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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1652/81

of 28 April 1981

amending Council Regulations (EEC) No 1311/80 and (EEC) No 1313/80 on the supply of skimmed-milk powder and milk fats respectively to certain developing countries and specialized bodies under the food-aid programmes

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1310/80 of 28 May 1980 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and specialized bodies under the 1980 programme⁽¹⁾, and in particular Articles 3 and 7 thereof, and also 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⁽²⁾, and in particular Articles 3 and 8 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1311/80⁽³⁾ provides for the allocation of 700 tonnes of skimmed-milk powder to El Salvador and Council Regulation (EEC) No 1313/80⁽⁴⁾ provides for the allocation of 200 tonnes of butteroil to El Salvador; whereas, since these quantities could not be delivered, they should be returned to the reserves of these programmes;

Whereas the ICRC and CRS have made an application for food aid for the suffering population of El Salvador; whereas the applications of these organizations should be granted by according 200 tonnes of skimmed-milk powder to the ICRC and 500 tonnes of skimmed-milk powder as well as 200 tonnes of butteroil to the CRS; whereas these quantities should be drawn from the reserves of the 1980 programmes;

Whereas the Annexes to the said Regulations should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annexes to Regulations (EEC) No 1311/80 and (EEC) No 1313/80 are hereby amended as indicated in the Annex to this Regulation.

Article 2

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

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

Done at Luxembourg, 28 April 1981.

For the Council

The President

J. de KONING

⁽¹⁾ OJ No L 134, 31. 5. 1980, p. 10.

⁽²⁾ OJ No L 134, 31. 5. 1980, p. 14.

⁽³⁾ OJ No L 134, 31. 5. 1980, p. 12.

⁽⁴⁾ OJ No L 134, 31. 5. 1980, p. 16.

ANNEX

Annex to :

- Regulation (EEC) No 1311/80
 - delete : El Salvador
 - amend : ICRC 3 200 tonnes instead of 3 000 tonnes
 - add : CRS 500 tonnes
 - Regulation (EEC) No 1313/80
 - delete : El Salvador
 - add : CRS 200 tonnes
-

COUNCIL REGULATION (EEC) No 1653/81**of 28 April 1981****on the supply of skimmed-milk powder as emergency food aid for the people of
China, under Regulation (EEC) No 1310/80**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 1310/80 of
28 May 1980 laying down general rules for the supply
of skimmed-milk powder as food aid to certain devel-
oping countries and specialized agencies under the
1980 programme⁽¹⁾, and in particular Article 7
thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1311/80 of 28
May 1980 on the supply of skimmed-milk powder to
certain developing countries and specialized bodies
under the 1980 food-aid programme⁽²⁾, provides for a
reserve of 6 565 tonnes of skimmed-milk powder;
whereas quantities are still available under this
reserve;

Whereas the Commission has received a request for
emergency food aid for the people of China in the
form of skimmed-milk powder; whereas the needs
warrant food aid from the Community,

HAS ADOPTED THIS REGULATION :

Article 1

Of the quantities of skimmed-milk powder still avail-
able under the reserve provided for by Regulation
(EEC) No 1311/80, 2 000 tonnes shall be allocated as
emergency food aid for the people of China.

Article 2

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

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

Done at Luxembourg, 28 April 1981.

For the Council

The President

J. de KONING

⁽¹⁾ OJ No L 134, 31. 5. 1980, p. 10.

⁽²⁾ OJ No L 134, 31. 5. 1980, p. 12.

COMMISSION REGULATION (EEC) No 1654/81

of 22 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 19 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 23 June 1981.

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

Done at Brussels, 22 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 22 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	90.73
10.01 B	Durum wheat	115.82 ⁽¹⁾ ⁽²⁾
10.02	Rye	18.59 ⁽⁶⁾
10.03	Barley	73.86
10.04	Oats	23.15
10.05 B	Maize, other than hybrid maize for sowing	62.44 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	53.44 ⁽⁴⁾
10.07 C	Grain sorghum	61.51 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	141.14
11.01 B	Rye flour	41.05
11.02 A I a)	Durum wheat groats and meal	193.12
11.02 A I b)	Common wheat groats and meal	150.21

⁽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 1655/81

of 22 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 19 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 23 June 1981.

