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Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 1485/81 of 2 June 1981 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 1486/81 of 2 June 1981 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 1487/81 of 27 May 1981 on the delivery of a consignment of butter as food aid to India	5
Commission Regulation (EEC) No 1488/81 of 2 June 1981 fixing the minimum selling prices for boned beef put up for sale by tender in accordance with Regulation (EEC) No 1087/81	9
Commission Regulation (EEC) No 1489/81 of 2 June 1981 altering the basic amount of the import levy on syrups and certain other sugar products	11
Commission Regulation (EEC) No 1490/81 of 2 June 1981 fixing the import levies on white sugar and raw sugar	12
Commission Regulation (EEC) No 1491/81 of 2 June 1981 altering the import levies on products processed from cereals and rice	13

II *Acts whose publication is not obligatory*

Commission

81/368/Euratom, ECSC, EEC :

★ Commission Decision of 27 April 1981 concerning requests for authorization submitted by Ireland pursuant to Article 13 (2) of Regulation (EEC, Euratom, ECSC) No 2892/77 concerning own resources accruing from value added tax	15
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(Continued overleaf)

81/369/EEC :

Commission Decision of 11 May 1981 amending Commission Decision 80/1207/EEC and increasing to 1 663 000 tonnes the quantity of common wheat of breadmaking quality held by the French intervention agency for which a standing invitation to tender for export has been opened 18

81/370/EEC :

Commission Decision of 11 May 1981 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 995/81, the maximum amounts for the supply of butteroil as food aid 20

81/371/EEC :

Commission Decision of 13 May 1981 fixing the maximum export refund for the 61st partial invitation to tender for white sugar issued under Regulation (EEC) No 561/80 21

81/372/EEC :

Commission Decision of 13 May 1981 fixing the maximum export refund for the 41st partial invitation to tender for raw beet sugar issued under Regulation (EEC) No 1216/80 22

81/373/EEC :

★ Commission Decision of 14 May 1981 establishing that the apparatus described as 'Arenberg-R. F. pulsed oscillator, model PG-655-C with accessories', may be imported free of Common Customs Tariff duties 23

81/374/EEC :

★ Commission Decision of 14 May 1981 establishing that the apparatus described as 'Nicolet-crystallographic system, model R3m', may not be imported free of Common Customs Tariff duties 24

81/375/EEC :

★ Commission Decision of 14 May 1981 establishing that the apparatus described as 'Andrew-Telesat TCTS 8-meter antenna, with electrospace-93C-ID mini tracking control system', may not be imported free of Common Customs Tariff duties 25

81/376/EEC :

Commission Decision of 15 May 1981 setting up an Advisory Committee on Sheepmeat and Goatmeat 26

81/377/EEC :

Commission Decision of 21 May 1981 appointing members of the Advisory Committee on Customs Matters 28

81/378/EEC :

★ Commission Decision of 1 June 1981 accepting undertakings offered by an exporter of tube and pipe joints of malleable cast iron originating in Brazil and terminating the proceeding concerning imports of the said products 29

Corrigenda

★ Corrigendum to Council Regulation (EEC) No 848/81 of 27 March 1981 laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200 nautical mile zone off the coast of the French department of Guyana (OJ No L 87, 1. 4. 1981). . 31

Corrigendum to Commission Regulation (EEC) No 1364/81 of 20 May 1981 postponing the date for the take-over and amending certain selling prices of beef and veal offered for sale by the intervention agencies under Regulation (EEC) No 984/81 (OJ No L 135, 22. 5. 1981). 31

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1485/81**of 2 June 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 1 June 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 3 June 1981.

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

Done at Brussels, 2 June 1981.

For the Commission

The President

Gaston THORN

⁽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 2 June 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	89.49
10.01 B	Durum wheat	107.37 ⁽¹⁾ ⁽²⁾
10.02	Rye	22.62 ⁽⁶⁾
10.03	Barley	66.52
10.04	Oats	28.12
10.05 B	Maize, other than hybrid maize for sowing	60.04 ⁽³⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	53.08 ⁽⁴⁾
10.07 C	Grain sorghum	62.31 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	140.28
11.01 B	Rye flour	46.69
11.02 A I a)	Durum wheat groats and meal	180.02
11.02 A I b)	Common wheat groats and meal	149.28

⁽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 1486/81

of 2 June 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 1 June 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 3 June 1981.

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

Done at Brussels, 2 June 1981.

For the Commission

The President

Gaston THORN

⁽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 2 June 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 6	1st period 7	2nd period 8	3rd period 9
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1487/81
of 27 May 1981
on the delivery of a consignment of butter as food aid to India

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 6 (7) thereof,

Having regard to Council Regulation (EEC) No
1312/80 of 28 May 1980 laying down general rules for
the supply of milk fats to certain developing countries
and specialized bodies under the 1980 food-aid
programme⁽³⁾, and in particular Article 7 thereof,

Whereas, under the food-aid programmes adopted by
the Council Regulations specified in the Annex, India
has requested the delivery of the quantity of butter set
out therein;

Whereas, therefore, delivery should be effected in
accordance with the rules laid down in Commission
Regulation (EEC) No 303/77 of 14 February 1977
laying down general rules for the supply of skimmed-
milk powder and butteroil as food aid⁽⁴⁾, as amended
by Regulation (EEC) No 3474/80⁽⁵⁾; whereas, in parti-
cular, the periods and terms for delivery and the
procedure to be followed by the intervention agencies
to establish the costs arising therefrom should be laid
down;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agency referred to in the Annex shall
arrange for delivery of the butter as food aid on the
special conditions set out in the Annex.

