.02 B	62.02-41 ; 43 ; 47 ; 65 ; 73 ; 77	Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles :	Brazil	Tonnes	83
			B. Other : Woven table linen, toilet and kitchen linen other than of cotton terry fabric	India	Tonnes	27
78	ex 61.01	61.01-09 ; 24 ; 25 ; 26 ; 81 ; 92 ; 95 ; 96	Men's and boys' outer garments : Men's and boys' woven bath robes, dressing gowns, smoking jackets and similar indoor wear and other outer garments, except garments of categories 6, 14 A, 14 B, 16, 17, 21, 76 and 79, of wool, of cotton or of man-made textile fibres	South Korea	Tonnes	15
86	ex 61.09	61.09-20 ; 30 ; 40 ; 80	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic : Corsets, corset-belts, suspender-belts, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), other than brassières, whether or not elastic	South Korea	1 000 pieces	75

**COMMISSION REGULATION (EEC) No 1452/80
of 4 June 1980**

repealing the anti-dumping duty on hardboard imported into Ireland and originating in Czechoslovakia and Poland

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 European Economic Community⁽¹⁾, and in particular Article 14 thereof,

After consulting the Advisory Committee set up under that Regulation,

Whereas, by the Order dated 28 June 1977 (SI No 199 of 1977), the Irish Government imposed an anti-dumping duty at the rate of £ Irl 11 per 100 square metres for hardboard originating in Czechoslovakia and at the rate of £ Irl 10 per 100 square metres for hardboard originating in Poland;

Whereas, on 30 November 1978, the Commission published a notice in the *Official Journal of the European Communities*⁽²⁾ of the initiation of an anti-dumping procedure on fibre building board originating in *inter alia* Czechoslovakia and Poland;

Whereas this procedure has resulted in the acceptance by the Commission of satisfactory price undertakings

from the exporting countries including Czechoslovakia and Poland;

Whereas, in this context, the Irish authorities requested, in accordance with Article 14 of Regulation (EEC) No 3017/79, that the anti-dumping duty existing in Ireland be reviewed;

Whereas this review shows that the acceptance of the price undertakings makes it unnecessary to retain the duties on hardboard entering Ireland from Czechoslovakia and Poland,

HAS ADOPTED THIS REGULATION:

Article 1

The anti-dumping duty imposed by the Irish Government on hardboard originating in Czechoslovakia and Poland is hereby repealed.

Article 2

This Regulation shall enter into force on the day of 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, 4 June 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 286, 30. 11. 1978, p. 11.

COMMISSION REGULATION (EEC) No 1453/80

of 7 June 1980

on the delivery of various consignments of skimmed-milk powder as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 937/79 of 8 May 1979 laying down general rules for the supply of skimmed-milk powder to certain developing countries and specialized bodies under the 1979 food-aid programme⁽³⁾, and in particular Article 6 thereof,

Whereas, under the food-aid programmes adopted by the Council Regulations specified in the Annex, certain third countries and beneficiary organizations have requested the delivery of the quantity of skimmed-milk powder set out therein;

Whereas, therefore, delivery should be effected in accordance with the rules laid down in Commission Regulation (EEC) No 303/77 of 14 February 1977

laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, as last amended by Regulation (EEC) No 1488/79⁽⁵⁾; whereas, in particular, the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the provisions of Regulation (EEC) No 303/77, the intervention agencies as specified in the Annex shall deliver skimmed-milk powder as food aid on the special terms set out therein.

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, 7 June 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 119, 15. 5. 1979, p. 1.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 181, 18. 7. 1979, p. 20.

ANNEX ⁽¹⁾

Consignment	A	B
1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 937/79 (1979 programme) (EEC) No 938/79 (general reserve)	(EEC) No 937/79 (1979 programme) (EEC) No 938/79
2. Beneficiary	} Zimbabwe	ICRC
3. Country of destination		Nicaragua
4. Total quantity of the consignment		40 tonnes
5. Intervention agency responsible for delivery	United Kingdom	Irish
6. Origin of the skimmed-milk powder	Intervention stocks (entry into stock after 1 July 1979)	Bought on the Irish market
7. Special characteristics and / or packaging ⁽²⁾		Vitamin A content : 5 000 IU per 100 g minimum Vitamin D content : 500 IU per 100 g minimum
8. Markings on the packaging	'Skimmed-milk powder / Gift of the European Economic Community to Zimbabwe'	Date of manufacture clearly indicated on the bags A red cross 10 x 10 cm and, in letters at least 1 cm high, the following markings: 'NI-76 / Leche desnatada en polvo con vitaminas A (5 000 UI / 100 g) y D (500 UI / 100 g) / Donación de la Comunidad económica europea / Acción del Comité internacional de la Cruz Roja / Corinto'
9. Delivery period	Loading as soon as possible and at the latest 30 June 1980	
10. Stage and place of delivery	Delivered to Salisbury	Port of unloading Corinto (deposited on the quay or on lighters)
11. Representative of the beneficiary responsible for reception ⁽³⁾	Mr Denis Norman, Minister of Agriculture, Salisbury (telex 21 41 RH)	Delegación CICR, c/o Cruz Roja nicaraguense, Apartado 3279, Managua
12. Procedure to be applied to determine the costs of supply	Mutual agreement	

