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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2930/80
of 11 November 1980
amending Regulation (EEC) No 337/79 on the common organization of the
market in wine

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 43
thereof,

Having regard to the proposal from the Commis-
sion ⁽¹⁾,

Having regard to the opinion of the European Parlia-
ment ⁽²⁾,

Having regard to the opinion of the Economic and
Social Committee ⁽³⁾,

Whereas under the terms of the second subparagraph
of Article 46 (3) of Regulation (EEC) No 337/79 ⁽⁴⁾, as
last amended by Regulation (EEC) No 1990/80 ⁽⁵⁾, the
use of sodium-based cation exchange resins for the
purpose of preventing the precipitating of excess
calcium when the wine is marketed shall be permitted
until 31 August 1980 in Member States where the
practice was allowed as at 1 September 1977, provided
that the products obtained are not sent out of the

Member States concerned ; whereas it is envisaged that
Community provisions will allow a new method for
the de-acidification of wines ; whereas, since the
preparatory work for the finalization of the new
method has not yet been completed, the period
during which the use of the present method is
permitted should be extended,

HAS ADOPTED THIS REGULATION :

Article 1

The date '31 August 1980' in the second subparagraph
of Article 46 (3) of Regulation (EEC) No 337/79 is
replaced by '31 August 1982'.

Article 2

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

It shall apply with effect from 1 September 1980.

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

Done at Brussels, 11 November 1980.

For the Council

The President

C. NEY

⁽¹⁾ OJ No C 211, 19. 8. 1980, p. 8.

⁽²⁾ OJ No C 291, 10. 11. 1980, p. 57.

⁽³⁾ Opinion delivered on 29 October 1980 (not yet published
in the Official Journal).

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No 195, 29. 7. 1980, p. 6.

COUNCIL REGULATION (EEC) No 2931/80
of 11 November 1980
on certain quality wines originating in the Republic of Austria

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
337/79 of 5 February 1979 on the common organiza-
tion of the market in wine⁽¹⁾, as last amended by
Regulation (EEC) No 2930/80⁽²⁾, and in particular the
second subparagraph of Article 50 (2) under (a)
thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 50 (1) (b) of Regulation (EEC)
No 337/79, wines intended for direct human
consumption other than liqueur wines and sparkling
wines may not be imported if their total alcoholic
strength by volume exceeds 15 %; whereas it is,
however, laid down in paragraph 2 of the same Article
that the Council may derogate from this rule in order
to allow the delivery for direct human consumption of
certain wines originating in third countries and
bearing a geographical ascription;

Whereas the Community and the Republic of Austria
have initialled an Agreement on the control and reci-
procal protection of wines bearing a geographical
ascription, which means that each of the wines
mentioned in the said Agreement is eligible, on the
territory of the other contracting party, for the same
protection as indigenous wines of the same kind;
whereas it is therefore necessary that all the wines
covered by the said Agreement, including wines of
more than 15 % vol, should be able as from the date

on which the Agreement comes into force to move
and be delivered for direct human consumption,

HAS ADOPTED THIS REGULATION:

Article 1

Wines originating in the Republic of Austria whose
total alcoholic strength by volume exceeds, without
any enrichment, 15 % may be delivered for direct
human consumption in the Community, provided
that they bear:

- the name of a wine-growing sub-region appearing
in the Agreement between the European
Economic Community and the Republic of
Austria on the control and reciprocal protection of
quality wines and certain wines bearing a geogra-
phical ascription, and, where appropriate, in addi-
tion, the name of a geographical unit more
restricted than a sub-region,
- one of the following descriptions: 'Auslese' or
'Auslesewein', 'Beerenauslese' or 'Beerenauslese-
wein', 'Ausbruch' or 'Ausbruchwein',
'Troddenbeerenauslese'.

Article 2

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

It shall be applicable from the date of entry into force
of the Agreement referred to in the first indent of
Article 1.

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

Done at Brussels, 11 November 1980.

For the Council

The President

C. NEY

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ See p. 1 of this Official Journal.

COMMISSION REGULATION (EEC) No 2932/80

of 13 November 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 organi-
zation 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 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 import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (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
12 November 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 14
November 1980.

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

Done at Brussels, 13 November 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 13 November 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	58.26
10.01 B	Durum wheat	71.69 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	34.81 ⁽⁶⁾
10.03	Barley	37.89
10.04	Oats	24.61
10.05 B	Maize, other than hybrid maize for sowing	63.87 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	50.88 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	95.14
11.01 B	Rye flour	62.34
11.02 A I a)	Durum wheat groats and meal	124.29
11.02 A I b)	Common wheat groats and meal	102.11

⁽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 2933/80

of 13 November 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 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 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
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
12 November 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 14
November 1980.

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

Done at Brussels, 13 November 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 13 November 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 11	1st period 12	2nd period 1	3rd period 2
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 2934/80
of 13 November 1980

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1917/80⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾, and in particular Article 5 (2) thereof,

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 10 and 11 November 1980 leads to the minimum levies being fixed as indicated in Annex I to this Regulation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

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

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

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

⁽⁴⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁵⁾ OJ No L 332, 29. 11. 1978, p. 13.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 332, 29. 11. 1978, p. 26.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

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

Article 3

This Regulation shall enter into force on 14 November 1980.

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

Done at Brussels, 13 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Greece	Non-member countries
15.07 A I a)	17.00 ⁽¹⁾	32.00 ⁽¹⁾
15.07 A I b)	16.00 ⁽¹⁾	31.00 ⁽¹⁾
15.07 A I c)	16.00 ⁽¹⁾	33.00 ⁽¹⁾
15.07 A II a)	18.00	38.00 ⁽²⁾
15.07 A II b)	24.00	56.00 ⁽³⁾

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

- (a) Greece, Spain and Lebanon : 0.60 ECU/100 kg ;
- (b) Turkey : 22.36 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Algeria, Morocco, Tunisia : 24.78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries ; however, the repayment may not exceed the amount of the tax in force.

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

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3.86 ECU/100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3.09 ECU/100 kg.

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

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7.25 ECU/100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5.80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Greece	Non-member countries
07.01 N II	3.52	6.82
07.03 A II	3.52	6.82
15.17 B I a)	8.00	15.50
15.17 B I b)	12.80	24.80
23.04 A II	1.28	2.64

COMMISSION REGULATION (EEC) No 2935/80

of 13 November 1980

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1870/80 ⁽²⁾, and in particular the
fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
provides that the difference between quotations or
prices on the world market for the products listed in
Article 1 of those Regulations and prices for those
products within the Community may be covered by
an export refund;

Whereas Article 2 of Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general
rules for granting export refunds on cereals and
criteria for fixing the amount of such refunds ⁽³⁾,
provides that when refunds are being fixed account
must be taken of the existing situation and the future
trend with regard to prices and availabilities of cereals
on the Community market on the one hand and
prices for cereals and cereal products on the world
market on the other; whereas the same Article
provides that it is also important to ensure equili-
brium and the natural development of prices and
trade on cereal markets and, furthermore, to take into
account the economic aspect of the proposed exports,
and the need to avoid disturbances on the Commu-
nity market;

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

Whereas it follows from applying these detailed rules
to the present situation on the market in products
processed from cereals and rice that the export refund
should be fixed at an amount which will cover the
difference between Community prices and world
market prices;

Whereas the world market situation or the specific
requirements of certain markets may make it neces-
sary to vary the refund for certain products according
to destination;

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

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

Whereas the refund must be fixed once a month;
whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of
Regulation (EEC) No 2727/75 subject to Regulation
(EEC) No 2744/75 shall be as set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 14
November 1980.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 273, 29. 9. 1978, p. 1.

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

Done at Brussels, 13 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 13 November 1980 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
CCT heading No	Refund
11.07 A I b)	31.92
11.07 A II b)	27.85
11.07 B	32.46

COMMISSION REGULATION (EEC) No 2936/80
of 11 November 1980

**extending the period of applicability of Regulation (EEC) No 2819/79 making
the imports of certain textile products from certain third countries subject to
Community surveillance**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
926/79 of 8 May 1979 on common rules for
imports ⁽¹⁾, and in particular Article 7 thereof,

Having consulted the Advisory Committee set up
under Article 5 of the said Regulation,

Whereas by Regulation (EEC) No 2819/79 ⁽²⁾, the
Commission made the import of certain textile
products from certain non-members countries subject
to Community surveillance ;

Whereas the reasons which justified the introduction
of these measures in respect of imports from the Medi-
terranean countries which had signed agreements esta-
blishing preferential arrangements with the Commu-
nity, namely Egypt, Malta, Portugal, Spain and Turkey,

still exist ; whereas those measures should therefore
remain in force,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 2819/79 is hereby extended
until 31 December 1981.

Article 2

In the Annex to Regulation (EEC) No 2819/79, the
word 'Greece' in the column headed 'Third countries'
is hereby deleted.

Article 3

This Regulation shall enter into force on 1 January
1981 and shall apply until 31 December 1981.

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

Done at Brussels, 11 November 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

⁽²⁾ OJ No L 320, 15. 12. 1979, p. 9.

COMMISSION REGULATION (EEC) No 2937/80

of 13 November 1980

amending Regulation (EEC) No 625/78 on detailed rules of application for
public storage of skimmed-milk powder

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,

Whereas Annex I to Commission Regulation (EEC)
No 625/78⁽³⁾, as last amended by Regulation (EEC)
No 2863/80⁽⁴⁾, laying down quality conditions which
skimmed-milk powder must meet in order to be
offered to intervention, contains in particular certain
requirements relating to the analytical procedures for
detecting whey by determining the proportions of
certain components in the skimmed-milk powder;
whereas it was intended to fix Community limits for
the said components following a certain period of
experimentation in the Member States from the entry
into force of Regulation (EEC) No 625/78; whereas, at
the end of that period, it has become evident that the
information submitted by Member States is not suffi-

cient to enable a final position to be taken; whereas it
is therefore necessary to provide for a new period to
enable the necessary experience to be obtained;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EEC) No 625/78, the
second paragraph of footnote⁽²⁾ shall be replaced by
the following paragraph:

'The Commission shall adopt the provisions
regarding the said limits not later than 30 June
1981.'

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, 13 November 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 84, 31. 3. 1978, p. 19.

⁽⁴⁾ OJ No L 297, 6. 11. 1980, p. 16.

COMMISSION REGULATION (EEC) No 2938/80**of 13 November 1980****amending Regulation (EEC) No 756/70 on granting aid for skimmed milk
processed into casein and caseinates**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Article 11 (3) thereof,

Whereas the amount of aid for 100 kilograms of
skimmed milk processed into casein or caseinates was
fixed at 5.00 ECU by Article 2 (1) of Commission
Regulation (EEC) No 756/70⁽³⁾, as last amended by
Regulation (EEC) No 1621/80⁽⁴⁾; whereas the
amount of aid must be adjusted to take account of the
movement of prices for caseins in international trade ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In Article 2 (1) of Regulation (EEC) No 756/70, the
amount '5.00 ECU' is replaced by '4.80 ECU'.

Article 2

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

It shall apply with effect from 15 December 1980.

