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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 2806/81
of 22 September 1981**

**on the conclusion of the Agreement in the form of an exchange of letters
amending certain zero-duty tariff quotas opened by the United Kingdom for
1981 in accordance with Protocol 1 of the Agreement between the European
Economic Community and the Republic of Finland**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the Agreement between the Euro-
pean Economic Community and the Republic of
Finland⁽¹⁾ signed in Brussels on 5 October 1973,

Having regard to the recommendation from the
Commission,

Whereas certain zero-duty tariff quotas opened by the
United Kingdom for 1981 in accordance with
Protocol 1 of the Agreement should be amended;
whereas the Agreement in the form of an exchange of
letters negotiated to this effect should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters
amending certain zero-duty tariff quotas opened by

the United Kingdom for 1981 in accordance with
Protocol 1 of the Agreement between the European
Economic Community and the Republic of Finland is
hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regula-
tion.

Article 2

The President of the Council is hereby authorized to
designate the person empowered to sign the Agree-
ment in order to bind the Community.

Article 3

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

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

Done at Brussels, 22 September 1981.

For the Council

The President

J. BRUCE-GARDYNE

⁽¹⁾ OJ No L 328, 28. 11. 1973, p. 2.



AGREEMENT

in the form of an exchange of letters amending certain zero-duty tariff quotas opened by the United Kingdom for 1981 in accordance with Protocol 1 of the Agreement between the European Economic Community and the Republic of Finland

Sir,

In accordance with Protocol 1 of the Agreement between the European Economic Community and the Republic of Finland signed in Brussels on 5 October 1973, the United Kingdom has since 1 January 1974 opened tariff quotas for coated printing paper and writing paper (subheading ex 48.07 D of the Common Customs Tariff) as well as for kraft paper for large-capacity sacks (subheading ex 48.01 C II of the Common Customs Tariff). The permissible maxima for these quotas were fixed on the basis of statistics available for the period 1968 to 1971.

Within the quota for coated printing and writing paper the United Kingdom has established a subquota for lightweight coated mechanical paper weighing less than 65 g/m² (LWC).

During recent years the demand for LWC has increased significantly in the United Kingdom and elsewhere. As in 1979 and in 1980 the paper in question is presently in short supply in the Community. In view of this continued shortage it is therefore proposed that the permissible maximum for the quota which the United Kingdom may open in 1981 for coated printing and writing paper be increased by 7 571 tonnes to a total of 29 074 tonnes, it being understood that the increase will be confined to the subquota for LWC. By way of compensation the permissible maximum for the quota for kraft paper for large-capacity sacks will be reduced for 1981 by 7 571 tonnes to 46 041 tonnes. The quota for this type of paper has been under-utilized during recent years.

I should be grateful if you would confirm that your Government is in agreement with the above.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'In accordance with Protocol 1 of the Agreement between the European Economic Community and the Republic of Finland signed in Brussels on 5 October 1973, the United Kingdom has since 1 January 1974 opened tariff quotas for coated printing paper and writing paper (subheading ex 48.07 D of the Common Customs Tariff) as well as for kraft paper for large-capacity sacks (subheading ex 48.01 C II of the Common Customs Tariff). The permissible maxima for these quotas were fixed on the basis of statistics available for the period 1968 to 1971.

Within the quota for coated printing and writing paper the United Kingdom has established a subquota for lightweight coated mechanical paper weighing less than 65 g/m² (LWC).

During recent years the demand for LWC has increased significantly in the United Kingdom and elsewhere. As in 1979 and in 1980 the paper in question is presently in short supply in the Community. In view of this continued shortage it is therefore proposed that the permissible maximum for the quota which the United Kingdom may open in 1981 for coated printing and writing paper be increased by 7 571 tonnes to a total of 29 074 tonnes, it being understood that the increase will be confined to the subquota for LWC. By way of compensation the permissible maximum for the quota for kraft paper for large-capacity sacks will be reduced for 1981 by 7 571 tonnes to 46 041 tonnes. The quota for this type of paper has been under-utilized during recent years.

I should be grateful if you would confirm that your Government is in agreement with the above.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Republic of Finland

COMMISSION REGULATION (EEC) No 2807/81**of 29 September 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 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 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 2196/81⁽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 28 September 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 30 September 1981.

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

Done at Brussels, 29 September 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 29 September 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	68.26
10.01 B	Durum wheat	132.20 ⁽¹⁾ ⁽²⁾
10.02	Rye	32.13 ⁽⁶⁾
10.03	Barley	69.38
10.04	Oats	35.07
10.05 B	Maize, other than hybrid maize for sowing	85.23 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	63.95 ⁽⁴⁾
10.07 C	Grain sorghum	72.10 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	108.79
11.01 B	Rye flour	58.23
11.02 A I a)	Durum wheat groats and meal	217.98
11.02 A I b)	Common wheat groats and meal	117.22

⁽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 2808/81

of 29 September 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⁾ 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 28 September 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 30 September 1981.

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

Done at Brussels, 29 September 1981.

For the Commission

Poul DALSAER

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 29 September 1981 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 9	1st period 10	2nd period 11	3rd period 12
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	0.47
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2809/81

of 28 September 1981

fixing 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 the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1783/81⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and

from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3.02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Regulation (EEC) No 1921/75⁽⁹⁾, as amended by Regulation (EEC) No 2415/75⁽¹⁰⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Regulation (EEC) No 2742/75⁽¹¹⁾, as last amended by Regulation (EEC) No 1956/81⁽¹²⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 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⁽¹³⁾, as last amended by Regulation (EEC) No 279/80⁽¹⁴⁾;

⁽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 L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 176, 1. 7. 1981, p. 10.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 195, 26. 7. 1975, p. 25.

