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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1073/81**of 23 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 22 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 24 April 1981.

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

Done at Brussels, 23 April 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 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 23 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	60.57
10.01 B	Durum wheat	104.88 ⁽¹⁾ ⁽²⁾
10.02	Rye	22.22 ⁽³⁾
10.03	Barley	54.76
10.04	Oats	29.25
10.05 B	Maize, other than hybrid maize for sowing	58.49 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	46.42 ⁽⁴⁾
10.07 C	Grain sorghum	61.07 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	99.38
11.01 B	Rye flour	45.72
11.02 A I a)	Durum wheat groats and meal	176.04
11.02 A I b)	Common wheat groats and meal	105.56

⁽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 1074/81**of 23 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 22 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 24 April 1981.

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

Done at Brussels, 23 April 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 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 23 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	0	0	19.62
10.01 B	Durum wheat	0	0.43	0.43	0.43
10.02	Rye	0	0	0	0
10.03	Barley	0	5.66	5.66	4.46
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	27.30

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	0	0	34.92	34.92
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	26.09	26.09
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	10.07	10.07	7.94	7.94
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	7.53	7.53	5.93	5.93
11.07 B	Roasted malt	0	8.77	8.77	6.91	6.91

COMMISSION REGULATION (EEC) No 1075/81

of 23 April 1981

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3454/80⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as amended by Regulation (EEC) No 3539/80⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 3539/80, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁶⁾, as amended by Regulation (EEC) No 3539/80, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁷⁾, as amended by Regulation (EEC) No 3540/80⁽⁸⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽⁹⁾,

Whereas by Regulation (EEC) No 3131/78 of 28 December 1978⁽¹⁰⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹¹⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 20 and 21 April 1981 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 370, 31. 12. 1980, p. 81.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁸⁾ OJ No L 370, 31. 12. 1980, p. 82.

⁽⁹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹⁰⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹¹⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

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

Article 3

This Regulation shall enter into force on 24 April 1981.

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

Done at Brussels, 23 April 1981.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	32.00 ⁽¹⁾
15.07 A I b)	25.00 ⁽¹⁾
15.07 A I c)	33.00 ⁽¹⁾
15.07 A II a)	32.00 ⁽²⁾
15.07 A II b)	56.00 ⁽³⁾

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

(a) Spain and Lebanon : 0.60 ECU/100 kg ;

(b) Turkey : 22.36 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Algeria, Morocco, Tunisia : 24.78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries ; however, the repayment may not exceed the amount of the tax in force.

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

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

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3.09 ECU/100 kg.

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

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

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5.80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	5.50
07.03 A II	5.50
15.17 B I a)	12.50
15.17 B I b)	20.00
23.04 A II	2.64

COMMISSION REGULATION (EEC) No 1076/81

of 23 April 1981

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to the opinion of the Monetary
Committee,

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

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

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice ⁽⁴⁾, as
last amended by the Act of Accession of Greece,
defines the specific criteria to be taken into account

when the refund on these products is being calcu-
lated;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 April
1981.

⁽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 281, 1. 11. 1975, p. 65.

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

Done at Brussels, 23 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 23 April 1981 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
CCT heading No	Refund
11.07 A I b)	55.86
11.07 A II b)	52.96
11.07 B	61.72

COMMISSION REGULATION (EEC) No 1077/81**of 22 April 1981****on a standing invitation to tender for levies and/or refunds on export of white sugar to Poland**

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 Articles 12 (2), 17 (5), 19 (4) and 34 thereof,

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

Whereas the European Council, at its meeting on 23 March 1981 in Maastricht, agreed that steps should be taken to facilitate the purchase by Poland of certain agricultural products from the Community; whereas in view of the availability of Community sugar it is possible to put at the disposal of Poland some 50 000 tonnes of sugar;

Whereas for this purpose, and in view of developments on the world sugar market, a standing invitation to tender should be issued to determine the amounts of the levies or refunds necessary for the export of the said quantity to Poland, account being taken of certain conditions regarding sales to that country at reduced prices;

Whereas, in order to ensure that the sugar is not diverted to another destination, provision should be made for the lodging of an appropriate security and for its release when the sugar has reached its destination according to the relevant Community rules;

Whereas the general rules governing invitations to tender for the determination of export refunds for sugar were laid down in Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽⁴⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁵⁾; whereas these

rules should also be applied in respect of an export levy;