Notes

⁽¹⁾ This Annex, together with the notice published in Official Journal No C 95 of 19 April 1977, page 7, takes the place of an invitation to tender from the intervention agencies concerned in cases where, under point 12, there must be a tendering procedure.

⁽²⁾ Other than those set out in the Annex to Regulation (EEC) No 625/78 ; see Article 6 (2) of Regulation (EEC) No 303/77.

⁽³⁾ Only in the case of delivery 'to the port of unloading' and 'free at destination' ; see Article 5 and the last indent of Article 13 (1) of Regulation (EEC) No 303/77.

COMMISSION REGULATION (EEC) No 1454/80**of 9 June 1980****altering the rate of supplementary aid for dried fodder fixed by Regulations
(EEC) No 792/80 and (EEC) No 1063/80**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1117/78 of 22 May 1978 on the common organization
of the market in dried fodder⁽¹⁾ as last amended by
Regulation (EEC) No 1370/80⁽²⁾, and in particular
Article 5 (3) thereof,

Whereas the rate of the supplementary aid in force
with effect from 1 April 1980 was fixed by Regulation
(EEC) No 792/80⁽³⁾, and for the aid in force with
effect from 1 May 1980 by Regulation (EEC) No
1063/80⁽⁴⁾;

Whereas the Council, in Regulation (EEC) No
1369/80 of 5 June 1980⁽⁵⁾, fixed the target price and
the percentage to be used for calculating the supple-
mentary aid for dried fodder; whereas the said Regula-
tion applies with effect from 1 April 1980;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 792/80

to the information employed when fixing the supple-
mentary aid through Regulations (EEC) No 792/80
and (EEC) No 1063/80, taking into account the
measures adopted by the Council in Regulation (EEC)
No 1369/80, that the supplementary aid in force
for April and May 1980 should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the supplementary aid referred to in
Article 5 (3) of Regulation (EEC) No 1117/78, and
given in the Annexes to Regulations (EEC) No 792/80
and (EEC) No 1063/80, are hereby replaced with
effect from the date of entry into force of each of the
said Regulations, by the rates given in Annexes I and
II respectively.

Article 2

This Regulation shall enter into force on the day of 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, 9 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 140, 5. 6. 1980, p. 32.

⁽³⁾ OJ No L 87, 31. 3. 1980, p. 28.

⁽⁴⁾ OJ No L 113, 30. 4. 1980, p. 29.

⁽⁵⁾ OJ No L 140, 5. 6. 1980, p. 31.

ANNEX I

Additional aid applicable from 1 April 1980 to dried fodder

(ECU/tonne)

CCT heading No	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.07 C	Fodder otherwise dried ex 12.10 B
Additional aid	12.085	6.798

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

(ECU/tonne)

May 1980	13.331	7.499
June 1980	14.929	8.398
July 1980	14.929	8.398
August 1980	14.929	8.398
September 1980	14.929	8.398
October 1980	14.929	8.398
November 1980	14.929	8.398
December 1980	14.929	8.398
January 1981	14.929	8.398
February 1981	14.929	8.398
March 1981	14.929	8.398

ANNEX II

Additional aid applicable from 1 May 1980 to dried fodder

(ECU/tonne)

CCT heading No	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.07 C	Fodder otherwise dried ex 12.10 B
Additional aid	14.043	7.899

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

(ECU/tonne)

June 1980	15.089	8.487
July 1980	15.089	8.487
August 1980	15.089	8.487
September 1980	15.089	8.487
October 1980	15.089	8.487
November 1980	15.089	8.487
December 1980	15.089	8.487
January 1981	15.089	8.487
February 1981	15.089	8.487
March 1981	15.089	8.487

COMMISSION REGULATION (EEC) No 1455/80
of 10 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 1448/80⁽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 11 June 1980.

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

Done at Brussels, 10 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 144, 10. 6. 1980, p. 37.

ANNEX

to the Commission Regulation of 10 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	3.48 8.12 ⁽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.