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

Done at Brussels, 22 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 22 June 1981 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 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	1.88	1.88	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 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	3.35	3.35	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	2.50	2.50	0	0
11.07 B	Roasted malt	0	2.91	2.91	0	0

COMMISSION REGULATION (EEC) No 1656/81**of 22 June 1981****amending Regulation (EEC) No 2819/79 making the importation of certain textile products originating in certain third countries subject to Community surveillance**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by Regulation (EEC) No 2819/79 ⁽²⁾, as extended by Regulation (EEC) No 2936/80 ⁽³⁾, the Commission made the importation of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas the reasons which justified the introduction of these measures in respect of imports from the Mediterranean countries which had signed Agreements

establishing preferential arrangements with the Community no longer exist with regard to certain imports originating in Spain; whereas those measures should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 2819/79, the entries relating to categories 12, 25, 28 and 31 are hereby deleted.

Article 2

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

It shall apply until 31 December 1981.

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

Done at Brussels, 22 June 1981.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

⁽²⁾ OJ No L 320, 15. 12. 1979, p. 9.

⁽³⁾ OJ No L 305, 14. 11. 1980, p. 12.

COMMISSION REGULATION (EEC) No 1657/81**of 22 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 last amended by Regulation (EEC) No 1650/81⁽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, 0.1473 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 23 June 1981.

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

Done at Brussels, 22 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 164, 20. 6. 1981, p. 20.

COMMISSION REGULATION (EEC) No 1658/81
of 22 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 last amended by Regulation (EEC) No 1651/81 ⁽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 Regulation (EEC) No 3330/74 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 June 1981.

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

Done at Brussels, 22 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 164, 20. 6. 1981, p. 21.

ANNEX

to the Commission Regulation of 22 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	14.73
	B. Raw sugar	10.25 ⁽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.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 10 June 1981

derogating in favour of the Italian Republic from Directive 73/403/EEC on the
synchronization of general population censuses

(81/421/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 213
thereof,

Having regard to the proposal from the Commission,

Whereas Council Directive 73/403/EEC of 22
November 1973 on the synchronization of general
population censuses⁽¹⁾ stipulates that Member States
shall conduct a general population census on a date
between 1 March and 31 May 1981;

Whereas serious administrative difficulties, which
could not have been foreseen at the time when the
Directive was adopted, have arisen in the Italian
Republic and prevent the proper conduct of the
census during that period;

Whereas it is proposed to conduct the said general
population census in the Italian Republic between
1 September and 31 December 1981,

HAS ADOPTED THIS DIRECTIVE:

Article 1

By way of derogation from Article 1 of Directive
73/403/EEC, the Italian Republic shall conduct the
general population census during the period between
1 September and 31 December 1981.

Article 2

This Directive is addressed to the Member States.

Done at Luxembourg, 10 June 1981.

For the Council

The President

W. ALBEDA

⁽¹⁾ OJ No L 347, 17. 12. 1973, p. 50.

COMMISSION

COMMISSION DECISION

of 16 February 1981

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses originating in Taiwan

(Only the Dutch and French texts are authentic)

(81/422/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

Whereas on 9 February 1981 a request was made under the first paragraph of Article 115 of the Treaty by the governments of the Benelux countries to the Commission of the European Communities for authorization not to apply Community treatment to women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, falling within subheadings ex 60.05 A II and ex 61.02 B II of the Common Customs Tariff, category 26, originating in Taiwan and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Taiwan is subject, under Commission Regulation (EEC) No 3020/77 ⁽²⁾, as last amended by Regulation (EEC) No 2604/78 ⁽³⁾, to a Community quantitative quota;

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

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

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 the Benelux countries have admitted the products in question in free circulation, which amount approximately to 70 % of the direct quota;

Whereas with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from 5 390 000 pieces in 1978 to 6 886 000 pieces in 1979; whereas the market share taken by those imports has risen from 22 % in 1978 to 26 % in 1979;

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

Whereas output of like products in the Benelux countries has increased from 10 842 000 pieces in 1978 to 11 496 000 pieces in 1979; whereas the domestic industry's share of the home market has remained at a level of 30 %;

Whereas workers have been affected by these arrangements; whereas instances of reduced working hours have increased considerably;

Whereas further indirect imports, in addition to those already admitted, would be likely to aggravate these

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 357, 31. 12. 1977, p. 51.

