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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1015/81
of 9 April 1981
amending Regulation (EEC) No 926/79 on common rules for imports
consequent upon the accession of Greece

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

Having regard to the 1979 Act of Accession,

Having regard to the proposal from the Commission,

Whereas the Hellenic Republic is required under the
Act of Accession to apply Council Regulation (EEC)
No 926/79 of 8 May 1979 on common rules for
imports⁽¹⁾ from 1 January 1981, subject to temporary
exceptions provided for by Article 115 of the Act of
Accession;

Whereas the Hellenic Republic judges it necessary to
continue to apply quantitative import restrictions for a
limited number of products, in respect of products not
mentioned in Article 115 (1) of the Act of Accession
which are not covered by the common import liberali-
zation rules;

Whereas the Greek Government's wish seems to be
justified in the light of the situation on the Greek
market and the sensitivity of the industries concerned
by the restrictions; whereas it is therefore necessary to
adapt Regulation (EEC) No 926/79 accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Hellenic Republic may retain in accordance with
Article 17 (1) of Regulation (EEC) No 926/79, the
quantitative restrictions summerized in the Annex to
this Regulation.

Annex I of Regulation (EEC) No 926/79 shall be
supplemented by the insertion of an additional
heading in column 2. This heading is reserved for
Greece and indicated by the abbreviation E. Without
prejudice to Articles 82 and 115 of the 1979 Act of
Accession, products not included either in the list of
Greek national import restrictions in the Annex to
this Regulation nor in the common liberalization list
in column 1 of Annex I to Regulation (EEC) No
926/79 shall be entered under this heading, in their
capacity as products which may be freely imported.

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 Luxembourg, 9 April 1981.

For the Council

The President

D. F. van der MEI

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

NIMEXE (1980)	Pos. i FIT Nr. des GZT Κλάση του ΚΔ CCT heading No N° du TDC N. della TDC Nr. GDT
	07.01
	A
07.01-11	I
	II
07.01-13	a
07.01-15	b
	III
07.01-17	a
07.01-19	b
	08.01
	B
08.01-31	
08.01-35	
	08.09
08.09-11	
08.09-19	
	31.02 C
31.02-20	
31.02-30	
31.02-40	
31.02-50	
31.02-60	
31.02-70	
31.02-80	
31.02-90	
	40.11
	B
	ex II
40.11 ex 40 (I)	
40.11-55	
40.11-57	
40.11 ex 63 (I)	
	69.11
69.11-10	A
69.11-90	B
	82.14
82.14-10	A
	ex B
82.14-99	
	84.06
	C
	I
	a
	ex 2

NIMEXE (1980)	Pos. i FIT Nr. des GZT Κλάση του ΚΔ CCT heading No N° du TDC N. della TDC Nr. GDT
84.06 ex 20 (I)	
84.06 ex 22 (I)	
84.06 ex 24 (I)	b ex 1 2 aa ex bb
84.06 ex 31 (I)	
84.06 ex 33 (I)	
84.06 ex 35 (I)	
84.06 ex 38 (I)	
	II ex a
84.06-41	
84.06 ex 43 (I)	
	b
84.06 ex 72 (I)	ex 1 ex 2
84.06-74	
84.06 ex 75 (I)	
84.06-83	
84.06 ex 84 (I)	
	D II ex b
84.06 ex 98 (I)	
	85.01 B I ex b
85.01 ex 31 (I)	
85.01-33	
85.01-34	
85.01-36	
85.01 ex 38 (I)	
85.01-59	ex 85.01
85.01-61	B
85.01-62	
85.01-63	II
85.01-65	
85.01-66	
85.01 ex 91 (I)	ex 85.01 C
85.01-93	
85.01-93	
85.01-95	

NIMEXE (1980)	Pos. i FIT Nr. des GZT Κλάση του ΚΔ CCT heading No N° du TDC N. della TDC Nr. GDT
85.03 ex 11 (')	ex 85.03 (')
85.03 ex 19 (')	
85.03 ex 20 (')	
85.03 ex 30 (')	
85.03 ex 40 (')	
85.03 ex 50 (')	
85.03 ex 90 (')	
85.15-25	ex 85.15 A III b 2
85.15-27	
85.15-28	
85.15 ex 99 (')	ex 85.15
	C
	II
	c
	85.23
	ex B
85.23 ex 12 (')	
85.23 ex 21 (')	
85.23 ex 29 (')	
85.23 ex 31 (')	
85.23 ex 39 (')	
	87.02
	A
	I
	a
	1
87.02-03	
87.02-05	ex 2
87.02 ex 12 (')	
87.02 ex 14 (')	ex b
87.02 ex 21 (')	
87.02 ex 23 (')	
87.02 ex 25 (')	
87.02 ex 27 (')	
	87.05
	ex A
87.05 ex 11 (')	
87.05-19	
	ex B
87.05 ex 91 (')	
87.05-99	
	97.03
97.03-05	A
	B

NIMEXE (1980)	Pos. i FIT Nr. des GZT Κλάση τοῦ ΚΔ CCT heading No N° du TDC N. della TDC Nr. GDT
97.03-11	
97.03-15	
97.03-20	
97.03-30	
97.03-40	
97.03-51	
97.03-55	
97.03-59	
97.03-61	
97.03-69	
97.03-75	
97.03-80	
97.03-85	
97.03-90	

(1) Exact description of certain products

40.11	ex 40	only of the kind used on private motor cars, lorries, buses and agricultural tractors
	ex 63	only of the kind used on agricultural tractors
84.06	ex 20	two stroke petrol engines of a cylinder capacity more than 10 cc
	ex 22	
	ex 24	
	ex 31	
	ex 33	
	ex 35	
	ex 38	
	ex 43	of a power of less than 37 kW
	ex 72	diesel and semi-diesel engines used for land or marine propulsion including those for tractors of a power of at least 37 kW
	ex 75	
	ex 84	
	ex 98	two stroke petrol engines of a cylinder capacity more than 10 cc; four stroke petrol engines of a cylinder capacity 150 cc or more and of a power of 16 hp or less including their spare parts and accessories
85.01	ex 31	of more than 0.37 to 0.75 kW
	ex 38	of more than 75 to 370 kW
	ex 91	parts for motors of an output of more than 0.37 to 370 kW
85.03	ex 11	of R 6, R 14, R 20 types of 1.5 volts or of 3R 12 types of 4.5 volts corresponding to the international specification IEC No 86/2/77
	ex 19	
	ex 20	
	ex 30	
	ex 40	
	ex 50	
	ex 90	
85.15	ex 99	chassis for television receivers and their parts, assembled or mounted; printed circuit boards in metal for television receivers.
85.23	ex 12	conducting cables for television aerials
	ex 21	
	ex 29	
	ex 31	
	ex 39	
87.02	ex 12	with a seating capacity of more than six
	ex 14	
	ex 21	
	ex 23	
	ex 25	
	ex 27	
87.05	ex 11	with a seating capacity of more than six and less than 15
	ex 91	metal bodies and cabs with the exception of those for motor vehicles for the transport of persons with a seating capacity of six or less

COUNCIL REGULATION (EEC) No 1016/81**of 9 April 1981****amending Regulation (EEC) No 355/79 laying down general rules for the description and presentation of wines and grape musts**

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 organization of the market in wine ⁽¹⁾, as last amended by the 1979 Act of Accession, and in particular Article 54 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 355/79 ⁽²⁾, as last amended by the 1979 Act of Accession, laid down general rules for the description and presentation of wines and grape musts;