⁽¹⁰⁾ OJ No L 247, 23. 9. 1975, p. 22.

⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹²⁾ OJ No L 198, 20. 7. 1981, p. 13.

⁽¹³⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽¹⁴⁾ OJ No L 31, 8. 2. 1980, p. 1.

Whereas Article 4 (2) of Regulation (EEC) No 2744/75 provides that the levy to be charged on the products listed in the Annex to that Regulation under subheading 07.06 A is limited, with effect from the date of entry into force of the Geneva Protocol (1967) annexed to the General Agreement on tariffs and trade to the amount resulting from application of the rate of duty bound within GATT;

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 recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for

in this Regulation is incorporated in the Common Customs Tariff;

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,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1981.

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

Done at Brussels, 28 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 28 September 1981 fixing the import levies on products processed from cereals and rice

CCT heading No	Imports (ECU/tonne)	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	12.94 ⁽¹⁾	11.13 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	135.46	129.42
11.01 D ⁽²⁾	70.57	64.53
11.01 E I ⁽²⁾	154.72	148.68
11.01 E II ⁽²⁾	87.27	84.25
11.01 F ⁽²⁾	26.16	23.14
11.01 G ⁽²⁾	75.88	72.86
11.02 A II ⁽²⁾	64.88	58.84
11.02 A III ⁽²⁾	135.46	129.42
11.02 A IV ⁽²⁾	70.57	64.53
11.02 A V a) 1 ⁽²⁾	123.71	117.67
11.02 A V a) 2 ⁽²⁾	154.72	148.68
11.02 A V b) ⁽²⁾	87.27	84.25
11.02 A VI ⁽²⁾	26.16	23.14
11.02 A VII ⁽²⁾	75.88	72.86
11.02 B I a) 1 ⁽²⁾	118.06	115.04
11.02 B I a) 2 aa)	39.59	36.57
11.02 B I a) 2 bb) ⁽²⁾	67.55	64.53
11.02 B I b) 1 ⁽²⁾	118.06	115.04
11.02 B I b) 2 ⁽²⁾	67.55	64.53
11.02 B II a) ⁽²⁾	99.19	96.17
11.02 B II b) ⁽²⁾	46.50	43.48
11.02 B II c) ⁽²⁾	135.18	132.16
11.02 B II d) ⁽²⁾	117.31	114.29
11.02 C I ⁽²⁾	118.72	115.70
11.02 C II ⁽²⁾	55.32	52.30
11.02 C III ⁽²⁾	185.79	179.75
11.02 C IV ⁽²⁾	60.38	57.36
11.02 C V ⁽²⁾	135.18	132.16
11.02 C VI ⁽²⁾	117.31	114.29
11.02 D I ⁽²⁾	76.78	73.76
11.02 D II ⁽²⁾	36.36	33.34
11.02 D III ⁽²⁾	76.36	73.34
11.02 D IV ⁽²⁾	39.59	36.57
11.02 D V ⁽²⁾	87.27	84.25
11.02 D VI ⁽²⁾	75.88	72.86
11.02 E I a) 1 ⁽²⁾	76.36	73.34
11.02 E I a) 2 ⁽²⁾	39.59	36.57
11.02 E I b) 1 ⁽²⁾	149.84	143.80
11.02 E I b) 2 ⁽²⁾	77.74	71.70
11.02 E II a) ⁽²⁾	136.20	130.16
11.02 E II b) ⁽²⁾	64.88	58.84
11.02 E II c) ⁽²⁾	154.72	148.68
11.02 E II d) 1 ⁽²⁾	45.33	39.29
11.02 E II d) 2 ⁽²⁾	134.61	128.57
11.02 F I ⁽²⁾	136.20	130.16
11.02 F II ⁽²⁾	64.88	58.84
11.02 F III ⁽²⁾	135.46	129.42
11.02 F IV ⁽²⁾	70.57	64.53
11.02 F V ⁽²⁾	154.72	148.68

CCT heading No	<i>(ECU/tonne)</i> Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F VI ⁽²⁾	26.16	23.14
11.02 F VII ⁽²⁾	75.88	72.86
11.02 G I	60.27	54.23
11.02 G II	67.99	61.95
11.04 C I	15.96	9.31 ⁽³⁾
11.04 C II a)	125.80	101.62 ⁽³⁾
11.04 C II b)	153.54	129.36 ⁽³⁾
11.07 A I a)	139.59	128.71
11.07 A I b)	107.05	96.17
11.07 A II a)	138.86 ⁽⁴⁾	127.98
11.07 A II b)	106.51	95.63
11.07 B	122.33 ⁽⁴⁾	111.45
11.08 A I	125.80	105.25
11.08 A II	31.76	0.93
11.08 A III	125.36	104.81
11.08 A IV	125.80	105.25
11.08 A V	125.80	52.62 ⁽⁵⁾
11.09	371.90	190.56
17.02 B II a) ⁽³⁾	234.00	137.28
17.02 B II b) ⁽³⁾	171.74	105.25
17.02 F II a)	240.53	143.81
17.02 F II b)	166.51	100.02
21.07 F II	171.74	105.25
23.02 A I a)	22.68	22.68
23.02 A I b)	72.58	72.58
23.02 A II a)	18.14	18.14
23.02 A II b)	72.58	72.58
23.03 A I	312.08	130.74

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

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

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

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

⁽³⁾ 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.