COMMISSION REGULATION (EEC) No 1456/80

of 10 June 1980

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Article 14 (4) thereof,

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

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 1334/80⁽⁷⁾, as amended by Regulation (EEC) No 1356/80⁽⁸⁾;

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

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

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

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

Whereas these exchange rates being those recorded on 9 June 1980;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3.02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽¹⁰⁾, as last amended by Regulation (EEC) No 2245/78⁽¹¹⁾, as fixed in the Annex to amended Regulation (EEC) No 1334/80, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 June 1980.

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

Done at Brussels, 10 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 L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 135, 31. 5. 1980, p. 33.

⁽⁸⁾ OJ No L 135, 31. 5. 1980, p. 82.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 273, 29. 9. 1978, p. 1.

ANNEX

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

CCT heading No	Levies in ECU/tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 B II a) ⁽²⁾	134.13	131.11
11.02 C I ⁽²⁾	160.75	157.73
11.02 D I ⁽²⁾	103.57	100.55
11.02 E II a) ⁽²⁾	183.48	177.44
11.02 F I ⁽²⁾	183.48	177.44
11.02 G I	79.98	73.94
11.07 A I a)	186.35	175.47
11.07 A I b)	141.99	131.11
11.08 A III	172.81	152.26
11.09	458.18	276.84

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

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

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

COUNCIL REGULATION (EEC) No 1457/80**of 9 June 1980****confirming protective measures on yarn of polyamide for carpets, originating in certain third countries and imported into the United Kingdom**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 925/79 of 8 May 1979 on common rules for imports from State-trading countries⁽¹⁾, and in particular Article 7 (6) thereof,

Having regard to Council Regulation (EEC) No 926/79 of 8 May 1979 on common rules for imports⁽²⁾, and in particular Article 12 (6) thereof,

Whereas, on 8 February 1980, the United Kingdom Government informed the Commission of a danger resulting from the trends in imports of yarn of polyamide for carpets, and requested immediate intervention by the Commission;

Whereas the information supplied by the United Kingdom Government showed that yarn of polyamide for carpets was being imported into the United Kingdom in such increased quantities and under such conditions as to cause substantial injury to United Kingdom producers of like products and that a critical situation existed in which any delay would have caused injury which would have been difficult to remedy and which called for immediate intervention in the interests of the Community;

Whereas, at that time, the imports in question were not causing the same injury to other regions of the Community; whereas it was consequently justifiable to limit the protective measures to imports into the United Kingdom;

Whereas, in accordance with GATT rules, discussions were held with the main supplier country to discuss the problem; whereas these discussions failed to produce a satisfactory solution;

Whereas it was therefore necessary to adopt and apply protective measures consistent with the relevant international rules to imports of these products into the United Kingdom; whereas these measures were aimed at restricting imports to a ceiling which would limit

the injury and eliminate the threat of further injury; whereas, therefore, this limit had to be set approximately at the average volume of imports over the past six months of 1979;

Whereas, on 15 February 1980, the Commission accordingly adopted Regulation (EEC) No 388/80⁽³⁾, which stated, in particular, that imports into the United Kingdom of yarn of polyamide for carpets would be subject to the production of an import authorization issued by the United Kingdom authorities and also that such authorization would be granted up to a maximum of 7 500 tonnes in 1980;

Whereas, on 12 March 1980, the Federal Republic of Germany referred the measures taken by the Commission to the Council;

Whereas, therefore, the Council may, by a qualified majority and not later than three months after referral of the matter, confirm, amend or revoke the Commission's decision;

Whereas, as preparation for the Council's decision, the Commission carried out an additional investigation into both the imports of the products in question and the injury caused by them to British producers;

Whereas, in April 1980, the Commission accordingly carried out an investigation in the United Kingdom at the offices of the major importer International Express Co. Ltd (Liverpool), acting on behalf of Allied Chemical International SA (Haasrode, Belgium), and the major United Kingdom producers ICI Fibres (Harrogate) and British Enkalon Ltd (Leicester); whereas information has also been received from another major Community producer with substantial United Kingdom market sales;

Whereas the results of the Commission's investigation have confirmed that total imports from third countries of yarn of polyamide for carpets, other than those which enter under an Agreement providing for free-trade arrangements on entry into the Community or under an Agreement between the Community and any third country on trade in textiles, increased from approximately 3 200 tonnes in 1976 to 5 700 tonnes

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 1.

⁽²⁾ OJ No L 131, 29. 5. 1979, p. 15.

