

Official Journal

of the European Communities

ISSN 0378-6978

L 249

Volume 23

20 September 1980

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2414/80**of 19 September 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 1870/80⁽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 2035/80⁽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 18 September 1980 ;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2035/80 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 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 20 September 1980.

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

Done at Brussels, 19 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, 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 200, 1. 8. 1980, p. 1.

ANNEX

to the Commission Regulation of 19 September 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	75.79
10.01 B	Durum wheat	76.60 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	55.63 ⁽⁶⁾
10.03	Barley	65.14
10.04	Oats	56.04
10.05 B	Maize, other than hybrid maize for sowing	76.85 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	67.38 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	119.80
11.01 B	Rye flour	90.27
11.02 A I a)	Durum wheat groats and meal	131.78
11.02 A I b)	Common wheat groats and meal	129.19

⁽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 2415/80**of 19 September 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 1870/80⁽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 2036/80⁽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 18 September 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 20 September 1980.

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

Done at Brussels, 19 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, 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 200, 1. 8. 1980, p. 4.

ANNEX

to the Commission Regulation of 19 September 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 9	1st period 10	2nd period 11	3rd period 12
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0.71	0.71	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 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2416/80**of 16 September 1980****laying down detailed rules for the implementation of decisions by the Guidance
Section of the EAGGF to grant aid for special forestry programmes in certain
Mediterranean zones of the Community**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
269/79 of 6 February 1979 establishing a common
measure for forestry in certain Mediterranean zones of
the Community⁽¹⁾, and in particular Article 13 (3)
thereof,

Whereas supporting documents in respect of special
programmes eligible for assistance from the EAGGF
are forwarded, in some cases via the Member State
concerned, by a department or agency designated by
that Member State; whereas, with a view to ensuring
an effective check on the execution of these special
programmes, provision should be made to define the
role of that department or agency and the nature of
the supporting documents to be drawn up in compli-
ance with the laws or regulations of the Member State
concerned or with the measures laid down by the said
department or agency, and also the verifications to be
effected by each Member State;

Whereas the Commission needs to be informed that
special programmes are being carried out under the
conditions and within the time limits laid down;

Whereas the documentation to be forwarded by the
intermediary department or agency so that the
Commission may ascertain that all the conditions are
fulfilled for payment of the aid, or a proportion
thereof, should be specified; whereas that documenta-
tion must include full information, presented in a
uniform manner, in order to facilitate examination
and uniform treatment of payment applications;

Whereas, if the documents duly provided by the
department or agency appear inadequate or incom-
plete for the purpose of checking the financial or
other conditions to which the special programmes are
subject, the Commission should be able to request the
intermediary department or agency to submit addi-
tional documents;

Whereas there should be provision, in connection
with inspection visits, for cooperation between the
Commission and the Member State concerned, so that
the visit may achieve its intended purpose;

Whereas the procedure for suspending, reducing or
terminating EAGGF aid should not be initiated
without the Member State concerned first having been
asked for its views and the agency responsible having
been given the opportunity to submit its comments;

Whereas, since EAGGF aid is paid to the agency
responsible for execution of the programme through
an agency designated by the Member State, it is neces-
sary to define the documents which that second
agency is to forward to the Commission;

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

HAS ADOPTED THIS REGULATION:

**I. Role of the department or agency responsible
for forwarding supporting documents**

Article 1

1. The department or agency responsible for
forwarding supporting documents within the meaning
of Article 13 (2) of Regulation (EEC) No 269/79 shall
send to the Commission, within two months
following the entry into force of this Regulation, a
descriptive list of the supporting documents it intends
to require. Any amendment to such list shall be
communicated to the Commission within two months
of its adoption.

Supporting documents means any document drawn
up in accordance either with the laws or regulations of
the Member State concerned or with the measures
adopted by the abovementioned department or agency
and establishing that the financial or other conditions
imposed for the project in question have been
fulfilled.

⁽¹⁾ OJ No L 38, 14. 2. 1979, p. 1.

The descriptive list mentioned above shall contain :

- the title of each supporting document, together with a reference to the provisions or measures on the basis of which it is to be drawn up,
- a brief description of the contents of each document.

2. Within the time limit laid down in paragraph 1, the department or agency shall also send to the Commission a detailed description of the verification procedures it employs for the purpose of making out the certificate referred to in Article 3.