The provisions of Regulation (EEC) No 303/77
concerning the supply of butteroil shall apply as
follows:

- (a) with regard to checking that the quality and pack-
aging comply with the conditions laid down in
the Annex to this Regulation, the provisions of
Article 8 of Regulation (EEC) No 303/77 shall
apply;
- (b) with regard to application of the second subpara-
graph of Article 14 (1) of Regulation (EEC) No
303/77, the references there given shall be con-
sidered replaced by that given in note (2) in the
Annex to this Regulation;
- (c) the tendering security referred to in Article 15 (1)
of Regulation (EEC) No 303/77 shall amount to
39.65 ECU per tonne of butter.

Article 2

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

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

Done at Brussels, 27 May 1981.

For the Commission

Poul DALSAER

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 134, 31. 5. 1980, p. 14.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.

ANNEX (1)

Consignment	A	B	C
1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 1312/80 (1980 programme) (EEC) No 1313/80		
2. Beneficiary	}		
3. Country of destination			
4. Total quantity of the consignment	200 tonnes	100 tonnes	100 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12		
6. Origin of the butter	Bought on the Community market		
7. Special characteristics and/or packaging	See note (2)		
8. Markings on the packaging	'Butter supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community /' followed by :		
	'Bombay'		'Calcutta'
9. Delivery period	Delivery in July 1981		
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (2)		
11. Representative of the beneficiary responsible for reception			
12. Procedure to be applied to determine the costs of supply	Tender		
13. Expiry of the time limit for submission of tenders	12 noon on 15 June 1981		

Consignment	D	E	F
1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 1312/80 (1980 programme) (EEC) No 1313/80		
2. Beneficiary	India		
3. Country of destination	}		
4. Total quantity of the consignment	200 tonnes	100 tonnes	100 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12		
6. Origin of the butter	Bought on the Community market		
7. Special characteristics and/or packaging	See note (?)		
8. Markings on the packaging	'Butter supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community /' followed by : 'Bombay' 'Calcutta'		
9. Delivery period	Delivery in August 1981		Delivery in July 1981
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (?)		
11. Representative of the beneficiary responsible for reception			
12. Procedure to be applied to determine the costs of supply	Tender		
13. Expiry of the time limit for submission of tenders	12 noon on 15 June 1981		

Consignment	G	H
1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 1312/80 (1980 programme) (EEC) No 1313/80	
2. Beneficiary	India	
3. Country of destination	India	
4. Total quantity of the consignment	100 tonnes	100 tonnes
5. Intervention agency responsible for delivery	British	
6. Origin of the butter	Bought on the Community market	
7. Special characteristics and/or packaging	See note ⁽²⁾	
8. Markings on the packaging	'Butter / Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / Bombay'	'Butter / Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / Calcutta'
9. Delivery period	Delivery in June 1981	
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country ⁽¹⁾	
11. Representative of the beneficiary responsible for reception	—	
12. Procedure to be applied to determine the costs of supply	Mutual agreement	
13. Expiry of the time limit for submission of tenders	—	

Notes

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

⁽²⁾ The unsalted butter must be made from pasteurized fresh cream and contain no colouring matters or neutralizers. The butter must have no smell and must be of an even texture.

The butter must conform to the following technical specifications:

fat content: minimum 82 %,

water content: maximum 16 %,

non-fat dry matter content: maximum 1.5 %,

pH between 6 and 6.7.

The packaging must conform to the specifications laid down in Article 5 (2) and (3) of Regulation (EEC) No 685/69.

The butter must be transported at a temperature between — 18 and — 10 °C (0 and 14 °F).

Yeast and mould: below 20 per gram.

⁽³⁾ Delivery shall be deemed to have taken place and the risks shall pass from the successful tenderer to the recipient at the moment when the products have actually been lifted across the rails of the vessel at the port of shipment designated for delivery.

COMMISSION REGULATION (EEC) No 1488/81**of 2 June 1981****fixing the minimum selling prices for boned beef put up for sale by tender in
accordance with Regulation (EEC) No 1087/81**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
the Act of Accession of Greece ⁽²⁾, and in particular
Article 7 (3) thereof,

Whereas, pursuant to Article 9 of Commission Regula-
tion (EEC) No 2173/79 ⁽³⁾, the minimum selling
prices for meat put up for sale by tender should be
fixed taking into account tenders submitted;

Whereas, in accordance with Article 1 of Commission
Regulation (EEC) No 1087/81 ⁽⁴⁾, as amended by
Regulation (EEC) No 1312/81 ⁽⁵⁾, tenders have been
invited for certain quantities of boned beef and veal;
whereas, consequently, the minimum selling prices
should be fixed;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The minimum selling prices for boned beef
stored by the intervention agencies of France and
Ireland which are to be adopted for the invitation to
tender held in accordance with Regulation (EEC) No
1087/81, for which the time limit for the submission
of tenders was 18 May 1981, shall be as set out in the
Annex hereto.