Whereas, in view of the specific nature of the transactions in question, special detailed rules of application should be laid down in this Regulation, and those provided for in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as amended by Regulation (EEC) No 1467/77 ⁽⁷⁾, should not be applied; whereas, for the same reason, appropriate provisions should be laid down concerning export licences issued in connection with the invitation to tender and to derogate from Commission Regulation (EEC) No 2990/76 of 9 December 1976 on special detailed rules for the application of the system of import and export licences for sugar ⁽⁸⁾, as last amended by Regulation (EEC) No 342/81 ⁽⁹⁾, from Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products ⁽¹⁰⁾, and from Commission Regulation (EEC) No 645/75 of 13 March 1975 laying down common detailed rules for the application of the export levies and charges on agricultural products ⁽¹¹⁾, as amended by Regulation (EEC) No 1607/80 ⁽¹²⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A standing invitation to tender shall be issued for the determination of the export levies or export refunds on a quantity of white sugar of 50 000 tonnes destined for Poland. During the period of validity of this standing invitation there shall be issued partial invitations.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 17.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁵⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 341, 10. 12. 1976, p. 14.

⁽⁹⁾ OJ No L 38, 11. 2. 1981, p. 8.

⁽¹⁰⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹¹⁾ OJ No L 67, 14. 3. 1975, p. 16.

⁽¹²⁾ OJ No L 160, 26. 6. 1980, p. 42.

2. Tenders shall relate to the export levy and/or export refund necessary to ensure this exportation under the conditions laid down in this Regulation.

Article 2

1. The standing and partial invitations to tender shall be conducted in accordance with Regulation (EEC) No 766/68 and the following provisions. Regulation (EEC) No 394/70 shall not apply.

2. The standing invitation shall be closed *ipso facto* on the date of the partial invitation to tender at which awards are made which completely account for the quantity referred to in Article 1 (1).

Article 3

1. The Member States shall issue an invitation to tender which shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published, elsewhere.

2. The notice shall indicate in particular the conditions applying to the tenders.

3. The notice shall be published only for the purpose of opening the standing invitation to tender. It may be amended during the period in which the invitation remains open. It shall be so amended if the terms of the invitation are changed.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender :

- (a) shall begin on the day on which the notice of the standing invitation to tender is published in the *Official Journal of the European Communities*;
- (b) shall end on 6 May 1981 at 10 a.m.

2. The periods during which tenders may be submitted in respect of each of the subsequent partial invitations :

- (a) shall begin on the first working day following the end of the preceding period ;
- (b) shall end at 10 a.m. on the Wednesday of the following week.

3. The times specified in this Regulation are Belgian times.

Article 5

1. The contractual selling price, including the levy or refund offered, may not exceed 50.71 ECU per 100 kilograms of white sugar.

If, however, the average of the closing selling prices for the July 1981 position on the Paris futures market as quoted on the two days preceding the partial invitation to tender in question, multiplied by a coefficient of 0.90, is less than the amount referred to in the first subparagraph then the contractual selling price may not exceed that average as so adjusted.

2. The sugar must be delivered in jute sacks containing 50 kilograms net, fob European ports of the Community, on dates to be agreed between the contracting parties.

Article 6

1. Offers, which must be in writing, shall be either delivered by hand to the competent authority of a Member State, against a receipt, or addressed to that authority by registered letter, telex or telegram.

2. Each offer must indicate :

- (a) the reference number of the invitation to tender ;
- (b) the name and address of the tenderer ;
- (c) the quantity to be exported ;
- (d) the amount of the export levy or, where appropriate, of the export refund on the quantity of sugar referred to under (c) per 100 kilograms of sugar, expressed in the currency of the Member State in which the tender is submitted ;
- (e) the amount of the tendering security to be lodged covering the quantity of sugar referred to under (c), expressed in the currency of the Member State in which the tender is submitted.

3. An offer shall be valid only if :

- (a) it relates to a quantity of 5 000 tonnes of sugar or to a multiple of that quantity ;
- (b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender ;
- (c) it includes a declaration by the tenderer that if his tender is successful he will, within the period laid down in Article 12 (b), apply for export licences in respect of the quantities of sugar to be exported ;
- (d) it includes a declaration by the tenderer certifying that the product for export is white sugar of sound, fair and merchantable quality, falling within subheading 17.01 A of the Common Customs Tariff ;
- (e) it includes a declaration by the tenderer that, if his tender is successful, he will abide by the maximum price referred to in the first or second subparagraph of Article 5 (1) and that he will furnish the proof referred to in Article 12 (c) within the period laid down ;
- (f) it contains all the particulars required under paragraph 2.