3. The Commission may request Member States to add to the descriptive list other documents which it considers necessary for verifying the eligibility for payment of the expenditure claimed in applications ; it may to the same end request the Member States to strengthen their verification procedures.

Article 2

On the expiry of 12 months from the date of notification of the decision granting aid, the department or agency shall forward to the Commission a document describing the progress of special programmes in respect of which no application for payment or no second application for an advance has been made.

Where, contrary to the information contained in the application for aid and the decision to grant it, work or action has not begun by the end of this period of 12 months, the department or agency shall give reasons and where necessary shall submit to the Commission adequate assurances provided by the agencies responsible within the meaning of Article 9 (2) of Regulation (EEC) No 269/79 to the effect that work on the programme will begin in the near future. In the absence of such assurances or if the Commission considers the assurances inadequate the agency responsible shall be obliged to return the advance received.

If the first advance received was already accompanied by the supporting documents to be provided under the provisions of Article 3 (1), these documents must not be forwarded.

Article 3

1. Within three months before the actual commencement of the first annual instalment of work, the intermediary department or agency may forward to the Commission an application for an advance together with evidence that the conditions for payment have been fulfilled.

This application for an advance shall be submitted in duplicate in the form of a certificate as shown in Model 1 in Annex I.

Six months following the payment of this advance, the agency responsible must prove to the Commission that the rate of progress on the work has reached at least 6.5 % of the first annual instalment multiplied by the number of months which have elapsed since the date of the commencement of the work specified in the application for an advance.

If it fails to supply this proof, the agency responsible shall be obliged to return the advance received.

The forwarding of this proof shall suspend the obligation to forward the document provided for in Article 2.

2. Applications for advances relating to the other annual instalments of the work may be submitted when the work on the previous instalment has reached at least 80 % of the amount planned and any earlier instalments have been completed.

Applications for an advance, to be submitted in duplicate, shall consist of a certificate and supporting documents in the form shown in Model 2 in Annex I.

3. Not later than three months following the planned completion of an annual instalment of work in respect of which an advance has been received, the department shall forward a claim for the final amount of aid due in respect of that instalment.

This claim, to be submitted in duplicate, shall consist of a certificate and supporting documents in the form shown in Annex II.

If it fails to submit this claim, the agency responsible shall be required to refund the advance received.

4. Where no advance has been received the department may forward applications for payment in the year following the completion of an annual instalment of the work.

These applications, to be submitted in duplicate, shall consist of a certificate and supporting documents in the form shown in Annex II.

Article 4

To enable an effective check to be made on the execution of a special programme, the department or agency shall submit to the Commission, on request and within a time limit which the latter may fix, any supporting document, or a certified copy thereof, referred to in Article 1, or any other document which shows that the financial or other conditions laid down for each project have been fulfilled.

Article 5

If the Commission considers it necessary to make an inspection visit, it shall give prior notice thereof to the Member State it intends to visit and shall invite that Member State to participate in the inspection; the Member States shall take all necessary steps to promote the effectiveness of such inspection visits.

Article 6

Before initiating any procedure for suspending, reducing or terminating aid from the EAGGF in accordance with Article 13 (2) and 14 (2) of Regulation (EEC) No 269/79, the Commission shall:

- invite the Member State on whose territory the special programme was to be carried out to express its views on the matter,
- consult the department or agency responsible for transmitting supporting documents,
- ask the agency responsible for the execution of the special programme to provide through the inter-

mediary department or agency an explanation for its failure to comply with the conditions laid down.

II. Role of the agency responsible for payment*Article 7*

1. When the Commission is satisfied that the financial or other conditions laid down for the special programme have been fulfilled, it shall make payments of aid from the EAGGF to the agency responsible for the execution of the special programme, in accordance with Article 13 (1) of Regulation (EEC) No 269/79.

2. The agency shall immediately pay over the aid or the appropriate portion thereof to the agency responsible and shall, within 15 days of payment, provide evidence to the Commission that this has been done.