⁽³⁾ OJ No L 317, 10. 11. 1978, p. 1.

difficulties and jeopardize the aims of the abovementioned commercial policy measures ;

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

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

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to the products indicated below, originating in Taiwan and in free circulation in the other Member States in respect of which applications for import licences were lodged after 1 February 1981 :

CCT heading No	Description
ex 60.05 A II and ex 61.02 B II (NIMEXE codes 60.05-41, 42, 43, 44 ; 61.02-48, 51, 53, 54) (category 26)	Women's, girls' and infants' (other than babies) woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 30 September 1981.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 16 February 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 13 April 1981

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to woven and knitted or crocheted dresses originating in Czechoslovakia

(Only the Dutch and French texts are authentic)

(81/423/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

Whereas on 3 April 1981 a request was made under the first paragraph of Article 115 of the Treaty by the governments of the Benelux countries to the Commission of the European Communities for authorization not to apply Community treatment to woven and knitted or crocheted dresses falling within subheadings 60.05 A II and 61.02 B II of the Common Customs Tariff, category 26, originating in Czechoslovakia and in free circulation in the other Member States;

Whereas, in the Benelux countries, the importation of the products in question originating in Czechoslovakia is subject, in accordance with Council Decision 80/1278/EEC ⁽²⁾, to an annual quota;

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

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 the Benelux countries have admitted the products in question in free circulation, of which 32 000 pieces originated in the said third country;

Whereas with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries amounted to

5 390 000 pieces in 1978, to 6 886 000 pieces in 1979 and to 6 094 000 pieces in 1980; whereas the market share taken by those imports amounted to 22 % in 1978 and to 26 % in 1979;

Whereas the prices of the products in question originating in Czechoslovakia are considerably below the prices of like products manufactured in the Benelux countries;

Whereas there have been redundancies and the numbers employed have fallen from 4 300 in 1978 to 3 800 in 1980;

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

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

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

Whereas applications for import documents covering 10 200 pieces are duly pending with the authorities of the Member States having made the request; these applications do not need to be covered by such authorization,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to the products indicated below, originating in Czechoslovakia and in free circulation in the other Member States in respect of which applications for import licences were lodged after 3 April 1981:

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 376, 31. 12. 1980, p. 1.

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

Article 2

This Decision shall apply until 30 September 1981.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 13 April 1981.

For the Commission

Wilhelm HAERKAMP

Vice-President

COMMISSION DECISION

of 14 April 1981

authorizing the French Republic not to apply Community treatment to men's and boys' woven shirts originating in India and Taiwan

(Only the French text is authentic)

(81/424/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

Whereas on 7 April 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to men's and boys' shirts, woven, falling within heading No ex 61.03 of the Common Customs Tariff, category 8, originating in India and Taiwan and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Taiwan is subject, under Commission Regulation (EEC) No 3020/77⁽²⁾, as last amended by Regulation (EEC) No 2604/78⁽³⁾ to a Community quantitative quota;

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

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78⁽⁴⁾ introducing specific common rules for imports of certain textile products;

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

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

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 France has admitted the products in question in free circulation, originating in the said third country which amount approximately to 21 % of the direct quota with regard to India and approximately to 37 % of the direct quota with regard to Taiwan;

Whereas with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from 15 891 000 pieces in 1978 to 19 383 000 pieces in 1979 and to 20 585 000 pieces in 1980; whereas the market share taken by those imports has risen from 32.5 % in 1978 to 39 % in 1979;

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

Whereas output of like products in France has fallen from 34 264 000 pieces in 1978 to 31 297 000 pieces in 1979; whereas the domestic industry's share of the home market has fallen from 62 % in 1978 to 55 % in 1979;

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

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 357, 31. 12. 1977, p. 51.

⁽³⁾ OJ No L 317, 10. 11. 1978, p. 1.

⁽⁴⁾ OJ No L 365, 27. 12. 1978, p. 1.