4. An offer may stipulate that it is to be regarded as having been submitted only if :

- (a) the minimum export levy or, where applicable, the maximum export refund, is fixed on the day of expiry of the period for the submission of the tenders in question ;
- (b) the award relates to all or a specific part of the quantity tendered for.

5. An offer which is not submitted in accordance with the provisions of this Regulation, or which contains conditions other than those indicated in the notice of invitation to tender, shall not be considered.

6. Once submitted, a tender may not be withdrawn.

Article 7

1. The security for tenders shall be 15 ECU per 100 kilograms of sugar to be exported under this invitation to tender.

For successful tenderers, and by way of derogation from the first indent of Article 8 (1) (d) of Regulation (EEC) No 2990/76, this security shall constitute the security for the export licence when the application referred to in Article 12 (b) is made.

2. The tenderer may provide the security either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in case of *force majeure*, the security for the tender shall be released only :

- (a) in respect of any quantity for which no award has been made ;
- (b) if a successful tenderer has, within the period laid down in Article 12 (b), applied for an export licence and only in respect of a quantity for which proof is provided of its importation into Poland. This proof shall be furnished in accordance with the provisions of Article 20 of Regulation (EEC) No 2730/79 ⁽¹⁾.

4. In case of *force majeure*, the competent authority of the Member State concerned shall take such action as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 8

1. Tenders shall be examined in private by the competent authority concerned. Subject to paragraph

2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such manner that the tenderers remain anonymous.

Article 9

1. Account being taken of the current state and foreseeable development of the Community and world sugar markets and the conditions governing the sale as laid down in Article 5, there shall be fixed for each lot either :

- a minimum export levy, or
- a maximum export refund.

2. Nevertheless, a decision may be taken to make no award under a specific partial invitation to tender.

Article 10

1. Where a minimum export levy is fixed an award shall be made to the tenderer or tenderers quoting the highest levy. If the whole of the quantity referred to in Article 1 (1) is not covered by that award then awards shall be made to other tenderers in descending order of their quoted levies until the entire quantity has been accounted for.

2. Where a maximum export refund is fixed an award shall be made in accordance with paragraph 1 ; if after such awards a quantity is still outstanding, or if there are no tenders quoting a levy, then awards shall be made to tenderers in ascending order of their quoted refunds until the entire quantity referred to in Article 1 (1) has been accounted for.

3. Where, however, an award made under the rules laid down in paragraphs 1 and 2 would result in the quantity referred to in Article 1 (1) being exceeded, that award shall be made to the tenderer in question only in respect of a quantity which allows the former quantity to be entirely accounted for. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the same quantity being exceeded awards shall be made *pro rata* to the tendered quantities.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender.

In addition, that authority shall send successful tenderers a statement of award.

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

2. The statement of award shall indicate :

- (a) the reference number of the invitation to tender ;
- (b) the quantity to be exported ;
- (c) the export levy to be charged or, where applicable, the export refund to be granted, per 100 kilograms of white sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have :

- (a) the right to be issued in respect of the quantity awarded, and subject to the conditions in (c), with an export licence indicating as appropriate the export levy or the export refund quoted in the tender ;
- (b) the obligation to lodge in accordance with the relevant provisions of Regulation (EEC) No 3183/80 an application for an export licence in respect of that quantity, Article 12 (2) of that Regulation and Article 10 of Regulation (EEC) No 645/75 not applying in such a case. The application shall be lodged not later than 15 days following the day on which the partial invitation was held.
- (c) the obligation to provide the authority of the Member State to which the tender was submitted, and this within the period referred to in (b), proof that the maximum selling price referred to in the first or second subparagraph of Article 5 (1) has not been exceeded ; such proof shall be provided in the form of a certified copy of the contract of sale entered into by the successful tenderer and the competent authority in Poland.

This right and these obligations shall not be transferable.

Article 13

1. Article 9 of Regulation (EEC) No 2990/76 and Article 8 (4) and (5) of Regulation (EEC) No 3183/80 shall not apply to white sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with this standing invitation to tender shall be valid from the day of issue to 30 September 1981.