2. Tenders submitted in response to the invitation
referred to in paragraph 1 shall be rejected unless they
are for the products listed in the Annex.

Article 2

This Regulation shall enter into force on 4 June 1981.

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

Done at Brussels, 2 June 1981.

For the Commission

The President

Gaston THORN

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁴⁾ OJ No L 113, 25. 4. 1981, p. 6.

⁽⁵⁾ OJ No L 130, 16. 5. 1981, p. 23.

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

IRELAND

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter Προϊόντα	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Ἐλάχιστες τιμές πωλήσεως Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton — ECU/τόνο
<i>Steers 1 and 2</i> Forequarters	1 718

COMMISSION REGULATION (EEC) No 1489/81**of 2 June 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⁾, and 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 1429/81 ⁽³⁾, as amended by Regulation (EEC) No 1482/81 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1429/81 to the

information 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, 0.1267 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 3 June 1981.

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

Done at Brussels, 2 June 1981.

For the Commission

The President

Gaston THORN

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 17.

⁽³⁾ OJ No L 142, 28. 5. 1981, p. 33.

⁽⁴⁾ OJ No L 144, 2. 6. 1981, p. 30.

COMMISSION REGULATION (EEC) No 1490/81
of 2 June 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 1439/81 ⁽³⁾,
as amended by Regulation (EEC) No 1476/81 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1439/81 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 Regu-
lation (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 3 June 1981.

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

Done at Brussels, 2 June 1981.

For the Commission

The President

Gaston THORN

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 17.

⁽³⁾ OJ No L 142, 28. 5. 1981, p. 55.

⁽⁴⁾ OJ No L 144, 2. 6. 1981, p. 19.

ANNEX

**to the Commission Regulation of 2 June 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	12.67 7.14 ⁽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.

COMMISSION REGULATION (EEC) No 1491/81

of 2 June 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 1406/81⁽⁶⁾, as last amended by Regulation (EEC) No 1475/81⁽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 1 June 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 1406/81 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 June 1981.

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

Done at Brussels, 2 June 1981.

For the Commission

The President

Gaston THORN

⁽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 141, 27. 5. 1981, p. 16.

⁽⁷⁾ OJ No L 144, 2. 6. 1981, p. 17.

⁽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 2 June 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
11.02 A II ⁽²⁾	47.82	41.78
11.02 B II b) ⁽²⁾	33.89	30.87
11.02 C II ⁽²⁾	40.16	37.14
11.02 D II ⁽²⁾	26.69	23.67
11.02 E II b) ⁽²⁾	47.82	41.78
11.02 F II ⁽²⁾	47.82	41.78

⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 April 1981

concerning requests for authorization submitted by Ireland pursuant to Article 13 (2) of Regulation (EEC, Euratom, ECSC) No 2892/77 concerning own resources accruing from value added tax

(Only the English text is authentic)

(81/368/Euratom, ECSC, EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

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

Having regard to Council Decision 70/243/ECSC, EEC, Euratom of 21 April 1970 on the replacement of financial contributions from Member States by the Communities own resources ⁽¹⁾,

Having regard to Council Regulation (EEC, Euratom, ECSC) No 2892/77 of 19 December 1977 implementing in respect of own resources accruing from value added tax the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources ⁽²⁾, and in particular Article 5 (3) (b), the first subparagraph of Article 9 (3) and Article 13 (2),

Having regard to the requests for authorization submitted by Ireland,

Whereas Ireland applies the method laid down in Title III, Section A, of Regulation (EEC, Euratom,

ECSC) No 2892/77 for calculating the basis for value added tax own resources, hereinafter referred to as 'VAT resources', for a given year;

Whereas, when the information contained in the returns of taxable persons does not enable the VAT resources basis to be determined with precision, and if the margin of error is not negligible, the Member States may, under Article 5 (3) of Regulation (EEC, Euratom, ECSC) No 2892/77 and in accordance with the procedure laid down in Article 13 of that Regulation, be authorized to apply to the information obtained from the returns a correcting factor calculated from appropriate data in order to determine the VAT resources basis in a way which will permit only a negligible margin of error;

Whereas in Ireland the margin of error as regards the information contained in returns relating to zero-rated transactions is not negligible; whereas, therefore, a correcting factor should be applied to it;

Whereas, with regard to the transactions referred to in Article 9 (2) of Regulation (EEC, Euratom, ECSC) No 2892/77, the Member States determine the VAT resources basis, in accordance with paragraph 1 of that Article, from returns to be furnished by taxable persons in accordance with Article 22 of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 19.