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

Done at Brussels, 13 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 91, 25. 4. 1970, p. 28.

⁽⁴⁾ OJ No L 162, 27. 6. 1980, p. 28.

COMMISSION REGULATION (EEC) No 2939/80

of 13 November 1980

amending for the eighth time Regulation (EEC) No 557/79 laying down detailed rules for the application of the system of consumption aid for olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1917/80⁽²⁾, and in particular Article 11 (5) thereof,

Whereas Article 9 of Council Regulation (EEC) No 3089/78 of 19 December 1978 laying down general rules in respect of aid for the consumption of olive oil⁽³⁾, as last amended by Regulation (EEC) No 2762/80⁽⁴⁾, requires that any release into free circulation in the Community of olive oil falling within subheading 15.07 A of the Common Customs Tariff is subject to the lodging of a security; whereas it is opportune to amend Regulation (EEC) No 557/79⁽⁵⁾, as last amended by Regulation (EEC) No 1975/80⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 557/79 is amended as follows:

1. Article 13 is replaced by the following:

Article 13

1. The release into free circulation of olive oil falling within subheading 15.07 A of the Common Customs Tariff shall be subject to the production of proof that the security referred to in Article 9 of Regulation (EEC) No 3089/78 has been lodged.

2. The security shall be equal to the amount of the consumption aid paid to the beneficiary. It shall be lodged in respect of the totality of the quantity of olive oil to be imported.

However:

(a) as regards olive oil falling within subheading 15.07 A I b) of the Common Customs Tariff

originating in and transported directly from the following countries to the Community, the quantity in respect of which the security is to be lodged shall be equal:

- in the case of Tunisia and Turkey, to 86 %,
 - in the case of Greece and Morocco, to 89 %,
 - in the case of other countries, to 97 %
- of the total quantity to be imported.

(b) as regards olive oil falling within subheading 15.07 A I c) of the Common Customs Tariff, the quantity in respect of which the security is to be lodged shall be equal to 78 % of the total quantity to be imported.

3. This security shall be lodged, at the option of the applicant, in cash or in the form of a guarantee given by an establishment satisfying the requirements laid down by the Member State with which the security is lodged.

4. The security shall be released on presentation, save in cases of *force majeure*, within six months of the date of release into free circulation, of the original copy of the certificate referred to in Article 14 (3) in respect of the quantity of olive oil which that certificate shows to have been rendered ineligible for consumption aid.

However, as regards the export of olive oil of subheading 15.07 A I b) or 15.07 A I c) referred to in Article 14 (1) (b), the quantity in respect of which the security shall be released shall be equal to 86 and 78 % respectively of the quantity shown on the certificate.

Where the time limit referred to above is not complied with, 10 % of the security shall be forfeit for each month's delay in producing the certificate. Where the conditions laid down in this Article are satisfied in respect of part only of the oil concerned, the security shall be released in proportion to the quantity in respect of which they are satisfied.

2. Article 14 is replaced by the following:

Article 14

1. The oil referred to in Article 13 (4) shall be deemed to have been made ineligible for consump-

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

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 1.

⁽³⁾ OJ No L 369, 29. 12. 1978, p. 12.

⁽⁴⁾ OJ No L 287, 30. 10. 1978, p. 2.

⁽⁵⁾ OJ No L 73, 24. 3. 1979, p. 13.

⁽⁶⁾ OJ No L 192, 26. 7. 1980, p. 21.

tion aid within the meaning of Article 9 (2) of Regulation (EEC) No 3089/78 when :

(a) it has, in a plant situated in the Community, been put up in immediate containers of a net content of five litres or less which do not bear the identification number provided for in Article 4 (2), and has left that plant,

or

(b) it has left the geographical territory of the Community, either in bulk or in immediate containers of a net content of more than five litres which do not bear an identification number,

or

(c) it has been used in the manufacture of preserved fish or vegetables without benefiting from the production refund for olive oil of Community origin used in such manufacture,

or

(d) it has been demonstrated, to the satisfaction of the Member State concerned, that the oil imported in immediate packages of not more than five litres, has been released in that condition to the retail trade.

2. Plants proposing to use the oil referred to in Article 13 (4) in accordance with the conditions set out in paragraph 1 (a) and (c) shall inform the authorities of the Member States concerned in advance.

Plants other than approved plants which propose to use the oil as specified in paragraph 1 (a) shall keep stock records in accordance with points (b) to (i) of Article 3 and shall indicate the stocks of olive oil existing at the date on which the competent authorities were notified in accordance with the preceding paragraph.

Plants using oil in accordance with paragraph 1 (c) shall comply with the provisions of Regulation (EEC) No 1963/79.

3. At the request of the plants referred to in paragraph 2, the competent authorities shall issue a certificate, using the model set out in the Annex hereto, after checking that the plants concerned have in fact used the oil in accordance with the conditions set out in paragraph 1 (a) and (c) or (d).

4. If the oil is exported, proof of export shall be furnished in accordance with the rules for granting export refunds. This proof must be submitted to the competent authorities of the Member State in which the export formalities were completed. On request, the authorities shall issue the certificate referred to in paragraph 3.

If the oil was exported to Switzerland or Austria under the Community internal transit procedure, or if the oil crossed these countries under this procedure on its way to the country of destination, the certificate shall be issued on condition that proof is furnished that the oil concerned has been placed in free circulation in a non-member country, except where it has been destroyed in transit as a result of *force majeure*.

5. Olive oil in respect of which a certificate has been issued in accordance with paragraph 4 may not qualify for aid under Regulation (EEC) No 754/76 unless the certificate in question is cancelled or a new security lodged in accordance with Article 13.'

Article 2

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

It shall apply with effect from 1 November 1980.

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

Done at Brussels, 13 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2940/80

of 13 November 1980

amending Regulation (EEC) No 1963/79 laying down detailed rules for the application of the production refund on olive oil used in the manufacture of certain preserved foods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1917/80⁽²⁾,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules concerning the production refund for olive oils used in the manufacture of certain preserved foods⁽⁴⁾, and in particular Article 9 thereof,

Whereas Articles 4 (1) and 5 (2) of Regulation (EEC) No 591/79 provide that olive oil produced in the Community and used in the manufacture of preserved products is to qualify for the production refund plus the amount of the consumption aid valid on the day of implementation of the refund;

Whereas olive oil of Community origin used in the manufacture of preserved products and bought by manufacturers in packages with a net content not exceeding five litres has qualified for the consumption aid, provided for in Article 11 of Regulation 136/66/EEC; whereas, accordingly, only olive oil produced in the Community and bought in bulk by preserves manufacturers can qualify for the amount of the

production refund referred to in Articles 4 (1) and 5 (2) of Regulation (EEC) No 591/79; whereas Regulation (EEC) No 1963/79⁽⁵⁾ should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1963/79 is amended as follows:

1. In Article 1, point (a) reads as follows:

‘(a) the quantity of olive oil, broken down by origin and presentation, brought into the factory;’

2. The following Article 9 (a) is added:

‘Article 9 (a)

For the purposes of calculating the amount of the refund, the provisions of the second paragraph of Article 4 (1) or of Article 5 (2) of Regulation (EEC) No 591/79 shall apply only if the olive oil used in the manufacture of preserves was produced within the Community and bought by the manufacturer in packages with a net content exceeding five litres.’

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, 13 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

⁽⁴⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁵⁾ OJ No L 227, 7. 9. 1979, p. 10.

COMMISSION REGULATION (EEC) No 2941/80**of 13 November 1980****laying down detailed rules for the application of the system of production aid
for olive oil**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation 136/66/EEC of
22 September 1966 on the establishment of a
common organization of the market in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
1917/80⁽²⁾, and in particular Article 5 (5) thereof,

Whereas under Article 8 of Regulation (EEC No
2529/80⁽³⁾), each producer Member State is to set up a
system of administrative checks designed to guarantee
that the product for which an aid application is
submitted is eligible for aid; whereas, consequently,
the crop declarations and aid applications to be
presented by applicants must include a minimum
amount of information necessary for the carrying out
of these checks;

Whereas the checks referred to in Article 3 (1) of
Regulation (EEC) No 2529/80 must embrace a suffi-
ciently representative number of crop declarations by
olive growers who are members of organizations;
whereas under Article 5 (2) the organizations can
require any supporting documents necessary to esta-
blish the amount of their member's production;
whereas the nature of such supporting documents
should be defined in order to facilitate uniform appli-
cation of this system;

Whereas the aid to be granted to growers who are not
members of a producer organization must be
calculated from the standard olive and oil yields of
olive trees; whereas the use of standard yields is also
necessary for determination of the aid to be given to
growers who are members of an organization in cases
where they sell their olives to a purchaser other than a
mill owner;

Whereas, in the interests of good administration, provi-
sion should be made for informing the Member States
at the end of each marketing year of the number of
olive growers whose production is still to be verified
by the producer organizations;

Whereas Article 7 of Regulation (EEC) No 2529/80
requires producer organizations to check the stock
records and activity of the mills indicated to them by
the Member States; whereas, in order for the checks
to be properly carried out, it should be laid down that
the organizations must have access to the mills and to
their stock records;

Whereas, in order to ensure that mills collaborate
more closely with the running of the aid system, provi-
sion should be made for participation by their profes-
sional associations in the checks carried out by
producer organizations on the mills' premises;

Whereas, in order to ensure that the aid system runs
smoothly, the checks referred to in Article 7 of Regula-
tion (EEC) No 2529/80 and to be carried out in the
mills by the producer organizations should be
defined;

Whereas to ensure that the aid system functions prop-
erly the minimum information to be given in the
stock records of each mill and the checks to be made
with regard to these records by the Member State
concerned should be specified;

Whereas rules for determining the amount of aid to
be granted to members of producer organizations who
have had their olives pressed in a mill which has not
complied with the obligations on stock records should
be determined;

Whereas the checks specified in Article 8 (3) of Regu-
lation (EEC) No 2529/80 must cover a percentage
which provides adequate guarantees that the system
will run properly, due account being taken of control
possibilities in the Member State concerned;

Whereas it is specified in Article 8 (2) of Regulation
(EEC) No 2529/80 that the producer Member States
are to carry out, for each producer organization,
random checks on the accuracy of the crop declara-
tions and applications for aid of their members;
whereas these checks must cover a sufficiently repre-
sentative number of growers, due account being taken
of the control guarantees given by the organization;

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

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 1.

⁽³⁾ OJ No L 259, 2. 10. 1980, p. 3.

Whereas doubts may arise as to the quantity of oil eligible for aid because of a discrepancy between the quantity for which aid is demanded and that recorded in the stock records of the mill; whereas principles of good management dictate that the aid should be paid for the smaller quantity;

Whereas in order to ensure that the aid system is correctly applied to growers who are not members of an organization it is necessary that the yields to be used be determined for production zones with given characteristics;

Whereas to facilitate the fixing of yields it is advisable that Commission officials take part in the preparatory work;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats.

HAS ADOPTED THIS REGULATION:

Article 1

1. The crop declarations referred to in Article 3 of Regulation (EEC) No 2529/80 shall be submitted by 30 June 1981 at the latest.