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

⁽⁵⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

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

COMMISSION REGULATION (EEC) No 2810/81**of 28 September 1981****fixing the import levies on compound feedingstuffs**

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 organiz-
ation 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 the opinion of the Monetary
Committee,

Whereas the rules to be applied in calculating the vari-
able component of the import levy on compound
feedingstuffs are laid down in Article 14 (1) (A) of
Regulation (EEC) No 2727/75; whereas Article 4 of
Council Regulation (EEC) No 2743/75 of 29 October
1975 on the system to be applied to cereal-based
compound feedingstuffs⁽³⁾, as amended by Regulation
(EEC) No 2560/77⁽⁴⁾, provides that the incidence on
the prime costs of these feedingstuffs of the levies
applicable to their basic products should be calculated
on the basis of the average of the levies applicable
during the first 25 days of the month preceding that
month of importation to the quantities of basic
products considered to have been used in the manu-
facture of such compound feedingstuffs, this average
being adjusted on the basis of the threshold price for
the basic products in question ruling during the
month of importation;

Whereas the levy thus determined, increased by the
fixed component, is valid for one month; whereas the
amount of the fixed component of the levy is laid
down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the
interests of the African, Caribbean and Pacific States
and of the overseas countries and territories, the levy
relating to them in respect of certain products

processed from cereals must be reduced by the amount
of the fixed component and, in respect of some of
these products, by part of the variable component;
whereas this reduction must be made in accordance
with Article 12 of Council Regulation (EEC) No
706/76 of 30 March 1976 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'⁽⁵⁾; as last
amended by Regulation (EEC) No 279/80⁽⁶⁾;

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 recorded for a given period in
relation to the Community currencies referred to
in the previous indent;

Whereas, in accordance with Article 18 (1) of Regula-
tion (EEC) No 2727/75, the nomenclature provided for
in this Regulation is incorporated in the Common
Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound
feedingstuffs covered by Regulation (EEC) No 2727/75
and subject to Regulation (EEC) No 2743/75 shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October
1981.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽⁶⁾ OJ No L 31, 8. 2. 1980, p. 1.

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

Done at Brussels, 28 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 28 September 1981 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CCT heading No	Nomenclature in simplified wording	Levies	
		Third countries (other than ACP and OCT)	ACP and OCT
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 21.07 F I) containing starch, glucose or glucose syrup :		
	Containing no starch or containing 10 % or less by weight of starch :		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	24·10	13·22
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	309·99	299·11
	Containing more than 10 % but not more than 30 % by weight of starch :		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	52·18	41·30
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	338·07	327·19
	Containing more than 30 % by weight of starch :		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	93·48	82·60
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	379·37	368·49

COMMISSION REGULATION (EEC) No 2811/81
of 29 September 1981
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products⁽¹⁾, as last amended
by the Act of Accession of Greece⁽²⁾, and in particular
Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 921/81⁽³⁾, as last
amended by Regulation (EEC) No 2667/81⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 921/81 to the
prices known to the Commission that the levies at

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

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 14 (2) of Regu-
lation (EEC) No 804/68 shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 October
1981.

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

Done at Brussels, 29 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 93, 6. 4. 1981, p. 1.

⁽⁴⁾ OJ No L 262, 16. 9. 1981, p. 8.

ANNEX

to the Commission Regulation of 29 September 1981 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	17.47
04.01 A I b)	0120	15.06
04.01 A II a) 1	0130	15.06
04.01 A II a) 2	0140	18.28
04.01 A II b) 1	0150	13.85
04.01 A II b) 2	0160	17.07
04.01 B I	0200	35.22
04.01 B II	0300	74.51
04.01 B III	0400	115.16
04.02 A I	0500	12.55
04.02 A II a) 1	0620	65.00
04.02 A II a) 2	0720	124.15
04.02 A II a) 3	0820	126.57
04.02 A II a) 4	0920	141.33
04.02 A II b) 1	1020	57.75
04.02 A II b) 2	1120	116.90
04.02 A II b) 3	1220	119.32
04.02 A II b) 4	1320	134.08
04.02 A III a) 1	1420	34.79
04.02 A III a) 2	1520	46.97
04.02 A III b) 1	1620	74.51
04.02 A III b) 2	1720	115.16
04.02 B I a)	1820	36.27
04.02 B I b) 1 aa)	2220	per kg 0.5775 ⁽¹¹⁾
04.02 B I b) 1 bb)	2320	per kg 1.1690 ⁽¹¹⁾
04.02 B I b) 1 cc)	2420	per kg 1.3408 ⁽¹¹⁾
04.02 B I b) 2 aa)	2520	per kg 0.5775 ⁽¹²⁾
04.02 B I b) 2 bb)	2620	per kg 1.1690 ⁽¹²⁾
04.02 B I b) 2 cc)	2720	per kg 1.3408 ⁽¹²⁾
04.02 B II a)	2820	52.92
04.02 B II b) 1	2910	per kg 0.7451 ⁽¹²⁾
04.02 B II b) 2	3010	per kg 1.1516 ⁽¹²⁾
04.03 A	3110	135.48
04.03 B	3210	165.29
04.04 A I a) 1	3321	18.13
04.04 A I a) 2	3420	159.39 ⁽¹³⁾
04.04 A I b) 1 aa)	3521	18.13
04.04 A I b) 1 bb)	3619	159.39 ⁽¹³⁾
04.04 A I b) 2	3719	159.39 ⁽¹³⁾
04.04 A II	3800	159.39
04.04 B	3900	183.50 ⁽¹⁴⁾
04.04 C	4000	109.03
04.04 D I	4120	36.27
04.04 D II a) 1	4410	136.61
04.04 D II a) 2	4510	132.92
04.04 D II b)	4610	229.64
04.04 E I a)	4710	183.50
04.04 E I b) 1 aa) 11)	4840	182.56 ⁽¹⁹⁾
04.04 E I b) 1 aa) 22) aaa)	4850	182.56 ⁽¹⁹⁾
04.04 E I b) 1 aa) 22) bbb)	4860	182.56 ⁽¹⁹⁾
04.04 E I b) 1 bb)	4870	182.56 ⁽¹⁹⁾

