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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2228/81

of 27 July 1981

concerning the management and control of certain catch quotas for 1981 for vessels flying the flag of a Member State and fishing in the regulatory area defined in the NAFO Convention

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the Convention on Future Multilateral Cooperation in the North-West Atlantic Fisheries⁽²⁾, hereinafter referred to as the NAFO Convention, was approved by the Council in its Regulation (EEC) No 3179/78⁽³⁾;

Whereas the NAFO Convention entered into force on 1 January 1979;

Whereas the Fisheries Commission of the North-West Atlantic Fisheries Organization adopted on 12 September 1980 a proposal establishing limitations for catches of certain species in the regulatory area for 1981, which became a measure binding upon the Community on 17 November 1980;

Whereas it is the responsibility of the Community to take appropriate steps to ensure compliance by Community vessels with the said measure;

Whereas the NAFO Commission proposal on squid, made on 12 September 1980, does not provide for any allocation of quotas for Canada and the Community; whereas the Community should therefore establish a quota for its own fishermen at a level which takes account both of the TAC proposed by NAFO for the entire stock and of the interests of Community fishermen;

Whereas information about catches by Community vessels should be made available to their respective

Member States and to the Commission in order to ensure that these quotas are complied with,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 January to 31 December 1981 catches of the species mentioned in Annex I by vessels flying the flag of a Member State in the regulatory area, as defined in Article 1 (2) of the NAFO Convention, shall be limited, within the parts of the regulatory area referred to in the said Annex, to the quotas set out therein.

2. By-catches of the species referred to in Annex I taken in those areas in which no allocation for a directed fishery is provided by this Regulation shall not exceed, for each of the species on board the vessel, listed in Annex I, 2 500 kilograms or 10 % by weight of all fish on board the vessel, whichever is the greater.

Article 2

1. Vessels fishing in the area referred to in Article 1 shall keep a log-book in which the information specified in Annex II is to be entered.

2. Vessels fishing in the area referred to in Article 1 shall transmit to the authorities of their flag State by the 16th day of each month in respect of the first half of that month and by the first day of each month in respect of the second half of the preceding month, reports concerning their catches in the said area. Such reports shall give catches in tonnes by species and quota area for the period covered by the report.

⁽¹⁾ OJ No C 90, 21. 4. 1981, p. 108.

⁽²⁾ OJ No L 378, 30. 12. 1978, p. 2.

⁽³⁾ OJ No L 378, 30. 12. 1978, p. 1.

3. Vessels intending to fish in the regulatory area for a particular stock for which no quota has been allocated to the Community, shall transmit to the authorities of their flag State notification of such an intention, at least 72 hours before starting to fish for an amount allocated to 'Others' for that stock, together, if possible, with an estimate of the projected catch. Vessels engaging in such a fishery shall transmit to the authorities of their flag State reports of catches from that stock, at 48 hour intervals.

Article 3

1. Member States shall transmit regularly to the Commission the reports of vessels flying their flag which have been made in accordance with Article 2 (2). Reports received in respect of the first half of each month shall be transmitted to the Commission by the 20th day of the same month and those received in respect of the second half of each month shall be transmitted by the fifth day of the following month.

2. Member States shall transmit without delay to the Commission information received in accordance with Article 2 (3).

3. Member States shall transmit to the Commission by the 20th day of each month information concerning the landings made during the previous month by vessels flying their flag fishing in the area referred to in Article 1.

Article 4

Member States shall inform the Commission of all vessels flying their flag which intend to engage in fishing or in the processing of sea fish in the area referred to in Article 1 at least 30 days before the intended commencement of such activity. This information shall include :

- (a) name of the vessel ;
- (b) official number of the vessel registered by the appropriate national authorities ;
- (c) home port of the vessel ;
- (d) name of owner or charterer of the vessel ;
- (e) a declaration that the master has been provided with a copy of the regulations in force in the regulatory area ;
- (f) principal target species of the vessel while fishing within the regulatory area ;
- (g) sub-areas where the vessel will be expected to fish.

Article 5

1. When informed by the Executive Secretary of the North-West Atlantic Fisheries Organization that one of the quotas referred to in Article 2 (3) has been fully utilized, the Commission shall so inform the Member States, which shall take appropriate measures to ensure that fishing by vessels flying their flag for the stock concerned shall cease within three working days of the date of receipt by the Commission of the information from the Executive Secretary.

2. If the Commission has reason to believe, on the basis of the information received from the Member States, that the quota concerned has been fully utilized, it shall, without waiting for the notification from the Executive Secretary, so inform the Member States, which shall take appropriate measures to ensure that fishing by vessels flying their flag for the stock in question shall cease without delay.

Article 6

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

It shall apply from 1 January to 31 December 1981.

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

Done at Brussels, 27 July 1981.

For the Council

The President

P. WALKER

ANNEX I

Catch quotas for the period 1 January to 31 December 1981

(in tonnes)

Species	NAFO Division	Quotas
Atlantic cod	3 NO	210
	3 M	1 470
American plaice	3 LNO	700 ⁽¹⁾
	3 M	500 ⁽¹⁾
Yellowtail flounder	3 LNO	400 ⁽²⁾
Redfish	3 M	1 200
Witch	3 NO	50 ⁽¹⁾
Squid (Illex)	3 + 4	7 500 ⁽²⁾

⁽¹⁾ This quota has not been allocated exclusively to Community vessels but to all Contracting Parties to NAFO having no specific allocation, including the Community. Fishing by Community vessels shall thus be suspended once the Community has been informed that the total quota has been exhausted.

⁽²⁾ Less any quantity taken by Community vessels in the parts of NAFO sub-areas falling within areas of national fisheries jurisdiction.

ANNEX II

Items of information to appear in the logbook

Items of information to appear in the logbook	Code
Vessel name	01
Vessel nationality	02
Vessel registration number	03
Registration port	04
Type of gear used (daily)	10
Type of gear	2 ⁽¹⁾
Date :	
— day	20
— month	21
— year	22
Position :	
— latitude	31
— longitude	32
— statistical area	33
Number of hauls during the 24-hour period ⁽²⁾	40
Number of hours gear-fished during the 24-hour period ⁽²⁾	41
Species names	2 ⁽¹⁾
Daily catch of each species (tonnes live weight)	50
Daily catch of each species for human consumption in the form of fish	61
Daily catch of each species for reduction	62
Daily discard of each species	63
Place(s) of trans-shipment	70
Date(s) of trans-shipment	71
Master's signature	80

⁽¹⁾ Codes to be completed by one of the items of information given in the second part of this Annex.