⁽²⁾ OJ No L 336, 27. 12. 1977, p. 8.

added tax : uniform basis of assessment⁽¹⁾ (hereinafter called the 'Sixth Directive') and, when there is no return, or the return does not contain the necessary information, from appropriate data such as other tax returns, professional accounts and complete statistical series; whereas, under the first indent of the first subparagraph of Article 9 (3) of that Regulation, they may be authorized in certain circumstances not to take into account, in calculating the VAT resources basis, one or more of the categories of transactions listed in Annexes E, F and G to the Sixth Directive to which Article 9 (2) of that Regulation applies or, under the second indent of the first subparagraph of Article 9 (3) of the Regulation, to calculate the corresponding VAT resources basis by using approximate estimates;

Whereas Ireland has submitted to the Commission such requests for authorization in cases where it considers that precise calculations of the VAT resources basis would be likely to involve administrative burdens which would be unjustified in relation to the effect of the transactions in question on the total VAT resources basis of that Member State;

Whereas in Ireland the services supplied by dental technicians and dental prostheses supplied by dental technicians are taxed, but the Irish authorities are not in possession of accurate data concerning the taxation of such supplies;

Whereas in Ireland the supply of buildings or parts thereof and of the land on which they stand, other than supplies specified in Article 4, paragraph 3 (a), of the Sixth Directive, by taxable persons who are entitled to deduction of imput taxes is taxed, but the transactions cannot be identified; whereas in Ireland the supply of goods to approved bodies which export them as part of their humanitarian, charitable or teaching activities abroad is taxed but generally involves small quantities the value of which is difficult to assess;

Whereas in Ireland the services supplied by accountants are exempt, but, services of this kind supplied to persons other than taxable persons entitled to deduction of imput taxes must be very rare;

Whereas in Ireland debt collection is exempt, but is mainly connected with the activities of taxable persons entitled to deduction of imput taxes;

Whereas the Commission acknowledges that, as regards these requests by Ireland, accurate calculation

of the VAT resources would be likely to involve burdens which would be unjustified in relation to the effect of the transactions in question on the total VAT resources basis of that Member State;

Whereas Ireland should be authorized, therefore, under the first indent of the first subparagraph of Article 9 (3) of Regulation (EEC, Euratom, ECSC) No 2892/77 not to take into account, when calculating the VAT resources basis, the categories of transactions listed in Annexes E and F to the Sixth Directive, which would require the abovementioned calculation to be made;

Whereas in Ireland the supply of goods dispatched or transported to a destination outside the territory of the country, as defined in Article 3 of the Sixth Directive, by or on behalf of a purchaser not established within the territory of the country is taxed; whereas, however, the Irish authorities may assess the relevant basis from statistics available to the Irish Tourist Board;

Whereas in Ireland admission to sporting events is exempt, but it is possible to constitute the relevant VAT resources basis from approximate data supplied by the Central Statistics Office, sporting federations and taxation authorities;

Whereas in Ireland the services supplied by lawyers and actuaries are exempt, but the value of these services may be obtained from professional associations;

Whereas in Ireland the supply of greyhounds is exempt, but it is possible to use national statistics to constitute the relevant VAT resources basis;

Whereas in Ireland the services supplied by undertakers and cremation services, together with goods related thereto, are exempt, but the Central Statistics Office can provide the necessary data for constituting the relevant VAT resources basis;

Whereas in Ireland the treatment of animals by veterinary surgeons is exempt, but it is possible to constitute the relevant VAT resources basis from a survey conducted by the National Prices Commission;

Whereas in Ireland the services of travel agents referred to in Article 26 of the Sixth Directive and those of travel agents acting in the name and on account of the traveller for journeys within the Community are exempt, but it is possible to constitute the relevant VAT resources basis from trade figures;

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

Whereas Ireland should be authorized, under the second indent of the first subparagraph of Article 9 (3) of Regulation (EEC, Euratom, ECSC) No 2892/77, to use approximate estimates in respect of these requests for calculating its VAT resources basis;

Whereas, in the early years of implementation of the Sixth Directive, authorization should be granted annually;

Whereas the Advisory Committee on Own Resources has approved the report in which are recorded the opinions of its members of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

In order to enable a VAT resources basis for 1980 to be calculated with only a negligible margin of error, Ireland is hereby authorized, pursuant to Article 5 (3) (b) of Regulation (EEC, Euratom, ECSC) No 2892/77, to apply to the information contained in the returns referred to in Article 22 (4) of the Sixth Directive a correcting factor relating to inputs and outputs relating to transactions which are eligible for exemption with refunds of input taxes.

Article 2

When calculating the VAT resources basis for 1980, Ireland is hereby authorized, pursuant to the first indent of the first subparagraph of Article 9 (3) of Regulation (EEC, Euratom, ECSC) No 2892/77, not to take into account the following categories of transactions listed in Annexes E and F to the Sixth Directive:

1. transactions by dental technicians referred to in Article 13 A (1) (e) of the Sixth Directive (Annex E, ex point 2);
2. supplies covered by Article 13 (B) (g) in so far as they are made by taxable persons who are entitled to deduction of input tax on the building concerned (Annex E, point 11);
3. supplies referred to in Article 15, point 12, of the Sixth Directive (Annex E, point 14);

4. services supplied by accountants (Annex F, ex point 2);

5. debt collection (Annex F, point 14).