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

Done at Brussels, 16 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX I

MODEL 1

CERTIFICATE FOR THE PAYMENT OF THE FIRST ADVANCE

Special programme No :

Agency responsible (name and address) :

The⁽¹⁾, being the department responsible for forwarding the supporting documents in accordance with the provisions of Article 13 (2) of Regulation (EEC) No 269/79 establishing a common measure for forestry in certain Mediterranean zones of the Community,

Hereby certifies that :

1. the proposed work on the first annual instalment of the work will begin/has begun on in the geographical area planned ;
2. the special programme has/has not undergone any changes in relation to the data contained in the documents supporting the application for aid⁽²⁾ ;
3. an advance of FF/Lit (..... %) of the aid to be provided by the Member State in respect of the first annual instalment of the work was made available to the agency responsible on ;
4. not later than at the time when the work is completed the owner(s) of the land will have made a financial contribution in accordance with the provisions of Article 11 (4) of Regulation (EEC) No 269/79 ;
5. by letter dated the agency responsible has replied as regards the special conditions laid down in Article of the decision to grant aid ;
6. the agency responsible undertakes to refund the advance requested if the work does not begin within the 12 months following the notification of the decision granting the aid or in three months following the payment of this first advance or if adequate assurances that the work will begin in the near future are not supplied or if the Commission does not consider the assurances adequate⁽³⁾.

Done at, on

For the intermediary authority

(signature)

⁽¹⁾ Name of the intermediary authority responsible for forwarding the supporting documents.

⁽²⁾ In the case of a basic change give a description in the Annex.

⁽³⁾ Undertaking signed by the responsible agency to be attached.

MODEL 2

**CERTIFICATE FOR THE PAYMENT OF ADVANCES OTHER THAN THE FIRST
ADVANCE**

Special programme No :

Agency responsible (name and address) :

.....

Advance No :

The⁽¹⁾, being the department responsible for forwarding the supporting documents in accordance with the provisions of Article 13 (2) of Regulation (EEC) No 269/79 establishing a common measure for forestry in certain Mediterranean zones of the Community,

Hereby certifies that :

1. the proposed work by the special programme commenced on on the site planned ;
2. the actual implementation of the annual instalments in respect of which an advance had already been obtained amounts to FF/Lit compared with the costs estimated in the application for aid for the annual instalments in question ; the quantities carried out are specified in Annex A⁽²⁾ ;
3. the special programme has/has not undergone any changes in relation to the data contained in the documents supporting the application for aid⁽³⁾ ;
4. the way in which the expenditure certified in point 2 above is being financed is set out in Annex B ; an advance of FF/Lit (..... %) of the aid to be provided by the Member State for the instalment which is the subject of this expenditure has been made available to the agency responsible on ;
5. not later than at the time when the work is completed the owner(s) of the land will have made a financial contribution in accordance with the provisions of Article 11 (4) of Regulation (EEC) No 269/79 ;
6. the agency responsible undertakes to refund the advance requested if the work on the instalment in question does not begin in the three months following the payment of the advance requested or if adequate assurances that the work will begin in the near future are not provided or if the Commission does not consider the assurances adequate⁽⁴⁾.

Done at, on

For the intermediary authority

(signature)

⁽¹⁾ Name of the intermediary authority responsible for forwarding the supporting documents.

⁽²⁾ To be specified in the Annex by type of work provided for in Article 11 (2) of Regulation (EEC) No 269/79. This rate must be at least 80 % for the advance requested to be granted.

⁽³⁾ In the event of basic changes give a description in the Annex.

⁽⁴⁾ Undertaking signed by the responsible agency to be attached as Annex III.

Annex A to the certificate in respect of advances other than the first

Progress of the planned work on the annual instalments in respect of which advances have been received :

Measures ⁽¹⁾	Quantities planned	Quantities carried out
Afforestation	ha	ha
Improvement of deteriorated forest	ha	ha
Related work	ha	ha
Fire protection	ha	ha
Forest roads	km	km
Preparatory work	FF/Lit	FF/Lit

⁽¹⁾ To be indicated for each category, if necessary, for sub-categories to which the work relates, for example, for afforestation and site preparation, planting, maintenance, etc.

Where appropriate : Detailed reasons why the proposed quantities were exceeded or did not amount to at least 80 % in relation to the estimates or the annual instalments in respect of which advances had already been received.