3. In addition to the endorsements required under Article 2 (2) and (3) of Regulation (EEC) No 2990/76, section 13 of the application for licences and of the export licences issued in connection with this invitation to tender shall include one of the following endorsements :

- 'Poland',
- 'Pologne',
- 'Polen',
- 'Polen',
- 'Polonia',
- 'Polen',
- 'Πολωνία'.

4. The licence carries the obligation to export to Poland.

Article 14

This Regulation shall enter into force on 24 April 1981.

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

Done at Brussels, 22 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1078/81

of 23 April 1981

extending the period of validity of the measures provided for by Regulation (EEC) No 3191/80 on transitional measures concerning non-recovery of the variable slaughter premium for sheepmeat and goatmeat products exported from the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 3446/80⁽²⁾, and in particular Article 33 thereof,

Whereas Commission Regulation (EEC) No 3191/80 of 9 December 1980 on transitional measures concerning non-recovery of the variable slaughter premium for sheepmeat and goatmeat products exported from the Community⁽³⁾, as last amended by Commission Regulation (EEC) No 932/81 of 6 April 1981⁽⁴⁾, lays down that the period of validity of those measures shall end on the last day of the 1980/81 marketing year; whereas during this period the quantities exported within the framework of that Regulation have not been greater than the traditional quantities; whereas while waiting for decisions on the measures

concerning export in this sector it is appropriate to extend this period up to the end of the 1981/82 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

The period of validity of Regulation (EEC) No 3191/80 is hereby extended until the end of the 1981/82 marketing year.

Article 2

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

It shall apply with effect from 6 April 1981.

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

Done at Brussels, 23 April 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 359, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 332, 10. 12. 1980, p. 14.

⁽⁴⁾ OJ No L 95, 7. 4. 1981, p. 14.

**COMMISSION REGULATION (EEC) No 1079/81
of 23 April 1981**

**continuing the measures referred to in Regulation (EEC) No 1271/78 on the
improvement of the quality of milk within the Community**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1079/77 of 17 May 1977 on a co-responsibility levy
and on measures for expanding the markets in milk
and milk products⁽¹⁾, as last amended by Regulation
(EEC) No 1364/80⁽²⁾, and in particular Article 4
thereof,

Whereas measures carried out pursuant to Commis-
sion Regulation (EEC) No 1271/78 of 13 June 1978
concerning measures to improve the quality of milk
within the Community⁽³⁾, as last amended by Regula-
tion (EEC) No 2341/78⁽⁴⁾, and continued by Regula-
tion (EEC) No 2936/79⁽⁵⁾, have proved an effective
means of improving the quality of milk in the
Community; whereas in the interests of a greater effi-
cacy the measures currently being carried out in
Italy and Ireland should be reinforced and completed;

Whereas in these Member States the organizations,
institutions, undertakings and producer groups
possessing the necessary qualifications and experience
should therefore be invited again to propose detailed
programmes which these organizations would them-
selves carry out;

Whereas, as regards the other arrangements, the major
portion of the provisions of Regulation (EEC) No
1271/78, amended in the light of relevant experience,
may be repeated;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Measures to be executed in Ireland and Italy
shall be taken, under the conditions laid down in this
Regulation, to encourage:

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.
⁽²⁾ OJ No L 140, 5. 6. 1980, p. 16.
⁽³⁾ OJ No L 156, 14. 6. 1978, p. 39.
⁽⁴⁾ OJ No L 282, 7. 10. 1978, p. 11.
⁽⁵⁾ OJ No L 334, 28. 12. 1979, p. 16.

- (a) the testing of milking machines;
- (b) the counselling of individual milk producers
directed in particular towards the obtaining of
milk (cowshed hygiene, milking) and its treatment
(cooling);
- (c) counselling on the collection (jointly-operated
equipment, collection points) and transport of raw
milk (specifications, equipment and operation of
milk tankers);
- (d) the training of qualified personnel for:
 - disseminating technical information,
 - quality control;
- (e) the setting up of cooperative milk collection
centres, if necessary with refrigeration facilities.

2. The measures referred to in paragraph 1 shall be
eligible only if they are begun after 31 March 1981;
they shall be completed not later than 31 March 1982.

A prolongation of this time limit for carrying out the
measures is only possible where the interested parties
making the request clearly shows that, due to unfore-
seen circumstances it is not possible to abide by the
time limit originally laid down.