⁽³⁾ OJ No L 45, 20. 2. 1980, p. 7.

in 1979 and to 1 800 tonnes for the first quarter of 1980, and at a time when consumption was dropping, which led to an increase in the market share of such imports from 8 % in 1976 to 19 % in 1979 ; whereas, more recently, there has been a particularly sharp and substantial increase in imports from the USA from 2 666 tonnes in 1978 to 5 012 tonnes in 1979 and to 1 694 tonnes for the first quarter of 1980, thus increasing its market share from 8.1 % in 1978 to 16.7 % in 1979 and to an estimated 25.1 % in the first quarter of 1980 ;

Whereas the resale prices of such imports have, in most cases, been lower than the prices of United Kingdom producers and other exporters to the United Kingdom market ; whereas the extent of price undercutting has varied, but has reached 30 % in some instances ;

Whereas the situation of the United Kingdom industry is serious, as the following data indicate :

- a fall in production from 27 819 tonnes in 1976 to 15 392 tonnes in 1979,
- a drop in home market sales from 22 075 tonnes in 1976 to 8 562 tonnes in 1979,
- a fall in the level of capacity utilization of more than 30 % between 1976 and 1979,
- a decrease in the market share of United Kingdom producers from approximately 50 % in 1976 to 36 % in 1979,
- price trends have, in real terms, been held down ; from January 1978 to March 1980 the selling prices of major United Kingdom producers increased in nominal terms by approximately 9 %, while during the same period the cost of raw materials alone rose by more than 35 %,
- the United Kingdom industry's financial results and employment record have shown a considerable deterioration, as the following will illustrate :
 - a fall in the operating income of the two main United Kingdom producers from an index of 100 in 1976 to minus 1 363 and minus 10 respectively in 1979,
 - a decrease in net cash flows from minus 100 in 1976 to minus 3 477 and minus 152 in 1979 respectively,
 - a drop in the labour force of one of the two major producers from 755 in 1976 to 484 in

1979, with more redundancies scheduled for 1980 ; the other producer has maintained the level of the workforce by reorganizing its production ;

Whereas, in order to determine if such increased imports have caused serious injury to the United Kingdom industry, it appeared appropriate to analyze the relationship between extra-Community imports into the United Kingdom and home market sales of United Kingdom producers, between resale prices of extra-Community importers and the prices of United Kingdom producers and between extra-Community imports and the financial results of United Kingdom producers ;

Whereas these relationships indicate that the increase in imports played a major part in the decrease in United Kingdom production, that a direct relationship exists between the low price levels of imports and the depression of United Kingdom producers' prices and that, finally, increased imports coincided with the increasingly rapid deterioration of the United Kingdom producers' financial results in 1979 ;

Whereas, for the above reasons, it may be concluded that yarn of polyamide for carpets has been imported into the United Kingdom in such increased quantities and under such conditions as to cause serious injury to domestic producers in the United Kingdom ;

Whereas, for these reasons, the protective measures adopted in Commission Regulation (EEC) No 388/80 should be confirmed,

HAS ADOPTED THIS REGULATION :

Article 1

Commission Regulation (EEC) No 388/80 is hereby confirmed.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities* and shall expire on 31 December 1980.

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

Done at Luxembourg, 9 June 1980.

For the Council

The President

F. PANDOLFI

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 May 1980

authorizing Ireland not to apply Community treatment to bed linen, woven, falling within subheading ex 62.02 B I of the Common Customs Tariff (category 20), originating in India and in free circulation in the other Member States

(Only the English text is authentic)

(80/553/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 6 May 1980 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to bed linen, woven, falling within subheading ex 62.02 B I of the Common Customs Tariff (category 20), originating in India and in free circulation in the other Member States ;

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

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

Whereas it was not possible on that occasion to allocate those ceilings on the basis of the needs of the

individual markets ; whereas there are therefore disparities existing between the import conditions in the various Member States ; whereas uniformity can only be achieved progressively ;

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

Whereas further indirect imports, in addition to those already made or proposed, would be likely to aggravate these difficulties and to call into question the objective sought by the commercial measures concerned ;

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 80/47/EEC of 20 December 1979 ⁽¹⁾, and in particular Article 3 thereof ;

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

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

HAS ADOPTED THIS DECISION :

Article 2

This Decision shall apply until 30 September 1980.

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, where they originate in India and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of the adoption of this Decision :

Article 3

This Decision is addressed to Ireland.

CCT heading No	Description
ex 62.02 B I (NIMEXE codes 62.02-11, 19) (category 20)	Bed linen, woven

Done at Brussels, 12 May 1980.