Producer organizations may, however, submit the crop declaration at the latest when they present the aid application.

2. Each crop declaration shall include:

- (a) if it is submitted by the olive grower, his name, forename and address;
- (b) if it is submitted by a producer organization, the name and address of the organization and the names, forenames and addresses of each of its members;
- (c) the location of the holding or holdings;
- (d) the cadastral reference of the holding or holdings;
- (e) for each holding:
 - the number of plots and if possible the area of each under olives,
 - the total number of bearing trees whose olives are used for oil production.

Declarations submitted by growers who are not members of an organization must also include:

- where the olives are pressed on behalf of the declarant, the address of the mills and the date of pressing,
- where the olives are sold, the name and address of the purchaser and a copy of the sale invoice or of any equivalent document must be attached.

3. Producer Member States may decide that crop declarations submitted during previous marketing years are valid for the 1980/81 marketing year provided that:

- the holdings concerned have not undergone changes such as to affect their olive and oil production potential,
- the declarations include all the information specified in paragraph 2.

Article 2

The checks referred to in the second subparagraph of Article 3 (1) of Regulation (EEC) No 2529/80 shall cover at least 10 % of crop declarations of producer organizations members.

Article 3

1. The application for aid to be submitted by each producer organization shall contain at least the following information:

- (a) the name and address of the organization;
- (b) the name, forename and address of each of the members who have completed their production of oil;
- (c) the quantity of oil produced by each member, with an explicit statement that the product is virgin olive oil;
- (d) the location of the holdings where the olives were harvested, with reference to the crop declaration;
- (e) the mill or mills in which the oil was produced, indicating in each case the quantity of olives used and the quantity of oil produced.

2. Where the growers have sold their olives, the application for aid shall contain the following information in addition to the particulars specified in 1 (a) and (d):

- (a) the name, forename and address of the purchaser;
- (b) a copy of the invoice for the sale of the olives or of any equivalent document;
- (c) the quantity of oil actually produced, if the olives were sold directly to a mill for immediate pressing.

Article 4

1. Where olive growers who are members of a producer organization have sold some or all of their olives before harvesting or to a purchaser other than those provided for in Article 3 (2) (c), the quantity of

virgin olive oil eligible for aid shall be determined by applying to the number of olive trees referred to in the second indent of Article 1 (2) (e) the yields of olives and oil fixed for the production area concerned pursuant to Article 12.

2. In the case of olive growers who are not members of an organization, the quantity of virgin olive oil eligible for aid shall be determined by applying to the number of olive trees referred to in the second indent of Article 1 (2) (e) the yields of olives and oil fixed for the production area concerned pursuant to Article 12.

3. The quantity of olive-residue oil eligible for aid shall be equal to 8 % of the quantity of virgin olive oil produced from the olives from which the residue is obtained and in respect of which entitlement to the aid has been established in accordance with the preceding paragraphs.

Article 5

1. The supporting documents to be supplied pursuant to the first subparagraph of Article 5 (2) of Regulation (EEC) No 2529/80 shall include:

- (a) documents concerning special cultivation operations carried out on the olive grove;
- (b) proof of the labour force employed in the olive grove or of use of mechanical or other means for the olive harvest;
- (c) purchase invoice for fertilizer and plant health products employed, or proof that such operations have been carried out.

Article 6

Where the checks referred to in Article 5 of Regulation (EEC) No 2529/80 are not completed for all members at the end of a given marketing year, the producer organization shall, not later than 31 October, inform the Member State concerned of the number of members whose production has not yet been checked.

Article 7

1. During the milling period, the producer organizations shall check, in mills indicated to them by the Member States:

- that stock records are kept as required by Article 8,
 - the milling capacity,
 - the yields of oil from the olives pressed
- and shall further verify on the basis of the stock records:

- that the quantities stated to have been pressed in a given period tally with the mill's pressing capacity;
- the oil yields obtained by growers who had their olives pressed during the period prior to the checks.

For this purpose the producer organizations shall have access to the mills and to their stock records.

2. If the mills are members or a professional association, representatives of that association shall, at their request, take part in the checks carried out by the producer organizations.

3. Where producer organizations:

- do not have access to mills or their stock records, or
- find, during the checks and verifications referred to in paragraph 1:
 - (a) irregularities in the stock records, or
 - (b) significant discrepancies between the mill's pressing capacity and the quantities of olives pressed, or between the oil yields recorded during inspection visits to the mill and the yields shown in the stock records,

they shall inform the Member State concerned accordingly without delay.

Article 8

Without prejudice to other criteria to be fixed by the producer Member State pursuant to Article 9 of Regulation (EEC) No 2529/80, the mills shall keep daily stock records which show the following at least:

- (a) the quantities of olives received, consignment by consignment, giving the producer of each consignment;
- (b) the quantities of olives pressed;
- (c) the quantities of oil obtained;
- (d) the quantities of oil leaving the mill, consignment by consignment, indicating the consignee;
- (e) the quantities of olive residue leaving the mill, consignment by consignment, indicating the consignee.

If the oil and olive residue obtained is sold, the invoice for the sale of each consignment must be submitted by the miller at the request of the authorities who control the stock records.

Article 9

1. The producer Member States shall check, in the cases referred to in Article 7 (3), the activities and stock records of the mills concerned.

2. In respect of mills which are not subject to checks by producer organizations, the Member States shall verify by means of random checks :

— that the stock records are kept in accordance with the provisions of Article 8 ;

— that the quantities referred to in Article 8 (c) shown in the stock records for a given period correspond to the quantities of oil which can be obtained during that period by the mill in question, taking account of the actual degree of use of the mill's pressing capacity.

3. Where the verifications referred to in the above paragraphs reveal irregularities the Member States shall, without prejudice to other penalties applicable :

— withhold approval of the mill in question for the 1981/82 marketing year,

— to the extent that they cannot verify the actual production of olive growers who have had their olives pressed in the mill in question, determine the quantity of oil qualifying for aid from the information given in the grower's crop declarations and from the olive and oil yields for the production zone concerned.

4. With regard to the files sent to the Member States pursuant to Article 5 (2) of Regulation (EEC) No 2529/80, the Member States in question shall determine the quantity of olive oil qualifying for aid from the information given in the growers' crop declarations and from the olive and oil yields for the production zone concerned.

Article 10

1. The checks to be carried out by the producer Member States pursuant to Article 8 (4) of Regulation (EEC) No 2529/80 shall cover at least 5 % of growers who are not members of organizations.

2. Producer Member States shall verify the checking procedures followed by the producer organizations in order to comply with the obligations arising under Articles 5 and 7 of Regulation (EEC) No 2529/80.

Article 11

The Member State shall check by random sampling that the quantities of olives and of oil shown in the application for aid submitted by a producer organization and the quantities shown in the stock records of the mill which pressed the olives agree. If they do not agree the Member State concerned shall determine the quantity of oil eligible for aid on the basis of the smallest quantity indicated by the check.

Article 12

The yields of olives and of oil shall be fixed in accordance with the procedure laid down in Article 38 of Regulation 136/66/EEC.

To this end, the producer Member States shall supply the Commission with data established for homogeneous production areas taking into account in particular :

— the geography and the geology of the region concerned ;

— the main varieties of olive tree, their age, and the most frequent type of shape pruning.

Agents of the Commission shall participate in the establishment of these data.

For each production area, such data shall include :

- (a) the geographical extent of the area ;
- (b) an estimate of the olive growing area ;
- (c) an estimate of the average number of olive trees per hectare under specialized cultivation ;
- (d) the average quantity of olives produced per tree ;
- (e) the average quantity of oil produced per 100 kilograms of olives.

Article 13

The advance payment referred to in Article 6 of Regulation (EEC) No 2529/80 shall be granted only for quantities of oil obtained from olives pressed by producers who belong to a producer organization or who press the olives for their own account.

Article 14

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

It shall apply with effect from 1 November 1980.

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

Done at Brussels, 13 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2942/80**of 13 November 1980****on the buying-in of olive oil by intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1917/80⁽²⁾, and in particular Article 12 (4) thereof,

Whereas the purpose of the intervention price is to guarantee olive oil producers a price which is as close as possible to the market target price; whereas this objective can be achieved by providing for an intervention system for those olive oils which constitute the greater part of their production and which can be stored; whereas all oils which are below the standard quality should, however, be excluded from this system;

Whereas when the minimum quantity which the intervention agency will accept is being fixed, account must be taken, firstly, of the proportions of the various qualities represented in total virgin olive oil production and of the production structure, and secondly, of trade practices at the wholesale stage, where the intervention price is fixed;

Whereas measures should be laid down enabling the origin of the product offered for intervention to be ascertained;

Whereas, since intervention is confined to the olive oils specified in points 1 and 4 of the Annex to Regulation 136/66/EEC, in order to ensure that the intervention system operates correctly, the method of analysis to be used to guarantee that products offered for intervention correspond to the definitions of the abovementioned oils should be specified;

Whereas, in view of the normal practice in the trade, it is appropriate to fix the maximum moisture and impurities content and the threshold levels for applying weight deductions;

Whereas the price increases and reductions used to adjust the buying-in price must be fixed according to

the value of the various qualities of oils which may be offered for intervention, taking account of the relative values on the Community market; whereas, to ensure that these differentiated increases are correctly applied for virgin oils other than lampante, it is necessary to ascertain that these oils do actually possess the requisite characteristics;

Whereas Article 12 of Regulation 136/66/EEC provides that intervention agencies must take into account any changes in costs to the seller resulting from the delivery of the oil to a place other than that indicated by him; whereas the conditions under which these provisions apply must be laid down;

Whereas olive oil can deteriorate while in storage; whereas it is necessary to keep such deterioration to a minimum;

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

HAS ADOPTED THIS REGULATION:

Article 1

Intervention under Article 12 (1) of Regulation 136/66/EEC shall be confined to the olive oils specified in 1 and 4 of the Annex to that Regulation, but excluding oils with a free fatty acid content expressed as oleic acid of more than 15 grams per 100 grams and oils with a moisture and impurities content of more than:

- 1 % for virgin oil,
- 2 % for residue oil.

Article 2

1. Any natural or legal person holding olive oil qualifying under Article 1 and originating in the Community may offer such oil to the intervention agency, provided that he can satisfy that agency that he is the first owner of the oil produced.

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

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 1.

The quantities offered must be at least :

- 500 kg, if the oil offered is of one of the qualities defined in 1 (a) or (b) of the Annex to Regulation 136/66/EEC ;
- 1 000 kg, if the oil offered is of the quality defined in 1 (c) of that Annex ;
- 2 000 kg, if the oil offered is of the quality defined in 1 (d) of that Annex, or if the quantity offered is divided into two or more parts of different qualities which are defined in 1 of that Annex ;
- 5 000 kg, if the oil offered is of the quality defined in 4 of that Annex.

2. An offer shall not be considered unless the offerer has satisfied the intervention agency that the oil was produced in the Community. The Member State concerned shall inform the Commission of the measures taken to ensure that oil offered is of Community origin.