Annex B to the certificate in respect of advances other than the first

Financing of expenditure arising from work on annual instalments in respect of which advances have already been received :

Date :

— Contribution by the owners

 of which : own capital

 loans ⁽¹⁾

 services in kind and work
 on own account

— Capital contribution by the Member State

— Other aid

— Advances already received

Total expenditure ⁽²⁾

⁽¹⁾ Indicate the origin, amount, rate of interest, total term and conditions of repayment of each loan. Also indicate, where necessary, the rate and duration of any interest rate subsidies and the name of the establishment which grants them.

⁽²⁾ This amount must correspond to the amount indicated in the certificate at point 4.

ANNEX II

MODEL 3

**CERTIFICATE FOR THE PAYMENT OF THE BALANCE OF ONE OR MORE
ANNUAL WORK INSTALMENTS**

Special programme No :

Agency responsible (name and address) :

The (1), being the department responsible for forwarding the supporting documents in accordance with the provisions of Article 13 (2) of Regulation (EEC) No 269/79 establishing a common measure for forestry in certain Mediterranean zones of the Community,

Hereby certifies that :

1. the supporting documents mentioned in the descriptive list forwarded to the Commission in accordance with the provisions of Article 1 of Regulation (EEC) No 2416/80 have been checked ;
2. the work provided for by the special programme commenced on on the planned site ;
3. the implementation (of the first/two first/three first/four first instalments)/(of the whole) of the special programme was completed on ; the actual cost amounts to of which was paid by the agency responsible ;
4. the amount of the expenditure indicated above was financed in the manner specified in Annex A to this certificate ;
5. the total cost mentioned above locates down between the different types of measure as specified in the list of accounting documents attached in Annex B ; a comparative table of the planned quantities and of those carried out is attached in Annex C (2) ;
6. an inspection by showed that the work completed is in conformity with that described in the documents supporting the application for aid and in the Commission Decision (with the exception of the items relating to the following types of work) ; explanations on this matter are provided in Annex II.
7. the amount of recoverable VAT included in the expenditure claimed is ;
8. the financial contributions of the owner(s) of the land and of the Member State are in accordance with the provisions of Article 11 (3) and (4) of Regulation (EEC) No 269/79 ;
9. the supporting documents are held by

Done at , on

For the intermediary authority

(signature)

(1) Name of the intermediary authority.

(2) Where the aid is divided between several sub-contracts the list of accounting documents and comparative tables are to be prepared separately for each sub-programme.

Annex A to the certificate for the payment of balances**Financing plan**

Date :

— Owner's contribution	
of which : own capital	
loans ⁽¹⁾	
services in kind and work on own account	
— Capital contribution by the Member State	
— Other aid	
— Proportion of aid already paid by the Fund	
	=====
	=====
	=====

Total financing ⁽²⁾

⁽¹⁾ Indicate the origin, amount, rate of interest, total term and conditions of repayment of each loan. Also indicate, where necessary, the rate and duration of any interest rate subsidies and the name of the establishment which grants them.

⁽²⁾ This amount must correspond to the amount indicated in the certificate at point 3.

Annex B to the certificate for the payment of balances

List of accounting documents

(Between and)

Work	Cost as per estimate	Accounting documents ⁽¹⁾					Payments made		
		Number from ... to ...	Dates ⁽²⁾ from ... to ...	Issued by	Amount	VAT	Method	Dates ⁽³⁾ from ... to ...	Amount
I. Afforestation									
II. Improvement of deteriorated forest									
III. Related work									
IV. Fire protection									
V. Roads									
VI. Preparatory work									
Total									

⁽¹⁾ Enter all documents including those relating to ineligible expenditure if they are part of the project.⁽²⁾ In the case of expenditure incurred prior to the submission of the application for aid indicate the reasons.⁽³⁾ Dates of actual payment and not the latest dates for payment.

Annex C to the certificate for the payment of balances**Comparative table**

Descriptions (1)	Work planned		Work executed		Reasons for changes
	Quantities	Cost	Quantities	Cost	
I. Afforestation	ha		ha		
II. Improvement of deteriorated forest	ha		ha		
III. Related work	ha		ha		
IV. Fire protection	ha		ha		
V. Roads	km		km		
VI. Preparatory work					

(1) To be indicated for each category and if necessary for sub-categories to which the work relates : for example, for afforestation — site preparation, planting, maintenance, etc.