Article 2

1. Measures as referred to in Article 1 (1) shall be
proposed and carried out by institutions, organizations
in the Member States referred to, undertakings or
producer groups which:

- (a) have the necessary qualifications and experience;
- (b) give guarantees that they are capable of ensuring
the satisfactory completion of the work.

Proposals by individual firms will be considered only
where they are particularly justified and where they
would not prejudice the operations of regional organi-
zations specializing in the field.

Measures shall be carried out as far as possible by the
organization itself which has made the proposal; in
instances where this latter organization has to have
the measures carried out by (a) subcontractor(s) the
derogation must duly be justified in the proposal.

2. Community financing shall be limited to 90 % of expenditure incurred by the measures concerned.

3. In the case of proposals submitted by undertakings buying milk or organizations representing such undertakings, Community participation shall, moreover, be subject to the giving by the applicant of an undertaking to introduce, in his area of operation, within the period fixed in the contract for the completion of the measures accepted, a system whereby payment for milk is varied according to its bacteriological quality.

Article 3

1. Those concerned are hereby invited to submit not later than 30 April 1981 to the competent authority appointed by their Member State, hereinafter called 'the intervention agency', complete detailed proposals concerning the measures referred to in Article 1 (1).

2. Concerning the other detailed rules for the submission of proposals the indications given by the Irish and Italian intervention organizations, as published in *Official Journal of the European Communities* No C 17 of 23 January 1980, page 2, shall apply.

3. Within 20 working days of the expiry of the time limit laid down in paragraph 1, intervention agencies shall:

- (a) examine the proposals received from a formal and material point of view;
- (b) transmit them to the Commission, accompanied by their considered opinion.

Article 4

1. Complete proposals shall state:

- (a) the name and address of the party concerned;
- (b) any details concerning the measures proposed, indicating the time required for completion, the expected results and any third parties which may be involved;
- (c) the net price asked for these measures, taxes effectively due included, expressed in the currency of the Member State in whose territory the party concerned is established, giving an itemized breakdown of this amount and showing the corresponding financing plan;
- (d) the desired form of payment of the Community contribution (Article 7 (1) (a) or (b)).

2. A proposal shall be valid only where:

- (a) it is submitted by a party fulfilling the conditions laid down in Article 2 (1) (a);

- (b) it is accompanied by an undertaking to observe the provisions of this Regulation and those contained in the list of clauses and conditions referred to in Article 6.

Article 5

1. After examination of the proposals by the Management Committee for Milk and Milk Products pursuant to Article 31 of Regulation (EEC) No 804/68, the Commission shall conclude contracts for the measures referred to in Article 1 (1) with those parties whose proposals may be accepted.

2. Prior to the conclusions of a contract, the party concerned may be requested to supply additional information and/or details concerning his proposal.

3. The intervention agency shall inform each applicant as soon as possible of the decision taken in respect of his proposal.

Article 6

1. On acceptance of a proposal in accordance with Article 5, a list of clauses and conditions shall be drawn up by the Commission in at least three copies and signed by the party concerned.

2. The list of clauses and conditions shall form an integral part of the contract referred to in Article 5 (1) and shall:

- (a) include the details referred to in Article 4 (1) or make reference to them;
- (b) supplement these details, where necessary, by additional conditions arising from the application of Article 5 (2).

3. The Commission shall send a copy of the contract and of the list of clauses and conditions to the intervention agency responsible for ensuring the observance of the agreed conditions by means of on the spot checks.

Article 7

1. The intervention agency concerned shall pay to the party in question in accordance with the choice made in the latter's proposal, either:

- (a) within six weeks of the date of signature of the contract and the list of clauses and conditions, a single payment on account amounting to 60 % of the agreed Community contribution; or
- (b) at two-monthly intervals, four equal instalments each amounting to 20 % of the agreed Community contribution, the first such instalment being paid within six weeks of the date of signature of the contract and the list of clauses and conditions.