Whereas the rules in force for the description of table wines have not so far expressly covered table wines obtained by the coupage, with another product, of a table wine which was not made in the Member State where the grapes were harvested; whereas, in the interests of clarity, the description of table wines so obtained should be laid down;

Whereas the definition of table wine given in point 11 of Annex II to Regulation (EEC) No 337/79 has been expanded to include a definition of 'retsina' table wine; whereas rules for the use of the term 'retsina' should be laid down in the present Regulation;

Whereas, in order to provide the consumer with better information on the nature of a wine or grape must, provision should be made so that analytical data other than the alcoholic strength may be shown on the labelling;

Whereas the obligation to repeat, sometimes on an additional label, the expression 'Wine from different countries of the European Community' in an official language of the Member State in which the wine in question is offered to the consumer has caused some practical difficulties; whereas, in order to overcome these difficulties, which could increase the cost of distributing the products in question, a Member State

should have discretion to derogate, in respect of the said wines put on the market in its territory, from the rule that the expression referred to above should be repeated in an official language of that Member State;

Whereas it is permitted to use, during a transitional period expiring on 31 August 1981, certain names of wine-growing regions to describe both table wines and quality wines psr; whereas this period has proved too short to allow time for the necessary adaptations to be made to the relevant national rules; whereas the date should therefore be postponed by one year;

Whereas, in order to ensure consistent application of the provisions prohibiting certain indications which might mislead the consumer, particularly those concerning the geographical origin, the vine variety, the vintage year, an expression implying a superior quality or the composition of the product, and in order to make the said provisions simpler to interpret, they should be adapted so that their scope in all the official languages of the Community is the same;

Whereas, to take account of commercial practice in the Community and in certain third countries, it has proved necessary to allow the number of the container or the number of the lot to be shown on the labelling of a quality wine psr or an imported wine the description of which includes geographical particulars;

Whereas the regions specified for production of quality wines are in some cases quite small and the consumer, particularly outside the producer Member State, has little idea of their whereabouts; whereas, with a view to giving the consumer more information, it should be permitted to amplify the statement of the specified region from which the quality wine psr in question comes by adding the name of a larger geographical unit of which the said specified region is a part;

Whereas the transitional period during which producer Member States may, subject to certain conditions, allow the use of the name of a geographical unit smaller than the region determined for a quality wine psr made from a certain mixture of wines expires on 31 August 1981; whereas this transitional period has proved insufficient to allow for the national provisions concerned to be adapted; whereas, therefore, this period should be extended for one year;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 54, 5. 3. 1979, p. 99.

Whereas experience acquired in the sale of certain products has shown that, in order to provide purchasers with fuller information, provision should be made for the possibility of indicating not only the total alcoholic strength by volume but also the actual alcoholic strength by volume ;

Whereas details concerning the manner of manufacture, the type of the product or a particular colour are permitted at present for certain imported wines bearing a geographical indication ; whereas this is permitted subject to the condition that the said information is traditionally employed, and defined by provisions in the third country of origin ; whereas this provision imposes a heavy burden of supervision on national administrations ; whereas it is therefore proper to provide for a legal basis which will also make it possible to define the said details by means of Community provisions, retaining nevertheless the right to prohibit them in certain cases where the statements are not traditional or might be a source of confusion ;

Whereas, for imported wines other than those referred to above, the said details are not permitted at present ; whereas experience has shown that, with regard to the said imported wines, the consumer needs to be better informed as to the type of wine ; whereas therefore, provision should be made for allowing the use of such information in respect of the said wines,

HAS ADOPTED THIS REGULATION :

Article 1

Article 2 (1) (d) of Regulation (EEC) No 355/79 is hereby replaced by the following text :

‘(d) in the case of :

- (i) consignment to another Member State or export : the Member State in whose territory the grapes were harvested and turned into wine, provided that both these operations took place in the same Member State ;
- (ii) table wine which was made in a Member State other than that in which the grapes were harvested : the initials “EEC” ;
- (iii) table wine resulting from coupage :
 - of products originating in more than one Member State,
 - of a table wine referred to in (ii) above with another table wine or

with another product with which coupage is permitted for the production of a table wine,

the words “wine from different countries of the European Community” ;’

Article 2

The following shall be added to Article 2 (1) of Regulation (EEC) No 355/79 :

- ‘(e) in the case of the table wines referred to in the third indent of point 11 of Annex II to Regulation (EEC) No 337/79 : the word “retsina”.’

Article 3

1. Articles 2 (2) (f), 12 (2) (g), 27 (2) (d) and 28 (2) (f) of Regulation (EEC) No 355/79 shall be replaced respectively by the following :

‘the actual and/or total alcoholic strengths by volume and other analytical data, in so far as such information is governed by implementing rules ;’

2. The following shall be added to Article 22 (2) of Regulation (EEC) No 355/79 :

- ‘(e) analytical data other than the particulars specified in subparagraph 1 (b), in so far as such information is governed by implementing rules.’

3. The following subparagraph shall be added to Article 29 (2) of Regulation (EEC) No 355/79 :

‘In addition to the particulars specified in subparagraph 1 (b), the description may also include other analytical data, in so far as such information is governed by implementing rules.’

Article 4

The following subparagraph shall be added to the second subparagraph of Article 3 (6) (c) of Regulation (EEC) No 355/79 :

‘With regard to the wines in question put into circulation in its territory, a Member State may permit this provision to be waived to take account of commercial practices existing in that Member State.’

Article 5

The date ‘31 August 1981’ in the second subparagraph of Article 4 (3) of Regulation (EEC) No 355/79 shall be replaced by ‘31 August 1982’.

Article 6

1. Article 8 (c) of Regulation (EEC) No 355/79 shall be replaced by the following :

'(c) in the case of table wines described in accordance with Article 54 (2) and (3) of Regulation (EEC) No 337/79, contain false information or information likely to mislead persons to whom it is addressed, particularly in respect of geographical origin, vine variety, vintage year or a reference to superior quality, or'.

2. Article 18 (c) of Regulation (EEC) No 355/79 shall be replaced by the following :

'(c) contain false information or information likely to mislead persons to whom it is addressed, particularly in respect of geographical origin, vine variety, vintage year or a reference to superior quality.'

3. Article 34 (c) of Regulation (EEC) No 355/79 shall be replaced by the following :

'(c) contain false information or information likely to mislead persons to whom it is addressed, particularly in respect of geographical origin, vine variety, vintage year or a reference to superior quality.'

Article 7

1. Article 12 (2) (s) of Regulation (EEC) No 355/79 shall be replaced by the following :

'(s) the number of the container or the number of the lot ;'.

2. The following is added to Article 28 (2) of Regulation (EEC) No 355/79 :

'(s) the number of the container or the number of the lot.'

Article 8

The following indent is hereby added to the second indent of Article 13 (1) of Regulation (EEC) No 355/79 :

'— The Member States may allow the statement of the specified region referred to in Article 12 (1) (a) to be accompanied by a statement of the name of a larger geographical unit of which the specified region in question is a part, in order to indicate its whereabouts, provided however, that the conditions governing use of

the name of the said specified region and of the name of the said geographical unit are complied with.'

Article 9

The date '31 August 1981' in subparagraph (b) of the second subparagraph of Article 14 (3) of Regulation (EEC) No 355/79 shall be replaced by '31 August 1982'.

Article 10

The second indent of Article 22 (1) (b) of Regulation (EEC) No 355/79 shall be replaced by the following :

'— partially fermented grape must and new wine still in fermentation : the actual and/or total alcoholic strength by volume ;'.