COMMISSION REGULATION (EEC) No 2417/80
of 17 September 1980
on the arrangements for imports into the Benelux countries of under garments
originating in Romania

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3059/78 of 21 December 1978 on common rules for
imports of certain textile products originating in
certain third countries⁽¹⁾, as amended by Regulation
(EEC) No 2174/80⁽²⁾, and in particular Articles 11
and 15 thereof,

Whereas Article 11 of Regulation (EEC) No 3059/78
lays down the conditions on which quantitative limita-
tions may be established; whereas imports into the
Benelux countries of under garments (category 30 A)
originating in Romania have exceeded the level
referred to in paragraph 3 of the said Article;

Whereas, in accordance with paragraph 5 of the said
Article 11, Romania was notified on 27 June 1980 of
a request for consultations; whereas, following these
consultations it is desirable to make the products in
question subject to quantitative limitation for the
years 1980 to 1982;

Whereas paragraph 13 of the said Article 11 ensures
that the quantitative limit is observed by means of a
double-checking system in accordance with Annex V
to the Regulation in question;

Whereas the products in question exported from
Romania between 1 January 1980 and the date of
entry into force of this Regulation must be set off
against the quantitative limit for 1980;

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

HAS ADOPTED THIS REGULATION:

Article 1

Importation into the Benelux countries of the cate-
gory of products originating in Romania specified in
the Annex hereto shall be subject to the quantitative
limits given in that Annex and to the provisions of
Article 2 (1).

Article 2

1. Products as referred to in Article 1 shipped from
Romania to the Benelux countries before the date of
entry into force of this Regulation which have not yet
been released for free circulation shall be so released
without delay subject to the presentation of a bill of
lading or other transport document proving that ship-
ment actually took place before that date.

2. Imports of products shipped from Romania to
the Benelux countries after the entry into force of this
Regulation shall be subject to the double-checking
system described in Annex V to Regulation (EEC) No
3059/78.

3. For the purposes of applying the provisions of
paragraph 2, the quantities of products shipped from
Romania on or after 1 January 1980 and released for
free circulation shall be set off against the quantitative
limits established for 1980.

Article 3

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

It shall apply until 31 December 1982.

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

Done at Brussels, 17 September 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 365, 27. 12. 1978, p. 1.

⁽²⁾ OJ No L 212, 15. 8. 1980, p. 29.

ANNEX

Category	CCT heading No	NIMEXE codes (1980)	Description	Member States	Units	Quantitative limit from 1 January to 31 December		
						1980	1981	1982
30 A	61.04 B I	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	BNL	1 000 pieces	142 000 ⁽¹⁾	150 000	157 000

⁽¹⁾ An exceptional additional quantity of 33 000 pieces has been agreed for 1980 only.

COMMISSION REGULATION (EEC) No 2418/80**of 18 September 1980****on the classification of goods falling within subheading 87.02 B II a) 1 aa) 22 of the Common Customs Tariff**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas provision must be made to ensure uniform application of the nomenclature of the Common Customs Tariff regarding the classification of dumpers :

- consisting of a very heavy chassis to which the suspension of the six tyred wheels is directly connected by means of cylinders, a tipper body mounted on the chassis the automatic tipping system of which is driven by the engine, a driving cab and a compression ignition engine of a cylinder capacity of 14 600 cc connected to a nine-speed gear box ;
- incorporating neither axles nor clutch pedal ;
- having the following dimensions and technical characteristics :
 - greatest length : 7 772 mm,
 - greatest width : 3 632 mm,
 - height : 3 912 mm,
 - maximum load capacity : 31.8 tonnes,
 - tare : 26.2 tonnes,
 - maximum speed : about 41 km/h,
 - turning circle : 15 200 mm ;
- designed for the transport of earth, sand, gravel, stones or other similar materials either on working sites for the construction of roads, waterways, harbour works and the like or, within a maximum range of 5 km, between quarries and such working sites ;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68⁽³⁾, as last

amended by Regulation (EEC) No 2130/80⁽⁴⁾, includes, under subheading 87.02 B II a) 1 aa) 22, dumpers of a cylinder capacity of 10 000 cc or more and, under subheading 87.07 C II, works trucks, mechanically propelled, of the types used in factories, warehouses, dock areas or airports for short-distance transport or handling of goods (other than those specially designed for the transport of highly radioactive materials and other than straddle carriers), not fitted with self-actuated lifting equipment ;