⁽²⁾ When two or more types of gear are used in same 24-hour period, records should be separate for the different types.

Standard FAO abbreviations for main species

Abbreviations	Species	Abbreviations	Species
ALE	Alewife	MEN	Atlantic menhaden
ARG	Atlantic argentine	MIX	Mixed species
BUT	Atlantic butterfish	MOL	Molluscs
CAP	Capelin	PEL	Pelagic fish (not specified)
CAT	Wolffishes (= catfishes)	PLA	American plaice
COD	Atlantic cod	POK	Pollock (= saithe)
CRA	Crabs	RED	Atlantic redfish
CRU	Crustaceans	RNG	Roundnose grenadier
DOG	Dogfish	SAL	Atlantic salmon
FLW	Winter flounder	SAU	Atlantic saury
FLX	Flatfishes (not specified)	SCA	Sea scallops
GHL	Greenland halibut	SHA	Sharks
GRC	Greenland cod	SHR	Shrimps
GRO	Groundfish (not specified)	SKA	Skates (not specified)
HAD	Haddock	SQU	Squids
HAL	Atlantic halibut	SWO	Swordfish
HER	Atlantic herring	SWX	Seaweeds
HKR	Red hake	TUN	Tuna
HKS	Silver hake	URC	American sea urchin
HKW	White hake	USK	Cusk (= tusk)
INV	Shellfish (not specified)	VFF	Finfish (not specified)
LOB	Northern lobster	WIT	Witch flounder
MAC	Atlantic mackerel	YEL	Yellowtail flounder

Standard FAO abbreviations for gears

Abbreviations	Gear
OTB	Bottom otter trawl (side or stern not specified)
OTB1	Bottom otter trawl (side)
OTB2	Bottom otter trawl (stern)
OTM	Midwater otter trawl (side or stern not specified)
OTM1	Midwater otter trawl (side)
OTM2	Midwater otter trawl (stern)
PTB	Bottom pair trawl (2 boats)
PTM	Midwater pair trawl (2 boats)
—	Shrimp trawl (now included in bottom otter trawl categories)
SDN	Danish seines
SSC	Scottish seines
SPR	Pair seine (2 boats)
SB	Beach seines
PS	Purse seines
GN	Gillnets (not specified)
GNS	Gillnets (set)
GND	Gillnets (drift)
LL	Longlines (set or drift not specified)
LLS	Longlines (set)
LLD	Longlines (drift)
LHP	Handlines and pole-lines
LHM	Handlines and pole-lines (mechanized)
LTL	Troll lines
FIX	Traps (not specified)
FPN	Uncovered pound nets
FPO	Covered pots and fyke nets
FWR	Barriers, fences, weirs, etc.
DRB	Boat dredges
DRH	Hand dredges (e.g. rakes and tongs)
HAR	Harpoons
MIS	Miscellaneous gears
NK	Gears not known

COUNCIL REGULATION (EEC) No 2229/81

of 27 July 1981

amending Regulation (EEC) No 849/81 laying down for 1981 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement on fisheries between the European Economic Community and the Kingdom of Norway⁽¹⁾, and in particular Article 2 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the Council adopted on 27 March 1981 Regulation (EEC) No 849/81 laying down for 1981 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway⁽²⁾, as amended by Regulation (EEC) No 1418/81⁽³⁾;

Whereas in July 1981 the International Council for the Exploration of the Sea (ICES) revised its recommendations on the total allowable catches for certain fish stocks in the North Sea;

Whereas the Community and Norway have held consultations in accordance with the procedure provided for by the said Agreement, and in particular Article 2 thereof, concerning the revision of the recommendations of the ICES;

Whereas on the conclusion of these consultations the two Parties initialled an exchange of letters amending the Agreement establishing fishing arrangements for 1981⁽⁴⁾;

Whereas the two delegations agreed to recommend to their authorities that pending the entry into force of

this exchange of letters, the latter should nevertheless apply at the latest from 28 July 1981;

Whereas it is therefore necessary to adopt the interim measures required to implement this exchange of letters, subject to their later inclusion in a definitive system to be adopted under Article 43 of the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 849/81 shall be replaced by the Annex to this Regulation.

Article 2

The introductory sentence of point 1.4 of Annex IV shall be replaced by the following:

'At three day intervals, commencing on the third day after the vessel first enters the zone referred to under 1.1.1 when fishing for herring and at weekly intervals, commencing on the seventh day after the vessel first enters the zones referred to under 1.1.1 and 1.1.2 when fishing for all species other than herring.'

Article 3

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

It shall apply from 1 January until 31 December 1981.

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

Done at Brussels, 27 July 1981.

For the Council

The President

P. WALKER

⁽¹⁾ OJ No L 226, 29. 8. 1980, p. 48.

⁽²⁾ OJ No L 87, 1. 4. 1981, p. 17.

⁽³⁾ OJ No L 142, 28. 5. 1981, p. 7.

⁽⁴⁾ OJ No L 87, 1. 4. 1981, p. 18.