Article 11

1. The following subparagraph shall be added to Article 27 (2) of Regulation (EEC) No 355/79 :

'(i) details of the type of products, provided that this information is governed by Community implementing rules.'

2. Article 28 (2) (k) of Regulation (EEC) No 355/79 shall be replaced by the following :

'(k) details concerning :

- the method of production,
- the type of product,
- a particular colour of the product,

provided that such information is governed by Community implementing rules or by provisions laid down by the third country of origin. However, the use of such information may be prohibited for designating certain imported wines if it is not traditionally employed or if it might lead to confusion as to the type or origin of the wine ;'.

Article 12

Article 43 of Regulation (EEC) No 355/79 shall be replaced by the following :

Article 43

1. The description and presentation of the products referred to in Article 1 (3) must not be likely to mislead persons to whom they are addressed with regard to the nature, origin and composition of the product ; this shall apply to the information referred to in Articles 2, 12, 27, 28 and 29.

2. The description and presentation in any form of advertising whatsoever must not be likely to mislead persons to whom they are addressed as to the product in question, particularly as regards :

- the type of product, the colour, origin, quality, vine variety, vintage year and the contents of the containers ;
- the identity or status of the natural or legal persons or group of persons involved in, or having been involved in, the production or distribution of the product in question.'

Article 13

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

Article 2 shall apply from 1 January 1981.

Articles 5 and 9 shall apply with effect from 1 September 1981.

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

Done at Luxembourg, 9 April 1981.

For the Council

The President

D. F. van der MEI

COMMISSION REGULATION (EEC) No 1017/81

of 14 April 1981

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas, the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2035/80 ⁽⁵⁾ and subsequent amending Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on 13 April 1981;

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 15 April 1981.

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

Done at Brussels, 14 April 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽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 14 April 1981 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	61.01
10.01 B	Durum wheat	105.45 ⁽¹⁾ ⁽²⁾
10.02	Rye	26.65 ⁽⁶⁾
10.03	Barley	52.28
10.04	Oats	18.17
10.05 B	Maize, other than hybrid maize for sowing	63.51 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	46.53 ⁽⁴⁾
10.07 C	Grain sorghum	62.03 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	100.00
11.01 B	Rye flour	51.93
11.02 A I a)	Durum wheat groats and meal	176.92
11.02 A I b)	Common wheat groats and meal	106.23

⁽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 1018/81

of 14 April 1981

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2036/80 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 % a rate of exchange based on their effective parity,

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

Whereas these exchange rates being those recorded on 13 April 1981;

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

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 April 1981.

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

Done at Brussels, 14 April 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽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 14 April 1981 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 4	1st period 5	2nd period 6	3rd period 7
10.01 A	Common wheat, and meslin	0	5.17	5.17	2.37
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	7.24	7.24	3.32

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	9.20	9.20	4.22	4.22
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	6.88	6.88	3.15	3.15
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 1019/81
of 14 April 1981
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 the Act of Accession of Greece ⁽²⁾, and in particular
Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 921/81 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 921/81 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 April
1981.

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

Done at Brussels, 14 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 93, 6. 4. 1981, p. 1.

ANNEX

to the Commission Regulation of 14 April 1981 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	21.76
04.01 A I b)	0120	19.35
04.01 A II a) 1	0130	19.35
04.01 A II a) 2	0140	24.08
04.01 A II b) 1	0150	18.14
04.01 A II b) 2	0160	22.87
04.01 B I	0200	51.72
04.01 B II	0300	109.41
04.01 B III	0400	169.08
04.02 A I	0500	16.78
04.02 A II a) 1	0620	79.77
04.02 A II a) 2	0720	141.17
04.02 A II a) 3	0820	143.59
04.02 A II a) 4	0920	157.17
04.02 A II b) 1	1020	72.52
04.02 A II b) 2	1120	133.92
04.02 A II b) 3	1220	136.34
04.02 A II b) 4	1320	149.92
04.02 A III a) 1	1420	34.79
04.02 A III a) 2	1520	46.97
04.02 A III b) 1	1620	109.41
04.02 A III b) 2	1720	169.08
04.02 B I a)	1820	36.27
04.02 B I b) 1 aa)	2220	per kg 0.7252 ⁽¹¹⁾
04.02 B I b) 1 bb)	2320	per kg 1.3392 ⁽¹¹⁾
04.02 B I b) 1 cc)	2420	per kg 1.4992 ⁽¹¹⁾
04.02 B I b) 2 aa)	2520	per kg 0.7252 ⁽¹²⁾
04.02 B I b) 2 bb)	2620	per kg 1.3392 ⁽¹²⁾
04.02 B I b) 2 cc)	2720	per kg 1.4992 ⁽¹²⁾
04.02 B II a)	2820	52.92
04.02 B II b) 1	2910	per kg 1.0941 ⁽¹²⁾
04.02 B II b) 2	3010	per /kg 1.6908 ⁽¹²⁾
04.03 A	3110	198.92
04.03 B	3210	242.68
04.04 A I a) 1	3321	18.13
04.04 A I a) 2	3420	193.62 ⁽¹³⁾
04.04 A I b) 1 aa)	3521	18.13
04.04 A I b) 1 bb)	3619	193.62 ⁽¹³⁾
04.04 A I b) 2	3719	193.62 ⁽¹³⁾
04.04 A II	3800	193.62
04.04 B	3900	202.51 ⁽¹⁴⁾
04.04 C	4000	189.34
04.04 D I	4120	36.27
04.04 D II a) 1	4410	173.70
04.04 D II a) 2	4510	173.58
04.04 D II b)	4610	270.30
04.04 E I a)	4710	202.51
04.04 E I b) 1 aa) 11)	4840	213.04 ⁽¹⁵⁾
04.04 E I b) 1 aa) 22) aaa)	4850	213.04 ⁽¹⁵⁾
04.04 E I b) 1 aa) 22) bbb)	4860	213.04 ⁽¹⁵⁾
04.04 E I b) 1 bb)	4870	213.04 ⁽¹⁵⁾

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

CCT heading No	Code	Import levy
04.04 E I b) 1 cc)	4880	213.04 ⁽¹⁹⁾
04.04 E I b) 1 dd)	4890	213.04
04.04 E I b) 2 aa)	4922	189.58 ⁽¹⁵⁾
04.04 E I b) 2 bb)	5022	189.58 ⁽¹⁶⁾
04.04 E I b) 3	5030	189.58 ⁽¹⁷⁾
04.04 E I b) 4	5060	189.58 ⁽¹⁷⁾
04.04 E I b) 5 aa)	5130	189.58 ⁽¹⁹⁾
04.04 E I b) 5 bb)	5140	189.58
04.04 E I c) 1	5210	142.19
04.04 E I c) 2	5250	286.30
04.04 E II a)	5310	202.51
04.04 E II b)	5410	286.30
17.02 A II ⁽¹⁸⁾	5500	36.59
21.07 F I	5600	36.59
23.07 B I a) 3	5700	56.81
23.07 B I a) 4	5800	73.49
23.07 B I b) 3	5900	68.70
23.07 B I c) 3	6000	56.35
23.07 B II	6100	73.49

For notes ⁽¹⁾ to ⁽¹⁰⁾, 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) 0.00 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) 0.00 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 1020/81
of 13 April 1981
fixing the sluice-gate prices and levies for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed quarterly in advance in accordance with the methods of calculation laid down in Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs⁽³⁾, as last amended by Regulation (EEC) No 2300/77⁽⁴⁾;