For the Commission

Wilhelm HAERKAMP

Vice-President

COMMISSION DECISION

of 13 May 1980

authorizing the Italian Republic not to apply Community treatment to woven fabrics of cotton, falling within heading No 55.09 of the Common Customs Tariff (category 2), originating in the People's Republic of China and in free circulation in the other Member States

(Only the Italian text is authentic)

(80/554/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 6 May 1980 by the Italian Government to the Commission of the European Communities, for authorization not to apply Community treatment to woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff (category 2), originating in the People's Republic of China and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in the People's Republic of China is covered by an Agreement negotiated between the Community and that country;

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

Whereas, with a view to implementing the Agreement and to take account of its particularities the Council has by Regulation (EEC) No 3061/79 of 20 December 1979 ⁽¹⁾ established specific common rules for imports of certain textile products originating in China;

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

Whereas it appears from the application submitted that there are serious difficulties in the industrial

sector concerned, involving a considerable drop in production and employment and a progressive decline in its market share;

Whereas these economic difficulties are caused largely by unequal conditions of competition, which allow exports to be made at prices appreciably lower than those of the Community products in question;

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 80/47/EEC of 20 December 1979 ⁽²⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS DECISION:

Article 1

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

⁽¹⁾ OJ No L 345, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 14.

CCT heading No	Description
55.09 (NIMEXE codes 55.09-01, 02, 03, 04, 05, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 31, 33, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 81, 82, 83, 84, 86, 87, 92, 93, 97) (category 2)	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics

Article 2

This Decision shall apply until 30 September 1980.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 13 May 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 13 May 1980

authorizing the Italian Republic not to apply Community treatment to woven fabrics of cotton, falling within heading No 55.09 of the Common Customs Tariff (category 2), originating in Brazil and in free circulation in the other Member States

(Only the Italian text is authentic)

(80/555/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 6 May 1980 by the Italian Government to the Commission of the European Communities, for authorization not to apply Community treatment to woven fabrics of cotton, falling within heading No 55.09 of the Common Customs Tariff (category 2), originating in Brazil and in free circulation in the other Member States,

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

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

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

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

production and employment and a progressive decline in its market share ;

Whereas these economic difficulties are caused largely by unequal conditions of competition, which allow exports to be made at prices appreciably lower than those of the Community products in question ;

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 80/47/EEC of 20 December 1979 ⁽¹⁾, and in particular Article 3 thereof ;

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

HAS ADOPTED THIS DECISION :

Article 1

The Italian Republic is authorized not to apply Community treatment to the products indicated below, where they originate in Brazil and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of the adoption of this Decision :

CCT heading No	Description
55.09 (NIMEXE codes 55.09-01, 02, 03, 04, 05, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 31, 33, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 81, 82, 83, 84, 86, 87, 92, 93, 97) (category 2)	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other fabrics

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

Article 2

This Decision shall apply until 30 September 1980.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 13 May 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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 'Varian-NMR Spectrometer, model EM-360 L' are not fulfilled

(80/556/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 22 November 1979, the Government of Luxembourg 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 'Varian-NMR Spectrometer, model EM-360 L' used in the pedagogic field and, in particular, for teaching nuclear magnetic resonance spectrometry, 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 nuclear magnetic resonance spectrometer;

Whereas its objective technical characteristics such as the high resolution and the sensibility in spectrometric

analysis 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, to the apparatus 'WP 80 CW' manufactured by Bruker Spectrospin SA, rue de l'Industrie, 67160 Wissembourg, France,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Varian-NMR Spectrometer, model EM-360 L' 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

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****to take no action on the tenders submitted by 22 May 1980 in response to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 2292/79****(80/557/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 2292/79 ⁽⁴⁾;

Whereas Article 5 of Commission Regulation (EEC) No 279/75 ⁽⁵⁾, as amended by Regulation (EEC) No 2944/78 ⁽⁶⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 and on the basis of the tenders submitted, to make no award;

Whereas on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75 a maximum refund should not be fixed;

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

No action shall be taken on the tenders submitted by 22 May 1980 in response to the invitation to tender for the export refund on common wheat issued in Regulation (EEC) No 2292/79.

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 263, 19. 10. 1979, p. 12.

⁽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 2293/79****(80/558/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 2293/79 is
hereby fixed on the basis of the tenders submitted by
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 263, 19. 10. 1979, p. 14.

⁽⁵⁾ OJ No L 11, 16. 1. 1980, p. 10.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 351, 15. 12. 1978, p. 16.

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 1990/79****(80/559/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

Whereas the 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 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 229, 11. 9. 1979, p. 12.