<i>(ECU/100 kg net weight, unless otherwise indicated)</i>		
CCT heading No	Code	Import levy
04.04 E I b) 1 cc)	4880	182.56 ⁽¹⁹⁾
04.04 E I b) 1 dd)	4890	182.56
04.04 E I b) 2 aa)	4922	147.19 ⁽¹⁵⁾
04.04 E I b) 2 bb)	5022	147.19 ⁽¹⁶⁾
04.04 E I b) 3	5030	147.19 ⁽¹⁷⁾
04.04 E I b) 4	5060	147.19 ⁽¹⁷⁾
04.04 E I b) 5 aa)	5130	147.19 ⁽¹⁹⁾
04.04 E I b) 5 bb)	5140	147.19
04.04 E I c) 1	5210	110.39
04.04 E I c) 2	5250	243.91
04.04 E II a)	5310	183.50
04.04 E II b)	5410	243.91
17.02 A II ⁽¹⁸⁾	5500	36.59
21.07 F I	5600	36.59
23.07 B I a) 3	5700	45.73
23.07 B I a) 4	5800	59.02
23.07 B I b) 3	5900	55.72
23.07 B I c) 3	6000	46.98
23.07 B II	6100	59.02

For notes ⁽¹⁾ to ⁽¹⁰⁾, see notes ⁽¹⁾ to ⁽¹⁰⁾ of Council Regulation (EEC) No 1691/80 (OJ No L 166, 1. 7. 1980).

⁽¹¹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :

- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
- (b) 7.25 ECU ; and
- (c) 15.25 ECU.

⁽¹²⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :

- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ; and
- (b) 15.25 ECU.

⁽¹³⁾ The levy is limited to 9.07 ECU per 100 kg net weight.

⁽¹⁴⁾ The levy is limited to 6 % of the value for customs purposes.

⁽¹⁵⁾ The levy is limited to 75.33 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁶⁾ The levy is limited to 99.51 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁷⁾ The levy is limited to 63.24 ECU per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

⁽¹⁸⁾ Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

⁽¹⁹⁾ Within the tariff quotas referred to in Article 9 (2) of Regulation (EEC) No 2915/79 the levy on 100 kg net weight shall be equal to 12.09 ECU.

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the ECU referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I, of the Common Customs Tariff, be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the ECU and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 2812/81**of 28 September 1981****fixing the amounts by which import duties on beef and veal originating in the
African, Caribbean and Pacific States are to be reduced**

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 last amended by
Regulation (EEC) No 3486/80 ⁽²⁾, and in particular
Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 435/80
provides for a 90 % reduction in the import duties on

beef and veal ; whereas the amount of this reduction
must be calculated in conformity with Article 4 of
Commission Regulation (EEC) No 486/80 ⁽³⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal
are to be reduced pursuant to Article 4 (1) of Regula-
tion (EEC) No 435/80 shall, in respect of importations
during the fourth quarter of 1981, be as shown in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 October
1981.

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

Done at Brussels, 28 September 1981.

For the Commission

Poul DALSAGER

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 56, 29. 2. 1980, p. 22.

BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BILAGE

Position i den fælles toldtarif Nummer des Gemeinsamen Zolltarifs Κλάση του Κοινού Δασμολογίου CCT heading No Numero du tarif douanier commun Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief	Belgique Luxembourg FB/Flux/100 kg	Danmark Dkr./100 kg	Deutschland DM/100 kg	Ελλάδα Αρχ./100 χγ	France FF/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg
01.02 A II	2 864,02	555,92	191,23	4 313,41	420,86	48-097	84 971	197,49	44-844
02.01 A II a) 1	5 441,63	1 056,25	363,34	8 195,48	799,64	91-383	161 444	375,22	85-203
02.01 A II a) 2	4 353,29	844,99	290,67	6 556,36	639,71	73-106	129 155	300,17	68-162
02.01 A II a) 3	6 529,97	1 267,50	436,01	9 834,60	959,57	109-661	193 733	450,26	102-245
02.01 A II a) 4 aa)	8 162,44	1 584,37	530,78	12 293,22	1 199,46	137-075	245 661	562,82	123-556
02.01 A II a) 4 bb)	9 336,67	1 812,29	616,35	14 061,68	1 372,01	156-794	278 738	643,79	144-082
02.01 A II b) 1	4 914,94	954,01	327,90	7 402,24	728,24	82-538	145 886	338,90	76-874
02.01 A II b) 2	3 931,98	763,22	262,32	5 921,84	577,80	66-031	116 710	271,13	61-500
02.01 A II b) 3	6 143,69	1 192,52	409,87	9 252,83	902,80	103-173	182 359	423,63	96-092
02.01 A II b) 4 aa)	7 372,40	1 431,02	479,18	11 103,36	1 083,36	123-808	221 938	508,35	111-530
02.01 A II b) 4 bb) 11	6 143,69	1 192,52	409,87	9 252,83	902,80	103-173	182 359	423,63	96-092
02.01 A II b) 4 bb) 22 (1)	6 143,69	1 192,52	409,87	9 252,83	902,80	103-173	182 359	423,63	96-092
02.01 A II b) 4 bb) 33	8 453,74	1 640,91	555,48	12 731,91	1 242,26	141-967	253 014	582,91	129-685
02.06 C I a) 1	8 162,44	1 584,37	530,78	12 293,22	1 199,46	137-075	245 661	562,82	123-556
02.06 C I a) 2	9 336,67	1 812,29	611,74	14 061,68	1 372,01	156-794	279 869	643,79	142-708
16.02 B III b) 1 aa)	9 336,67	1 812,29	611,74	14 061,68	1 372,01	156-794	279 869	643,79	142-708