Whereas the abovementioned motor vehicles, designed for the transport of building materials either on working sites or between quarries and such sites, are different, because of their construction, weights and dimensions, from those types used in factories, warehouses, dock areas or airports for short-distance transport and, consequently, are covered neither by CCT heading No 87.07 nor by the Explanatory Notes to the Customs Cooperation Council Nomenclature, heading No 87.07, first paragraph ;

Whereas the pneumatic tyres with which these motor vehicles are fitted have a pressure of about 2 bar, which is considered to be low and which enables the vehicles to work over soft ground ;

Whereas, by virtue of their mechanical equipment and their appearance, these motor vehicles possess the characteristics of dumpers and are marketed under that description ;

Whereas the Explanatory Notes to the Customs Cooperation Council Nomenclature, heading No 87.02, Part B (2) (1), mention sturdily-built vehicles with a tipping body, designed for the transport of various materials, fitted with off-the-road wheels and capable of working over soft ground, as being dumpers ;

Whereas the Explanatory Notes to the Customs Cooperation Council Nomenclature, heading No 87.07, Part I.A., third paragraph, exclude dumpers from this heading and classify them in heading No 87.02 ;

Whereas, therefore, it is necessary to classify these motor vehicles in subheading 87.02 B II a) 1 aa) 22 of the Common Customs Tariff ;

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 40, 11. 2. 1977, p. 1.

⁽³⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 207, 9. 8. 1980, p. 3.

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

HAS ADOPTED THIS REGULATION :

Article 1

Dumpers :

- consisting of a very heavy chassis to which the suspension of the six tyred wheels is directly connected by means of cylinders, a tipper body mounted on the chassis the automatic tipping system of which is driven by the engine, a driving cab and a compression ignition engine of a cylinder capacity of 14 600 cc connected to a nine-speed gear box ;
- incorporating neither axles nor clutch pedal,
- having the following dimensions and technical characteristics :
 - greatest length : 7 772 mm,
 - greatest width : 3 632 mm,
 - height : 3 912 mm,
 - maximum load capacity : 31.8 tonnes,
 - tare : 26.2 tonnes,
 - maximum speed : about 41 km/h,
 - turning circle : 15 200 mm ;
- designed for the transport of earth, sand, gravel, stones or other similar materials either on working sites for the construction of roads, waterways,

harbour works and the like or, within a maximum range of 5 km, between quarries and such working sites,

shall be classified in the Common Customs Tariff under subheading :

87.02 Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those of heading No 87.09) :

B. For the transport of goods or materials :

II. Other :

a) With either a spark ignition or a compression ignition engine :

1. Motor lorries with either a spark ignition engine of a cylinder capacity of 2 800 cc or more or a compression ignition engine of a cylinder capacity of 2 500 cc or more :

aa) Dumpers of a cylinder capacity :

22. Of 10 000 cc or more.

Article 2

This Regulation shall enter into force on the 42nd day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 18 September 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 2419/80**of 19 September 1980****establishing the standard average values for the determination of the value for customs purposes for citrus fruits to be applied during the periods at the beginning of the 1980/81 importing season**

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 (2) thereof,

Whereas Article 2 (2) of Regulation (EEC) No 1570/70 lays down that the standard average values to be applied at the beginning of the importing season are to be established on the basis of the arithmetic mean of standard average values of the second and third periods of application of the preceding season;

Whereas application of these rules and criteria means that the standard average values to be applied during

the periods at the beginning of the 1980/81 importing season for the citrus fruits listed should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard average values to be applied during the periods at the beginning of the 1980/81 importing season for the citrus fruits listed in the Annex are hereby fixed as shown therein.

Article 2

This Regulation shall enter into force on 22 September 1980.

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

Done at Brussels, 19 September 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.