⁽⁵⁾ OJ No L 11, 16. 1. 1980, p. 8.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 23 May 1980****on the implementation of the reform of agricultural structures in the United Kingdom pursuant to Council Directives 72/159/EEC and 75/268/EEC****(Only the English text is authentic)****(80/560/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⁽¹⁾, as last amended by Directive 77/390/EEC⁽²⁾, and in particular Article 18 (3) thereof,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽³⁾, and in particular Article 13 thereof,

Whereas on 4 and 17 March 1980 the Government of the United Kingdom notified, pursuant to Article 17 (4) of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC :

- Statutory Instrument 1979 No 1559 : The Farm and Horticulture Development (Amendment) Regulations 1979,
- Statutory Instrument 1980 No 97 : The Farm and Horticulture Development (Amendment) Regulations 1980,
- Statutory Instrument 1980 No 103 : The Farm Capital Grant (Variation) Scheme 1980,
- Statutory Instrument 1980 No 104 : The Horticulture Capital Grant (Variation) Scheme 1980,
- Statutory Instrument 1979 No 1748 : The Hill Livestock (Compensatory Allowances) Regulations 1979 ;

Whereas under Article 18 (3) of Directive 72/159/EEC the Commission has to decide whether, having regard to the Regulations notified, the existing provisions in the United Kingdom for the implementation of Directives 72/159/EEC and 75/268/EEC 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 and Article 13 of Directive 75/268/EEC ;

Whereas the abovementioned provisions satisfy the conditions and objectives of Directives 72/159/EEC and 75/268/EEC ;

Whereas the EAGGF Committee has been consulted on the financial aspects ;

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 existing in the United Kingdom for the implementation of the reform of agricultural structures pursuant to Directives 72/159/EEC and 75/268/EEC continue, having regard to the provisions notified on 4 and 17 March 1980, to satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 23 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 43.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 1.

COMMISSION DECISION**of 23 May 1980****on the implementation of the reform of agricultural structures in Italy pursuant to Council Directive 72/159/EEC****(Only the Italian text is authentic)****(80/561/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⁽¹⁾, as last amended by Directive 77/390/EEC⁽²⁾, and in particular Article 18 (3) thereof,

Whereas on 2 March 1980 the Italian Government notified provisions redetermining 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 Italy of Directive 72/159/EEC 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;

Whereas the comparable income for 1980 and its rate of increase as indicated in the abovementioned provisions 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 existing Italian provisions implementing Directive 72/159/EEC, as now applicable in the light of the provisions notified on 2 March 1980 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 Italian Republic.

Done at Brussels, 23 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 43.

COMMISSION DECISION**of 23 May 1980****on the implementation of the reform of agricultural structures in the Netherlands pursuant to Council Directive 72/159/EEC****(Only the Dutch text is authentic)****(80/562/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⁽¹⁾, as last amended by Directive 77/390/EEC⁽²⁾, and in particular Article 18 (3) thereof,

Whereas on 21 February 1980 the Government of the Netherlands forwarded, pursuant to Article 17 (4) of the said Directive an Order concerning State aid for the relocation of farm buildings;

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

Whereas the abovementioned Order concerning State aid for the relocation of farm buildings meets the requirements of the said Directive;

Whereas the EAGGF Committee has been consulted on the financial aspects;

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

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Order concerning State aid for the relocation of farm buildings, the existing provisions for the implementation of Directive 72/159/EEC in the Netherlands continue to satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 of the said Directive.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 23 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 43.

COMMISSION DECISION**of 23 May 1980****approving an outline programme under Council Regulation (EEC) No 1760/78
relating to Italy****(Only the Italian text is authentic)****(80/563/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1760/78 of 25 July 1978 on a common measure to
improve public amenities in certain rural areas ⁽¹⁾, and
in particular Article 5 thereof,

Whereas on 10 March 1980 the Italian Government
communicated pursuant to Article 4 of Regulation
(EEC) No 1760/78 an outline programme relating to
the less-favoured areas as defined in Council Directive
75/268/EEC ⁽²⁾ and to the Mezzogiorno;

Whereas the said outline programme covers the
improvement of public services pursuant to Article 2
of Regulation (EEC) No 1760/78 in the areas of Italy
listed in Article 1 (2) of the Regulation;

Whereas the said programme contains adequate
details and measures in accordance with Article 3 of
Regulation (EEC) No 1760/78 showing that the objec-
tives referred to in Article 1 (1) of that Regulation can
be achieved and that the conditions laid down in
Article 2 thereof are satisfied; whereas the scheduled

time for implementation of the programme does not
exceed the limit specified in Article 3 (c);

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 outline programme communicated by the Italian
Government on 10 March 1980 pursuant to Article 4
of Regulation (EEC) No 1760/78, is hereby approved.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 23 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 204, 28. 7. 1978, p. 1.