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

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

Whereas applications for import documents covering 8 280 pieces originating in Taiwan are duly pending with the authorities of the Member State having made the request ; these applications do not need to be covered by such authorization,

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in India and Taiwan and in free circulation in the other Member States in respect of which applications for import licences were lodged after 3 April 1981 :

CCT heading No	Description
ex 61.03 (NIMEXE codes 61.03-11, 15, 19) (category 8)	Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 30 June 1981 for the products originating in India and until 31 December 1981 for the products originating in Taiwan.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 14 April 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 14 April 1981

authorizing the French Republic not to apply Community treatment to parkas, anoraks, windcheaters, waister jackets and the like, woven, originating in South Korea and the Philippines

(Only the French text is authentic)

(81/425/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

Whereas on 7 April 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to parkas, anoraks, windcheaters, waister jackets and the like, woven falling within subheadings ex 61.01 B IV and ex 61.02 B II of the Common Customs Tariff, category 21, originating in South Korea and the Philippines and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in South Korea and the Philippines are covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, South Korea and the Philippines have undertaken to take all necessary steps to limit their exports of the products in question to the Community within certain ceilings;

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

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

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

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 France has admitted the products in question in free circulation, originating in the said third country which amount approximately to 16 % of the direct quota with regard to South Korea and approximately to 30 % of the direct quota with regard to the Philippines;

Whereas with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from 3 391 000 pieces in 1978 to 4 256 000 pieces in 1979 and to 5 669 000 pieces in 1980;

Whereas the prices of the products in question originating in South Korea and the Philippines are considerably below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 12 658 000 pieces in 1978 to 11 276 000 pieces in 1979;

Whereas numbers employed have fallen from 6 602 in 1978 to 5 400 in 1979;

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

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

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

Whereas applications for import documents covering 23 428 pieces originating in South Korea are duly pending with the authorities of the Member State having made the request; whereas these applications do not need to be covered by such authorization,

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

Article 2

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in South Korea and the Philippines and in free circulation in the other Member States in respect of which applications for import licences were lodged after 3 April 1981 :

This Decision shall apply until 30 June 1981.

Article 3

This Decision is addressed to the French Republic.

CCT heading No	Description
ex 61.01 B IV and ex 61.02 B II (NIMEXE codes 61.01-29, 31, 32 ; 61.02-25, 26, 28) (category 21)	Parkas, anoraks, windcheaters, waister jackets and the like, woven of wool, of cotton or of man-made textile fibres

Done at Brussels, 14 April 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 15 April 1981

authorizing Ireland not to apply Community treatment to woven bath robes, dressing gowns, smoking jackets and similar indoor wear and other outer garments originating in South Korea

(Only the English text is authentic)

(81/426/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

Whereas on 30 March 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to woven bath robes, dressing gowns, smoking jackets and similar indoor wear and other outer garments falling within heading No ex 61.01 of the Common Customs Tariff, category 78, originating in South Korea and in free circulation in the other Member States;

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

Whereas in order to implement that Agreement and take account of its characteristics, the Commission has adopted specific common rules for imports of certain textile products;

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

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

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 Ireland has admitted the products in question in free circulation, of which 3 588 tonnes originated in the said third country amounting to approximately 120 % of the direct import possibilities from this third country; whereas two applications for import licences for 2 494 tonnes are pending with the Irish authorities;

Whereas total imports of the products in question originating in third countries have increased from 11 tonnes in 1978 to 113 tonnes in 1979 and amounted to 84 tonnes in 1980;

Whereas output of like products in Ireland has increased from 50 tonnes in 1978 to 52 tonnes in 1979; whereas the domestic industry's share of the home market has fallen from 39 % in 1978 to 13 % in 1979;

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

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

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

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

HAS ADOPTED THIS DECISION :

Article 2

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, originating in South Korea and in free circulation in the other Member States in respect of which applications for import licences were lodged after the date of adoption of this Decision :

This Decision shall apply until 31 October 1981.

Article 3

This Decision is addressed to Ireland.