However, while a contract is being performed :

- the intervention agency may defer payment of an instalment where it finds, in particular during the checks referred to in Article 6 (3), irregularities in carrying out the measures concerned or a substantial interval between the due date for payment of the instalment and the date when the party concerned will actually incur the forecast expenditure,
 - payment of an instalment may, in exceptional cases, be advanced, with the Commission's agreement, where the party concerned shows that he must incur a substantial part of the expenditure at a date found to be significantly earlier than that laid down for payment of the Community contribution towards the said expenditure.
2. The payment of each sum on account shall be subject to the condition that a security equal to the amount of the sum on account, plus 10 %, is lodged with the intervention agency.
3. Securities shall be released and the balance paid by the intervention agency when :
- (a) the intervention agency has confirmed that the party concerned has fulfilled its obligations as laid down in the list of clauses and conditions ;
 - (b) the report referred to in Article 8 (1) has been transmitted to the Commission and to the intervention agency and the details contained in such report have been verified by the intervention agency ;

(c) the intervention agency has established that the party concerned has made its own contribution for the purposes laid down.

4. To the extent that the conditions set out in paragraph 3 are not fulfilled the securities shall be forfeit. In this event the amount in question shall be deducted from EAGGF Guarantee Section expenditure, and more particularly from that arising out of the measures referred to in Article 4 of Regulation (EEC) No 1079/77.

Article 8

Each party responsible for one of the measures referred to in Article 1 (1) shall submit to the Commission and to the intervention agency concerned, within four months of the final date fixed in the contract for completion of the measures, a detailed report on the utilization of the Community funds allocated and on the results of the measures in question.

The responsible party shall submit to the Commission, at the same time, that part of the report concerning the results of the measures concerned.

Article 9

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

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

Done at Brussels, 23 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION DECISION No 1080/81/ECSC

of 23 April 1981

amending Decision No 527/78/ECSC as regards the prohibition on alignment on offers of iron and steel products originating in certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 527/78/ECSC of 14 March 1978 prohibiting alignment on offers of iron and steel products originating in certain third countries ⁽¹⁾, as last amended by Decision No 909/81/ECSC of 2 April 1981 ⁽²⁾, and in particular the second paragraph of Article 1 thereof,

Whereas the Commission has concluded arrangements with Sweden, Brazil, Bulgaria, Czechoslovakia, Hungary and Poland, and it is accordingly necessary to include these countries in the Annex to the said Decision, together with details of the iron and steel products covered by the arrangements in question,

HAS ADOPTED THIS DECISION :

Article 1

The following addition is hereby made to the Annex to Decision No 527/78/ECSC :

‘8. SWEDEN :

As regards the iron and steel products for which the Commission has fixed basic prices ⁽¹⁾, with the exception of ferro-manganese falling within Common Customs Tariff subheading 73.02 A I ⁽²⁾.

9. BRAZIL :

As regards pig iron falling within Common Customs Tariff heading No 73.01 ;

10. BULGARIA ;

11. CZECHOSLOVAKIA ;

12. HUNGARY ;

13. POLAND :

As regards the ECSC iron and steel products falling within Common Customs Tariff heading Nos 73.01, 73.02, 73.06 to 73.13 inclusive, and 73.16, 73.15 in the forms mentioned in heading Nos 73.06 to 73.13 inclusive, excluding 73.15 A I b) 2, 73.15 A V b) 1, 73.15 B I b) 2 bb), cc), dd) and ee), 73.15 B V b) 1 bb), 73.15 B V b) 2 bb), 73.15 B VII b) 1 aa) 22 and 33, 73.15 B VII b) 1 bb) 22 and 33, 73.15 B VII b) 1 cc) 22 and 33 ; 73.15 B VII b) 2 bb) 22 and 33.

⁽¹⁾ OJ No L 290, 31. 10. 1980.

⁽²⁾ Annex to Council Regulation (EEC) No 3000/80 of 28 October 1980 (OJ No L 315, 24. 11. 1980, p. 3).

⁽¹⁾ OJ No L 73, 15. 3. 1978, p. 16.

⁽²⁾ OJ No L 91, 4. 4. 1981, p. 11.