⁽²⁾ OJ No L 128, 19. 5. 1975, p. 1.

COMMISSION DECISION

of 4 June 1980

accepting undertakings in connection with the anti-dumping proceedings concerning imports of fibre building board originating in Czechoslovakia, Finland, Norway, Poland, Romania, Spain, the Soviet Union and Sweden and determining those proceedings

(80/564/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 European Economic Community⁽¹⁾, and in particular Article 10 thereof,

After consulting the Advisory Committee set up under that Regulation,

Whereas in November 1978 the Commission received a complaint lodged by the European Confederation of Wood-Working Industry on behalf of the great majority of Community manufacturers of fibre building board; whereas the complaint contained evidence of the existence of dumping in respect of like products originating in Czechoslovakia, Poland, Romania and the Soviet Union, 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*⁽²⁾, the initiation of a proceeding concerning imports of fibre building board originating in Czechoslovakia, Poland, Romania and the Soviet Union, and commenced an investigation of the matter at Community level;

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

Whereas the Commission gave 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 took this opportunity;

Whereas in the course of these meetings the representatives of the East European exporters claimed that

they were being discriminated against since the complaints did not cover dumped imports from certain market-economy countries;

Whereas the complainants subsequently lodged a complaint containing evidence of dumping of the like products originating in Finland, Norway, Spain and Sweden and of material injury resulting therefrom;

Whereas, since this additional complaint contained sufficient evidence to justify extending the proceeding, the Commission published in the *Official Journal of the European Communities*⁽³⁾, a notice of the initiation of an anti-dumping procedure concerning imports of fibre building board originating in Finland, Norway, Spain and Sweden, so advised the exporters and importers known by the Commission to be concerned, as well as representatives of the exporting country, and commenced the investigation at Community level;

Whereas the Commission gave 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 took this opportunity;

Whereas, for the purposes of a preliminary determination of the dumping margin and of injury, the Commission sought and verified all information it deemed to be necessary and made on the spot investigations of two Swedish producers, Aktiebolaget Statens Skogsindustrier and Karlholms Aktiebolag, one Norwegian producer, Norsk Wallboard AS, and the sole Spanish producer, Tableros de Fibras S.A. and the most important agents for the East European exporters, Pharaoh's Plywood Co. Ltd, Price Morgan Ltd, and Polish Timber Products Ltd, importers in Germany F. K. Müller GmbH & Co. KG and Steinbrügge & Berninghausen GmbH & Co. KG, and Community producers in France, Isorel SA and in Germany Hermann D. Krages KG, H. Henselmann GmbH & Co. KG and H. P. W. Herzberger Plattenwerke GmbH & Co. KG;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 286, 30. 11. 1978, p. 11.

⁽³⁾ OJ No C 116, 9. 5. 1979, p. 2.

Whereas account was also taken of evidence submitted by other exporters and importers ;

Whereas, for the preliminary examination of dumping by Finnish, Norwegian Spanish and Swedish producers, the Commission compared their export prices to the Community with the domestic prices on those markets ;

Whereas for these comparisons, representative or weighted average ex-factory prices were used for sales in 1979, account being taken, in so far as this was requested, of differences in quantities and in the terms and conditions of sale bearing a direct relationship to the sales under consideration, that is to say those relating to transport and packing costs, and payment terms ;

Whereas, however, account had to be taken of the fact that on the Swedish market sales of substantial quantities of fibre building board were made at a loss over several years ; whereas, therefore, the Commission adjusted the sub-production cost prices by the weighted average losses and took account of a reasonable profit of 5 % ;

Whereas, in order to establish whether imports from Czechoslovakia, Poland, Romania and the Soviet Union were dumped, the Commission had to take into account the fact that they 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 Austria, Finland, Norway, Spain, Sweden and Switzerland ;

Whereas for the computation of normal value for hardboard the prices on the Spanish market were used since among the market economy countries subject to the investigation Spain was the most efficient producer ; whereas for insulating board, sales on the Norwegian market were used since it was the only market economy country subject to the investigation on which high volume sales of a similar product to that exported were made ; whereas no alternative comparison was suggested by the exporters ;

Whereas the preliminary assessment of dumping was accordingly effected by comparing the Spanish and Norwegian ex-works prices for sales in 1979 with prices for imports into the Community from the countries in question over the same period ;

Whereas, to take due account of the differences affecting price comparability, discounts for quantities and cash payments, end of year bonuses, transport and packing costs were deducted from Norwegian and Spanish list prices ; whereas only fob or cif export prices were available, but no adjustment was effected to take account of the transport costs included in those prices ; whereas all the above factors had the effect of reducing the difference between Norwegian and Spanish ex-works prices and export prices from the East European countries ;