Whereas since sluice-gate prices and levies for eggs were, by Regulation (EEC) No 150/81⁽⁵⁾, last fixed for the period 1 February to 30 April 1981, they must be fixed anew for the period 1 May to 31 July 1981; whereas such prices and levies should in principle be calculated by reference to feed grain prices for the period 1 November 1980 to 31 March 1981;

Whereas, when the sluice-gate prices applicable from 1 November, 1 February and 1 May are being fixed, changes in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas,

by Regulation (EEC) No 2773/75, the minimum was set at 3 %;

Whereas the price of the quantity of feed grain required varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 May to 31 July 1981;

Whereas, when the levies applicable from 1 November, 1 February and 1 May are being fixed, world market prices for feed grain are to be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed, changes in world market prices for feed grain must be taken into account in fixing the levies;

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

HAS ADOPTED THIS REGULATION:

Article 1

The levies provided for in Article 3 of Regulation (EEC) No 2771/75 in respect of the products specified in Article 1 (1) of that Regulation, and the sluice-gate prices provided for in Article 7 thereof in respect of the like products, shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1981.

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

Done at Brussels, 13 April 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 64.

⁽⁴⁾ OJ No L 271, 22. 10. 1977, p. 6.

⁽⁵⁾ OJ No L 18, 21. 1. 1981, p. 5.

ANNEX

to the Commission Regulation of 13 April 1981 fixing the sluice-gate prices and levies for eggs

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : A. Eggs in shell, fresh or preserved : I. Poultry eggs : a) Eggs for hatching (a) : 1. Of turkeys or geese 2. Other b) Other B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid 2. Frozen 3. Dried	ECU/100 units	ECU/100 units
		44.30	5.71
		11.76	1.91
		ECU/100 kg	ECU/100 kg
		96.14	17.98
		386.44	81.27
		102.01	20.86
		207.58	36.68
		221.26	39.20
		461.00	84.15

(a) Only poultry eggs which fulfil the conditions stipulated by the competent authorities of the European Communities are eligible for entry under this subheading.

COMMISSION REGULATION (EEC) No 1021/81

of 13 April 1981

fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas the sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed quarterly in advance in accordance with methods of calculation laid down in Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat⁽³⁾, as last amended by Regulation (EEC) No 750/81⁽⁴⁾;

Whereas Regulation (EEC) No 3011/79 fixing the coefficients for calculating levies on derived poultrymeat products has been amended by Commission Regulation (EEC) No 941/81⁽⁵⁾;

Whereas since the sluice-gate prices and levies for poultrymeat were, by Regulation (EEC) No 151/81⁽⁶⁾, last fixed for the period 1 February to 30 April 1981, they must be fixed anew for the period 1 May to 31 July 1981; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 November 1980 to 31 March 1981;

Whereas, when the sluice-gate prices applicable from 1 November, 1 February and 1 May are being fixed, trends in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified

minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2778/75, this minimum was set at 3 %;

Whereas the price of the quantity of feed grain required varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 May to 31 July 1981;

Whereas, when the levies applicable from 1 November, 1 February and 1 May are being fixed, changes in world market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed, changes in world market prices for feed grain must be taken into account in fixing the levies;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In respect of the products specified in Article 1 (1) of Regulation (EEC) No 2777/75, the levies provided for in Article 3 thereof and the sluice-gate prices provided for in Article 7 thereof shall be as shown in the Annex hereto.

2. Provided that, in the case of products falling within heading No 02.03 and within subheading 15.01 B or 16.02 B I of the Common Customs Tariff, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 May 1981.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 84.

⁽⁴⁾ OJ No L 80, 26. 3. 1981, p. 1.

⁽⁵⁾ OJ No L 96, 8. 4. 1981, p. 13.

⁽⁶⁾ OJ No L 18, 21. 1. 1981, p. 7.

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

Done at Brussels, 13 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 13 April 1981 fixing the sluice-gate prices and levies for poultrymeat

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea-fowls : A. Of a weight not exceeding 185 g, known as 'chicks' : I. Turkeys and geese II. Other	ECU/100 units	ECU/100 units
		85.53	9.65
		23.65	3.39
		ECU/100 kg	ECU/100 kg
		78.44	13.62
		103.59	17.77
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea-fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' II. Ducks : a) Plucked, bled, not drawn or gutted, with heads and feet, known as '85 % ducks' b) Plucked and drawn, without heads and feet, with hearts, livers and gizzards, known as '70 % ducks' c) Plucked and drawn, without heads and feet, without hearts, livers and gizzards, known as '63 % ducks' III. Geese : a) Plucked, bled, not drawn, with heads and feet, known as '82 % geese' b) Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as '75 % geese' IV. Turkeys (a) Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as '80 % turkeys' (b) Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as '73 % turkeys' V. Guinea-fowls	122.87	17.93
		108.06	14.29
		133.47	21.24
		98.54	17.11
		112.05	19.45
		122.09	21.20
		121.86	20.90
		147.98	25.38
		164.41	28.20
		175.53	25.61
		167.73	26.31
		154.37	20.41
		169.16	21.48
		190.67	30.34

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
		ECU/100 kg	ECU/100 kg
02.02 (cont'd)	B. Poultry cuts (excluding offals):		
	I. Boned or boneless	309-12	48-76
	II. Unboned (bone-in):		
	a) Halves or quarters:		
	1. Of fowls	134-30	23-32
	2. Of ducks	180-85	31-02
	3. Of geese	184-50	28-94
	4. Of turkeys	186-08	23-63
	5. Of guinea-fowls	209-74	33-37
	b) Whole wings, with or without tips	100-46	15-85
	c) Backs, necks, backs with necks attached, rumps and wing tips	69-55	10-97
	d) Breasts and cuts of breasts:		
	1. Of geese	251-60	39-47
	2. Of turkeys	246-99	32-66
	3. Of other poultry	184-88	32-09
	e) Legs and cuts of legs:		
	1. Of geese	243-21	38-15
	2. Of turkeys:		
	aa) Drumsticks and cuts of drumsticks	115-78	15-31
	bb) Other	208-40	27-55
	3. Of other poultry	173-68	30-15
	f) Other	309-12	48-76
	C. Offals	69-55	10-97
02.03	Poultry liver, fresh, chilled, frozen, salted or in brine:		
	A. Fatty liver of goose or duck	1 755-30	256-10
	B. Other	177-74	28-04
02.05	Pig fat, free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked:		
	C. Poultry fat	154-56	24-38
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted:		
	B. Poultry fat	185-47	29-26
16.02	Other prepared or preserved meat or meat offal:		
	B. Other:		
	I. Poultrymeat or offal:		
	a) Containing 57 % or more by weight of poultrymeat (a):		
	1. Containing uncooked meat or offal; mixtures of cooked meat or offal and uncooked meat or offal:		
	aa) Containing exclusively turkeymeat	308-74	40-82
	bb) Other	309-22	50-74
	2. Other	340-03	53-64
	b) Containing 25 % or more but less than 57 % by weight of poultrymeat (a)	185-47	29-26
	c) Other	108-19	17-07

(a) For the purpose of determining the percentage of poultrymeat, weight of any bones shall be disregarded.