(1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.
(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) Η ύπαρξη της διακρίσιμης ταύτισης εξαρτάται εκ της προσκομιστικής πιστοποιητικού εκδιδόμενου κατά των αρμοδίων αρχών.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conforme alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

COMMISSION REGULATION (EEC) No 2813/81

of 29 September 1981

amending Regulation (EEC) No 1963/81 fixing for the 1981/82 marketing year the minimum price to be paid to producers and the amount of production aid for certain products processed from fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1118/81⁽²⁾, and in particular Article 3c thereof,

Whereas Commission Regulation (EEC) No 1963/81⁽³⁾ fixed for the 1981/82 marketing year the minimum price to be paid to producers and the amount of production aid for certain products processed from fruit and vegetables; whereas an error has been made in the description of certain products whose manufacture may be eligible for aid; whereas the said Regulation should therefore be corrected;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1963/81 is hereby replaced by the following:

Article 2

1. For the 1981/82 marketing year, the minimum price referred to in Article 3a (3) of Regulation (EEC) No 516/77 to be paid to producers for tomatoes intended for the manufacture of preserved whole peeled tomatoes and frozen whole peeled tomatoes falling within subheadings ex 20.02 C and ex 07.02 B of the Common Customs Tariff shall be, per 100 kg net of tomatoes, ex grower:

for the San Marzano variety:

- 15.508 ECU for the Member States other than Greece, and
- 11.056 ECU for Greece;

for the Roma and similar varieties:

- 11.692 ECU for the Member States other than Greece, and
- 7.918 ECU for Greece.

2. For the marketing year in question, the production aid referred to in Article 3a of Regulation (EEC) No 516/77 for preserved whole peeled tomatoes and frozen whole peeled tomatoes falling within subheadings ex 20.02 C and ex 07.02 B of the Common Customs Tariff shall be, per 100 kg, immediate packing included:

for the San Marzano variety:

- 16.74 ECU for the Member States other than Greece, and
- 12.03 ECU for Greece;

for the Roma and similar varieties:

- 12.13 ECU for the Member States other than Greece, and
- 9.04 ECU for Greece.

3. For the 1981/82 marketing year, the minimum price referred to in Article 3a (3) of Regulation (EEC) No 516/77 to be paid to producers for tomatoes intended for the manufacture of non-whole preserved peeled tomatoes and non-whole frozen peeled tomatoes shall be, per 100 kg net, ex grower:

- 9.667 ECU for the Member States other than Greece, and
- 6.551 ECU for Greece.

4. For the marketing year in question, the production aid referred to in Article 3a of Regulation (EEC) No 516/77 for non-whole preserved peeled tomatoes and non-whole frozen peeled tomatoes falling within subheadings ex 20.02 C

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 10.

⁽³⁾ OJ No L 192, 15. 7. 1981, p. 16.

and 07.02 B of the Common Customs Tariff shall be, per 100 kg, immediate packing included :

- 5.94 ECU for the Member States other than Greece, and
- 4.43 ECU for Greece.'

Article 2

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

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

Done at Brussels, 29 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2814/81
of 29 September 1981
amending Regulation (EEC) No 1932/81 in respect of the free fatty acid content
of concentrated butter eligible for aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 12 (3) thereof,

Whereas Article 1 (2) (b) and Annex I of Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽²⁾ lay down that concentrated butter is eligible for aid only if its free fatty acid content does not exceed 0.3 % expressed as oleic acid ; whereas it has been found that this limit may be increased slightly ; whereas, for reasons of equity and administrative simplicity, this increase should also apply to concentrated butter for which an invitation to

tender has been issued since the entry into force of Regulation (EEC) No 1932/81 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In Annex I to Regulation (EEC) No 1932/81, in respect of the maximum free fatty acid content, the percentage '0.3' is hereby replaced by '0.35'.

Article 2

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

It shall apply with effect from 14 July 1981.

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

Done at Brussels, 29 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 191, 14. 7. 1981, p. 6.