ANNEX

ANNEX I

Fishing quotas

(in tonnes)

Species	Area within which fishing is authorized	Quantity
Mackerel	ICES IV and Skagerrak ⁽¹⁾	6 000
	ICES VI a) ⁽²⁾ + VII d), e), f), h)	20 000
Herring	ICES VI a) ⁽²⁾	10 000
Sprat	ICES IV	71 000
Cod	ICES IV	8 000
Haddock	ICES IV	6 000
Saithe	ICES IV and Skagerrak ⁽¹⁾	20 000
Whiting	ICES IV	7 000
Plaice	ICES IV	500
Sand-eel, Norway pout, blue whiting	ICES IV	50 000 ⁽³⁾
Blue whiting	ICES II, V a), VI a) ⁽²⁾ , VI b), VII ⁽⁴⁾ , XIV	120 000
Blue ling	ICES IV, V b), VI, VII	1 000 ⁽⁵⁾
Ling and tusk	ICES IV, V b), VI, VII	20 000 ⁽⁵⁾ ⁽⁶⁾
Dogfish	ICES IV, VI, VII	6 000 ⁽⁷⁾
Basking shark ⁽⁸⁾	ICES IV, VI, VII	800 ⁽⁷⁾
Porbeagle	ICES IV, VI, VII	1 000
Northern deep-water prawn	NAFO 1 ⁽⁹⁾	1 000
(Pandalus borealis)	ICES XIV + V a)	3 000 ⁽¹⁰⁾
Greenland halibut	NAFO 1	600 ⁽¹¹⁾
	ICES XIV + V a)	600 ⁽¹¹⁾
Other species (excluding by-catches of horse-mackerel)	ICES IV	5 000

⁽¹⁾ Limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse of Tistlarna and from there to the nearest coast of Sweden.

⁽²⁾ North of 56° 30' N.

⁽³⁾ Of which sand-eel alone no more than 50 000 tonnes or Norway pout and blue whiting together no more than 40 000 tonnes.

⁽⁴⁾ West of 12° W.

⁽⁵⁾ Of which a by-catch of 20 % of cod per ship, per voyage, is authorized in ICES sub-areas VI and VII. The total magnitude of by-catches should not exceed 1 000 tonnes of which not more than 300 tonnes should be cod.

⁽⁶⁾ Of which ling may be a maximum of 17 000 tonnes and tusk a maximum of 7 000 tonnes.

⁽⁷⁾ This quota does not include catches taken in the areas defined in Annex II.

⁽⁸⁾ Basking shark liver.

⁽⁹⁾ South of 68° N.

⁽¹⁰⁾ Experimental fishery only.

⁽¹¹⁾ By-catches of halibut should not exceed 10 %.

COMMISSION REGULATION (EEC) No 2230/81**of 3 August 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 organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1949/81⁽²⁾, and in particular
Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas, the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2196/81⁽⁵⁾;

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
31 July 1981;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2196/81 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 4 August
1981.

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

Done at Brussels, 3 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 7.

ANNEX

to the Commission Regulation of 3 August 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	76.71
10.01 B	Durum wheat	122.02 ⁽¹⁾ ⁽¹⁾
10.02	Rye	30.82 ⁽⁶⁾
10.03	Barley	54.58
10.04	Oats	15.66
10.05 B	Maize, other than hybrid maize for sowing	55.15 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	8.01 ⁽⁴⁾
10.07 C	Grain sorghum	48.72 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁷⁾
11.01 A	Wheat or meslin flour	120.37
11.01 B	Rye flour	56.15
11.02 A I a)	Durum wheat groats and meal	202.13
11.02 A I b)	Common wheat groats and meal	130.00

⁽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 2231/81

of 3 August 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 Regulation (EEC) No 1949/81⁽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 2197/81⁽⁵⁾;

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 31 July 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 4 August 1981.

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

Done at Brussels, 3 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 10.

ANNEX

to the Commission Regulation of 3 August 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 8	1st period 9	2nd period 10	3rd period 11
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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 2232/81

of 30 July 1981

on arrangements for imports into the United Kingdom of certain textile products originating in the People's Republic of China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3061/79 of 20 December 1979 on common rules for imports of certain textile products originating in China⁽¹⁾, and in particular Article 11 (4) and (5) thereof,

Whereas Article 11 of Regulation (EEC) No 3061/79 lays down the conditions under which quantitative limitations may be established; whereas imports into the United Kingdom of babies' woven garments (category 80), originating in China, are likely to exceed the level referred to in paragraph 3 of the said Article 11,

Whereas, in accordance with paragraph 5 of the said Article 11, China was notified on 13 July 1981 of a request for consultations; whereas, pending the outcome of those consultations, a quantitative limit, as indicated in the request for consultations, has been placed provisionally on the products in question;

Whereas the products in question exported from China between 1 January 1981 and the date of entry into force of this Regulation must be set off against the quantitative limit which has been introduced;

Whereas this quantitative limit does not prevent the importation of products covered by it but shipped from China before the date of notification of the request for consultations,

HAS ADOPTED THIS REGULATION:

Article 1

Importation into the United Kingdom of the category of products originating in China and specified in the

Annex hereto shall be subject to the quantitative limits given in that Annex and to the provisions of Article 2.

Article 2

1. Products as referred to in Article 1 shipped from China to the United Kingdom before the date of entry into force of this Regulation, which have not yet been released for free circulation, shall be so released subject to the presentation of a shipment certificate proving that shipment actually took place before that date.

2. All quantities of products shipped from China on or after 1 January 1981 and released for free circulation shall be deducted from the quantitative limit laid down. This limit shall not however, prevent the importation of products covered by it but shipped from China before the date of entry into force of this Regulation.

Article 3

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

It shall apply until the entry into force of a definitive Regulation adopted following the current consultations.

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

Done at Brussels, 30 July 1981.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 345, 31. 12. 1979, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1981)	Description	Third countries	Member States	Units	Quantitative limits from 1 January to 31 December 1981
80	61.02 A		Women's, girls' and infants' outer garments : A. Babies' garments ; girls' garments up to and including commercial size 86 :	China	UK	Tonnes	34
	61.04 A		Women's, girls' and infants' under garments : A. Babies' garments ; girls' garments up to and including commercial size 86 :				
		61.02-01 ; 03 61.04-01 ; 09	Babies' woven garments of wool, of cotton or of manmade textile fibres				

COMMISSION REGULATION (EEC) No 2233/81**of 31 July 1981****authorizing the German intervention agency to sell forequarters of bovine animals for processing into preserves with a view to constituting security stocks**

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, and in particular Article 7 (3) thereof,

Whereas for strategic reasons the Federal Republic of Germany has safety stocks of certain foodstuffs; whereas these include beef preserves;

Whereas, moreover substantial purchases by the intervention agency are a feature of the current situation on the beef and veal market in the Federal Republic of Germany; whereas in these circumstances the immediate utilization of part of the meat thus bought in for processing into the abovementioned preserves provides a useful outlet for the meat in question; whereas, therefore, the sale of this meat should be authorized before it is placed in stock, at a price equal to the buying-in price, with a view to processing it into preserves in order to constitute security stocks for the Land of Berlin in the Federal Republic of Germany;

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

HAS ADOPTED THIS REGULATION:

Article 1

From 17 August 1981 to the end of the 1981/82 marketing year the German intervention agency shall

be authorized to sell up to 12 000 tonnes of fresh or refrigerated forequarters which it has purchased under Article 6 of Regulation (EEC) No 805/68.