**COMMISSION REGULATION (EEC) No 1022/81
of 13 April 1981**

fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2783/75 of 29 October 1975 on the common system
of trade for ovalbumin and lactalbumin⁽¹⁾, and in
particular Article 2 (2) and the second subparagraph of
Article 5 (5) thereof,

Whereas the sluice-gate prices and import duties of
the products specified in Article 1 of Regulation (EEC)
No 2783/75 must be fixed quarterly in advance in
accordance with the methods of calculation laid down
in Commission Regulation (EEC) No 1925/80 of 17
July 1980 fixing sluice-gate prices and import duties
for ovalbumin and lactalbumin⁽²⁾;

Whereas since sluice-gate prices and import duties for
ovalbumin and lactalbumin were, by Regulation (EEC)
No 152/81⁽³⁾, last fixed for the period 1 February to
30 April 1981, they must be fixed anew for the period
1 May to 31 July 1981; whereas such prices and duties
should be calculated by reference to the sluice-gate
price and levy applicable to eggs in shell during the
same period;

Whereas these have been fixed by Commission Regu-
lation (EEC) No 1020/81 of 13 April 1981 fixing the
sluice-gate prices and levies for eggs⁽⁴⁾;

Whereas the sluice-gate price and levy applicable to
eggs in shell have been altered by the said Regulation;
whereas it is therefore necessary likewise to alter the
sluice-gate prices and import duties for ovalbumin and
lactalbumin fixed by Regulation (EEC) No 152/81;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties provided for in Article 2 of Regu-
lation (EEC) No 2783/75, in respect of the products
specified in Article 1 of that Regulation, and the
sluice-gate prices provided for in Article 5 thereof in
respect of the like products, shall be as shown in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1981.

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

Done at Brussels, 13 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 19.

⁽³⁾ OJ No L 18, 21. 1. 1981, p. 11.

⁽⁴⁾ See page 18 of this Official Journal.

CCT heading No	Description	Sluice-gate price	Import duty
1	2	3	4
35.02	Albumins, albuminates and other albumin derivatives :	ECU/100 kg	ECU/100 kg
	A. Albumins : II. Other (than unfit or rendered unfit for human consumption) : a) Ovalbumin and lactalbumin : 1. Dried (for example, in sheets, scales, flakes, powder) 2. Other	 437.73 58.74	 73.00 9.89

COMMISSION REGULATION (EEC) No 1023/81
of 14 April 1981
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 3455/80⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1684/80⁽³⁾, as last amended by Regulation (EEC) No 1006/81⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1684/80 to the information known to the Commission that the levies

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 April 1981.

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

Done at Brussels, 14 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 14 April 1981 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar	13.20 8.16 ⁽¹⁾

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

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 17.

⁽³⁾ OJ No L 166, 1. 7. 1980, p. 49.

⁽⁴⁾ OJ No L 100, 11. 4. 1981, p. 16.

COMMISSION REGULATION (EEC) No 1024/81

of 14 April 1981

altering the basic amount of the import levy on syrups and certain other sugar products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 3455/80 ⁽²⁾, as last in particular Article 15 (7) thereof,

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 825/81 ⁽³⁾, as last amended by Regulation (EEC) No 1007/81 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 825/81 to the infor-

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

HAS ADOPTED THIS REGULATION :

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 shall be, per 100 kilograms of product, 0.1320 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 15 April 1981.

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

Done at Brussels, 14 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 17.

⁽³⁾ OJ No L 85, 1. 4. 1981, p. 21.

⁽⁴⁾ OJ No L 100, 11. 4. 1981, p. 17.

COMMISSION REGULATION (EEC) No 1025/81

of 14 April 1981

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 777/81⁽⁶⁾, as last amended by Regulation (EEC) No 994/81⁽⁷⁾;

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 13 April 1981;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3.02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁸⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽⁹⁾, as last amended by Regulation (EEC) No 2245/78⁽¹⁰⁾, as fixed in the Annex to amended Regulation (EEC) No 777/81 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 April 1981.

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

Done at Brussels, 14 April 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁶⁾ OJ No L 81, 27. 3. 1981, p. 14.

⁽⁷⁾ OJ No L 99, 10. 4. 1981, p. 58.

⁽⁸⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 273, 29. 9. 1978, p. 1.

ANNEX

to the Commission Regulation of 14 April 1981 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	9.57 ⁽¹⁾	7.76 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	101.73	95.69
11.02 A III ⁽²⁾	101.73	95.69
11.02 B I a) 1 ⁽²⁾	88.08	85.06
11.02 B I b) 1 ⁽²⁾	88.08	85.06
11.02 C III ⁽²⁾	138.94	132.90
11.02 D III ⁽²⁾	57.24	54.22
11.02 E I a) 1 ⁽²⁾	57.24	54.22
11.02 E I b) 1 ⁽²⁾	112.36	106.32
11.02 F III ⁽²⁾	101.73	95.69
11.04 C I	12.59	5.94 ⁽³⁾
11.07 A II a)	105.50 ⁽⁴⁾	94.62
11.07 A II b)	81.58	70.70
11.07 B	93.28 ⁽⁴⁾	82.40
23.02 A I a)	17.81	17.81
23.02 A I b)	56.99	56.99
23.02 A II a)	14.25	14.25
23.02 A II b)	56.99	56.99

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes.

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

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

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

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5.44 ECU/tonne for products originating in Turkey.

⁽³⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrowroot falling within subheading 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading 11.08 A V.

COMMISSION REGULATION (EEC) No 1026/81**of 14 April 1981****suspending advance fixing of the export refund for certain pigmeat products**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2759/75 of 29 October 1975 on the common organiza-
tion of the market in pigmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 2966/80 ⁽²⁾,

Having regard to Council Regulation (EEC) No
2768/75 of 29 October 1975 laying down general
rules for granting export refunds on pigmeat and
criteria for fixing the amount of such refunds ⁽³⁾, and
in particular the first subparagraph of Article 5 ⁽⁴⁾
thereof,

Whereas the refunds for pigmeat products were fixed
by Commission Regulation (EEC) No 200/81 of 26
January 1981 ⁽⁵⁾;

Whereas, however, in view of the situation on the
world market, advance fixing of the refund, as
provided for in Article 1 of Commission Regulation
(EEC) No 857/78 of 27 April 1978 ⁽⁶⁾, should be
suspended for certain products;

Whereas Commission Regulation (EEC) No 740/81 of
23 March 1981 ⁽⁶⁾ is at present in force;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Advance fixing of the refund is hereby
suspended from 15 to 30 April 1981 for products
within subheadings:

- 02.01 A III a) 5 (aa),
- 02.01 A III a) 6 ex aa) (11),
- 16.01 B I,
- 16.01 B II,
- 16.02 B III a) 2 aa) 33 (bbb).

Article 2

Regulation (EEC) No 740/81 shall remain in force but
for products within subheadings 02.01 A III a) 5 (aa)
and 02.01 A III a) 6 ex (aa) (11), the provisions of
Article 1 shall apply.

Article 3

This Regulation shall enter into force on 15 April
1981.

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

Done at Brussels, 14 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 39.

⁽⁴⁾ OJ No L 24, 28. 1. 1981, p. 13.

⁽⁵⁾ OJ No L 116, 28. 4. 1978, p. 15.