CCT heading No	Description
61.01 A II, B III, ex B V (NIMEXE codes 61.01-09, 24, 25, 26, 92, 94, 96) (category 78)	Men's and boys' woven bath robes, dressing gowns, smoking jackets and similar indoor wear and other outer garments except garments of categories 6, 14 A, 14 B, 16, 17, 21, 76 and 79 of wool, of cotton or of man-made textile fibres

Done at Brussels, 15 April 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 20 May 1981

**authorizing Ireland not to apply Community treatment to woven table linen,
toilet and kitchen linen originating in Hong-Kong**

(Only the English text is authentic)

(81/427/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

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

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

Whereas on 13 May 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to woven table linen, toilet and kitchen linen falling within subheading 62.02 B II and B III of the Common Customs Tariff, category 39, originating in Hong Kong and in free circulation in the other Member States;

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

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

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

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

States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 Ireland has admitted the products in question in free circulation originating in the said third country which amount to approximately 43.3 % of the direct quota;

Whereas with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from 108 tonnes in 1978 to 141 tonnes in 1979 and to 151 tonnes in 1980; whereas the market share taken by those imports has risen from 18 % in 1978 to 25 % in 1979;

Whereas the prices of the products in question originating in Hong Kong are approximately 23 % below the prices of like products manufactured in Ireland;

Whereas output of like products in Ireland has fallen from 548 tonnes in 1978 to 358 tonnes in 1979; whereas the domestic industry's share of the home market has fallen from 47 % in 1978 to 32 % in 1979;

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

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

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

Whereas an application for import documents covering 4.8 tonnes is duly pending with the authorities of the Member State having made the request, whereas this application does not need to be covered by such authorization,

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, originating in Hong Kong and in free circulation in the other Member States in respect of which applications for import licences were lodged after 8 May 1981 :

CCT heading No	Description
62.02 B II and B III (NIMEXE codes 62.02-41, 43, 47, 65, 73, 77) (category 39)	Woven table linen, toilet and kitchen linen other than of cotton terry fabric

Article 2

This Decision shall apply until new opportunities arise in Ireland for the importation of the products in question originating in Hong Kong or until 31 December 1981, whichever is the earlier.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 20 May 1981.

For the Commission

Wilhelm HAFFERKAMP

Vice-President

COMMISSION DECISION
of 20 May 1981
establishing a Committee on Commerce and Distribution

(81/428/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Whereas the constant improvement of working and living conditions and harmonious economic development are objectives of the European Economic Community;

Whereas Article 2 of the Treaty defines the Community's aim as 'to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standard of living and closer relations between the States belonging to it';

Whereas the establishment of close and permanent links with trade interests may help further these aims; whereas the best way of establishing these links is to set up a Committee on Commerce and Distribution attached to the Commission, on which these organizations are represented;

Whereas persons with extensive knowledge of commerce and distribution should be represented on the Committee;

Whereas, since its inception in 1978 for an experimental period of three years, the Committee on Commerce and Distribution has produced beneficial results for the Commission's departments,

HAS ADOPTED THIS DECISION:

Article 1

The Commission hereby establishes a Committee on Commerce and Distribution, hereinafter referred to as 'the Committee'.

The Committee shall be composed of representatives of European and national trade organizations and other prominent persons with special knowledge of commerce and distribution who shall all be heads or managers of undertakings.

Article 2

The Committee shall provide the Commission, at its request, with opinions on all matters relating to

commerce and distribution in the Community and on the repercussions which the Commission's activities in other sectors have on commerce.

Article 3

The Committee shall be composed of 42 members.

22 seats shall be allocated to persons with special knowledge of commerce and distribution representing the organizations of the various forms of trading at Community level, or at national level if such representation does not exist in all Member States.

Two seats per Member State shall be allocated to national professional organizations most representative of commerce in that Member State.

One observer seat shall be allocated to UNICE and one to the Permanent Conference of Chambers of Commerce and Industry.

Article 4

The members of the Committee shall be appointed by the Commission.

The organizations referred to in the third paragraph of Article 3 shall submit to the Commission a list comprising twice as many names as there are seats to be filled.

Each organization representing the various forms of trading referred to in the second paragraph of Article 3 shall propose to the Commission at least two candidates for the category of persons with special knowledge of the distributive trades. 11 of the 22 persons appointed by the Commission shall be chosen from among these candidates.

Article 5

The term of office of a member of the Committee shall be two years and shall be renewable.

After expiry of the two-year period, Committee members shall remain in office until they have been replaced or until their appointments have been renewed.