Article 2

1. The products specified in Article 1 shall be sold only to the German public authorities and shall be processed into preserves with a view to constituting security stocks for the Land of Berlin.

2. The selling price of the products specified in Article 1 shall be equal to the buying-in price of the carcasses or half-carcasses, multiplied by 0.78.

3. For the purposes of this Regulation 'forequarters' shall mean the front part of the half-carcass comprising all the bones and the scrag, neck and shoulder and cut straight at the eight rib, with the flank and breast attached.

Article 3

The Federal Republic of Germany shall notify the Commission of the measures taken to implement this Regulation.

Article 4

This Regulation shall enter into force on 17 August 1981.

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

Done at Brussels, 31 July 1981.

For the Commission

The President

Gaston THORN

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

COMMISSION REGULATION (EEC) No 2234/81

of 31 July 1981

on a third sale at a standard price fixed in advance of frozen beef for export to Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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, and in particular Article 7 (3) thereof,

Whereas Commission Regulations (EEC) No 3300/80⁽²⁾ and (EEC) No 1393/81⁽³⁾ provided for sales at a standard price fixed in advance of 30 000 tonnes of frozen beef for export to Poland following the European Council's Decision to enable that country to purchase certain quantities of beef in the Community; whereas it seems necessary to make available to Poland, on the same terms, a further quantity of frozen beef held by the intervention agencies;

Whereas this sale should be made subject to the rules adopted in Commission Regulation (EEC) No 985/81⁽⁴⁾, and the release of the deposit subject to the presentation of the proof that the beef has arrived at its destination as provided for in Article 13 (4) of Commission Regulation (EEC) No 1687/76⁽⁵⁾, as last amended by Regulation (EEC) No 1252/81⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A further quantity of some 15 000 tonnes of frozen beef shall be sold at a standard price fixed in advance and is to be exported to Poland.

2. The products, their presentation and sale prices shall be as fixed in Annex I hereto.

3. Information as to the quantities and the places where the products are stored may be obtained by those concerned from the addresses given in Annex II.

4. The sale shall take place in accordance with the provisions of Regulations (EEC) No 3300/80 and (EEC) No 985/81.

5. Beef, delivery of which has been taken by the purchaser, must be exported to Poland before 1 January 1982.

Article 2

1. Notwithstanding Article 15 of Regulation (EEC) No 2173/79, the level of the security shall be fixed at:

- 120 ECU per 100 kilograms for forequarters bone-in,
- 170 ECU per 100 kilograms for hindquarters bone-in,
- 170 ECU per 100 kilograms for boned meat.

2. In addition to the conditions provided for in Regulation (EEC) No 2173/79 the deposit is released:

- when the proof is provided to the satisfaction of the competent authorities that the quantity of beef exported to Poland is equal to or more than 95 % of the quantity provided for in the sale contract, and
- on presentation of the proof as provided for in Article 13 (4) of Regulation (EEC) No 1687/76.

3. The deposit is totally forfeited if the quantity exported is less than 95 % of the quantity provided for in the contract.

Article 3

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 344, 19. 12. 1980, p. 19.

⁽³⁾ OJ No L 140, 26. 5. 1981, p. 14.

⁽⁴⁾ OJ No L 99, 10. 4. 1981, p. 38.

⁽⁵⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁶⁾ OJ No L 126, 12. 5. 1981, p. 8.

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

Done at Brussels, 31 July 1981.

For the Commission

The President

Gaston THORN

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

État membre Mitgliedstaat Κράτος μέλος Stato membro Lid-Staat Member State Medlemsstat	Produits Erzeugnisse Προϊόντα Prodotti Produkten Products Produkter	Quantités (tonnes) Mengen (Tonnen) Ποσότητες (τόνοι) Quantità (tonnellate) Hoeveelheid (ton) Quantities (tonnes) Mængde (tons)	Prix de vente (Écus/100 kg) Verkaufspreise (ECU/100 kg) Τιμή πώλησής (ECU/100 χγρ) Prezzi di vendita (ECU/100 kg) Verkoopprijzen (Ecu/100 kg) Selling prices (ECU/100 kg) Salgspris (ECU/100 kg)
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a) Viande avec os — Fleisch mit Knochen — Κρέας μὴ ἀποστεωμένο — Carni con osso — Vlees met been — Unboned beef — Ikke-udbenet kød

Bundesrepublik Deutschland	<i>Vorderviertel, auf 8 Rippen geschnitten, stammend von:</i> Bullen A	1 000	73,70
	<i>Hinterviertel, gerade Schnittführung mit 5 Rippen, stammend von:</i> Bullen A	2 300	80,00
France	<i>Quartiers arrière, découpe à 8 côtes, dite « pistola », provenant des:</i> Bœufs U et R	2 700	93,30
Nederland	<i>Voorvoeten, recht afgesneden op 8 ribben, afkomstig van:</i> Stieren, 1e kwaliteit	350	77,20
	<i>Achtervoeten, recht afgesneden op 5 ribben, afkomstig van:</i> Stieren, 1e kwaliteit	650	85,50

b) Viande désossée⁽¹⁾ — Fleisch ohne Knochen⁽¹⁾ — Ἀποστεωμένο κρέας⁽¹⁾ — Carni senza osso⁽¹⁾ — Vlees zonder been⁽¹⁾ — Boned beef⁽¹⁾ — Udbenet kød⁽¹⁾

France	<i>provenant de bœufs et jeunes bovins</i> filet entrecôte faux-filet rumpsteak tende de tranche tranche grasse gîte à la noix boule de gîte bavette boule de macreuse caisse • A • (collier, basses côtes, épaule) caisse • B • (caparaçon avec flanchet) jarret avant jarret arrière	375,5 540,0 835,0 254,0 307,0 189,5 266,0 74,0 83,0 0,5 1 400,0 1 335,0 168,5 244,0 6 072,0	184,60
United Kingdom	<i>From Steers and Heifers:</i> Striploins Topsides Silversides Thick flanks Rumps Foreribs Thin flanks Flanks (plate) Chucks Thick ribs Shins and shanks Briskets Clod and stickings	100 400 250 300 100 34 20 25 121 200 200 50 200 2 000	160,90