The offer shall not be accepted until the intervention agency :

- (a) has checked by means of the methods set out in Annexes VII and VIII to Regulation (EEC) No 1058/77 that the oil offered does not contain re-esterified oil or other types of oil ;
- (b) has checked that the oil offered does not contain oils having the characteristics set out in point 3 of Annex I to Regulation (EEC) No 1058/77, the presence of these characteristics being tested by the method described in Annex V to that Regulation.

The provisions of the preceding subparagraph shall not apply to lots not exceeding 5 tonnes, except where a doubt exists as to the type of oil offered.

Article 3

1. The buying-in price shall be that valid on the day of delivery and calculated in accordance with Article 5 for goods delivered to warehouse but not unloaded, allowance being made for the price increases and reductions provided for in this Regulation.

This price may be increased by the cost of entry into store only where entry into store is effected by the vendor after the intervention agency has accepted the offer.

2. The buying-in price shall be adjusted by applying to the intervention price such increases and reductions as are specified in the Annex to this Regulation.

The adjustments specified for virgin oils other than lampante may be granted only for oils, the characteristics of which have been shown to correspond to those specified in Annex I to Regulation (EEC) No 1058/77 and in the Annex to Regulation 136/66/EEC.

3. Payment shall be effected for the quantity of oil delivered, after deduction of the weight of moisture and impurities in excess of 0.2 % for virgin oil and 0.5 % for residue oil.

Article 4

1. Any offer of sale to an intervention agency must be made in writing to the intervention agency of the Member State in which the oil is located.

2. The intervention agency shall accept the offer without delay and specify all necessary conditions for the taking-over.

Article 5

1. In his offer the holder of the oil shall specify the intervention centre to which he wishes to deliver the oil and the place in which the oil is in storage when the offer is made.

2. The intervention agency shall decide on the place at which the oil is to be taken over. If, at the request of the intervention agency, the oil is delivered :

- to a centre other than the centre named in the offer, any resulting increase in transport costs to the seller shall be taken into account when payment is being effected ;
- to a place other than an intervention centre, any resulting increase or decrease in transport costs to the seller shall be taken into account when payment is being effected.

3. The intervention agency shall designate a place of delivery other than the centre indicated by the holder of the oil if, at the time of the transaction, that centre does not have sufficient storage capacity for the product in question or could not maintain the bought-in oil in good condition.

The place of delivery to be designated by the intervention agency shall be the place, out of all places with sufficient storage capacity and facilities for keeping products in good condition, in which the total expenditure resulting from storage costs and changes in transport costs is the most favourable.

Article 6

Member States shall take all measures necessary to ensure that olive oil bought in is kept in good condition. They shall inform the Commission of the provisions taken in accordance with the present Article.

Article 7

Regulation No 785/67/EEC is hereby repealed.

Article 8

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

It shall apply with effect from 1 November 1980.

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

Done at Brussels, 13 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

(ECU/100 kg)

Description and quality as defined in the Annex to Regulation 136/66/EEC (the degree of acidity represents the free fatty acid content, expressed as grams of oleic acid per 100 grams of oil)	Price increase	Price reduction
Virgin olive oil, extra : up to and including 1° acidity	22.50	—
Virgin olive oil, fine	12.09	—
Virgin olive oil, semi-fine	—	—
Virgin olive oil, lampante 1°		6.04
Other virgin olive oils, lampante :		
— more than 1°, up to and including 8° acidity		Reduction increased by 0.21 ECU for each additional tenth of a degree of acidity
— more than 8°, up to and including 15° acidity		Reduction increased by 0.23 ECU for each additional tenth of a degree of acidity
Olive oil from olive residues 5° acidity		90.01
Other olive oils from olive residues :		
— more than 5°, up to and including 8° acidity		Reduction increased by 0.12 ECU for each additional tenth of a degree of acidity
— more than 8°, up to and including 15° acidity		Reduction increased by 0.15 ECU for each additional tenth of a degree of acidity

COMMISSION REGULATION (EEC) No 2943/80
of 13 November 1980
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products ⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78 ⁽²⁾, and in
particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 17 of Regulation (EEC) No 804/68
provides that the difference between prices in interna-
tional trade for the products listed in Article 1 of that
Regulation and prices for those products within the
Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28
June 1968 laying down general rules for granting
export refunds on milk and milk products and criteria
for fixing the amount of such refunds ⁽³⁾, as amended
by Regulation (EEC) No 2429/72 ⁽⁴⁾, provides that
when the refunds on the products listed in Article 1
of Regulation (EEC) No 804/68, exported in the
natural state, are being fixed account must be taken
of:

- the existing situation and the future trend with
regard to prices and availabilities of milk and milk
products on the Community market and prices for
milk and milk products in international trade;
- marketing costs and the most favourable transport
charges from Community markets to ports or
other points of export in the Community, as well
as costs incurred in placing the goods on the
market of the country of destination;
- the aims of the common organization of the
market in milk and milk products which are to
ensure equilibrium and the natural development
of prices and trade on this market;

— the need to avoid disturbances on the Community
market; and

— the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68
provides that when prices within the Community are
being determined account should be taken of the
ruling prices which are most favourable for exporta-
tion, and that when prices in international trade are
being determined particular account should be taken
of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of
destination for third country imports;
- (c) producer prices recorded in exporting third coun-
tries, account being taken, where appropriate, of
subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68
provides that the world market situation or the
specific requirements of certain markets may make it
necessary to vary the refund on the products listed in
Article 1 of Regulation (EEC) No 804/68 according to
destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68
provides that the list of products on which export
refunds are granted and the amount of such refunds
should be fixed at least once every four weeks;
whereas the amount of the refund may, however,
remain at the same level for more than four weeks;

Whereas Article 2 of Commission Regulation (EEC)
No 1098/68 of 27 July 1968 on detailed rules for the
application of export refunds on milk and milk
products ⁽⁵⁾, as last amended by Regulation (EEC) No
242/80 ⁽⁶⁾, provides that the refund on products falling
within subheading 04.02 B is equal to the sum of two

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 27, 2. 2. 1980, p. 27.

components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5 % by weight, the first component referred to above is fixed for 100 kilograms of the whole product; whereas, for the other products falling within subheading 04.02 B, this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on one kilogram of milk products contained in the product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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

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

Whereas the special conditions concerning the payment of the refund for skimmed-milk powder for use as feed in the country of destination were laid down in Regulation (EEC) No 2054/76⁽³⁾, as last amended by Regulation (EEC) No 2949/78⁽⁴⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04;

Whereas it follows from applying these detailed rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be as set out in the Annex hereto;

Whereas, in order to make it possible for operators to conclude delivery contracts for exports to be carried out as from 1 January 1981, it proves necessary in respect of certain products, apart from the refund for normal exports with or without advance fixing, to fix a special refund to be valid only in the context of advance fixing for exports carried out as from 1 January 1981;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex hereto.

2. There shall be no refunds for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 14 November 1980.

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

Done at Brussels, 13 November 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 228, 20. 8. 1976, p. 17.

⁽⁴⁾ OJ No L 351, 15. 12. 1978, p. 26.

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % ⁽¹⁾ :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less :		
	(1) Of a fat content, by weight, not exceeding 1.5 %	0110 05	1.50
	(2) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0110 15	5.00
	(3) Of a fat content, by weight, exceeding 3 %	0110 20	6.64
	b) Other :		
	(1) Of a fat content, by weight, not exceeding 1.5 %	0110 25	1.50
	(2) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0110 35	5.00
	(3) Of a fat content, by weight, exceeding 3 %	0110 40	6.64
	II. Other :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0130 10	1.50
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	5.00
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	6.64
	2. Exceeding 4 %	0140 00	7.73
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0150 10	1.50
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0150 21	5.00
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	6.64
	2. Exceeding 4 %	0160 00	7.73

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01 (cont'd)	ex B. Other, excluding whey, of a fat content, by weight ⁽¹⁾ :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) Of a fat content, by weight, not exceeding 10 %	0200 05	13.15
	(b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	21.84
	(c) Of a fat content, by weight, exceeding 17 %	0200 21	34.00
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) Of a fat content, by weight, not exceeding 35 %	0300 12	40.95
	(b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 %	0300 13	65.27
	(c) Of a fat content, by weight, exceeding 39 %	0300 20	72.22
	III. More than 45 % :		
	(a) Of a fat content, by weight, not exceeding 68 %	0400 11	82.65
	(b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 %	0400 22	122.61
	(c) Of a fat content, by weight, exceeding 80 %	0400 30	143.46
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar ⁽²⁾ :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620 00	30.00 (40.00) ⁽³⁾
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	30.00 (40.00) ⁽³⁾
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	67.35
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	74.19
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	83.00
	3. Exceeding 27 % but not exceeding 29 %	0820 00	85.23

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	87.02
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	0920 30	98.20
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	0920 40	102.00
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	0920 50	115.22
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	0920 60	124.72
	(ff) Of a fat content, by weight, exceeding 79 %	0920 70	134.22
	b) Other, of a fat weight content :		
	1. Not exceeding 1.5 %	1020 00	30.00 (40.00) (?)
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	30.00 (40.00) (?)
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	67.35
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	74.19
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	83.00
	3. Exceeding 27 % but not exceeding 29 %	1220 00	85.23
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	87.02
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	1320 30	98.20
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	1320 40	102.00
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	1320 50	115.22
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	1320 60	124.72
	(ff) Of a fat content, by weight, exceeding 79 %	1320 70	134.22
	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net content of 2.5 kg or less and of a non-fat content by weight not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 12	—
	(22) Exceeding 3 %, by weight	1420 22	6.64

CCT heading No	Description	Code	Ref and (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	(bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 7.4 % (33) Exceeding 7.4 %	1420 50 1420 60 1420 70	— 15.66 20.77
	2. Other, of a non fat lactic dry matter content :		
	(aa) Of less than 15 %, by weight	1520 10	18.36
	(bb) Of 15 % or more, by weight	1520 20	24.64
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1620 70	—
	(22) Exceeding 3 %, by weight, but not exceeding 8.9 %	1630 00	6.64
	(33) Exceeding 8.9 %, by weight, but not exceeding 11 %	1630 10	18.36
	(44) Exceeding 11 %, by weight, but not exceeding 21 %	1630 20	23.58
	(55) Exceeding 21 %, by weight, but not exceeding 39 %	1630 30	40.95
	(66) Exceeding 39 %	1630 40	72.22
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1630 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7.4 %	1630 60	15.66
	(33) Exceeding 7.4 %, by weight, but not exceeding 8.9 %	1630 70	20.77
	(44) Exceeding 8.9 %	1630 80	24.64
	2. Exceeding 45 %	1720 00	82.65
	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2220 00	0.3000 ⁽⁴⁾ (0.4000) ⁽⁴⁾ ⁽⁹⁾ per kg per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0.3000 ⁽⁴⁾ (0.4000) ⁽⁴⁾ ⁽⁹⁾ per kg per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.6735 ⁽⁴⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.7419 ⁽⁴⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	0.8300 ⁽⁴⁾ per kg