A member's appointment shall be terminated before the expiry of the two-year period if the member resigns, ceases to belong to the organization which he represents, or dies. Also, a member's appointment may be terminated if the organization which nominated him as a candidate requests that he be replaced.

He shall be replaced for the remainder of his term of office in accordance with the procedure laid down in Article 4.

Members shall not be remunerated for their services.

Article 6

The list of members shall be published by the Commission in the *Official Journal of the European Communities* for information purposes.

Article 7

The Committee shall elect from among its own members a steering committee consisting of ten members taking account of the desirability of having one member from each Member State of the Community.

The steering committee shall prepare the Committee's meetings with the assistance of the departments of the Commission.

Article 8

The Commission may invite any person with special knowledge of any particular item on the agenda to participate in the Committee's work in an expert capacity.

Experts shall participate only in the discussion of items for which their attendance is requested.

Article 9

The Committee may set up working parties.

Article 10

Meetings of the Committee shall be convened by the Commission and the Committee shall meet at the

place where the Commission has its seat. It shall meet not less than twice a year.

Representatives of the relevant Commission departments shall take part in the meetings of the Committee, its steering committee and working parties.

A representative of the Commission shall take the chair at meetings of the Committee's steering committee and working parties.

Article 11

When seeking the opinion of the Committee, the Commission may set a date by which the opinion shall be given.

Article 12

Without prejudice to Article 214 of the Treaty, if the Commission informs the members of the Committee or of its working parties that an opinion requested or a question raised involves confidential matters, they shall be under an obligation not to disclose information which comes to them through the work of the Committee or of its working parties.

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

Article 13

This Decision shall enter into force on 20 May 1981.

Done at Brussels, 20 May 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

COMMISSION DECISION

of 26 May 1981

on the issue of import licences in respect of beef and veal products originating
in Botswana, Kenya, Madagascar and Swaziland

(81/429/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as amended by Regulation (EEC) No 3486/80 ⁽²⁾, and in particular Article 23,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as amended by Regulation (EEC) No 3469/80 ⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 435/80 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 May 1981, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested; whereas, in the case of Botswana, Decision 80/354/EEC of 17 March 1980 ⁽⁵⁾ currently subjects imports to health measures;

Whereas the quantities in respect of which it will be possible to apply for licences from 1 June 1981 should be fixed,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

56.0 tonnes originating in Swaziland

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of June 1981, in respect of the following quantities of boned beef and veal:

Botswana:	18 916.0 tonnes
Kenya:	142.0 tonnes
Madagascar:	7 231.5 tonnes
Swaziland:	3 160.5 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 26 May 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 365, 31. 12. 1980, p. 2.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 363, 31. 12. 1980, p. 31.

⁽⁵⁾ OJ No L 79, 23. 3. 1980, p. 23.

COMMISSION DECISION

of 15 June 1981

terminating the anti-dumping proceeding concerning imports of certain seamless tubes of non-alloy steels originating in Spain

(81/430/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 European Economic Community⁽¹⁾, and in particular Article 9 thereof,

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

Whereas in August 1979 the Commission received a complaint lodged by the Comité de Liaison de l'Industrie du Tube d'Acier de la Communauté Européenne, on behalf of the German and United Kingdom producers of seamless steel tubes, whose collective output constitutes the major part of the total Community production of the product in question; whereas the complaint contained evidence on the one hand of dumping and subsidization in respect of seamless steel tubes of non-alloy steels, falling within NIMEXE codes 73.18-13, 23, 27, 28, 72 and 74 originating in Spain and on the other hand of material injury resulting therefrom;

Whereas, since there was sufficient evidence to justify initiating a proceeding, the Commission accordingly announced by a notice published in the *Official Journal of the European Communities*⁽²⁾ the initiation of a proceeding concerning imports into the Community of seamless steel tubes, falling within the NIMEXE codes in question and originating in Spain, and commenced an investigation of the matter at Community level;

Whereas since the examination of the facts showed the existence on the one hand of a countervailable subsidy on exports to the Community of the product in question originating in Spain, and on the other hand of injury resulting from their entry for consumption in the Community and the interests of the Community called for intervention, the Council, by