⁽¹⁾ Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.⁽¹⁾ Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.⁽¹⁾ Οι τιμές αυτές ισχύουν για καθαρό βάρος σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.⁽¹⁾ Il prezzo si intende netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.⁽¹⁾ Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.⁽¹⁾ These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.⁽¹⁾ Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

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

**Adresses des organismes d'intervention — Anschriften der Interventionsstellen —
Διευθύνσεις των οργανισμών παρεμβάσεως — Indirizzi degli organismi d'intervento —
Adressen van de interventiebureaus — Addresses of the intervention agencies — Interven-
tionsorganernes adresser**

BUNDESREPUBLIK
DEUTSCHLAND: Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (06 11) 1564-0, Telex : 041 1156

FRANCE : ONIBEV
Tour Montparnasse
33, avenue du Maine
75755 Paris Cedex 15
tél. 538 84 00, télex 260 643

NEDERLAND : Voedselvoorzienings In- en Verkoopbureau (VIB)
Hoensbroek (L)
Kouvenderstraat 229
Tel. 045-21 47 46
Telex 56 396

UNITED KINGDOM : Intervention Board for Agricultural Produce
Fountain House
2 West Mall
Reading RC1 7QW, Berks.
Tel. 0734 583 626
Telex 848 302

COMMISSION REGULATION (EEC) No 2235/81

of 31 July 1981

on a standing invitation to tender in order to determine levies and/or refunds on exports of 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 1785/81 of 30 June 1981 on the common organization of the market in 2235/81⁽¹⁾, and in particular Articles 13 (2), 18 (5), 19 (4) and (7) and the second paragraph of Article 39 thereof,

Having regard to Council Regulation (EEC) No 608/72 of 23 March 1972 laying down rules to be applied in the case of considerable price rises on the world sugar market⁽²⁾, and in particular Article 1 (1) thereof,

Whereas in view of the present and foreseeable situations on the Community and world sugar markets, a standing invitation to tender should be issued for the exportation of raw sugar obtained from beet or cane harvested in the Community; whereas, having regard to possible fluctuations in world prices for sugar, the invitation to tender must provide for the determination of export levies and/or export refunds;

Whereas the general rules governing invitations to tender for the purpose of determining export refunds for sugar were laid down in Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾;

Whereas, in view of the specific nature of the transactions involved, special detailed rules of application should be laid down in this Regulation, and those provided for in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77⁽⁶⁾, should not apply; whereas, for the same reasons, appropriate provisions should be laid down with regard to export licences issued in connection with the standing invitation to tender and there should be a derogation from Commission Regulation (EEC) No 2990/76 of 9 December 1976 on special detailed rules for the application of the system of import and export licences for sugar⁽⁷⁾, as last amended by Regulation (EEC) No 342/81⁽⁸⁾, from Commission Regulation (EEC) No 3183/80 of 3

December 1980 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products⁽⁹⁾ and from Commission Regulation (EEC) No 645/75 of 13 March 1975 laying down common detailed rules for the application of the export levies and charges on agricultural products⁽¹⁰⁾, as last amended by Regulation (EEC) No 1607/80⁽¹¹⁾;

Whereas the standing invitations referred to in Regulations (EEC) No 1216/80⁽¹²⁾ and (EEC) No 199/81⁽¹³⁾ should be closed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. There shall be issued a standing invitation to tender in order to determine export levies and/or export refunds on raw sugar obtained from beet or cane harvested in the Community, and during the period of validity of this standing invitation there shall be issued partial invitations to tender.

2. The standing invitation to tender shall remain open until 31 August 1982.

Article 2

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

Article 3

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁷⁾ OJ No L 341, 10. 12. 1976, p. 14.

⁽⁸⁾ OJ No L 38, 11. 2. 1981, p. 8.

⁽⁹⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹⁰⁾ OJ No L 67, 14. 3. 1975, p. 16.

⁽¹¹⁾ OJ No L 160, 26. 6. 1980, p. 42.

⁽¹²⁾ OJ No L 122, 15. 5. 1980, p. 29.

⁽¹³⁾ OJ No L 24, 28. 1. 1981, p. 8.

2. The notice shall indicate in particular the terms of the invitation to tender.

3. The notice shall be published only for the purpose of opening the standing invitation to tender. It may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation are modified.

Article 4

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

(a) shall begin on 4 August 1981 ;

(b) shall end on 12 August 1981 at 10.30 a.m.

2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations :

(a) shall begin on the first working day following the end of the preceding period in question ;

(b) shall end at 10.30 a.m. on the Wednesday of the following week.

3. By way of derogation from paragraph 2 (b), the period for the submission of tenders which would otherwise end on :

(a) Wednesdays 11 and 18 November 1981 shall end on Tuesdays 10 and 17 November respectively at 10.30 a.m. ;

(b) Wednesday 6 January 1982 shall end on Thursday 7 January 1982 at 10.30 a.m. ;

(c) Wednesday 17 March 1982 shall end on Thursday 18 March 1982 at 10.30 a.m. ;

(d) Wednesday 28 April 1982 shall end on Tuesday 27 April 1982 at 10.30 a.m.