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	0.8523 ⁽⁴⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	0.9820 ⁽⁴⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.3000 ⁽⁴⁾ (0.4000) ⁽⁴⁾ ⁽⁹⁾ per kg per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.3000 ⁽⁴⁾ (0.4000) ⁽⁴⁾ ⁽⁹⁾ per kg per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.6735 ⁽⁴⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.7419 ⁽⁴⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.8300 ⁽⁴⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0.8523 ⁽⁴⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	0.9820 ⁽⁴⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content by weight not exceeding 9.5 % :		
	(1) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	2810 11	— ⁽⁴⁾ per kg
	(22) Exceeding 3 %, by weight	2810 12	0.0664 ⁽⁴⁾ per kg
	(bb) Of 15 % or more	2810 15	13.25 ⁽⁵⁾
	(2) Of a fat content, by weight, exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more	2810 20	25.52 ⁽⁵⁾
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
	(aa) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more	2910 70	13.25 ⁽⁵⁾
	(bb) Of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more	2910 76	25.52 ⁽⁵⁾

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	(cc) Of a fat content by weight, exceeding 9.5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 %	2910 80	0.2010 ⁽⁴⁾ per kg
	(dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	2910 85	0.4095 ⁽⁴⁾ per kg
	(ee) Of a fat content, by weight, exceeding 39 %	2910 90	0.7222 ⁽⁴⁾ per kg
	2. Exceeding 45 %	3010 00	0.8265 ⁽⁴⁾ per kg
04.03	Butter :		
	ex A. Of a fat content, by weight, not exceeding 85 % :		
	(I) Of a fat content, by weight, of 62 % or more, but less than 78 %	3110 03	
	For exports to :		
	— Zone C 1		75.61 (113.41) ⁽⁹⁾
	— Zone C 2		75.61 (113.41) ⁽⁹⁾
	— Other destinations		75.61 (113.41) ⁽⁹⁾
	(II) Of a fat content, by weight, of 78 % or more but less than 80 %	3110 16	
	For exports to :		
	— Zone C 1		95.12 (142.68) ⁽⁹⁾
	— Zone C 2		95.12 (142.68) ⁽⁹⁾
	— Other destinations		95.12 (142.68) ⁽⁹⁾
	(III) Of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	
	For exports to :		
	— Zone C 1		97.56 (146.34) ⁽⁹⁾
	— Zone C 2		97.56 (146.34) ⁽⁹⁾
	— Other destinations		97.56 (146.34) ⁽⁹⁾
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	
	For exports to :		
	— Zone C 1		100.00 (150.00) ⁽⁹⁾
	— Zone C 2		100.00 (150.00) ⁽⁹⁾
	— Other destinations		100.00 (150.00) ⁽⁹⁾
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	
	For exports to :		
	— Zones C 1 and C 2		92.02 (150.00) ⁽⁹⁾
	— Other destinations		100.00 (150.00) ⁽⁹⁾

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03 (cond't)	(II) Exceeding 99.5 % For exports to : — Zones C 1 and C 2 — Other destinations	3210 20	121.25 (197.00) (?) 130.24 (197.00) (?)
04.04	Cheese and curd (*) :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other :		
	(1) Pieces packed in vacuum or in inert gas, of a net weight of less than 7.5 kg	3800 40	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		16.58
	— Zone E		68.00
	— Canada		84.37
	— Liechtenstein and Switzerland		—
	— Austria		23.03
	— Other destinations		108.44
	(2) Other	3800 60	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		16.58
	— Zone E		—
	— Canada		84.37
	— Liechtenstein and Switzerland		—
	— Austria		23.03
	— Other destinations		108.44
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Austria		16.91
	— Zone D, Ceuta, Melilla and Andorra		56.79
	— Zone E		47.68
	— Canada		65.26
	— Other destinations		89.42

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	D. Processed cheese, not grated or powdered : II. Other, of a fat content, by weight : a) Not exceeding 36 % and of a fat content, by weight, in the dry matter : ex 1. Not exceeding 48 % and of a dry matter content, by weight : (aa) Of 27 % or more but less than 33 % for exports to : — Austria 2.08 — Zone D, Ceuta, Melilla and Andorra 3.66 — Zone E 5.93 — Canada 6.28 — Switzerland 2.51 — Other destinations 12.93 (bb) Of 33 % or more but less than 38 % for exports to : — Austria 4.47 — Zone D, Ceuta, Melilla and Andorra 9.33 — Zone E 14.94 — Canada 16.15 — Switzerland 6.41 — Other destinations 33.41 (cc) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter : (11) Less than 20 % for exports to : — Austria 4.47 — Zone D, Ceuta, Melilla and Andorra 9.33 — Zone E 14.94 — Canada 16.15 — Switzerland 6.41 — Other destinations 33.41 (22) Of 20 % or more for exports to : — Austria 6.60 — Zone D, Ceuta, Melilla and Andorra 13.81 — Zone E 22.09 — Canada 23.89 — Switzerland 9.48 — Other destinations 49.44 (dd) Of 43 % or more and of a fat content, by weight, in the dry matter : (11) Less than 20 % for exports to : — Austria 4.47 — Zone D, Ceuta, Melilla and Andorra 9.33 — Zone E 14.94 — Canada 16.15 — Switzerland 6.41 — Other destinations 33.41	4410 05	
		4410 10	
		4410 20	
		4410 30	
		4410 40	

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		6.60
	— Zone D, Ceuta, Melilla and Andorra		13.81
	— Zone E		22.09
	— Canada		23.89
	— Switzerland		9.48
	— Other destinations		49.44
	(33) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		9.67
	— Zone D, Ceuta, Melilla and Andorra		20.18
	— Zone E		32.28
	— Canada		34.93
	— Switzerland		13.83
	— Other destinations		72.28
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		4.47
	— Zone D, Ceuta, Melilla and Andorra		9.33
	— Zone E		14.94
	— Canada		16.15
	— Switzerland		6.41
	— Other destinations		33.41
	(bb) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		6.60
	— Zone D, Ceuta, Melilla and Andorra		13.81
	— Zone E		22.09
	— Canada		23.89
	— Switzerland		9.48
	— Other destinations		49.44
	(cc) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		9.67
	— Zone D, Ceuta, Melilla and Andorra		20.18
	— Zone E		32.28
	— Canada		34.93
	— Switzerland		13.83
	— Other destinations		72.28

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 55 % for exports to :	4510 40	
	— Austria		9.67
	— Zone D, Ceuta, Melilla and Andorra		20.18
	— Zone E		32.28
	— Canada		34.93
	— Switzerland		13.83
	— Other destinations		72.28
	(22) Of 55 % or more for exports to :	4510 50	
	— Austria		11.46
	— Zone D, Ceuta, Melilla and Andorra		23.94
	— Zone E		38.28
	— Canada		41.43
	— Switzerland		16.42
	— Other destinations		85.75
	b) Exceeding 36 % for exports to :	4610 00	
	— Austria		11.46
	— Zone D, Ceuta, Melilla and Andorra		23.94
	— Zone E		38.28
	— Canada		41.43
	— Switzerland		16.42
	— Other destinations		85.75
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana Padano, Parmigiano Reggiano	4710 11	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		139.89
	— Zone E		139.89
	— Canada		118.48
	— Switzerland		110.79
	— Other destinations		139.89
	(2) Fiore Sardo, Pecorino	4710 16	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		150.32
	— Zone E		120.00
	— Canada		126.65
	— Switzerland		121.22
	— Other destinations		150.32
	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more for exports to :	4710 22	
	— Zone D, Ceuta, Melilla and Andorra		100.00
	— Zone E		85.19
	— Canada		91.55
	— Switzerland		85.98
	— Other destinations		100.00

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % :		
	ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Austria		16.02
	— Zone D, Ceuta, Melilla and Andorra		28.22
	— Zone E		56.41
	— Canada		50.08
	— Switzerland		19.34
	— Other destinations		101.07
	ex 5. Other, of a fat content, by weight, in the dry matter :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 12	
	for exports to :		
	— Austria		7.62
	— Zone D, Ceuta, Melilla and Andorra		15.94
	— Zone E		25.84
	— Canada		27.38
	— Switzerland		4.82
	— Other destinations		41.71
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 16	
	for exports to :		
	— Austria		8.84
	— Zone D, Ceuta, Melilla and Andorra		18.49
	— Zone E		29.83
	— Canada		31.83
	— Switzerland		5.32
	— Other destinations		65.56
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey)	5120 22	
	for exports to :		
	— Austria		10.65
	— Zone D, Ceuta, Melilla and Andorra		22.25
	— Zone E		35.74
	— Canada		38.39
	— Switzerland		5.72
	— Other destinations		79.98
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Provolone, Ragusano	5120 31	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		38.41
	— Zone E		140.00
	— Canada		120.78
	— Switzerland		42.66
	— Other destinations		140.00

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		24.76
	— Zone D, Ceuta, Melilla and Andorra		38.41
	— Zone E		44.00
	— Canada		68.11
	— Switzerland	5120 54	4.19
	— Other destinations		92.33
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio		
	for exports to :		
	— Austria		42.29
	— Zone D, Ceuta, Melilla and Andorra	5120 58	38.41
	— Zone E		35.71
	— Canada		58.42
	— Switzerland		4.19
	— Other destinations		78.80
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney		
	for exports to :	5120 59	
	— Austria		16.02
	— Zone D, Ceuta, Melilla and Andorra		28.22
	— Zone E		56.41
	— Canada		50.08
	— Switzerland	5120 82	19.34
	— Other destinations		94.53
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more		
	for exports to :		
	— Zone E	5120 83	19.63
	— Canada		27.41
	— Other destinations		44.94
	(66) Feta		
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra	5120 83	20.99 ⁽⁷⁾
	— Zone E		33.57 ⁽⁷⁾
	— Canada		54.74 ⁽⁷⁾
	— Switzerland		14.51 ⁽⁷⁾
	— Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		82.50 ⁽⁷⁾
	— Other destinations		75.20 ⁽⁷⁾
	(77) Colby, Monterey		
	for exports to :		
	— Austria		16.02
	— Zone D, Ceuta, Melilla and Andorra		28.22
	— Zone E		42.20
	— Canada		65.05
	— Switzerland		19.34
	— Other destinations		94.53

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter :		
	(aaa) Exceeding 47 % but not exceeding 52 % for exports to :	5120 87	
	— Austria		16.02
	— Zone D, Ceuta, Melilla and Andorra		28.22
	— Switzerland		19.34
	— Zone E		56.41
	— Canada		50.08
	— Other destinations		94.53
	(bbb) Exceeding 52 % but not exceeding 62 % for exports to :	5120 92	
	— Austria		24.76
	— Zone D, Ceuta, Melilla and Andorra		38.41
	— Zone E		44.00
	— Canada		68.11
	— Switzerland		4.19
	— Other destinations		92.33
	ex (c) Exceeding 72 % (excluding cheeses produced from whey) :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 11	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Switzerland and Liechtenstein		—
	— Other destinations		12.40
	(bb) Cream cheese of a water content, calculated by weight, of the non fatty matter, exceeding 77 % but not exceeding 81 % and of a fat content, by weight in the dry matter :		
	(11) Of 60 % or more but less than 70 %	5121 20	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Switzerland and Liechtenstein		—
	— Other destinations		21.80