ANNEX

Code	Description	Amount of standard average values/100 kg gross						
		Bfrs/Lfrs	Dkr	DM	FF	£Irl	Lit	Fl
1.	Lemons :							
1.1	— Spain							
1.2	(deleted)							
1.3	— Countries in southern Africa.							
1.4	— Other African countries and countries on the Mediterranean							
1.5	— USA							
1.6	— Other countries	2 101	405·02	131·22	303·44	34·68	62 028	142·77
								30·85
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	980	186·11	60·12	140·82	16·32	28 086	66·42
								15·70
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines. .	1 312	251·32	80·62	188·89	21·76	37 360	88·61
								20·14
2.1.3	— Other	860	165·10	52·89	123·90	14·28	24 560	58·39
								13·31
2.2	— Countries in southern Africa.	1 220	235·75	76·02	176·95	20·38	36 070	83·37
								18·42
2.3	— USA							
2.4	— Brazil	567	109·50	35·35	82·09	9·44	16 834	38·73
								8·53
2.5	— Other countries							
3.	Grapefruit and pomelos :							
3.1	(deleted)							
3.2	— Cyprus, Egypt, Gaza, Israel, Turkey							
3.3	— Countries in southern Africa.	1 661	320·59	103·50	240·32	27·63	49 282	113·38
								24·99
3.4	— USA							
3.5	— Other American countries.							
3.6	— Other countries	943	179·14	57·87	135·56	15·70	27 035	63·94
								15·11
4.	Clementines.	1 563	296·86	95·90	224·62	26·03	44 800	105·95
								25·05
5.	Mandarines, including Wilkings	1 183	227·12	72·77	170·45	19·65	33 788	80·33
								18·30
6.	Monreales and satsumas	1 012	192·00	62·10	145·81	16·82	29 115	68·89
								16·30
7.	Tangerines, tangelos, tangors and other citrus fruits falling within subheading 08.02 B of the Common Customs Tariff, not elsewhere specified or included							

COMMISSION REGULATION (EEC) No 2420/80

of 19 September 1980

re-establishing the levying of customs duties on phosphates of sodium, falling within subheading 28.40 B ex II and originating in Romania, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 1 (3) and (4) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in European units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1977 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1977 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 110 or 115 % of that fixed for 1979;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A thereto;

Whereas Article 2 (2) and (3) of that Regulation provides that customs duties may be re-established at any time in respect of imports of the products in ques-

tion originating in any of the said countries or territories — with the exception of those listed in Annex C thereto — once the relevant Community amount has been reached;

Whereas, in respect of phosphates of sodium, the ceiling calculated as indicated above, should be 479 000 European units of account, and therefore the maximum amount is 240 000 European units of account; whereas, on 15 September 1980, the amounts of imports into the Community of the product in question, originating in Romania, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 2789/79 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Romania,

HAS ADOPTED THIS REGULATION:

Article 1

As from 23 September 1980, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2789/79, shall be re-established in respect of the following products, imported into the Community and originating in Romania:

CCT heading No	Description
28.40 B ex II	Phosphates of sodium

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, 19 September 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 328, 24. 12. 1979, p. 25.

COMMISSION REGULATION (EEC) No 2421/80
of 19 September 1980
fixing 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 organi-
zation 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 2005/80 ⁽⁴⁾, as last
amended by Regulation (EEC) No 2413/80 ⁽⁵⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in the Regulation
(EEC) No 2005/80 to the information at present avail-
able 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 Regula-
tion.

Article 2

This Regulation shall enter into force on 20
September 1980.

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

Done at Brussels, 19 September 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 195, 29. 7. 1980, p. 33.

⁽⁵⁾ OJ No L 248, 19. 9. 1980, p. 21.

ANNEX

to the Commission Regulation of 19 September 1980 fixing 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	14.19 22.11 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 September 1980

accepting undertakings given by Romanian exporters in connection with the anti-dumping proceeding concerning imports of certain tubes of iron or steel originating in that country, and terminating that proceeding

(80/875/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 10 thereof,

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

Whereas the Commission received a complaint lodged by the Liaison Committee of the EEC steel tube industry on behalf of the majority of Community manufacturers of gas pipes and structural tubes; whereas the complaint contained evidence of the existence of dumping in respect of like products originating in Romania, and of substantial 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 such products originating in Romania, 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 has given the parties directly concerned the opportunity to make known their views in writing and to be heard orally, and to meet so that each side might state its case;

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

Whereas in order to arrive at a preliminary assessment of the dumping margin and injury, the Commission carried out inspections at the premises of those importers who had agreed to assist with the investigation; whereas the Commission also carried out inspections at the premises of the principal Community manufacturers concerned, namely Mannesmann Röhrenwerke (Düsseldorf) and Neunkirchener Eisenwerk AG (Homburg);

Whereas, in order to establish whether the abovementioned imports were dumped, the Commission had to take into account the fact that Romania is not a market economy country;

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 cited the Austrian domestic market in particular;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 21, 24. 1. 1979, p. 2.