COMMISSION REGULATION (EEC) No 2815/81

of 29 September 1981

fixing the rates of the refunds applicable from 1 October 1981 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as amended by Regulation (EEC) No 1188/81⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80 the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the

Treaty which are manufactured under similar conditions;

- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by the Act of Accession⁽⁶⁾; whereas, pursuant to Article 1 (2) (b) of Regulation (EEC) No 3035/80, skimmed milk thus defined is assimilated to milk powder complying with the definition of the pilot products Group No 2 listed in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽⁷⁾, as last amended by Regulation (EEC) No 853/81⁽⁸⁾; whereas a rate of refund should be fixed for this milk powder;

Whereas Article 2 of Commission Regulation (EEC) No 756/70 of 24 April 1970 on granting aid for skimmed milk processed into casein or caseinates⁽⁹⁾, as last amended by Regulation (EEC) No 1585/81⁽¹⁰⁾,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 121, 5. 5. 1981, p. 3.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁸⁾ OJ No L 90, 4. 4. 1981, p. 8.

⁽⁹⁾ OJ No L 91, 25. 4. 1970, p. 28.

⁽¹⁰⁾ OJ No L 154, 13. 6. 1981, p. 47.

fixes the aid per 100 kilograms of skimmed milk processed into casein or caseinates according to type ;

Whereas Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽¹⁾, as last amended by Regulation (EEC) No 1600/81 ⁽²⁾, Commission Regulation (EEC) No 1468/79 of 13 July 1979 on the granting of aid for butter from private storage for use in the manufacture of pastry products ice-cream and other foodstuffs ⁽³⁾, as amended by Regulation (EEC) No 1250/81 ⁽⁴⁾, and Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of products, ice-cream and other foodstuffs ⁽⁵⁾, authorizes delivery of butter at reduced prices to industries which manufacture certain goods ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable from 1 October 1981 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1981.

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

Done at Brussels, 29 September 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽²⁾ OJ No L 159, 17. 6. 1981, p. 10.

⁽³⁾ OJ No L 177, 14. 7. 1979, p. 40.

⁽⁴⁾ OJ No L 126, 12. 5. 1981, p. 5.

⁽⁵⁾ OJ No L 191, 14. 7. 1981, p. 6.

ANNEX

to the Commission Regulation of 29 September 1981 fixing the rates of the refunds applicable from 1 October 1981 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	Rate of refund
<i>(ECU/100 kg)</i>		
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of less than 1.5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CCT heading No 35.01 b) On exportation of other goods	— 37.00
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	66.00
ex 04.02 A III	Concentrated milk, with a fat content by weight of 7.5 % and a content by weight in dry matter equal to 25 % (PG 4)	17.58
ex 04.03	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of the following goods manufactured under the conditions laid down in Regulations (EEC) No 262/79, (EEC) No 1468/79 and (EEC) No 1932/81: — goods falling within CCT heading No 19.08 or subheadings 18.06 B and 21.07 C, — powdered preparations for making ice-cream and similar edible products called 'ice-mix' falling within CCT subheading 18.06 D and heading No 21.07, — raw doughs and powdered preparations falling within CCT subheading 19.02 B II b) b) On exportation of goods of CCT subheadings 18.06 D II c) and 21.07 G VII to IX c) On exportation of other goods	— — — — — 105.00

COMMISSION REGULATION (EEC) No 2816/81
of 29 September 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 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Regulation (EEC) No 2546/81⁽²⁾, as last amended by Regulation (EEC) No 2775/81⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2546/81 to the

information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 2546/81, are hereby altered to the amounts shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 September 1981.

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

Done at Brussels, 29 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 248, 1. 9. 1981, p. 53.

⁽³⁾ OJ No L 270, 25. 9. 1981, p. 58.

ANNEX

to the Commission Regulation of 29 September 1981 altering the basic amount of the import levy on syrups and certain other sugar products

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	C. Maple sugar and other syrup	0.2585	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	35.83
	ex II. Other	0.2585	—
	E. Artificial honey, whether or not mixed with natural honey	0.2585	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0.2585	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	35.83
	IV. Other	0.2585	—

COMMISSION REGULATION (EEC) No 2817/81
of 29 September 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 markets in the sugar sector⁽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 2802/81⁽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 Regu-
lation (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 30
September 1981.

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

Done at Brussels, 29 September 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 275, 29. 9. 1981, p. 30.

ANNEX

**to the Commission Regulation of 29 September 1981 fixing the import levies on white
sugar and raw sugar**

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	25.85
	B. Raw sugar	19.22 ⁽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 DECISION

of 14 September 1981

appointing an alternate of the Advisory Committee on the Training of Dental Practitioners

(81/762/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Decision 78/688/EEC of 25 July 1978 setting up an Advisory Committee on the Training of Dental Practitioners⁽¹⁾, and in particular Articles 3 and 4 thereof,

Whereas, by its Decision 80/376/EEC⁽²⁾, the Council appointed Doctor Joseph Mersch as an alternate for the period ending on 25 March 1983;

Whereas on 7 August 1981 the Luxembourg Government nominated Doctor Jean Ecker as a replacement for Doctor Joseph Mersch, alternate of the abovementioned Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

Doctor Jean Ecker is hereby appointed an alternate of the Advisory Committee on the Training of Dental Practitioners in place of Doctor Joseph Mersch for the remainder of the latter's term of office, which runs until 25 March 1983.

Done at Brussels, 14 September 1981.

For the Council

The President

CARRINGTON

⁽¹⁾ OJ No L 233, 24. 8. 1978, p. 15.

⁽²⁾ OJ No L 93, 10. 4. 1980, p. 22.