⁽⁶⁾ OJ No L 78, 24. 3. 1981, p. 28.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 March 1981

authorizing the French Republic not to apply Community treatment to toys made of wood or other (except motors and movement mechanisms for toys and working models used for recreational purposes and parts thereof) originating in Hong Kong

(Only the French text is authentic)

(81/218/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State⁽¹⁾, and in particular Article 3 thereof,

Whereas, on 2 March 1981, a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to toys made of wood or other (except motors and movement mechanisms for toys and working models used for recreational purposes and parts thereof), falling within subheading 97.03 A and ex B of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States;

Whereas in France the importation of the products in question originating in Hong Kong is subject to an annual quota which is already wholly taken up;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the

products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that, since 1 January 1981, France has admitted the products in question in free circulation, originating in the said third country, which amount to 54 % of the direct quota;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from FF 161 000 000 in 1978 to FF 237 000 000 in 1979; whereas the market share taken by those imports has risen from 10 % in 1978 to 13 % in 1979;

Whereas the prices of the products in question originating in Hong Kong are considerably below the prices of like products manufactured in France;

Whereas in France consumption of the products in question has increased from FF 1 572 000 000 in 1978 to FF 1 888 000 000 in 1979;

Whereas output of like products in France has increased from FF 1 200 000 000 in 1978 to FF 1 350 000 000 in 1979; whereas the domestic industry's share of the home market has fallen from 58 % in 1978 to 53 % in 1979;

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

Whereas the industry concerned has been restructuring itself to meet competition and that, in this context, no positive results have yet been achieved;

Whereas further indirect imports, in addition to those already admitted, would be likely to aggravate these difficulties and jeopardize the aims of the above-mentioned commercial policy measures;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Hong Kong and in free circula-

tion in the other Member States in respect of which applications for import licences were lodged after 2 March 1981:

CCT heading No	Description
97.03 A and ex B (NIMEXE codes 97.03-05; 20; 40; 51; 59; 61; 69; 75; 80; 85; 90)	Toys made of wood or other (except motors and movement mechanisms for toys and working models used for recreational purposes and parts thereof)

Article 2

This Decision shall apply until 30 September 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 6 March 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 10 March 1981

authorizing the French Republic not to apply Community treatment to umbrellas and sunshades, including walking-stick umbrellas, originating in Taiwan

(Only the French text is authentic)

(81/219/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas, on 2 March 1981, a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to umbrellas and sunshades, including walking-stick umbrellas, falling within heading No ex 66.01 of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States;

Whereas in France the importation of the products in question originating in Taiwan is prohibited;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 France has admitted 313 696 pieces of the products in question in free circulation, originating in the said third country;

Whereas with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from 2 507 000 pieces in 1978 to 2 922 000 pieces in 1979; whereas the market share taken by those imports has risen from 34.2 % in 1978 to 47 % in 1979;

Whereas the prices of the products in question originating in Taiwan are considerably below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 4 390 000 pieces in 1978 to 3 760 000 pieces in 1979;

Whereas the domestic industry's share of the home market has fallen from 56.2 % in 1978 to 46.5 % in 1979;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

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

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

Whereas an application for import documents covering 12 000 pieces is duly pending with the authorities of the Member State having made the request; whereas in view of the amount involved, this application does not need to be covered by such authorization,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Taiwan and in free circulation in the other Member States in respect of which applications for import licences were lodged after 2 March 1981:

CCT heading No	Description
ex 66.01	Umbrellas and sunshades, including walking-stick umbrellas

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

Article 2

Done at Brussels 10 March 1981.

This Decision shall apply until 30 September 1981.

For the Commission

Article 3

Étienne DAVIGNON

This Decision is addressed to the French Republic.

Vice-President

COMMISSION DECISION**of 12 March 1981****authorizing Ireland not to apply Community treatment to blouses and shirt blouses, knitted, crocheted (not elastic or rubberized) or woven, originating in Pakistan****(Only the English text is authentic)****(81/220/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State⁽¹⁾, and in particular Article 3 thereof,

Whereas, on 3 March 1981, a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to blouses and shirt-blouses knitted, crocheted (not elastic or rubberized), or woven, falling within subheadings 60.05 A II and 61.02 B II of the Common Customs Tariff (category 7), originating in Pakistan and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Pakistan is covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, Pakistan has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78 introducing specific common rules for imports of certain textile products⁽²⁾;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into

account in allocating the abovementioned Community ceilings between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 Ireland has admitted the products in question in free circulation, originating in the said third country, which amount to approximately 18 % of the direct quota;

Whereas total imports of the products in question originating in third countries amounted to 501 000 pieces in 1979 and to 324 000 pieces in the first 10 months of 1980;

Whereas the prices of the products in question originating in Pakistan are considerably below the prices of like products manufactured in Ireland;

Whereas an application for import documents covering 9 500 pieces is duly pending with the authorities of the Member State having made the request;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

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

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

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

Article 2

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, originating in Pakistan and in free circulation in the other Member States in respect of which applications for import licences were lodged after 26 February 1981 :

This Decision shall apply until 30 September 1981.

Article 3

This Decision is addressed to Ireland.

CCT heading No	Description
60.05 A II and 61.02 B II (NIMEXE codes 60.05-22 ; 23 ; 24 ; 25 and 61.02-78 ; 82 ; 84) (category 7)	Blouses and shirt-blouses, knitted or crocheted (not elastic or rubber- ized) or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres

Done at Brussels, 12 March 1981.

For the Commission

Wilhelm HAERKAMP

Vice-President

COMMISSION DECISION**of 19 March 1981****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 3022/80**

(81/221/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 the Act of Accession of Greece ⁽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 levy and/or refund for the export of common wheat was issued under Commission Regulation (EEC) No 3022/80 ⁽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 3022/80 is hereby fixed on the basis of the tenders submitted by 19 March 1981 at 62.45 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 317, 25. 11. 1980, p. 6.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 19 March 1981****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 3024/80**

(81/222/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 the Act of Accession of Greece⁽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 levy and/or refund for the export of common wheat was issued under Commission Regulation (EEC) No 3024/80⁽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 3024/80 is hereby fixed on the basis of the tenders submitted by 19 March 1981 at 62.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 317, 25. 11. 1980, p. 12.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 19 March 1981****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 3026/80**

(81/223/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 the Act of Accession of Greece⁽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 levy and/or refund for the export of common wheat was issued under Commission Regulation (EEC) No 3026/80⁽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 3026/80 is hereby fixed on the basis of the tenders submitted by 19 March 1981 at 62.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 317, 25. 11. 1980, p. 18.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 19 March 1981****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 3023/80**

(81/224/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
the Act of Accession of Greece⁽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 levy and/or
refund for the export of barley was issued under
Commission Regulation (EEC) No 3023/80⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 3023/80 is
hereby fixed on the basis of the tenders submitted by
19 March 1981 at 33.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 317, 25. 11. 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 19 March 1981****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 3025/80**

(81/225/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
the Act of Accession of Greece⁽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 3025/80⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 3025/80 is
hereby fixed on the basis of the tenders submitted by
19 March 1981 at 33.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 317, 25. 11. 1980, p. 15.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 19 March 1981

fixing the maximum export refund on rye in connection with the invitation to tender issued in Regulation (EEC) No 3027/80

(81/226/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 the Act of Accession of Greece⁽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 rye was issued under Commission Regulation (EEC) No 3027/80⁽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 rye to be exported pursuant to the invitation to tender for the export of rye issued in Regulation (EEC) No 3027/80 is hereby fixed on the basis of the tenders submitted by 19 March 1981 at 49.90 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 March 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 317, 25. 11. 1980, p. 22.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 20 March 1981

on a proposal by the Netherlands Government to grant aid for the creation of new production capacity by an undertaking in the chemical industry (polypropylene)

(Only the Dutch text is authentic)

(81/227/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given notice in accordance with the above Article to interested parties to submit their comments and having regard to these comments,

Whereas :

I. Article 6 of the Netherlands Law of 29 June 1978 (Wet Investeringsrekening — WIR)⁽¹⁾ on the promotion and guidance of investment introduced an 'additional premium for major schemes' for the benefit of projects where investment exceeds Fl 30 million. The amount of the premium depends on the number of jobs created and may account for up to 4 % of the investment in question.