Article 3

When calculating the VAT resources basis for 1980, Ireland is hereby authorized, pursuant to the second indent of the first subparagraph of Article 9 (3) of Regulation (EEC, Euratom, ECSC) No 2892/77, to use approximate estimates to calculate the basis for the following categories of transactions referred to in Annexes E and F to the Sixth Directive;

1. supplies of goods referred to in Article 15, point 2, of the Sixth Directive (Annex E, point 12);
2. admission to sporting events (Annex F, point 1);
3. services supplied by lawyers and actuaries (Annex F, ex point 2);
4. supply of greyhounds (Annex F, ex point 4);
5. services supplied by undertakers and cremation services, together with goods related thereto (Annex F, point 6);
6. treatment of animals by veterinary surgeons (Annex F, point 9);
7. the services of travel agents referred to in Article 26 of the Sixth Directive and those of travel agents acting in the name and on account of the traveller, for journeys within the Community (Annex F, point 27).

Article 4

This Decision is addressed to Ireland.

Done at Brussels, 27 April 1981.

For the Commission

Christopher TUGENDHAT

Vice-President

COMMISSION DECISION

of 11 May 1981

amending Commission Decision 80/1207/EEC and increasing to 1 663 000 tonnes the quantity of common wheat of breadmaking quality held by the French intervention agency for which a standing invitation to tender for export has been opened

(Only the French text is authentic)

(81/369/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⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1146/76 of 17 May 1976 on particular and special intervention measures for cereals⁽³⁾,

Whereas the amended Commission Decision 80/1207/EEC of 5 December 1980⁽⁴⁾ opened a standing invitation to tender for the export of 1 230 000 tonnes of common wheat of breadmaking quality held by the French intervention agency;

Whereas in a communication of 5 May 1981 the French Republic informed the Commission of the intention of its intervention agency to increase by 433 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of common wheat of breadmaking quality held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 663 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of exit points and of regions and quantities in store; whereas the Annex to Decision 80/1207/EEC must therefore be amended;

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

Article 2 of Decision 80/1207/EEC is amended as follows:

Article 2

1. The invitation to tender shall relate to a quantity of 1 663 000 tonnes of common wheat of breadmaking quality.
2. The regions in which the 1 663 000 tonnes of common wheat of breadmaking quality is stored are listed in the Annex hereto.

Article 2

The Annex to Decision 80/1207/EEC is replaced by the Annex to the present Decision.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 11 May 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 130, 19. 5. 1976, p. 1.

⁽⁴⁾ OJ No L 369, 31. 12. 1980, p. 29.

ANNEX

<i>Place of storage</i>	<i>Quantity (tonnes)</i>
I. FRANCE	
Administrative regions :	
Alsace	31 900
Aquitaine	31 487
Champagne-Ardenne	248 299
Haute-Normandie	11 129
Île-de-France	225 078
Pays de Loire	51 659
Rhône-Alpes	27 000
Nord	84 000
Picardie	161 000
Lorraine	45 600
Centre	225 000
Paris	96 500
Pyrénées-Languedoc	50 000
Bourgogne	34 000
II. BELGIUM AND THE NETHERLANDS	
Marketing centre :	
Ghent	234 036
Ghlin	27 759
Ruisbroek	39 920
Rotterdam	37 710

COMMISSION DECISION

of 11 May 1981

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 995/81, the maximum amounts for the supply of butteroil as food aid

(81/370/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⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 995/81 of 6 April 1981 on the delivery of various consignments of butteroil as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the manufacture and the costs of delivery as food aid of 5 300 tonnes of butteroil for certain third countries and beneficiary organizations;

Whereas, in pursuance of Article 14 (2) of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, as last amended by Regulation (EEC) No 3474/80⁽⁵⁾, the tender introduced for Lots C and M may be a part-quantity of 500 tonnes or a multiple of 500 tonnes of the whole of the lot concerned;

Whereas Article 16 of the aforementioned Regulation lays down that, on the basis of tenders received, a maximum amount shall be fixed for each lot put up for tender or it shall be decided not to proceed with the tender;

Whereas, on the basis of tenders received, the maximum amounts shall be fixed as follows;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 995/81 shall be fixed as follows:

— Lot C:	2 038 621 ECU (NL) ⁽⁶⁾
	2 043 281 ECU (F) ⁽⁶⁾
— Lot D:	1 694 673 ECU (F)
— Lot E:	1 681 329 ECU (F)
— Lot K:	2 085 126 ECU (B)
— Lot L:	2 085 126 ECU (B)
— Lot M:	2 030 771 ECU (F) ⁽⁶⁾
— Lot N:	1 959 048 ECU (F).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 May 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1980, p. 17.

⁽³⁾ OJ No L 104, 15. 4. 1981, p. 1.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.

⁽⁶⁾ For a part-quantity of 500 tonnes.