Whereas a comparison with the prices of the products concerned on the Austrian domestic market would appear reasonable at least for the purposes of a preliminary finding of dumping, since the manufacturing processes and technical standards are similar, and Austrian price controls in respect of the tubes in question and the large volume of imports would appear to guarantee a fair level of prices ;

Whereas the preliminary finding of dumping was accordingly made, following an investigation of the principal Austrian manufacturer Voest-Alpine (Vienna), by comparing the average Austrian ex-works prices for sales over the period from October 1978 to June 1979 with prices for imports from Romania into the Community over the same period ;

Whereas, to take due account of the differences affecting price comparability, the maximum discounts for bulk orders and cash payment, and sales and service costs borne by the Austrian manufacturer, were deducted from Austrian list prices ;

Whereas the above preliminary examination of the facts shows the existence of dumping in respect of the imports considered in the investigation, the dumping margin being equal to the amount by which the normal value as established above exceeds the price at which the goods are exported to the Community ; whereas, for example, the said margin was roughly 20 % for one of the most common types of tube ;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of the products in question, originating in Romania, rose from approximately 22 409 tonnes in 1976 to 25 583 tonnes in 1978, reaching 18 529 tonnes for the first six months of 1979 ;

Whereas the most reliable information available suggests that from 1979 imports of such tubes from Romania took a market share of roughly 13 % in the Federal Republic of Germany, the market principally affected by such imports ;

Whereas the resale prices in the Community of tubes originating in Romania undercut those of like products made by Community manufacturers in the principal market concerned by between 12 % and 16 %, according to the information in the Commission's possession ;

Whereas the consequent impact on the Community industry in this market has helped to depress Commu-

nity prices, making it impossible, at present to cover production costs ;

Whereas the Commission has examined whether injury had been caused by other factors adversely affecting the Community industry ; whereas the volume and prices of other imports of the product in question, principally from Spain, have been considered ; whereas it had been noted that such imports, following consultations with the Spanish circles involved, will carry prices which do not cause injury to the Community industry ;

Whereas the Commission has taken account of other factors, in particular the stagnation of demand ; whereas it considers that the adverse effects of this should not be attributed to the imports in question ;

Whereas the preliminary examination of the facts shows the existence of dumping, and there is sufficient evidence of consequent injury ;

Whereas after being informed of the main findings of the preliminary investigation and commenting on them, the exporter concerned, namely the exporting body in Romania (Metalimportexport, Bucharest), has offered undertakings ;

Whereas the effect of the said undertakings will be to increase the prices of imports into the Community ;

Whereas the Commission has provisionally determined that implementation of those undertakings would neutralize the injurious effects of the imports in question and that it is not now necessary to take protective action in respect of imports from Romania ;

Whereas the Commission is responsible for ensuring 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, on the basis of the information in its possession, consider this necessary ; whereas, in particular, should the said undertakings not be passed on to the Community market and hence fail to eliminate the injury being caused to Community producers, a suggestion could be made to amend the said undertakings, or a decision taken to denounce them ;

Whereas in these circumstances, the undertakings offered are acceptable and the proceeding 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 exporting body in Romania (Metalimport-export, Bucharest) in connection with the anti-dumping proceeding concerning imports of certain welded tubes (gas pipe) and other welded tubes of an external diameter of more than 168.3 mm but not more than 406.4 mm (NIMEXE codes 73.18-62, 64, 82 ; Common Customs Tariff subheading ex 73.18 C), originating in Romania.

Article 2

The anti-dumping proceeding is hereby terminated in respect of imports of the products referred to in Article 1.

Done at Brussels, 17 September 1980.

For the Commission

Wilhelm HAERKAMP

Vice-President

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2392/80 of 16 September 1980 fixing the minimum selling prices for boned beef put up for sale by tender in accordance with Regulation (EEC) No 2326/79

(Official Journal of the European Communities No L 245 of 17 September 1980)

Page 10, Danmark, minimum selling prices :

for : '2 3626',

read : '2 326'.