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)	
04.04 (cont'd)	(22) Of 70 % or more	5121 30		
	For exports to :			
	— Austria		—	
	— Zone D, Ceuta, Melilla and Andorra		—	
	— Zone E		—	
	— Canada		—	
	— Switzerland and Liechtenstein		—	
	— Other destinations		27.50	
	(cc) Other	5121 40	—	
	2. Other :			
	(aa) Cottage cheese	5121 50	—	
	(bb) Cream cheese of a water content, calculated by weight of the non-fatty matter, exceeding 77 % but not exceeding 81 % and of a fat content, by weight in the dry matter :			
	(11) Of 60 % or more but less than 70 %	5121 60		
	For exports to :			
	— Austria		—	
	— Zone D, Ceuta, Melilla and Andorra		—	
	— Zone E		—	
	— Canada		—	
	— Switzerland and Liechtenstein		—	
	— Other destinations		21.80	
	(22) Of 70 % or more	5121 70		
	For exports to :			
	— Austria		—	
	— Zone D, Ceuta, Melilla and Andorra		—	
	— Zone E		—	
	— Canada		—	
	— Switzerland and Liechtenstein		—	
	— Other destinations		27.50	
	(cc) Other	5121 80	—	
	ex II. Other (excluding cheeses produced from whey) :			
	ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight :			
	(1) Of 60 % or more but less than 80 %	5310 05		
	for exports to :			
— Zone E		25.19		
— Canada		34.42		
— Other destinations		52.19		
(2) Of 80 % or more but less than 85 %	5310 11			
for exports to :				
— Zone E		33.59		
— Canada		45.90		
— Other destinations		69.59		
(3) Of 85 % or more but less than 95 %	5310 22			
for exports to :				
— Zone E		35.69		
— Canada		48.76		
— Other destinations		73.94		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(4) Of 95 % or more for exports to : — Zone E — Canada — Other destinations	5310 31	39.88 54.51 82.63
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 21.07 F II, or milk products : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch : (3) Containing 50 % or more but less than 75 %, by weight, of milk products of which content of milk in powder or granules (excluding whey), by weight, is ⁽⁸⁾ : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more (4) Containing 75 % or more, by weight, of milk products, of which content of milk in powder or granules (excluding whey), by weight, is ⁽⁸⁾ : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more (II) Containing no starch, glucose or glucose syrup, but containing milk products of which content of milk in powder or granules (excluding whey), by weight, is ⁽⁸⁾ : (a) 50 % or more but less than 60 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62 5800 13 5800 23 5800 32 5800 42 5800 52 5800 62 5800 72 5800 82 5900 12 5900 22 5900 32 5900 42	— — 9.60 (12.80) ⁽⁹⁾ 12.60 (16.80) ⁽⁹⁾ 15.60 (20.80) ⁽⁹⁾ 18.60 (24.80) ⁽⁹⁾ 21.60 (28.80) ⁽⁹⁾ — — 9.60 (12.80) ⁽⁹⁾ 12.60 (16.80) ⁽⁹⁾ 15.60 (20.80) ⁽⁹⁾ 18.60 (24.80) ⁽⁹⁾ 21.60 (28.80) ⁽⁹⁾ 23.10 (30.80) ⁽⁹⁾ 24.60 (32.80) ⁽⁹⁾ 15.60 (20.80) ⁽⁹⁾ 18.60 (24.80) ⁽⁹⁾ 21.60 (28.80) ⁽⁹⁾ 24.60 (32.80) ⁽⁹⁾

- (1) When the product falling within this subheading is a mixture containing added whey and/or added lactose, no export refund shall be granted.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose have been added to the product.
- (2) The weight of the added non-lactic matter and/or added lactose shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose, the added whey and/or added lactose shall not be taken into account in the calculation of the amount of refund.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (4) The weight of added non-lactic matter and/or added lactose shall not be taken into account for the purpose of calculating the fat content, by weight.
The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components :
(a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product ; however, where whey and/or lactose have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose, contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (5) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements :
(a) the amount per 100 kg shown ; however, where whey and/or lactose have been added to the product, the amount per 100 kg shown shall be :
— multiplied by the weight of the lactic part other than the added whey and/or added lactose contained in 100 kg of product, and then
— divided by the weight of the lactic part contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (6) No refund shall be applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.
- (7) This amount applies to the net weight, minus the weight of the brine.
- (8) When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the skimmed-milk powder content, by weight,
— the content by weight of the added whey and/or lactose, and
— the lactose content of the added whey
per 100 kg of finished product.
- (9) The amount between brackets is valid only in the context of advance fixing of the refund for products in respect of which the customs formalities referred to in (b) of the second subparagraph of Article 9 (3) (b) of Regulation (EEC) No 193/75 will be completed only as from 1 January 1981.
- N.B. : — Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 242/80.
— 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras al Khaimah), Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

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

COMMISSION REGULATION (EEC) No 2944/80
of 13 November 1980
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1373/80⁽³⁾, as last
amended by Regulation (EEC) No 2784/80⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1373/80 to the

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 16
November 1980.

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

Done at Brussels, 13 November 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 140, 5. 6. 1980, p. 35.

⁽⁴⁾ OJ No L 288, 31. 10. 1980, p. 10.

ANNEX

to the Commission Regulation of 13 November 1980 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	21.32
04.01 A I b)	0120	18.91
04.01 A II a) 1	0130	18.91
04.01 A II a) 2	0140	23.91
04.01 A II b) 1	0150	17.70
04.01 A II b) 2	0160	22.70
04.01 B I	0200	54.58
04.01 B II	0300	115.46
04.01 B III	0400	178.44
04.02 A I	0500	15.47
04.02 A II a) 1	0620	68.62
04.02 A II a) 2	0720	141.99
04.02 A II a) 3	0820	144.41
04.02 A II a) 4	0920	156.61
04.02 A II b) 1	1020	61.37
04.02 A II b) 2	1120	134.74
04.02 A II b) 3	1220	137.16
04.02 A II b) 4	1320	149.36
04.02 A III a) 1	1420	25.74
04.02 A III a) 2	1520	34.75
04.02 A III b) 1	1620	115.46
04.02 A III b) 2	1720	178.44
04.02 B I a)	1820	36.27
04.02 B I b) 1 aa)	2220	per kg 0.6137 ⁽¹¹⁾
04.02 B I b) 1 bb)	2320	per kg 1.3474 ⁽¹¹⁾
04.02 B I b) 1 cc)	2420	per kg 1.4936 ⁽¹¹⁾
04.02 B I b) 2 aa)	2520	per kg 0.6137 ⁽¹²⁾
04.02 B I b) 2 bb)	2620	per kg 1.3474 ⁽¹²⁾
04.02 B I b) 2 cc)	2720	per kg 1.4936 ⁽¹²⁾
04.02 B II a)	2820	41.37
04.02 B II b) 1	2910	per kg 1.1546 ⁽¹²⁾
04.02 B II b) 2	3010	per kg 1.7844 ⁽¹²⁾
04.03 A	3110	209.93
04.03 B	3210	256.11
04.04 A I a) 1	3321	18.13
04.04 A I a) 2	3420	181.21 ⁽¹³⁾
04.04 A I b) 1 aa)	3521	18.13
04.04 A I b) 1 bb)	3619	181.21 ⁽¹³⁾
04.04 A I b) 2	3719	181.21 ⁽¹³⁾
04.04 A II	3800	181.21
04.04 B	3900	132.78 ⁽¹⁴⁾
04.04 C	4000	166.30
04.04 D I	4120	36.27
04.04 D II a) 1	4410	148.38
04.04 D II a) 2	4510	156.81
04.04 D II b)	4610	253.53
04.04 E I a)	4710	132.78
04.04 E I b) 1 aa) 11)	4840	182.61 ⁽¹⁹⁾

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

CCT heading No	Code	Import levy
04.04 E I b) 1 aa) 22) aaa)	4850	182.61 ⁽¹⁹⁾
04.04 E I b) 1 aa) 22) bbb)	4860	182.61 ⁽¹⁹⁾
04.04 E I b) 1 bb)	4870	182.61 ⁽¹⁹⁾
04.04 E I b) 1 cc)	4880	182.61 ⁽¹⁹⁾
04.04 E I b) 1 dd)	4890	182.61
04.04 E I b) 2 aa)	4922	157.24 ⁽¹⁵⁾
04.04 E I b) 2 bb)	5022	157.24 ⁽¹⁶⁾
04.04 E I b) 3	5030	157.24 ⁽¹⁷⁾
04.04 E I b) 4	5060	157.24 ⁽¹⁷⁾
04.04 E I b) 5 aa)	5130	157.24 ⁽¹⁹⁾
04.04 E I b) 5 bb)	5140	157.24
04.04 E I c) 1	5210	117.93
04.04 E I c) 2	5250	253.96
04.04 E II a)	5310	132.78
04.04 E II b)	5410	253.96
17.02 A II ⁽¹⁸⁾	5500	28.22
21.07 F I	5600	28.22
23.07 B I a) 3	5700	48.45
23.07 B I a) 4	5800	62.56
23.07 B I b) 3	5900	58.91
23.07 B I c) 3	6000	49.32
23.07 B II	6100	62.56

For notes ⁽¹⁾ to ⁽¹²⁾, see notes ⁽¹⁾ to ⁽¹⁰⁾ of Council Regulation (EEC) No 1691/80 (OJ No L 166, 1. 7. 1980).

⁽¹¹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
- b) 7.25 ECU; and
- c) 0 ECU.

⁽¹²⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
- b) 0 ECU.

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

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

⁽¹⁵⁾ The levy is limited to 72.49 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁶⁾ The levy is limited to 96.67 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁷⁾ The levy is limited to 60.40 ECU per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

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

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

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

COMMISSION REGULATION (EEC) No 2945/80
of 13 November 1980
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1917/80⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increases in the target price for oil seeds for the 1980/81 marketing year were fixed by Regulations (EEC) No 1586/80⁽³⁾ and (EEC) No 1588/80⁽⁴⁾; whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for deter-

mining world market prices for oil seeds and fixing the frontier crossing point⁽⁵⁾, as amended by Regulation (EEC) No 2917/80⁽⁶⁾ fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 1744/80⁽⁸⁾, provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0.2 %; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by 0.242 ECU;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk;

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

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 1.

⁽³⁾ OJ No L 160, 26. 6. 1980, p. 4.

⁽⁴⁾ OJ No L 160, 26. 6. 1980, p. 8.

⁽⁵⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽⁶⁾ OJ No L 304, 13. 11. 1980, p. 3.

⁽⁷⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

⁽⁸⁾ OJ No L 171, 4. 7. 1980, p. 12.