COMMISSION DECISION

of 13 May 1981

**fixing the maximum export refund for the 61st partial invitation to tender for
white sugar issued under Regulation (EEC) No 561/80**

(81/371/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 3455/80⁽²⁾, and in particular
Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 561/80 of
5 March 1980 on a standing invitation to tender to
determine levies and/or refunds on export of white
sugar⁽³⁾, as last amended by Regulation (EEC) No
3274/80⁽⁴⁾, requires partial invitations to tender to be
issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC)
No 561/80, a maximum export refund shall be fixed,
as the case may be, account being taken in particular
of the state and foreseeable development of the
Community and world markets in sugar, for the
partial invitation to tender in question;

Whereas, following an examination of the tenders
submitted in response to the 61st partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum export refund for the 61st partial invi-
tation to tender for white sugar issued under Regula-
tion (EEC) No 561/80 is hereby fixed at 19.589 ECU
per 100 kg.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 May 1981.

For the Commission

Poul DALSAER

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 61, 6. 3. 1980, p. 18.

⁽⁴⁾ OJ No L 343, 18. 12. 1980, p. 13.

COMMISSION DECISION

of 13 May 1981

fixing the maximum export refund for the 41st partial invitation to tender for
raw beet sugar issued under Regulation (EEC) No 1216/80

(81/372/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar ⁽¹⁾, as last amended by
Regulation (EEC) No 3455/80 ⁽²⁾, and in particular
Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 1216/80
of 14 May 1980 on a standing invitation to tender to
determine levies and/or refunds on export of raw beet
sugar ⁽³⁾, as amended by Regulation (EEC) No
3274/80 ⁽⁴⁾, requires partial invitations to tender to be
issued for the export of this sugar;

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

Whereas following an examination of the tenders
submitted in response to the 41st partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the 41st partial invi-
tation to tender for raw beet sugar issued under Regu-
lation (EEC) No 1216/80 is hereby fixed at 17.941
ECU per 100 kg.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 May 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 122, 15. 5. 1980, p. 29.

⁽⁴⁾ OJ No L 343, 18. 12. 1980, p. 13.

COMMISSION DECISION

of 14 May 1981

establishing that the apparatus described as 'Arenberg-R. F. pulsed oscillator, model PG-655-C with accessories', may be imported free of Common Customs Tariff duties

(81/373/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾, as amended by Regulation (EEC) No 1027/79 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 4 November 1980, the United Kingdom has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Arenberg-R. F. pulsed oscillator, model PG-655-C with accessories', to be used for research involving the measurement of the speed of ultrasonic waves in new materials of physical interest, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 26 March 1981 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is an oscillator;

Whereas its objective technical characteristics such as the power and the use to which it is put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Arenberg-R. F. pulsed oscillator, model PG-655-C with accessories', which is the subject of an application by the United Kingdom of 4 November 1980, may be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 May 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 14 May 1981

establishing that the apparatus described as 'Nicolet-crystallographic system, model R3m', may not be imported free of Common Customs Tariff duties

(81/374/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾, as amended by Regulation (EEC) No 1027/79 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 30 October 1980, the United Kingdom has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Nicolet-crystallographic system, model R3m', to be used for research into X-ray structural studies of molecular constitution, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7(5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 26 March 1981 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a computer-controlled diffractometer;

Whereas its objective technical characteristics such as the accuracy of the data relating to the study of mole-

cular constitution and the use to which it is put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'CAD4SDP' manufactured by Enraf-Nonius, Röntgenweg 1, NL-Delft,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Nicolet-crystallographic system, model R3m', which is the subject of an application by the United Kingdom of 30 October 1980, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 May 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 14 May 1981

establishing that the apparatus described as 'Andrew-Telesat TCTS 8-meter antenna, with electrospace-93C-ID mini tracking control system', may not be imported free of Common Customs Tariff duties

(81/375/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾, as amended by Regulation (EEC) No 1027/79 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 28 November 1980, the Netherlands has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Andrew-Telesat TCTS 8-meter antenna, with electrospace-93C-ID mini tracking control system', to be used for the development of propagation models for telecommunications purposes, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 26 March 1981 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is an antenna;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Andrew-Telesat TCTS 8-meter antenna, with electrospace-93C-ID mini tracking control system', which is the subject of an application by the Netherlands of 28 November 1980, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 May 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 15 May 1981

setting up an Advisory Committee on Sheepmeat and Goatmeat

(81/376/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Whereas Council Regulation (EEC) No 1837/80⁽¹⁾
instituted a common organization of the market in
sheepmeat and goatmeat;

Whereas it is important for the Commission to obtain
the opinions of the various professional interests
concerned and of consumers on any difficulties that
may arise in the application of this Regulation;

Whereas the various professional associations of
farmers, of processors and manufacturers, of traders
and of workers and the consumers' organizations in
the Member States have set up organizations to repre-
sent them at Community level,

HAS DECIDED AS FOLLOWS:

Article 1

1. There shall be attached to the Commission an
Advisory Committee on Sheepmeat and Goatmeat,
hereinafter called 'the Committee'.
2. The Committee shall be composed of representa-
tives of the following interests: farmers, cooperatives,
the processing and food-manufacturing industries,
traders in agricultural produce and foodstuffs, agricul-
tural workers and workers in the processing and food-
manufacturing industries, consumers.

Article 2

1. The Committee may be consulted by the
Commission on any problem concerning the opera-
tion of the Regulations on the common organization
of the market in sheepmeat and goatmeat and in parti-
cular on measures to be adopted by the Commission
under those Regulations.