COMMISSION

COMMISSION DECISION

of 3 September 1981

fixing the maximum export refund on common wheat in connection with the invitation to tender issued under Regulation (EEC) No 1604/81

(81/763/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1949/81⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,

Whereas an invitation to tender for the levy and/or refund for the export of common wheat was issued under Commission Regulation (EEC) No 1604/81⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for export of common wheat issued under Regulation (EEC) No 1604/81 is hereby fixed on the basis of the tenders submitted by 3 September 1981 at 47.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 September 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 159, 17. 6. 1981, p. 16.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 3 September 1981****fixing the maximum export refund on barley in connection with the invitation
to tender issued under Regulation (EEC) No 1605/81**

(81/764/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1949/81⁽²⁾,

Having regard to Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general
rules for granting export refunds on cereals and
criteria for fixing the amount of such refunds⁽³⁾, and
in particular Article 5 thereof,

Whereas an invitation to tender for the export refund
on barley was issued under Commission Regulation
(EEC) No 1605/81⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued under Regulation (EEC) No 1605/81 is
hereby fixed on the basis of the tenders submitted by
3 September 1981 at 20.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 September 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 159, 17. 6. 1981, p. 19.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 4 September 1981****fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued under Regulation (EEC) No 1617/81**

(81/765/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽²⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the export refund on wholly milled long grain rice was issued under Commission Regulation (EEC) No 1617/81 ⁽³⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as amended by Regulation (EEC) No 3491/80 ⁽⁵⁾, the Commission, acting under the procedure laid down in Article 27 of Regulation (EEC) No 1418/76, may decide to fix a maximum export refund; whereas, in fixing this maximum, the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 1431/76 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on wholly milled long grain rice to be exported to Poland pursuant to the invitation to tender for the export of rice issued under Regulation (EEC) No 1617/81 is hereby fixed on the basis of the tenders submitted by 3 September 1981 at 186.65 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 September 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽³⁾ OJ No L 160, 18. 6. 1981, p. 14.

⁽⁴⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ No L 365, 31. 12. 1980, p. 15.

COMMISSION DECISION**of 4 September 1981****correcting the Decision of 28 July 1981 on the list of establishments in the
Federative Republic of Brazil approved for the purpose of importing fresh beef
and veal and meat of domestic solipeds into the Community**

(81/766/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries⁽¹⁾, and in
particular Articles 4 (1) and 18 (1) (a) and (b) thereof,

Whereas Commission Decision 81/713/EEC of 28
July 1981⁽²⁾ laid down the list of establishments in
the Federative Republic of Brazil approved for the
purpose of importing fresh beef and veal and meat of
domestic solipeds into the Community ; whereas verifi-
cation has shown that point I of the Annex to the said
Decision does not, as a result of an error, correspond
to the one which was the subject of the Standing Vete-
rinary Committee's opinion ; whereas the Decision in
question should therefore be corrected,

HAS ADOPTED THIS DECISION :

Article 1

Point I of the Annex to the Commission Decision of
28 July 1981 is hereby replaced by the Annex to this
Decision.

Article 2

This Decision shall enter into force on 1 October
1981.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 4 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 257, 10. 9. 1981, p. 28.

ANNEX

LIST OF ESTABLISHMENTS

I. BOVINE MEAT

A. Slaughterhouses and cutting premises

Establishment No	Address
0005	Cooperativa Rural Serrana Ltda, Tupanciretã, Rio Grande do Sul
0006	Frigorífico Mouran Aracatuba SA, Aracatuba, São Paulo
0196	Frigorífico Bordon SA, Presidente Prudente, São Paulo
0226	Frigorífico Bordon SA, Bagé, Rio Grande do Sul
0232	Cooperative Industrial Regional de Carnes Cicade, Vila Industrial, Bagé
0385	Frigorífico Mouran SA, Andradina, São Paulo
0458	Frigorífico União SA, Presidente Epitácio, São Paulo
0834	Frigorífico Kaiowa SA, Presidente Venceslau, São Paulo
0906	Frigorífico T. Maia SA, Governador Valadares, Minas Gerais
1602	Bon Beef Indústria e Comércio de Carnes SA, Vinhedo, São Paulo
1651	Frigorífico Extremo Sul SA, Pelotas, Rio Grande do Sul
1926	Frigorífico Anselmi SA, Indústria de Carnes, Derivados e Conservas, Pelotas, Rio Grande do Sul

B. Slaughterhouses

Establishment No	Address
0076	SA Frigorífico Anglo-Barretos, São Paulo

C. Cutting premises

Establishment No	Address
0001	Comabra-Cia. de Alimentos do Brasil SA, Osasco — São Paulo

COMMISSION DECISION**of 9 September 1981****on a proposal by the Netherlands Government to grant aid for investment by an electrical and electronics engineering firm****(Only the Dutch text is authentic)****(81/767/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

I

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

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

In respect of such general aid systems it is now the well-established policy of the Commission to accept them subject to one of two conditions, namely, that the Member State concerned notifies to the Commission either a plan for regional or sectoral application

or, alternatively, where this is felt not to be possible, significant individual cases of application.

In line with this approach, and in accordance with Article 93 (3) of the EEC Treaty, the Commission requested prior notification in good time of individual cases of application of the 'additional premium for major schemes', account being taken of the amount of investment concerned.