Article 2

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

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

Done at Brussels, 23 April 1981.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION REGULATION (EEC) No 1081/81**of 23 April 1981****fixing for the United Kingdom the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving that Member State**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 3446/80⁽²⁾,

Having regard to Commission Regulation (EEC) No 2661/80 of 17 October 1980 laying down detailed rules for applying the variable slaughter premium for sheep⁽³⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas Article 3 (1) of Regulation (EEC) No 2661/80 lays down that the level of the variable slaughter premium for each Member State concerned shall be fixed weekly by the Commission ;

Whereas Article 4 (1) of Regulation (EEC) No 2661/80 lays down that the amount to be charged on products leaving the Member States concerned shall be fixed weekly by the Commission ;

Whereas, since the United Kingdom is paying the variable slaughter premium, it is necessary for the Commission to fix the level of the premium and the amount to be charged on products leaving that Member State for the week commencing 30 March 1981 ;

Whereas it follows from the application of the rules laid down in Article 9 (1) of Regulation (EEC) No 1837/80 and in Article 4 (1) and (3) of Regulation

(EEC) No 2661/80 that the variable slaughter premium for sheep certified as eligible in the United Kingdom, and the amounts to be charged on products leaving that Member State, during the week commencing 30 March 1981, shall be as set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION :

Article 1

For sheep or sheepmeat certified in the United Kingdom as eligible for the variable slaughter premium during the week commencing 30 March 1981, the level of the premium shall be as set out in Annex I hereto.

Article 2

For products referred to in Article 1 (a) of Regulation (EEC) No 1837/80 which left the territory of the United Kingdom during the week commencing 30 March 1981, the amounts to be charged shall be as set out in Annex II hereto.

Article 3

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

It shall apply with effect from 30 March 1981.

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

Done at Brussels, 23 April 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 359, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 276, 20. 10. 1980, p. 19.

ANNEX I

Level of variable slaughter premium for certified sheep in the United Kingdom for the week commencing 30 March 1981

Description	Premium
Certified sheep or sheepmeat	38·972 ECU per 100 kg of estimated or actual dressed carcase weight ⁽¹⁾

⁽¹⁾ Within the weight limits laid down by the United Kingdom.

ANNEX II

Amount to be charged for products which left the territory of the United Kingdom during
the week commencing 30 March 1981

(ECU/100 kg)

CCT heading No	Description	Charge
		Live weight
01.04 B	Live sheep and goats other than pure-bred breeding animals	18.317
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	38.972
	2. Short forequarters	27.280
	3. Chines and/or best ends	42.869
	4. Legs	50.664
	5. Other :	
	(aa) Unboned (bone-in)	50.664
	(bb) Boned or boneless	70.929
02.01 A IV b)	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	29.229
	2. Short forequarters	20.460
	3. Chines and/or best ends	32.152
	4. Legs	37.998
	5. Other :	
	(aa) Unboned (bone-in)	37.998
	(bb) Boned or boneless	53.197
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	50.664
	2. Boned or boneless	70.929

COMMISSION REGULATION (EEC) No 1082/81

of 23 April 1981

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals ⁽¹⁾, as last amended by
the Act of Accession of Greece ⁽²⁾, and in particular the
first sentence of the fourth subparagraph of Article 16
(2) thereof,

Having regard to the opinion of the Monetary
Committee,

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

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

Whereas Article 3 of Regulation (EEC) No 2746/75
defines the specific criteria to be taken into account
when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as
wheat and rye flour, groats and meal are concerned, in
Article 4 of Regulation (EEC) No 2746/75; whereas
furthermore, when the refund on these products is
being calculated, account must be taken of the quanti-
ties of cereals required for their manufacture; whereas

these quantities were fixed in Regulation No 162/
67/EEC ⁽⁴⁾, as amended by Regulation (EEC) No
1607/71 ⁽⁵⁾;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1
(a), (b) and (c) of Regulation (EEC) No 2727/75,
exported in the natural state, shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 24 April
1981.

⁽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 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

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

Done at Brussels, 23 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 23 April 1981 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU / tonne) Refund
10.01 A	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — the Iberian peninsula — Zone V — USSR — other third countries	42-00 52-00 58-00 — 0
10.01 B	Durum wheat for exports to : — Morocco, Tunisia and Zone V — other third countries	70-00 —
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — USSR — other third countries	19-00 21-00 — 0
10.03	Barley for exports to : — Switzerland, Austria, Liechtenstein and the Iberian peninsula — USSR and Japan — other third countries	40-00 — 0
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	15-00 —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 : — for exports to the USSR — for exports to other third countries (1) — of an ash content of 521 to 600 : — for exports to the USSR — for exports to other third countries (1) — of an ash content of 601 to 900 : — for exports to the USSR — for exports to other third countries (1) — of an ash content of 901 to 1 100 : — for exports to the USSR — for exports to other third countries (1) — of an ash content of 1 101 to 1 650 : — for exports to the USSR — for exports to other third countries (1) — of an ash content of 1 651 to 1 900 : — for exports to the USSR — for exports to other third countries (1)	— 70-00 — 66-25 — 61-45 — 56-65 — 52-35 — 46-65