2. The chairman of the Committee may indicate to
the Commission the desirability of consulting the
Committee on any matter within the latter's compe-
tence on which its opinion has not been sought.

He shall do so in particular at the request of any of
the interests represented.

Article 3

1. The Committee shall consist of 28 members.
2. Seats on the Committee shall be apportioned as
follows:
 - (a) nine to sheep farmers;
 - (b) five to livestock and meat cooperatives and
processing cooperatives;
 - (c) one to the meat industry;
 - (d) two to the livestock trade;
 - (e) two to the wholesale meat trade;
 - (f) two to the meat distribution trade;
 - (g) three to agricultural workers and workers in the
processing and food-manufacturing industries;
 - (h) four to consumers.

Article 4

1. Members of the Committee shall be appointed
by the Commission on proposals from the profes-
sional organizations set up at Community level which
are most representative of the interests specified in
Article 1 (2) and whose activities come within the
scope of the common organization of the market in
sheepmeat and goatmeat. However, consumers' repre-
sentatives shall be appointed on proposals from the
Consumers' Advisory Committee.

For each seat to be filled, those bodies shall put
forward the names of two candidates of different
nationality.

2. The term of office for members of the
Committee shall be three years. Their appointments
may be renewed. Members shall not be remunerated
for their services.

After expiry of the three years members of the
Committee shall remain in office until they are
replaced or until their appointments are renewed.

A member's term of office may be terminated before
expiry of the three years by death or resignation.

It may also be terminated where the body which nomi-
nated the member requests that he be replaced.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

A member whose appointment has been terminated shall be replaced for the remainder of his term of office in accordance with the procedure laid down in paragraph 1.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a chairman and two vice-chairmen for a period of three years.

The Committee may, by the same majority, elect further officers from among the other members. In that case, the officers other than the chairman shall include at most one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working parties to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at the place where the Commission has its seat. Meetings of the officers shall be convened by the chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working parties.

3. Secretarial services for the Committee, its officers and working parties shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken at the outcome of such discussions. The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report. The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council or to the Management Committees, at the request of the latter.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working parties.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.

This Decision shall enter into force on 15 May 1981.

Done at Brussels, 15 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION DECISION

of 21 May 1981

appointing members of the Advisory Committee on Customs Matters

(81/377/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece⁽¹⁾, and in particular Article 142 (2) thereof,

Having regard to Commission Decision 73/351/EEC of 7 November 1973 setting up an Advisory Committee on Customs Matters⁽²⁾, as last amended by Decision 81/342/EEC of 5 May 1981⁽³⁾, and in particular Article 5 thereof,

Whereas Article 142 (2) of the Act of Accession of Greece provides that, upon accession, the membership of the Committees listed in Annex X of the said Act shall be completely renewed; whereas the Advisory Committee on Customs Matters is among those listed in Annex X;

Whereas it is for the Commission to appoint new members of the Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be appointed members of the advisory Committee on Customs Matters for a period of three years:

- Messrs Field (United Kingdom), Glain (France), Kulla (Federal Republic of Germany) and Poot (Netherlands), representatives of industry,
- Mr De Santis (Italy), representative of craft industry,
- Messrs Rosiny (Federal Republic of Germany), Silveri (Italy) and Terdjmann (France), representatives of agriculture,
- Messrs Droog (Netherlands), Lohr (France), Tucker (United Kingdom) and Vahenhorst (Federal Republic of Germany), representatives of commercial organizations,
- Messrs Bagge (France) and Bongartz (Federal Republic of Germany), Miss Bruce (United Kingdom)

- and Mr Frontoni (Italy), representatives of Chambers of Commerce and Industry,
- Mr Gerecke (Federal Republic of Germany), representative rail transport,
- Mr Röckmann (Federal Republic of Germany), representative of road transport,
- Mr Parkinson (United Kingdom), representative of shipping,
- Mr de Bakker (Netherlands), representative of inland waterways transport,
- Mr Van Bogaert (Belgium), representative of air transport,
- Mr Matthews (United Kingdom), representative of banking institutions,
- Mr Petrucco (Italy), representative of insurance institutions,
- Messrs Budry (France), Dassonville (Belgium) and Mac Farlane (United Kingdom), representatives of customs agents,
- Messrs Heris (Belgium) and Whitaker (United Kingdom), representatives of tourist boards,
- Messrs Cazarre (France) and Christopher (United Kingdom), Mrs Samoulian (Belgium) and Mr Wehner (Federal Republic of Germany), representatives of workers,
- Messrs Lynch (Ireland), Ravn (Denmark) and Wroblewski (Federal Republic of Germany), representatives of consumers,
- Messrs Kanatsoulis (Greece) and Müller (Federal Republic of Germany), representatives of other parties concerned with customs problems.

Article 2

This Decision shall enter into force on 25 May 1981.

Done at Brussels, 21 May 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽²⁾ OJ No L 321, 22. 11. 1973, p. 37.

⁽³⁾ OJ No L 133, 20. 5. 1981, p. 31.