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

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

II

By letters dated 6, 10 and 12 April 1979 the Netherlands Government notified the Commission, as required by the procedure, of its intention to grant the additional premium for major schemes to an international electrical and electronics engineering firm.

The aid was to be granted to the firm to help modernize administrative buildings, replace power plant and build a new laboratory. The investment would not create any new jobs.

Total investment was estimated at Fl 284.3 million and the scheme would qualify for a Fl 11.4 million subsidy by way of the additional premium for major schemes under the WIR scheme. On account of its location in the Eindhoven area, the project does not qualify for regional aid.

⁽¹⁾ Staatsblad 1978, No 368.

The group, of which the company in question is a part, already operates at Eindhoven and regards the investment — replacing out-of-date equipment and improving the group's research capacity — as a profitable undertaking.

III

The Netherlands Government replied on 27 July 1979 to the Commission's notice under Article 93 of the EEC Treaty stressing that the WIR scheme operated automatically, that aid could not be granted selectively in accordance with the desirability of the investment concerned and that the large amount of investment involved created financing problems even for a major group, notably on account of the investment which it had to make in order to remain competitive on a rapidly evolving market.

In the course of consultations with interested parties the Government of a Member State expressed reservations about the proposed aid. The firm concerned stressed that the investment envisaged would help to improve research capacity and productivity in certain areas.

IV

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

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

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

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

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

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

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

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

where, to affect trade between Member States. Furthermore, the information available on the socio-economic situation in that country does not point to the conclusion that it is suffering from a serious disturbance in its economy within the meaning of the Treaty. In individual cases of application the 'additional premium for major projects' is not granted for the purpose of dealing with such a situation.

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

Finally, as regards the derogation provided for in Article 92 (3) (c) in favour of 'aid to facilitate the development of certain economic activities', scrutiny of the electrical and electronics engineering industry as a whole gives reason to conclude that the play of market forces should itself be capable, without State intervention, of ensuring a normal development of this activity; in the present case the objective is essentially to facilitate investment for the replacement and updating of production and research facilities which are in the interests of the firm itself.

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

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of the Netherlands shall refrain from implementing its proposal, notified to the Commission by letters dated 6, 10 and 12 April 1979 from its Minister for Foreign Affairs, to grant the 'additional premium for major schemes' in favour of investment made at Eindhoven by a Netherlands electrical and electronics engineering firm.

Article 2

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

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 9 September 1981.

For the Commission

Frans ANDRIËSEN

Member of the Commission

COMMISSION DECISION

of 9 September 1981

concerning a special case arising from the implementation of Regulation (EEC)
No 2896/80 in respect of delivery of a consignment of butteroil as food aid

(Only the Dutch and French texts are authentic)

(81/768/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas, in accordance with Commission Regulation
(EEC) No 2896/80⁽⁴⁾, consignment B comprising 550
tonnes of butteroil was to be delivered by the
successful tenderer which was to manufacture that
butteroil in Belgium from butter coming from United
Kingdom intervention stocks and deliver it to the port
of embarkation;

Whereas the competent Belgian authorities have
found that, on arrival in Belgium, the consignment of
butter made available by the United Kingdom inter-
vention agency was 4.625 tonnes short; whereas it is
therefore appropriate to enable the successful tenderer
to make a replacement delivery, to be effected using
butter purchased on the market, so that the said

tenderer can fulfil its obligation towards the Commu-
nity to deliver a total of 550 tonnes of butteroil;

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

HAS ADOPTED THIS DECISION:

Article 1

1. By way of derogation from the provisions of
Regulation (EEC) No 2896/80, in respect of consign-
ment B, the Belgian intervention agency is hereby
authorized to permit the successful tenderer to manu-
facture, by way of replacement of part of consignment
B, a quantity of butteroil of up to four tonnes from
butter or cream purchased by it on the market.

2. The replacement delivery referred to in para-
graph 1 shall be made in accordance with the condi-
tions for the delivery as originally envisaged.

Article 2

This Decision is addressed to the Kingdom of
Belgium.

Done at Brussels, 9 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽³⁾ OJ No L 363, 31. 12. 1980, p. 50.

⁽⁴⁾ OJ No L 303, 12. 11. 1980, p. 21.

COMMISSION DECISION**of 9 September 1981****fixing the maximum export refund for the seventh partial invitation to tender for white sugar issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2041/81**

(81/769/EEC)

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 markets in the sugar sector⁽¹⁾, and in particular Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 2041/81 of 16 July 1981 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽²⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2041/81, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the seventh partial invitation to tender for white sugar issued under Regulation (EEC) No 2041/81 is hereby fixed at 29.045 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 9 September 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 200, 21. 7. 1981, p. 22.

COMMISSION DECISION**of 9 September 1981****fixing the maximum export refund for the fifth partial invitation to tender for
raw sugar issued under Regulation (EEC) No 2235/81**

(81/770/EEC)

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 organiza-
tion of the markets in the sugar sector ⁽¹⁾, and in parti-
cular Article 19 (4) thereof,

Whereas 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 ⁽²⁾, requires partial invitations to tender to
be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC)
No 2235/81, a maximum export refund shall be fixed,
as the case may be, account being taken in particular
of the state and foreseeable development of the
Community and world markets in sugar, for the
partial invitation to tender in question;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the fifth partial invi-
tation to tender for raw sugar issued under Regulation
(EEC) No 2235/81 is hereby fixed at 22·400 ECU per
100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 9 September 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 218, 4. 8. 1981, p. 19.