4. By way of derogation from paragraph 2 no partial invitation shall be issued on 30 December 1981.

5. The time limits laid down in this Regulation are expressed in Belgian time.

Article 5

1. Offers in connection with this tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex or telegram.

2. An offer must indicate :

(a) the reference number of the invitation to which the offer relates ;

(b) the name and address of the tenderer ;

(c) the quantity *tel quel* of raw sugar to be exported ;

(d) the amount of the export levy or, where applicable, of the export refund per 100 kilograms of standard

quality raw sugar, expressed in the currency of the Member State in which the tender is submitted ;

(e) the amount of the security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

3. An offer shall be valid only if :

(a) the quantity to be exported is not less than 250 tonnes of raw sugar ;

(b) proof is furnished before expiry of the time limit for the submission of offers that the tenderer has lodged the security indicated in the offer ;

(c) it includes a declaration by the tenderer that if his offer is successful he will within the period laid down under Article 12 (b) apply for export licences in respect of the quantities of raw sugar to be exported ;

(d) it includes a declaration by the tenderer certifying that :

— the product intended for export consists of raw sugar obtained either from beet or from cane harvested in the Community, and

— the customs formalities of exportation will be completed in the French overseas department in the case of sugar obtained from cane harvested in the Community ;

(e) it includes a declaration by the tenderer that if his offer is successful he will :

— where the obligation to export created by the export licence referred to under Article 12 (b) is not fulfilled, supplement the security by payment of the amount referred to in Article 13 (4) and,

— within 30 days following the expiry of the export licence in question, notify the agency which issued the licence of the quantity or quantities in respect of which the licence was not used ;

(f) it contains all the information required under paragraph 2.

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

(a) the minimum export levy or, where applicable, the maximum export refund, is fixed on the day of expiry of the period for the submission of the offers in question ;

(b) the offer, if successful, relates to all or a specified part of the tendered quantity.

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

6. Once submitted, an offer may not be withdrawn.

Article 6

1. A security of 9·00 ECU per 100 kilograms of sugar to be exported under this invitation to tender must be lodged by each tenderer. Without prejudice to Article 13 (4) of this Regulation, this security shall in the case of the successful tenderers and at the time of the application referred to in Article 12 (b) become the security for the export licence.

2. The security shall be lodged, at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

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

- (a) to tenderers only in respect of the quantity for which no award was made ;
 - (b) to successful tenderers only if they applied for their export licence within the period laid down under Article 12 (b) and only for the quantity in respect of which they have fulfilled the obligation created by that licence, Article 33 of Regulation (EEC) No 3183/80 remaining applicable.
4. In case of *force majeure*, the competent agency in the Member State concerned shall take such action as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Offers shall be examined in private by the competent authority concerned. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

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

Article 8

1. After the offers received have been examined, a maximum quantity may be fixed for that partial invitation.

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

Article 9

1. On the basis of the intervention price for raw sugar in force during the partial invitation in question and taking account of the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either :

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

2. Subject to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of levy equal to or greater than such minimum levy.

Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender :

- if a minimum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy. If the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for ;
- if a maximum refund is fixed, contracts shall be awarded in accordance with the first indent ; if after such awards a quantity is still outstanding, or if there are no tenders quoting a levy, contracts shall be awarded, in ascending order of refunds quoted until the entire maximum quantity has been accounted for, to tenderers quoting a refund.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows :

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or
- by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate :

- (a) the reference number of the invitation to which the tender relates ;
- (b) the quantity *tel quel* of raw sugar to be exported ;
- (c) the export levy to be charged, or where applicable the export refund to be granted, per 100 kilograms of standard quality raw sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have :

- (a) the right to claim, in respect of the quantity awarded, an export licence indicating as appropriate the export levy or the export refund quoted in his offer ;
- (b) the obligation to lodge, in accordance with the relevant provisions of Regulation (EEC) No 3183/80, an application for an export licence in respect of that quantity, Article 12 (2) of that Regulation and Article 10 of Regulation (EEC) No 645/75 not applying in such a case.

The application shall be lodged not later than the day preceding the date of the following partial invitation to tender. Where, however, the latter partial invitation to tender does not take place within the period referred to under (b) of Article 4 (2), the application for a licence shall be lodged within five days following the date of the partial invitation to tender in respect of which that application is lodged ;

- (c) the obligation to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13 (4).

This right and these obligations shall not be transferable.

Article 13

1. Article 9 of Regulation (EEC) No 2990/76 shall not apply to the raw sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth calendar month

following that in which the partial invitation was issued.

Nevertheless :

- (a) licences issued in connection with partial invitations issued in the period 12 August to 30 September 1981 may be used only from 1 October 1981 and shall be valid only until 31 December 1981 ;
- (b) licences issued in connection with partial invitations issued after 30 April 1982 shall be valid only until 30 September 1982.

3. In the case of raw sugar obtained from cane harvested in the Community, Section 18 (a) of the export licence shall contain one of the following endorsements :

'Licence valid for the French overseas departments',
'Lizenz gültig für die französischen überseeischen Departements',

'Certificat valable pour les départements français d'outre-mer',

'Licens gyldig for de franske oversøiske departementer',

'Titolo valido per i dipartimenti francesi d'oltremare',

'Certificaat geldig voor de Franse Overzeese departementen',

'Πιστοποιητικό ισχύος για τα υπερπόντια γαλλικά διαμερίσματα'.

4. Except in case of *force majeure*, if the obligation to export created by the export licence referred to under Article 12 (b) has not been fulfilled and if the security referred to in Article 6 is less than :

- (a) the export levy indicated on the licence reduced by the levy referred to in the second subparagraph of Article 18 (1) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence ; or
- (b) the sum of the export levy indicated on the licence and the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the said licence, or
- (c) the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the licence reduced by the refund indicated on the said licence,

then, under the time limits and conditions laid down in Article 33 of Regulation (EEC) No 3183/80 and by way of a supplementary security for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount equal to the difference between the result of the calculation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6.

Article 14

1. In so far as the conditions set out in Article 12 of Regulation (EEC) No 766/68 are satisfied, any export refunds and export levies fixed in advance in connection with this invitation to tender before 1 July 1982 for sugar exported on or after that date shall, at the request of the party concerned, be adjusted in accordance with paragraph 2.

2. For purposes of the adjustment referred to in paragraph 1, the export refund shall be increased, and the export levy decreased, by the difference, expressed in ECU per 100 kilograms, between the intervention price for raw sugar applicable with effect from 1 July 1982 and the intervention price of that sugar applicable on 30 June 1982.

In calculating the difference referred to in the above subparagraph there shall be added to these intervention prices the relevant storage levy as referred to under (a) of the third subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81.

Article 15

The standing invitations to tender referred to in Regulations (EEC) No 1216/80 and (EEC) No 199/81 are closed with effect from 6 August 1981.

Article 16

This Regulation shall enter into force on 4 August 1981.

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

Done at Brussels, 31 July 1981.