COMMISSION DECISION

of 1 June 1981

accepting undertakings offered by an exporter of tube and pipe joints of malleable cast iron originating in Brazil and terminating the proceeding concerning imports of the said products

(81/378/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the Community⁽¹⁾, and in particular Articles 9 and 10 thereof,

Following consultation within the Advisory Committee set up under Regulation (EEC) No 3017/79,

Whereas, on 16 July 1980, the Commission received a complaint lodged by the European Malleable Tube Fittings Development Association on behalf of the vast majority of Community manufacturers of tube and pipe joints of malleable cast iron; whereas the complaint contained evidence of the existence of dumping in respect of like products originating in Brazil, and of material injury resulting therefrom;

Whereas, since the said evidence was sufficient to justify the initiation of proceedings, the Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of a proceeding concerning imports of tube and pipe joints of malleable cast iron originating in Brazil, and commenced an investigation of the matter at Community level;

Whereas the Commission officially so advised the exporters and importers known to be concerned as well as the representatives of Brazil;

Whereas the Commission has given the parties directly concerned the opportunity to make known their views in writing, to be heard orally and to meet so that opposing views might be presented and rebuttal arguments put forward;

Whereas the main importers and the Brazilian exporter concerned have taken this opportunity;

Whereas, in the course of this proceeding, the Commission sought and verified all information it

deemed to be necessary and carried out investigations at the premises of the sole Brazilian exporter, Fundicao Tupy SA — Joinville (Santa Catarina); whereas the Commission also carried out an investigation at the premises of the Community producers most concerned and of certain importers;

Whereas, to make an examination of the existence of dumping by the Brazilian exporter, the Commission compared the export prices of cast iron joints to the Community in the period 1 September 1979 to 31 October 1980 with the weighted average prices ruling on the Brazilian domestic market; whereas these comparisons were made at ex-factory level;

Whereas, since the margins of dumping vary considerably depending on the type of joint, weighted average margins had to be established;

Whereas the preliminary examination of the facts shows the existence of dumping in respect of imports of the products in question originating in Brazil, the margin of dumping recorded in the latter months of the export period covered by the Commission's investigation having been as follows: 5.8 % for exports to Italy, 14.4 % for exports to France, 8.5 % for exports to Belgium and 9.6 % for exports to Germany;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that the market share of imports from Brazil in the Community increased from 2 % in 1976 to 5 % in 1979; whereas during the same period the share of imports from Brazil in the market in Italy, the Member State most affected by these imports, rose from 2 % to 9 %;

Whereas the resale prices of the products imported from Brazil are approximately 20 % lower than those of the Community producers most affected, namely the Italian producers;

Whereas the Community industry has experienced a drop in production from approximately 62 000 tonnes in 1977 to approximately 58 300 tonnes in 1979, under-utilization of its capacity, a fall in its share of

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 249, 26. 9. 1980, p. 2.

the European market over the same period from 71 % to 62 % and a reduction in profits or the emergence of losses ;

Whereas injuries caused by other factors which could adversely affect the Community industry, such as the volume and prices of other imports, from Japan and Taiwan in particular, or the overall demand for malleable cast iron joints, have been examined and any adverse effects caused by these factors have not been attributed to the dumped imports, which must in themselves be considered to have caused material injury ;

Whereas, in view of the foregoing, the preliminary examination of the facts shows the existence of dumping in respect of imports from Brazil and there is sufficient evidence of consequent material injury ;

Whereas the Brazilian exporter was informed of the findings of the investigation and commented on them ; whereas undertakings were offered by the said exporter in respect of exports to the Community ; whereas the effect of these undertakings will be to increase export prices to the Community to levels eliminating but not exceeding the margin of dumping ;

Whereas the Commission has therefore determined that it is not now necessary to take protective action

in respect of imports originating in Brazil and has decided to accept the undertakings offered and to terminate the proceeding without the imposition of anti-dumping duties,

HAS DECIDED AS FOLLOWS :

Article 1

The Commission hereby accepts the undertakings given in connection with the anti-dumping proceeding concerning malleable cast iron joints ⁽¹⁾, originating in Brazil.

Article 2

The anti-dumping proceeding concerning imports of malleable cast iron joints originating in Brazil is hereby terminated.

Done at Brussels, 1 June 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ Subheading 73.20 B of the Common Customs Tariff ; NIMEXE code 73.20-30.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 848/81 of 27 March 1981 laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200 nautical mile zone off the coast of the French department of Guyana

(Official Journal of the European Communities No L 87 of 1 April 1981)

Page 5, Annex I, Section 2 :

Section 2 shall be replaced by the following :

'2. Licences referred to in Article 4 :

Vessels flying the flag of	Quantity of authorized catches in tonnes	Maximum number of vessels with a licence	Maximum number of days at sea
Barbados	24	5	200
Guyana	24	5	200
Surinam	144	18	1 200
Trinidad and Tobago	76	10	600'

Corrigendum to Commission Regulation (EEC) No 1364/81 of 20 May 1981 postponing the date for the take-over and amending certain selling prices of beef and veal offered for sale by the intervention agencies under Regulation (EEC) No 984/81

(Official Journal of the European Communities No L 135 of 22 May 1981)

Page 20, Annex, DANMARK, second indent, Kvier 1 :

for: '240,100',

read: '240,400'.