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC; whereas the value of those quantities should be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

Whereas, in accordance with Article 5 (a) of Regulation 115/67/EEC, when the world market price for colza or rape seed is determined, the price adopted is to be adjusted by an amount not exceeding the difference between the price of 100 kg of colza or rape seed plus processing costs and the total price of the quantities of oil and oilcake given by processing those

seeds; whereas, pursuant to Article 6 (1) of the same Regulation, the price adopted for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the difference between:

- the difference between the price of 100 kilograms of colza, rape or sunflower seeds, plus processing costs, and the total of the prices of the quantities of oil and oil cake resulting from the processing of the type of seed in question, and
- the difference between the price of 100 kilograms of one or more other seeds, plus processing costs, and the total of the prices of the quantities of oil and oil cake resulting from the processing of these seeds;

Whereas the factors to be taken into consideration for the purpose of determining that margin are defined in Article 8 of Regulation No 225/67/EEC; whereas no adjustment should be made where the margin is found to be less than 0.604 ECU; whereas Article 6 (2) of Regulation No 115/67/EEC provides that, when the amount of the adjustment is being determined, account should be taken of the incidence of the margin in question on marketing operations of Community traders and on the disposal of the various types of seed on the world market;

Whereas Council Regulation (EEC) No 2114/71 of 28 September 1971 on the subsidy for oil seeds⁽¹⁾, as amended by Regulation (EEC) No 851/78⁽²⁾, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil mill and, where appropriate, a corrective amount; whereas Article 36 of Commission Regulation (EEC) No 1204/72 of 7 June 1972 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 2924/80⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the difference between the target price valid during the month during which the seeds were placed under control at an oil mill and the target price valid on the day on which the application was lodged;

Whereas the conditions for the sale of Community seeds and the situation of forward offers and prices on the world market make it necessary to extend the period of validity of the AP part of the certificate until the end of the sixth month following that during which the application was lodged;

⁽¹⁾ OJ No L 222, 2. 10. 1971, p. 2.

⁽²⁾ OJ No L 116, 28. 4. 1978, p. 4.

⁽³⁾ OJ No L 133, 10. 6. 1972, p. 1.

⁽⁴⁾ OJ No L 304, 13. 11. 1980, p. 16.

Whereas Article 38 of Regulation (EEC) No 1204/72 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation 115/67/EEC; whereas, however, in respect of colza and rape seed, the price determined pursuant to Article 38 (2) (a) is to be adjusted in accordance with Article 5 (a) of Regulation 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 38 of Regulation (EEC) No 1204/72 should be used; whereas the abovementioned difference may be adjusted pursuant to Article 39 of Regulation (EEC) No 1204/72, account being taken of prices for soya seeds on the world market;

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary;

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

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

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the subsidy on colza, rape and sunflower seeds should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 November 1980.

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

Done at Brussels, 13 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 13 November 1980 fixing the amount of the subsidy on
oil seeds

(ECU / 100 kg)

CCT heading No	Description	Subsidy
ex 12.01	Colza and rape seed	17.282
ex 12.01	Sunflower seed	17.767

(ECU / 100 kg)

CCT heading No	Description	Subsidy in the case of advance fixing for the month of						
		November 1980	December 1980	January 1981	February 1981	March 1981	April 1981	May 1981
ex 12.01	Colza and rape seed	16.398	16.685	16.226	16.422	16.498	16.037	16.037
ex 12.01	Sunflower seed	17.767	18.245	17.837	17.902	18.139	—	—

COMMISSION REGULATION (EEC) No 2946/80
of 13 November 1980
fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1917/80⁽²⁾;

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

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 1162/80⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 2945/80

of 13 November 1980 fixing the amount of the subsidy on oil seeds⁽⁷⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14 November 1980.

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

Done at Brussels, 13 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 118, 9. 5. 1980, p. 25.

⁽⁷⁾ See page 48 of this Official Journal.

ANNEX

to the Commission Regulation of 13 November 1980 fixing the world market price for
colza and rape seed

(ECU/100 kg) ⁽¹⁾

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	22.620

(ECU/100 kg) ⁽¹⁾

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of						
		November 1980	December 1980	January 1981	February 1981	March 1981	April 1981	May 1981
ex 12.01	Colza and rape seed	23.504	23.621	24.484	24.692	25.020	25.481	25.481

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

1 ECU = DM	2.48208
1 ECU = Fl	2.74362
1 ECU = Bfr/Lfr	39.7897
1 ECU = FF	5.84700
1 ECU = Dkr	7.72336
1 ECU = £ Irl	0.668201
1 ECU = £	0.539270
1 ECU = Lit	1 181.46

COMMISSION REGULATION (EEC) No 2947/80

of 13 November 1980

altering the export refunds 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 organiza-
tion of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1870/80 ⁽²⁾, and in particular the
fifth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽³⁾, as last amended by Regu-
lation (EEC) No 1871/80 ⁽⁴⁾, and in particular the fifth
subparagraph of Article 17 (2) thereof,

Whereas the export refunds on products processed
from cereals and rice were fixed by Regulation (EEC)
No 2803/80 ⁽⁵⁾, as amended by Regulation (EEC) No
2881/80 ⁽⁶⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)
No 2803/80 to the information at present available to

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1
(d) of Regulation (EEC) No 2727/75 and in Article 1
(1) (c) of Regulation (EEC) No 1418/76 and subject to
Regulation (EEC) No 2744/75 ⁽⁷⁾, as fixed in the
Annex to amended Regulation (EEC) No 2803/80, are
hereby altered as shown in the Annex to this Regula-
tion.

Article 2

This Regulation shall enter into force on 14
November 1980.

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

Done at Brussels, 13 November 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 L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 184, 17. 7. 1980, p. 4.

⁽⁵⁾ OJ No L 292, 1. 11. 1980, p. 9.

⁽⁶⁾ OJ No L 298, 7. 11. 1980, p. 25.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

ANNEX

to the Commission Regulation of 13 November 1980 altering the export refunds on products processed from cereals and rice

(ECU/tonne)

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % weight	31.50
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1.8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	18.00
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	88.68
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II)	—
11.01 F	Rice flour	13.37
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	32.55
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	18.00
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0.6 % by weight ⁽¹⁾	114.01
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight ⁽¹⁾	88.68
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1.3 % by weight but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1.0 % weight ⁽¹⁾	76.01
11.02 A VI	Rice groats and meal	13.37
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ⁽²⁾	31.50
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	16.00
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	31.50
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2.3 % weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	17.00
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	42.00
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	33.60
11.02 C IV	Pearled oats ⁽³⁾	—
11.02 D I	Wheat not otherwise worked than kibbled	—
11.02 D II	Rye not otherwise worked than kibbled	—
11.02 E I b) 1 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	31.50
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	20.00
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content exceeding 0.1 % but not exceeding 1.5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	16.00
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.7 % by weight	101.34
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	82.34
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % weight	—
11.02 E II d) 1	Flaked rice	13.37
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	9.50
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	15.84

(ECU/tonne)

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	67.64
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	37.38
11.08 A I	Maize starch ⁽⁵⁾ (⁶)	101.98
11.08 A II	Rice starch ⁽⁶⁾	—
11.08 A III	Wheat starch ⁽⁵⁾ (⁶)	83.60
11.08 A IV	Potato starch ⁽⁵⁾ (⁷)	101.98
11.08 A V	Starches other than maize, rice, wheat, or potato starch ⁽⁶⁾	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, of 82 % or more by weight ($N \times 6.25$) ⁽⁵⁾	134.40
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾ (⁵)	133.01
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾ (⁵)	101.98
21.07 F II	Flavoured or coloured glucose and glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated ⁽⁵⁾	101.98
23.02 A I a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	9.79
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	9.79
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1.5 % by weight	9.79
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	9.79
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, of 63 % or more by weight ($N \times 6.25$) ⁽⁵⁾	117.46

-
- (¹) The export refund is paid in respect of maize, groats and meal :
- of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
 - of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.
- (²) 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (³) 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (⁴) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.
- (⁵) The export refund to be granted shall be arrived at by first applying the monetary coefficient to the amount shown in this column and, thereafter, deducting a sum equal to the production refund per tonne of finished product as follows :
- 11.08 A I, 11.08 A IV, 11.08 A V, 17.02 B II b) and 21.07 F : 27.74 ECU/tonne,
 - 11.08 A III : 54.27 ECU/tonne,
 - 11.09 A : 98.68 ECU/tonne,
 - 17.02 B II a) : 36.18 ECU/tonne,
 - 23.03 A I : 34.46 ECU/tonne.
- (⁶) The export refund is granted on products falling within this subheading which have a starch content of not less than 85 % by weight.
- (⁷) The export refund is granted on products falling within this subheading which have a starch content of not less than 78 % by weight.
-

COMMISSION REGULATION (EEC) No 2948/80

of 13 November 1980

altering the export refunds on cereal-based compound feedingstuffs

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 1870/80⁽²⁾, and in particular the
fourth subparagraph of Article 16 (2) thereof,

Whereas the export refunds on cereal-based
compound feedingstuffs were fixed by Regulation
(EEC) No 2804/80⁽³⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)
No 2804/80 to the information at present available to
the Commission that the export refunds at present in
force should be altered as shown in the Annex to this
Regulation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs
covered by Regulation (EEC) No 2727/75 and subject
to Regulation (EEC) No 2743/75⁽⁴⁾, fixed in the
Annex to Regulation (EEC) No 2804/80, are hereby
altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 14
November 1980.

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

Done at Brussels, 13 November 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 L 292, 1. 11. 1980, p. 15.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

ANNEX

to the Commission Regulation of 13 November 1980 altering the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I): Of a milk powder content of less than 50 % by weight and of a cereal products ⁽¹⁾ content by weight:	
	3010	— Exceeding 5 % but not exceeding 15 %	— ⁽²⁾ 2.10 ⁽³⁾
	4010	— Exceeding 15 % but not exceeding 30 %	— ⁽²⁾ 5.25 ⁽³⁾
	5010	— Exceeding 30 % but not exceeding 50 %	— ⁽²⁾ 9.45 ⁽³⁾
	6010	— Exceeding 50 % but not exceeding 65 %	— ⁽²⁾ 12.60 ⁽³⁾
	7010	— Exceeding 65 %	— ⁽²⁾ 15.75 ⁽³⁾

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

⁽²⁾ For exports to the USSR.

⁽³⁾ For exports to other third countries.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 October 1980

fixing the minimum export levy for the 33rd partial invitation to tender for
white sugar issued under Regulation (EEC) No 561/80

(80/1030/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas Commission Regulation (EEC) No 561/80 of
5 March 1980 on a standing invitation to tender in
order to determine levies and/or refunds on exports of
white sugar⁽⁴⁾, as last amended by Regulation (EEC)
No 1731/80⁽⁵⁾, requires partial invitations to tender to
be issued for the export of this sugar;

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

Whereas, following an examination of the tenders
submitted in response to the 33rd partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum export levy for the 33rd partial invita-
tion to tender for white sugar issued under Regulation
(EEC) No 561/80 is hereby fixed at 20.641 ECU per
100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 61, 6. 3. 1980, p. 18.

⁽⁵⁾ OJ No L 170, 3. 7. 1980, p. 19.