For the Commission

The President

Gaston THORN

COMMISSION REGULATION (EEC) No 2236/81

of 3 August 1981

introducing a countervailing charge on tomatoes originating in Romania

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1116/81⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25 (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0.6
ECU below the reference price for two consecutive
market days, a countervailing charge must be intro-
duced in respect of the exporting country concerned
save in exceptional circumstances; whereas this charge
is equal to the difference between the reference price
and the arithmetic mean of the last two entry prices
available for that exporting country;

Whereas Commission Regulation (EEC) No 724/81 of
20 March 1981 fixing the reference price for tomatoes
for the 1981 marketing year⁽³⁾ fixed the reference
price for products of Class I for the period 11 July to
31 August 1981 at 29.31 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country
is equal to the lowest representative prices recorded for
at least 30 % of the quantities from the exporting
country concerned which are marketed on all repre-
sentative markets for which prices are available less the
duties and the charges indicated in Article 24 (3) of
Regulation (EEC) No 1035/72; whereas the meaning
of representative price is defined in Article 24 (2) of
Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 668/78⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or in certain circumstances, on other markets;

Whereas, for Romanian tomatoes, the entry price
calculated in this way has remained at least 0.6 ECU
below the reference price for two consecutive market
days; whereas a countervailing charge should therefore
be introduced for these tomatoes;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 3.47 ECU per 100 kilo-
grams net is applied to tomatoes (subheading 07.01 M
of the Common Customs Tariff) originating in
Romania.

Article 2

This Regulation shall enter into force on 5 August
1981.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 1.

⁽³⁾ OJ No L 75, 21. 3. 1981, p. 16.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

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

Done at Brussels, 3 August 1981.

For the Commission

Poul DALSAER

Member of the Commission

COMMISSION REGULATION (EEC) No 2237/81
of 3 August 1981
amending Regulation (EEC) No 2112/81 introducing a countervailing charge on
pears originating in Spain

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1116/81⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Regulation (EEC) No 2112/81⁽³⁾ introduced a
countervailing charge on pears, other than perry pears,
originating in Spain;

Whereas Article 26(2) of Regulation (EEC) No
1035/72 laid down the conditions under which a
charge introduced in application of Article 25a of that

Regulation is amended; whereas, if these conditions
are taken into consideration, the countervailing charge
on the import of pears, other than perry pears, origina-
ting in Spain, must be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The amount '1.53 ECU' appearing in Article 1 of
Regulation (EEC) No 2112/81 is replaced by the
amount '8.32 ECU'.

Article 2

This Regulation shall enter into force on 4 August
1981.

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

Done at Brussels, 3 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 1.

⁽³⁾ OJ No L 205, 25. 7. 1981, p. 18.

COMMISSION REGULATION (EEC) No 2238/81**of 3 August 1981****repealing Regulation (EEC) No 71/81 on the sale of olive oil held by the Italian intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3454/80⁽²⁾, and in particular Article 12 (4) thereof,

Whereas Regulation (EEC) No 71/81⁽³⁾ made provision for the sale of some 33 000 tonnes of virgin olive oil at a fixed price; whereas, following the submission of tenders, some tenderers made complaints in respect of the admissibility of certain applications to purchase; whereas it has therefore been necessary to undertake an administrative enquiry; whereas this has resulted in the sale being delayed;

Whereas the consignments put up for sale under the said Regulation have been allotted to tenderers by drawing lots pursuant to Article 6 (1) of the said Regulation;

Whereas, meanwhile, the conditions on the olive oil market have altered so that to make the sale on the

conditions originally laid down would result in serious disturbance on the market; whereas, in particular, quantities could be sold by these operators at prices which would shut other operators out of the market; whereas it is accordingly necessary to cancel the sale in question;

Whereas, in order to take account of the situation of these operators, measures are to be taken in parallel;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 71/81 is hereby repealed with effect from 13 January 1981.

Article 2

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

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

Done at Brussels, 3 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

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

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 11, 13. 1. 1981, p. 5.

COMMISSION REGULATION (EEC) No 2239/81

of 3 August 1981

reopening the sale by tender of olive oil held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3454/80⁽²⁾, and in particular Article 12 (4) thereof,

Whereas Regulation (EEC) No 71/81⁽³⁾ put up for sale some 33 000 tonnes of virgin olive oil at a fixed price; whereas that Regulation has been repealed by Regulation (EEC) No 2238/81⁽⁴⁾;

Whereas the lots put up for sale by Regulation (EEC) No 71/81 have been assigned to tenderers by drawing lots pursuant to Article 6 (1) of the said Regulation; whereas it is therefore equitable, to take account of that situation, to restrict sale of the oil to those tenderers at the outset;

Whereas the sale must be made in conditions which take account of the existing market situation; and of the characteristics of the product in question whereas steps must be taken to ensure that oils sold by the intervention agency do not interfere with the normal sale of production; whereas, for this purpose, purchasers of the said oils should be obliged to refine them or market them outside the Italian and Greek markets;

Whereas, in order to ensure that the obligations arising either under the application lodged or under the contract concluded are complied with, provision should be made for requiring a security and another appropriate guarantee to be provided;

Whereas, in view of the large size of the lots put up for sale, special provisions should be made in respect of delivery and payment;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Italian intervention agency, Azienda di Stato per gli interventi sul mercato agricolo, hereinafter called

'AIMA', shall put up for sale by tender some 33 000 tonnes of virgin olive oil from intervention purchases made during the 1977/78 olive marketing year, in accordance with the provisions of this Regulation and of Regulation (EEC) No 2960/77⁽⁵⁾.

Article 2

The olive oil referred to in Article 1 shall be put up for sale in six lots of about 5 500 tonnes each. These lots shall be those put up for sale by Regulation (EEC) No 71/81.

Article 3

A notice of sale shall be posted by AIMA at its headquarters, via Palestro 81, Rome (Italy), not later than 10 August 1981.

This notice shall state the lots of oil put up for sale and the place where they are stored. The lots shall be numbered 1 to 6.

This sale shall be reserved for tenders designated pursuant to Article 6 (1) of Regulation (EEC) No 71/81.

Article 4

1. Applications to purchase shall be submitted separately for each lot and in writing to AIMA not later than 24 August 1981 at 2 p.m. (local time).