When examining the Netherlands Law at the draft stage, in the course of the procedure under Article 93 (3) of the EEC Treaty, the Commission pointed out that since the 'additional premium for major schemes' involved no sectoral or regional objectives it therefore constituted a general aid system, and that since the arrangements applied to all investment, without distinction by reference to given undertakings, regions or sectors, they could not qualify for the derogations under Article 92 (3) (a) or (c). In the absence of such specification, the Commission could not assess the system's effects on trade between Member States and on competition and therefore assess its compatibility with the common market.

In respect of such general aid systems it is now the well-established policy of the Commission to accept them subject to one of two conditions, namely, that the Member State concerned notifies to the Commission either a plan for regional or sectoral application or alternatively, where this is felt not to be possible, significant individual cases of application.

In line with this approach, and in accordance with Article 93 (3) of the EEC Treaty, the Commission requested prior notification in good time of individual cases of application of the 'additional premium for

major schemes', account being taken of the amount of investment concerned.

During discussions with the Netherlands authorities the Commission stated that it would assess each case on its own merits in the light of the rules contained in Article 92 *et seq.* or rules developed during administration of those provisions. The Netherlands Government could not infer that, by requesting regular prior notification, the Commission had taken a favourable view of the additional premium system.

The Netherlands Government complied with the Commission's request by including the prior notification procedure in Articles 6 (7) and 7 (3) of Chapter V of the Netherlands Law of 29 June 1978.

II. By letter dated 24 January 1979 the Netherlands Government informed the Commission, as required by the procedure, of its intention to grant the 'additional premium for major schemes' to a Netherlands undertaking in the chemical field.

The assistance was to be granted to that undertaking as a contribution to the creation of capacity to produce 60 000 tonnes of polypropylene in the Europoort-Botlek area, which would involve the creation of 178 new jobs.

Total investment was estimated at Fl 74 million and the scheme would qualify for a subsidy of Fl 1.5 million under the WIR system (the additional premium for major schemes). However, the scheme's location in the Europoort area would make it ineligible for regional aid.

The Netherlands scheme is designed to create additional capacity for producing polypropylene, a product for which there is excess capacity in the Community.

The Netherlands market for this product is in no way sufficient to absorb the new output from the projected plant. There is therefore a risk that the surplus capacity would flow on to the markets of other Member States which are already suffering from excess capacity.

The recipient undertaking, which is already established in the Europoort, sees this investment as

(1) Staatsblad 1978, No 368.

leading to a profitable operation which would allow its existing manufacturing processes to be more closely integrated.

III. The Netherlands Government replied by telex registered on 25 May 1979 to the Commission's notice under Article 93 of the EEC Treaty, stressing that the WIR scheme applied automatically and did not permit aid to be granted selectively in accordance with the desirability of the planned investment, that the excess capacity of polypropylene was likely to have disappeared by the time the new plant came on stream in two years, and that the investment would mainly involve a type of copolymer where excess capacity was less serious.

The Netherlands Government further pointed out that the new plant involved technical innovations which would promote savings in the manufacturing process.

IV. In the course of consultations with interested parties, the Government of a Member State argued that an increase in polypropylene capacity was liable to affect trade to an extent contrary to the common interest and would lead to a more serious degree of under-utilization of capacity than that already experienced in factories within the Community.

Two other Member States' Governments share the Commission's viewpoint regarding the danger of aggravating excess capacity. The Government of a fourth Member State considers that there will still be substantial surplus capacity in this product in 1982/83.

V. The aid proposed by the Netherlands Government is therefore liable to affect trade between Member States and to distort or threaten to distort competition within the meaning of Article 92 (1) of the EEC Treaty by favouring the undertaking in question or the production of its goods.

Article 92 (1) of the EEC Treaty provides that, in principle, any aid fulfilling the criteria which it sets out is incompatible with the common market. The derogations from this principle set out in Article 92 (3) of the EEC Treaty specify objectives pursued in the Community interest and not in that of the individual recipient of the aid. These derogations must be strictly interpreted in the examination both of any regional or sectoral aid scheme and of any individual case of application of general aid systems. In particular, they may be applied only where the Commission establish that, in the absence of the aid, the free play of market forces would not of itself induce the recipient undertakings to act in such a manner as to contribute to the attainment of one of the objectives specified by those derogations.

To derogate in this way in favour of aids offering no compensatory benefit would be tantamount to allowing trade between Member States to be affected and competition to be distorted without any justification in terms of the interest of the Community, while at the same time granting undue advantages to certain Member States.

When applying the principles set out above in its examination of individual cases of application of general aid systems, the Commission must be satisfied that there exists on the part of the recipient undertaking a specific compensatory justification in that the grant of aid is required to promote the attainment of one of the objectives set out in Article 92 (3) of the Treaty. Where this cannot be demonstrated, and especially where the proposed investment nevertheless takes place, it is clear that the aid does not contribute to the attainment of the objectives of the derogations but serves to increase the financial power of the undertaking in question.

In the case in question there does not appear to be such a compensatory justification on the part of the recipient of the aid.

The Netherlands Government has not been able to give, nor has the Commission found, any grounds to establish that the proposed aid meets the conditions justifying one of the derogations for which provision is made in Article 92 (3) of the EEC Treaty.

As regards the derogations of Article 92 (3) (a) and (c) of the EEC Treaty concerning aid to promote or to facilitate the development of certain areas, it cannot be considered that the standard of living in the Botlek area of Rotterdam is 'abnormally low' or that it suffers from 'serious under-employment' within the meaning of subparagraph (a). As regards the derogation of subparagraph (c), the Netherlands Government has not included that area amongst those requiring special regional development aid. The Netherlands Government, in its comments submitted to the Commission, itself emphasized that the 'additional premium for major schemes' was not granted on account of regional considerations.

In respect of the derogations envisaged in Article 92 (3) (b) of the EEC Treaty, investment of this type is brought about in a general way by normal market forces. Moreover, there is nothing peculiar to the investment in question to qualify it as a project of common European interest or as one designed to remedy a serious disturbance in the economy of a Member State, the promotion of which merits a derogation under Article 92 (3) (b) of the EEC Treaty from the principle of the incompatibility of aids laid down by Article 92 (1). In stating its views on the WIR, the Commission recalled that the Netherlands are part of the Community's central regions. These regions are not suffering from the most serious economic and social problems in the Community but they are the regions where there is a real risk of an upward spiral of aids, and where any aid is likely, more than elsewhere, to affect trade between Member States. Furthermore, the information available on the socio-economic situation in that country does not point to the conclusion that it is suffering from a serious disturbance in its economy within the meaning of the Treaty. In individual cases of application the 'addi-

tional premium for major projects' is not granted for the purpose of dealing with such a situation.

To take any other view would enable the Netherlands, in the present climate of slow growth and high unemployment throughout the Community, to divert to their advantage investment which might be made in other, less well-placed, Member States. Recent social and economic trends in the Community justify maintaining this approach as regards both the scheme itself and possible cases of application.