Regulation (EEC) No 3072/80⁽³⁾ imposed a definitive countervailing duty on seamless steel tubes of non-alloy steels falling within NIMEXE codes 73.18-13, 23, 27, 28, 72 and 74, originating in Spain;

Whereas, as regards the question of dumping and of injury resulting therefrom, the Commission sought to obtain and verify all information it deemed to be necessary and carried out inspections at the premises in Spain of the various firms involved in the production and export of the product in question, namely: Babcock and Wilcox Espanola SA (Bilbao), Tubos Reunidos SA (Bilbao), Tubexport (Bilbao), which acts as the joint export company for the two former firms, and Tubacex Comercial SA (Bilbao), which exports material produced by Tubacex SA (Llodio, Alva); whereas the Commission also carried out inspections at the premises of the major German and UK firms and associations represented by the complainant, namely: in Germany, Mannesmann Röhren-Werke AG (Düsseldorf), Eienwerkgesellschaft Maximilianshütte mbH (Sülzbach-Rosenberg), Neunkircher Eisenwerk AG (Homburg), and the Stahlrohrverband eV (Düsseldorf); in the United Kingdom, British Steel Corporation Tubes Division (Corby, Northamptonshire), TI Tube Division Services Ltd (Birmingham), and TI Weldless Ltd (Wolverhampton); whereas all the importers known to be concerned are stockholders; whereas the competition between Spanish and Community producers takes place at the level of sale to stockholders, with the result that the latter's resale prices and intermediate costs are not relevant for the purpose of determining injury; whereas in these circumstances the Commission did not feel it essential to carry out any inspection at the premises of these importers;

Whereas, in order to determine the margin of dumping the Commission examined a representative sample of export shipments for the period October 1978 to September 1979, and in addition made an exhaustive analysis of export shipments during the months of June and October 1979; whereas these export prices were each compared, on an ex-factory basis, with the prices charged on the exporter's domestic market at the same time for a similar type and dimension of tube;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 264, 19. 10. 1979, p. 2.

⁽³⁾ OJ No L 322, 28. 11. 1980, p. 30.

Whereas the exporters claimed that the export price ex-works should be adjusted upwards by the amount of the export tax rebate paid to them by the Spanish authorities on the fob value of the exported product; whereas, for the purposes of determining the dumping margin, and without prejudice to the question of whether that tax rebate constituted an export subsidy, that request was granted;

Whereas the above calculations showed that dumping had taken place; whereas during the period October 1978 to October 1979, the margin varied from 0 % to 79.15 % of the export price; whereas in June 1979 the weighted average dumping margin was 24.3 %, and in October 1979 25.18 %;

Whereas, with regard to injury to the Community industry, the Commission has already finally determined in its examination of the question of subsidization that, due consideration having been given to the other factors having a bearing on the situation of the industry, the imports in question were causing or threatening to cause material injury to the Community industry concerned;

Whereas, however, the injury attributable to subsidization has now been eliminated by the imposition of a countervailing duty of 11.75 %; whereas, prior to that duty, in October 1979, Spanish seamless tube was, on average, selling at 12.6 % below the price of comparable Community produced tube in Germany, and 17.36 % below in the United Kingdom; whereas, consequently, a large part of the margin of price undercutting should now have been eliminated;

Whereas, moreover, Community imports of Spanish seamless tube have fallen sharply since the end of 1979; whereas in 1979 these stood at 40 688 tonnes, of which 23 021 tonnes were imported into Germany

and 7 265 tonnes into the United Kingdom; whereas in the first six months of 1980 imports into Germany and the United Kingdom were, respectively 5 369 tonnes and 3 179 tonnes;

Whereas in the period July to November 1980 only 425 tonnes were imported into Germany, and in the period July to December 1980 only 861 tonnes into the United Kingdom;

Whereas the Commission has therefore concluded that the existence of dumping as distinct from subsidization is not in itself a source of material injury to the Community industry; whereas it is consequently not necessary to take protective measures against dumping in addition to those already in force against the subsidy which has been determined to exist;

Whereas in these circumstances it is appropriate to terminate, in respect of the dumping aspect, the proceeding concerning imports of certain seamless tube of non-alloy steels originating in Spain,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of certain seamless tubes of non-alloy steels originating in Spain is hereby terminated.

Done at Brussels, 15 June 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President