2. Applications to purchase shall include at least the following particulars:

- (a) the name and full postal address of the applicant;
- (b) the lot concerned;
- (c) the price offered per 100 kilograms of oil.

3. Each application to purchase must relate to all the oil contained in one lot.

Applications may not be withdrawn.

4. Applications to purchase shall be valid only if they are accompanied by:

- (a) a security of Lit 10 000 per 100 kilograms;
- (b) a statement by the applicant waiving any objections to the accuracy of the description under which the oil is offered for sale;
- (c) an undertaking by the applicant to refine the oil purchased or not to market it on the Italian or Greek markets.

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

(2) OJ No L 360, 31. 12. 1980, p. 16.

(3) OJ No L 11, 13. 1. 1981, p. 5.

(4) See page 27 of this Official Journal.

(5) OJ No L 348, 30. 12. 1977, p. 46.

The Italian administration shall take all necessary measures to ensure that the purchaser fulfils the undertaking mentioned in paragraph (c) above.

The security shall be in cash or in the form of a guarantee issued by an institution satisfying the criteria laid down by the Member State in which it is situated.

The security shall be released if no sale is made to the party concerned. It shall likewise be released when the contract of sale is concluded.

5. The purchaser shall, at the time the contract of sale is concluded, provide a guarantee for AIMA that the contract will be executed.

This guarantee shall be equal to the amount payable by the buyer plus 10 % and shall be given by an institution satisfying the criteria laid down by the Member State in which it is situated. The guarantee shall be released when the purchaser provides proof that the obligations under the contract have been complied with.

Article 5

Not later than three days after the expiry of the time limit laid down for the submission of tenders, AIMA shall send the Commission a list, stating the tenders received for each lot put up for sale, accompanied by the name of the tenderer.

Article 6

1. The minimum selling price shall be fixed separately for each lot, on the basis of the tenders received, not later than 31 August 1981, in accordance with the procedure set out in Article 38 of Regulation No 136/66/EEC.

Before examining the tenders, the Commission shall establish, by drawing lots, the order in which the lots shall be dealt with.

Tenders shall be eliminated where the operator has already been allocated a lot, or where the tenders are below the minimum selling price for the lot in question.

The decision fixing the minimum selling price shall be notified forthwith to the Member State concerned.

2. This price shall relate to 100 kilograms net of oil delivered ex-storage depot, either in the purchaser's own drums loaded on a vehicle provided by him or in the purchaser's tank vehicles.

Article 7

The olive oil shall be sold by AIMA not later than 10 September 1981.

Article 8

As soon as the sale is concluded, the containers concerned shall be sealed in the presence of both Parties. The containers shall remain sealed until the oil is withdrawn by the purchaser.

Article 9

1. Notwithstanding Regulation (EEC) No 2960/77, the purchaser is required to withdraw, in each period of 30 days, at least 10 % and at most 20 % of the purchased quantity.

The withdrawal of the oil shall commence on 15 September 1981.

2. If each lot is not withdrawn within the said time limits:

- (a) the oil shall remain in storage at the purchaser's risk;
- (b) the purchaser shall pay AIMA a sum for storage calculated on the basis of the quantity to be withdrawn and an amount equal to Lit 1 700 per 100 kilograms for each period or part period of 30 days of additional storage.

Article 10

The purchaser shall pay AIMA the purchase price for each lot of oil referred to in Article 9 at the time of withdrawal.

Article 10

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

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

Done at Brussels, 3 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2240/81
of 3 August 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 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1808/81⁽²⁾, as last amended by Regulation (EEC) No 2227/81⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1808/81 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 16 (1) of Regulation (EEC) No 1785/81 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 4 August 1981.

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

Done at Brussels, 3 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 181, 2. 7. 1981, p. 24.
⁽³⁾ OJ No L 214, 1. 8. 1981, p. 90.

ANNEX

to the Commission Regulation of 3 August 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	13.73
	B. Raw sugar	9.09 ⁽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 2241/81

of 3 August 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 Regulation (EEC) No 1949/81⁽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⁽⁴⁾, 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⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, 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 2150/81⁽⁷⁾, as amended by Regulation (EEC) No 2226/81⁽⁸⁾;

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 31 July 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⁽⁹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto;

Whereas Regulation (EEC) No 1784/81 incorporated products within subheading 17.02 F II within the cereals sector; whereas the coefficients for calculating the levies on these products were defined in Regulation (EEC) No 1783/81⁽¹⁰⁾,

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⁽¹¹⁾, as last amended by Regulation (EEC) No 1783/81, as fixed in the Annex to amended Regulation (EEC) No 2150/81, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 August 1981.

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

Done at Brussels, 3 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 210, 30. 7. 1981, p. 17.

⁽⁸⁾ OJ No L 214, 1. 8. 1981, p. 88.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 176, 1. 7. 1981.

⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 65.

ANNEX

to the Commission Regulation of 3 August 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
11.01 E I ⁽²⁾	105.83	99.79
11.01 E II ⁽²⁾	59.57	56.55
11.02 A V a) 1 ⁽²⁾	74.82	68.78
11.02 A V a) 2 ⁽²⁾	105.83	99.79
11.02 A V b) ⁽²⁾	59.57	56.55
11.02 B II c) ⁽²⁾	91.72	88.70
11.02 C V ⁽²⁾	91.72	88.70
11.02 D V ⁽²⁾	59.57	56.55
11.02 E II c) ⁽²⁾	105.83	99.79
11.02 F V ⁽²⁾	105.83	99.79
11.02 G II	47.62	41.58
11.04 C II a)	82.07	57.89 ⁽¹⁾
11.04 C II b)	109.81	85.63 ⁽¹⁾
11.08 A I	82.07	61.52
11.08 A IV	82.07	61.52
11.08 A V	82.07	30.76 ⁽¹⁾
17.02 B II a) ⁽¹⁾	176.96	80.24
17.02 B II b) ⁽¹⁾	128.01	61.52
17.02 F II a)	180.78	84.06
17.02 F II b)	124.95	58.46
21.07 F II	128.01	61.52
23.03 A I	257.76	76.42

⁽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.

⁽¹⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽¹⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

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