CCT heading No	Description	Refund (ECU/tonne)
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 : — for exports to the USSR — for exports to other third countries ⁽¹⁾ — of an ash content of 701 to 1 150 : — for exports to the USSR — for exports to other third countries ⁽¹⁾ — of an ash content of 1 151 to 1 600 : — for exports to the USSR — for exports to other third countries ⁽¹⁾ — of an ash content of 1 601 to 2 000 : — for exports to the USSR — for exports to other third countries ⁽¹⁾	— 35-00 — 35-00 — 35-00 — 35-00
11.02 A I a)	Durum wheat groats and meal : — of an ash content of 0 to 1 500 : — for exports to the USSR — for exports to other third countries ⁽¹⁾	— 110-00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520 : — for exports to the USSR — for exports to other third countries ⁽¹⁾	— 70-00

⁽¹⁾ And destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1).

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977).

COMMISSION REGULATION (EEC) No 1083/81

of 23 April 1981

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
the Act of Accession of Greece⁽²⁾, and in particular the
third sentence of the second subparagraph of Article
16 (4) thereof,

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⁾,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 (4) of Regulation (EEC) No
2727/75 provides that the export refund applicable to
cereals on the day on which application for an export
licence is made, adjusted for the threshold price in
force during the month of exportation, must be
applied on request to exports to be effected during the
period of validity of the export licence; whereas, in
this case, a corrective amount must be applied to the
refund;

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice⁽⁴⁾, as
last amended by Regulation (EEC) No 2245/78⁽⁵⁾,
made possible the fixing of a corrective amount for
certain products listed in Article 1 (c) of Regulation
(EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75⁽⁶⁾ laid down
detailed rules for the advance fixing of export refunds
for cereals and certain products processed from
cereals;

Whereas, pursuant to that Regulation, when the
corrective amount is being fixed, account must be
taken of the existing situation and the future trend
with regard to prices and availabilities of cereals on the
Community market on the one hand and possibilities
and conditions for the sale of cereals and cereal
products on the world market on the other; whereas
the same Regulation provides that it is also important
to ensure equilibrium and the natural development of
prices and trade on cereal markets and, furthermore, to
take into account the economic aspect of exports and
the need to avoid disturbances on the Community
market;

Whereas for the products listed in Article 1 (c) of
Regulation (EEC) No 2727/75 account should be
taken of the specific criteria laid down in Article 2 (2)
of Regulation (EEC) No 1281/75;

Whereas the world market situation or the specific
requirements of certain markets may make it necessary
to vary the corrective amount according to desti-
nation;

Whereas the corrective amount must be fixed at the
same time as the refund and according to the same
procedure; whereas it may be altered in the period
between fixings;

Whereas it may be altered in the period between
fixings;

Whereas, if the system of corrective amounts is to
operate normally, corrective amounts should be calcu-
lated on the following basis:

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

Whereas it follows from applying the provisions set
out above that the corrective amount must be as set
out in the Annex hereto;

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

⁽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 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 273, 29. 9. 1978, p. 1.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

HAS ADOPTED THIS REGULATION:

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 24 April 1981.

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

Done at Brussels, 23 April 1981.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

to the Commission Regulation of 23 April 1981 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
0.01 A	Common wheat, and meslin for export to:							
	— USSR	—	—	—	—	—	—	—
	— China	0	+ 5.00	+ 5.00	0	— 5.00	—	—
	— other third countries	0	0	0	0	— 5.00	—	—
0.01 B	Durum wheat	0	0	0	—	—	—	—
0.02	Rye	0	0	0	—	—	—	—
0.03	Barley for export to:							
	— USSR	—	—	—	—	—	—	—
	— other third countries	0	0	0	0	— 5.00	—	—
0.04	Oats	0	0	0	—	—	—	—
0.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
0.07 C	Grain sorghum	—	—	—	—	—	—	—
1.01 A	Common wheat flour	0	0	0	0	0	—	—
1.01 B	Rye flour	0	0	0	0	0	—	—
1.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	—	—
1.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