Finally, as regards the derogation provided for in Article 92 (3) (c) in favour of 'aid to facilitate the development of certain economic activities', examination of the development of the polypropylene industry, particularly with regard to available forecasts of demand for the product concerned, shows that the play of market forces should itself be capable, without State intervention, of ensuring a normal development of this activity. In the present case, the objective is, essentially, to increase the production capacity of the Netherlands undertaking. In addition, the fact that the bulk of this proposed increased output will probably be exported to other Member States, and this in the context of a surplus capacity for several years to come, does not justify the conclusion that the conditions of trade would not be altered, by such an aid, to an extent contrary to the common interest.

In view of the foregoing, the abovementioned aid proposed by the Netherlands Government does not fulfil the conditions necessary for it to benefit from any of the derogations referred to in Article 92 (3) the EEC Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of the Netherlands shall refrain from implementing its proposal, notified to the Commission by letter dated 24 January 1979 from its Minister for Foreign Affairs, to grant the 'additional premium for major schemes' in favour of investment made at Rotterdam Botlek by a Netherlands undertaking in the chemical field.

Article 2

The Kingdom of the Netherlands shall inform the Commission within two months of the date of notification of this Decision of the measures which it has taken to comply with it.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 20 March 1981.

For the Commission

F. H. J. J. ANDRIESSEN

Member of the Commission

COMMISSION DECISION**of 20 March 1981****authorizing the French Republic not to apply Community treatment to women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses originating in Hong Kong****(Only the French text is authentic)****(81/228/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State⁽¹⁾, and in particular Article 3 thereof,

Whereas, on 12 March 1981, a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, falling within subheadings ex 60.05 A II and ex 61.02 B II of the Common Customs Tariff (category 26), originating in Hong Kong and in free circulation in the other Member States;

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

Whereas, under that Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78⁽²⁾, introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community and the particular sensitivity of this

branch of Community industry have been taken into account in allocating the abovementioned Community ceilings between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 France has admitted the products in question in free circulation, originating in the said third country, which amount approximately to 16.5 % of the direct quota;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from 3 643 000 pieces in 1978 to 5 947 000 pieces in 1979 and to 6 023 000 pieces in 1980; whereas the market share taken by those imports has risen from 10.66 % in 1978 to 17.08 % in 1979;

Whereas the prices of the products in question originating in Hong Kong are considerably below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 32 404 000 pieces in 1978 to 30 171 000 pieces in 1979; whereas the domestic industry's share of the home market has fallen from 81 % in 1978 to 68 % in 1979;

Whereas there have been redundancies and short-time working has increased considerably;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

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

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

Whereas applications for import documents covering 7.3 % of the direct quota are duly pending with the authorities of the Member State having made the request; whereas these applications do not need to be covered by such authorization,

HAS ADOPTED THIS DECISION:

Article 1

The French Government is authorized not to apply Community treatment to the products indicated below, originating in Hong Kong and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 11 March 1981:

CCT heading No	Description
ex 60.05 A II and ex 61.02 B II (NIMEXE codes 60.05-41; 42; 43; 44; 61.02-48, 52; 53; 54) (category 26)	Women's, girls' and infants' (other than babies) woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 31 July 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 20 March 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 20 March 1981

authorizing the French Republic not to apply Community treatment to women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes ; jackets and blazers originating in Poland

(Only the French text is authentic)

(81/229/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas, on 11 March 1981, a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes ; jackets and blazers, falling within subheading ex 61.02 B II of the Common Customs Tariff (category 15 B), originating in Poland and in free circulation in the other Member States ;

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

Whereas, under that Agreement, Poland has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings ;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 1176/79 ⁽²⁾, introducing specific common rules for imports of certain textile products ;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceiling between the Member States ;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member

States ; whereas uniformity can only be brought about gradually ;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 France has admitted the products in question in free circulation, originating in the said third country, which amount approximately to 16 % of the direct quota ;

Whereas with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries amounted to 901 000 pieces in 1978, to 1 085 000 pieces in 1979 and to 900 000 pieces in 1980 ;

Whereas the prices of the products in question originating in Poland are considerably below the prices of like products manufactured in France ;

Whereas output of like products in France has fallen from 9 091 000 pieces in 1978 to 9 045 000 pieces in 1979 and to 9 000 000 pieces in 1980 ;

Whereas the domestic industry's share of the home market has fallen from 77 % in 1978 to 74 % in 1979 ;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures ;

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

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

Whereas applications for import documents covering 1 760 pieces are duly pending with the authorities of the Member States having made the request ; whereas in view of the amount involved, these applications do not need to be covered by such authorization,

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 149, 18. 6. 1979, p. 1.

HAS ADOPTED THIS DECISION :

Article 2

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Poland and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 11 March 1981 :

This Decision shall apply until 31 July 1981.

Article 3

This Decision is addressed to the French Republic.

CCT heading No	Description
ex 61.02 B II (NIMEXE codes 61.02-31 ; 32 ; 33 ; 35 ; 36 ; 37 ; 39 ; 40 (category 15 B)	Women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes ; jackets and blazers, other than garments of cate- gory 15 A, of wool, of cotton or of man-made textile fibres

Done at Brussels, 20 March 1981.

For the Commission

Wilhelm HAERKAMP

Vice-President

COMMISSION DECISION

of 24 March 1981

concerning a special case arising from the implementation of Regulation (EEC)
No 167/80 in respect of delivery of a consignment of butteroil as food aid

(Only the English and Dutch texts are authentic)

(81/230/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas, under Regulation (EEC) No 303/77 of 14
February 1977 laying down general rules for the
supply of skimmed-milk powder and butteroil as food
aid⁽²⁾, as last amended by Regulation (EEC) No
3474/80⁽³⁾, the successful tenderer is required to
manufacture the butteroil to be delivered exclusively
out of butter made available to them for the purpose
by the intervention agency;

Whereas, in accordance with Commission Regulation
(EEC) No 167/80⁽⁴⁾, a consignment comprising 500
tonnes of butteroil was to be delivered by the
successful tenderer which was to manufacture that
butteroil in the Netherlands from butter coming from
British intervention stocks and deliver it to the port of
embarkation;

Whereas the Netherlands department responsible has
refused to issue the quality certificate pursuant to
Article 11 (1) of Regulation (EEC) No 303/77 in
respect of a consignment of 125 tonnes of butteroil on
the ground of insufficient quality; whereas it is there-
fore appropriate to enable the successful tenderer to
deliver a replacement supply, to be obtained from
butter on the market, so that the said tenderer can
fulfil its obligation towards the Community to deliver
a total of 500 tonnes of butteroil; whereas it is further-
more desirable that the butteroil manufactured from
butter from British intervention stock be left at the
disposal of that tenderer;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Notwithstanding the provisions of Regulation
(EEC) No 167/80 in respect of consignment H, the
Netherlands intervention agency is hereby authorized
to permit the successful tenderer to replace consign-
ment H by a quantity of butteroil of up to 125 tonnes
manufactured from butter or cream purchased on the
market. The replacement delivery shall be made not
later than 30 April 1981 in accordance with the condi-
tions for the delivery as originally envisaged.

2. As soon as the successful tenderer has carried
out the replacement delivery, pursuant to paragraph 1,
to Bangladesh, the Netherlands intervention agency
shall place at the disposal of that tenderer the corres-
ponding quantity of butteroil manufactured from
butter from British intervention stock.

Article 2

This Decision is addressed to the Kingdom of the
Netherlands and the United Kingdom.

Done at Brussels, 24 March 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽³⁾ OJ No L 363, 31. 12. 1980, p. 50.

⁽⁴⁾ OJ No L 20, 26. 1. 1980, p. 22.