Whereas the above preliminary examination of the facts shows the existence of dumping in respect of imports from all the countries concerned, 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 board, the exporting country, and the importing Member State and the date of the transaction ; whereas for the most important type of board i.e. 3.2 mm standard hardboard the margins found in the second half of 1979 were at least 15 % in the East European countries and varied between 3 and 19 % for the market economy countries ;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of hardboard originating in the countries covered by the investigation rose from approximately 252 000 tonnes in 1975 to 185 000 tonnes in the first six months of 1979, whilst imports of insulating board rose from approximately 52 000 tonnes in 1975 to 33 000 tonnes in the first six months of 1979, thus taking a market share of over 25 % in the Community for hardboard and approximately 40 % for insulating board ;

Whereas the prices at which those imports were sold were relatively low, thus forcing the Community producers to align their prices downwards ;

Whereas the consequent impact on the Community industry consisted mainly in a depression of Community prices, or prevention of price increases which otherwise would have occurred making it impossible in most instances to cover production costs ;

Whereas three Community producers have, consequently, had to close completely, seven others have ceased production of hardboard and/or insulating board, with a consequent adverse effect on employment, and most of the others make considerable losses on standard hardboard and standard insulating board, especially in the markets where competition from dumped imports is strongest ;

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 have not been attributed to the imports under consideration ;

Whereas the preliminary examination of the facts shows the existence of dumping, and 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, taking into account differences in quality and finish of the imported boards ;

Whereas, in the course of the proceeding, the following exporters: A. Ahlström Osakeyhtiö, Enso-Gutzeit Osakeyhtiö, Oy Hackman AB, Oy Wilh. Schauman AB (Finland); Berger Langmoen AS, Norsk Wallboard AS, Treschow-Fritzøe (Norway); Tableros de Fibras SA (Spain); AB Statens Skogsindustrier, Edsbyn-Johannedal AB, Holmens Bruk AB, Karlholms Aktiebolag, Masonite AB, Aktiebolaget Scharins Söner, Swanboard AB (Sweden); Ligna Foreign Trade Corporation (Czechoslovakia); Paged Foreign Trade Enterprise (Poland); and Exportlemn State Enterprise for Foreign Trade (Romania); and the following agents for the Soviet exporters: Agence Konow & Smith SA, Agence française Berner & Nielsen SA, Churchill and Sim (Plywood and Boards) Ltd, Price Morgan (Plywood and Boards) Ltd, Pharaoh's Plywood Company Ltd, Gratenau and Hesselbacher, Importles, Rufin Pierard Forest Products Agencies SPRL and ETT Agenzia Legnami SpA have offered undertakings;

Whereas the effect of the said undertaking will be to increase import prices into the Community up to the level necessary to eliminate injury; whereas, therefore, these increases are in many cases less than the dumping margins provisionally determined;

Whereas, in those circumstances, it is not now necessary to take protective action in respect of these imports;

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 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 by the following exporters: A. Ahlström Osakeyhtiö, Enso-Gutzeit Osakeyhtiö, Oy Hackman AB, Oy Wilh. Schauman AB (Finland); Berger Langmoen AS, Norsk Wallboard AS, Treschow-Fritzøe (Norway); Tableros de Fibras SA (Spain); AB Statens Skogsindustrier, Edsbyn-Johannedal AB, Holmens Bruk AB, Karlholms Aktiebolag, Masonite AB, Aktiebolaget Scharins Söner, Swanboard AB (Sweden); Ligna Foreign Trade Corporation (Czechoslovakia), Paged Foreign Trade Enterprise (Poland); and Exportlemn State Enterprise for Foreign Trade (Romania); and the following agents for the Soviet exporters: Agence Konow & Smith SA, Agence française Berner & Nielsen SA, Churchill and Sim (Plywood and Boards) Ltd, Price Morgan (Plywood and Boards) Ltd, Pharaoh's Plywood Company Ltd, Gratenau and Hesselbacher, Importles, Rufin Pierard Forest Products Agencies SPRL and ETT Agenzia Legnami SpA in connection with the anti-dumping proceeding concerning imports of fibre building board ⁽¹⁾, originating in those countries;

Article 2

The anti-dumping procedure is hereby terminated in respect of imports of fibre building board originating in Czechoslovakia, Finland, Norway, Poland, Romania, Spain, the Soviet Union and Sweden.

Done at Brussels, 4 June 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ NIMEXE codes 44.11-10, 20, 30, 90; CCT heading No 44.11.