COMMISSION DECISION

of 22 October 1980

**fixing the minimum export levy for the 20th partial invitation to tender for raw
beet sugar issued under Regulation (EEC) No 1216/80**

(80/1031/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas Commission Regulation (EEC) No 1216/80
of 14 May 1980 on a standing invitation to tender in
order to determine levies and/or refunds on exports of
raw beet sugar⁽⁴⁾, as amended by Regulation (EEC)
No 1731/80⁽⁵⁾, requires partial invitations to tender to
be issued for the export of this sugar;

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

Whereas, following an examination of the tenders
submitted in response to the 20th partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum export levy for the 20th partial invita-
tion to tender for raw beet sugar issued under Regula-
tion (EEC) No 1216/80 is hereby fixed at 24.870 ECU
per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 122, 15. 5. 1980, p. 29.

⁽⁵⁾ OJ No L 170, 3. 7. 1980, p. 19.

COMMISSION DECISION**of 23 October 1980****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1429/80****(80/1032/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 1870/80⁽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 1429/80⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1429/80 is hereby fixed on the basis of the tenders submitted by 23 October 1980 at 37.80 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 October 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 143, 7. 6. 1980, p. 9.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 23 October 1980

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1431/80

(80/1033/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 1870/80⁽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 1431/80⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1431/80 is hereby fixed on the basis of the tenders submitted by 23 October 1980 at 37.80 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 October 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 143, 7. 6. 1980, p. 13.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 23 October 1980

fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EEC) No 1428/80

(80/1034/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 1870/80⁽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 1428/80⁽⁴⁾;

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

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

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

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 1428/80 is hereby fixed on the basis of the tenders submitted by 23 October 1980 at 21.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 October 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 L 281, 1. 11. 1975, p. 78.
(4) OJ No L 143, 7. 6. 1980, p. 7.
(5) OJ No L 31, 5. 2. 1975, p. 8.
(6) OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 23 October 1980

fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 1430/80

(80/1035/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 1870/80⁽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 1430/80⁽⁴⁾;

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

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

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

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 1430/80 is
hereby fixed on the basis of the tenders submitted by
23 October 1980 at 21.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 October 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 143, 7. 6. 1980, p. 11.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 27 October 1980

approving a programme concerning the treatment, processing and marketing of tobacco in Italy pursuant to Council Regulation (EEC) No 355/77

(Only the Italian text is authentic)

(80/1036/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the Italian Government forwarded a programme for the treatment, processing and marketing of tobacco on 17 December 1979;

Whereas that programme relates to the creation, expansion and rationalization of facilities for storing and processing raw tobacco and marketing processed tobacco, and has the object of creating the necessary conditions for varietal reconversion of tobacco production to those corresponding to market demand, to adapt the quality of the supply of processed tobacco to demand and thus to improve the profitability of the sector concerned; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the programme contains the details required under Article 3 of Regulation (EEC) No 355/77, showing that the objectives laid down in Article 1 of that Regulation can be achieved in respect of the

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

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

HAS ADOPTED THIS DECISION:

Article 1

The programme for the treatment, processing and marketing of tobacco submitted by the Italian Government on 17 December 1979 pursuant to Regulation (EEC) No 355/77 is hereby approved.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

COMMISSION DECISION**of 27 October 1980****approving a programme relating to the potato sector in Denmark pursuant to
Council Regulation (EEC) No 355/77****(Only the Danish text is authentic)****(80/1037/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas, on 9 January 1980 the Danish Government
forwarded a programme relating to the potato sector
and on 7 July 1980 provided additional details ;

Whereas the said programme relates to the expansion
and rationalization of storage, cleaning, sorting and
packaging facilities of ware and seed potatoes as well
as the expansion and modernization of facilities for
starch production, with the aim of increasing and stab-
ilizing potato producers' incomes ; whereas the
programme therefore constitutes a programme within
the meaning of Article 2 of Regulation (EEC) No
355/77 ;

Whereas to the extent that the programme includes
investment plans for expanding and modernizing
starch producing facilities, the objectives set out in
Article 1 of Regulation (EEC) No 355/77 cannot be
achieved considering the market situation in the
sector ;

Whereas the programme contains the details required
under Article 3 of Regulation (EEC) No 355/77,

showing that the objectives laid down in Article 1 of
that Regulation can be achieved in Denmark in the
ware and seed potato sector ; whereas the schedule for
implementation of the programme does not exceed
the time limit laid down in Article 3 (1) (g) of that
Regulation ;

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

HAS ADOPTED THIS DECISION :

Article 1

The programme relating to the potato sector
forwarded by the Danish Government pursuant to
Regulation (EEC) No 355/77 on 9 January 1980 and
supplemented on 7 July 1980 is hereby approved as
far as ware and seed potatoes are concerned.

Article 2

This Decision is addressed to the Kingdom of
Denmark.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1

COMMISSION DECISION

of 27 October 1980

**approving a programme relating to the processing and marketing of cereals in
England and Wales pursuant to Council Regulation (EEC) No 355/77**

(Only the English text is authentic)

(80/1038/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas on 21 December 1979 the United Kingdom
Government forwarded its programme relating to the
processing and marketing of cereals in England and
Wales;

Whereas the said programme relates to the setting up
and modernization of storage, drying and cleaning
facilities, storage facilities at matting premises and
handling facilities at ports, with the aim of reducing
unit costs, improving the quality of cereals, and thus
raising cereal producers' incomes; whereas it therefore
constitutes a programme within the meaning of
Article 2 of Regulation (EEC) No 355/77;

Whereas the programme contains the details required
under Article 3 of Regulation (EEC) No 355/77,
showing that the objectives laid down in Article 1 of
the said Regulation can be achieved in respect of the
cereals sector in the United Kingdom; whereas the

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

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

HAS ADOPTED THIS DECISION:

Article 1

The programme relating to the processing and
marketing of cereals in England and Wales forwarded
by the United Kingdom Government pursuant to
Regulation (EEC) No 355/77 on 21 December 1979 is
hereby approved.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

COMMISSION DECISION

of 27 October 1980

finding that the apparatus described as 'Atomic energy low dose rate irradiator, model Gammacell 1000' is not a scientific apparatus

(80/1039/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 18 April 1980, the United Kingdom Government has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Atomic energy low dose rate irradiator, model Gammacell 1000', to be used in surgical and medicinal research and in particular for irradiating biological or other samples, should be considered as 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 24 September 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 cell-irradiator;

Whereas it does not have the requisite objective characteristics making it specifically suited to scientific research; whereas, moreover, apparatus of the same kind is principally used for non-scientific activities; whereas its use in the case in question could not alone confer upon it the character of a scientific apparatus; whereas it therefore cannot be regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Atomic energy low dose rate irradiator, model Gammacell 1000' is not considered to be a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 October 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 27 October 1980

finding that the apparatus described as 'PMS classical scattering aerosol spectrometer probe, model CSASP-HC' is not a scientific apparatus

(80/1040/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 18 April 1980, the United Kingdom Government has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'PMS classical scattering aerosol spectrometer probe, model CSASP-HC', to be used in research on the use of magnetic fields for removing particles from industrial waste gases and in particular for measuring the particle size, concentration and quantity at inlet to and exit from the magnetic filter, should be considered as 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 24 September 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 spectrometer probe;

Whereas it does not have the requisite objective characteristics making it specifically suited to scientific research; whereas, moreover, apparatus of the same kind is principally used for non-scientific activities; whereas its use in the case in question could not alone confer upon it the character of a scientific apparatus; whereas it therefore cannot be regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'PMS classical scattering aerosol spectrometer probe, model CSASP-HC' is not considered to be a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 October 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 27 October 1980

on the application by Ireland of measures to facilitate full use of the global quota available to the other Member States for vehicles originating in the Community other than those covered by special treatment under the scheme applicable to assembly and import of motor vehicles

(Only the English text is authentic)

(80/1041/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Denmark, Ireland and the United Kingdom,

Having regard to Protocol 7, annexed to that Act, on imports of motor vehicles and the motor vehicle assembly industry in Ireland, and in particular Article 3 (4) thereof,

After consulting the Irish Government,

Whereas, Ireland is authorized by Protocol 7 annexed to the Act of Accession to retain, until 1 January 1985, the system applicable to assembly and import of motor vehicles; whereas this Protocol fixes in respect of vehicles originating in the Community, other than those covered by the abovementioned scheme, a global quota open to the other Member States;

Whereas the Protocol authorizes Ireland to divide this quota as follows:

Category I — Private vehicles 85 % of the global quota, allocated as follows:

- I. (a) (up to 1 500 cc) 75 %
- I. (b) (over 1 500 cc) 25 %

Category II — Commercial vehicles 15 % of the global quota, allocated as follows:

- II. (a) (up to 3.5 tonnes) 75 %
- II. (b) (over 3.5 tonnes) 25 %

Whereas the application of this system has shown that the quota for commercial vehicles weighing not more than 3.5 tonnes has not been fully taken up for reasons connected with the allocation of the quota in the manner described above; whereas in such circumstances the Commission may, under Article 3 (4), after

consulting the Irish Government, determine the appropriate measures to be taken by the Irish Government in order to facilitate the full use of the global quota;

Whereas, in order to meet the situation resulting from under-utilization of the quota, the measure which involves the least distortion of competition in the category of commercial vehicles over 3.5 tonnes and which takes into consideration the difference in economic value between light and heavy commercial vehicles consists in reallocating a progressively increasing percentage of the unused quota for the category 'commercial vehicles weighing not more than 3.5 tonnes' to the corresponding category 'vehicles weighing over 3.5 tonnes';

Whereas the Commission should regularly examine the situation with a view to taking any appropriate measures to amend or repeal the existing provisions,

HAS ADOPTED THIS DECISION:

Article 1

Ireland shall apply Article 3 (3) of Protocol 7 on imports of motor vehicles and the motor vehicle assembly industry in Ireland, annexed to the Act of Accession, in such a way as to reallocate to Category II (b) (commercial vehicles over 3.5 tonnes) 60% in 1980, 80% in 1981 and 100% as from 1982, of the unused quota for vehicles in Category II (a) (commercial vehicles up to 3.5 tonnes).

Article 2

1. Ireland shall notify the Commission forthwith of the measures taken in pursuance of Article 1 and shall regularly inform the Commission of the application of these measures.

2. Ireland shall regularly inform the Commission of the quota-utilization levels in respect of the various categories concerned.

Article 3

The Commission shall adopt whatever provisions may be necessary for the application of this Decision.

Article 4

1. The Commission reserves the right to amend or repeal this Decision if it finds that the circumstances prompting it have changed or that the effects of the Decision are proving more restrictive than necessary in order to ensure the attainment of its objectives.

2. The Commission shall re-examine the overall situation 12 months after this Decision enters into force.

Article 5

Without prejudice to the application of Article 4, this Decision shall be valid until 1 January 1985.

Article 6

This Decision is addressed to Ireland.

Done at Brussels, 27 October 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

Information on the International Natural Rubber Agreement, 1979

The 1979 International Natural Rubber Agreement ⁽¹⁾, which was the subject of a statement of provisional application by the Community ⁽²⁾, provisionally entered into force on 23 October 1980.

⁽¹⁾ OJ No L 213, 16. 8. 1980, p. 1.
⁽²⁾ OJ No L 259, 2. 10. 1980, p. 30.

