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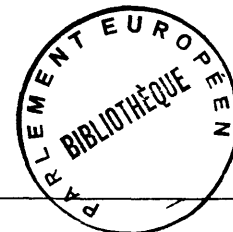
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Legislation



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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3186/81
of 9 November 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 6 November 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 10 November 1981.

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

Done at Brussels, 9 November 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 9 November 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	72.33
10.01 B	Durum wheat	132.54 ⁽¹⁾ ⁽²⁾
10.02	Rye	39.88 ⁽⁶⁾
10.03	Barley	76.06
10.04	Oats	37.82
10.05 B	Maize, other than hybrid maize for sowing	97.52 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	48.13 ⁽⁴⁾
10.07 C	Grain sorghum	85.47 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	114.97
11.01 B	Rye flour	69.56
11.02 A I a)	Durum wheat groats and meal	218.64
11.02 A I b)	Common wheat groats and meal	123.36

⁽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 3187/81**of 9 November 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 organ-
ization 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 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 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
6 November 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 10
November 1981.

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

Done at Brussels, 9 November 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 9 November 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 11	1st period 12	2nd period 1	3rd period 2
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	1.83
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 3188/81

of 9 November 1981

amending Regulation (EEC) No 1579/70 laying down special conditions for the export of certain cheeses to Spain

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 the first subparagraph of Article 17 (4) thereof,

Whereas footnote⁽²⁾ to Annex IV to Commission Regulation (EEC) No 1579/70⁽²⁾, as last amended by Regulation (EEC) No 166/81⁽³⁾, contains the free-at-Spanish-frontier prices which must be observed for certain cheeses from the Community if they are to be subject to a fixed regulatory duty on their entry into Spain;

Whereas, following an increase in the price of its milk, Spain has had to increase its threshold prices for certain cheeses;

Whereas higher threshold prices mean that higher free-at-Spanish-frontier prices must be observed; whereas footnote⁽³⁾ to Annex IV to Regulation (EEC) No 1579/70 must therefore be amended accordingly;

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

Footnote⁽³⁾ to Annex IV to Regulation (EEC) No 1579/70 is hereby replaced by the following:

'⁽³⁾ The prices per 100 kg net weight must not be less than:

- 27 258 pesetas for Emmentaler and Gruyère whole cheeses falling within subheading 04.04 A I a) I of the Spanish Customs Tariff,
- 28 549 pesetas for Emmentaler and Gruyère cheese in vacuum-packed pieces of a weight

exceeding one kilogram falling within subheading 04.04 A I b) 1 of the Spanish Customs Tariff,

- 29 446 pesetas for Emmentaler and Gruyère cheese in vacuum-packed pieces of a weight not exceeding one kilogram but exceeding 75 grams falling within subheading 04.04 A I c) 1 of the Spanish Customs Tariff,
- 22 482 pesetas for blue-veined cheeses falling within subheading 04.04 C 2 of the Spanish Customs Tariff,
- 25 131 pesetas for cheeses processed from Emmentaler or Gruyère falling within subheading 04.04 D I a) or D I b) of the Spanish Customs Tariff,
- 25 382 pesetas for cheeses processed from Emmentaler or Gruyère falling within subheading 04.04 D I c) of the Spanish Customs Tariff,
- 22 143 pesetas for other processed cheeses falling within subheading 04.04 D 2 a) of the Spanish Customs Tariff,
- 22 387 pesetas for other processed cheeses falling within subheading 04.04 D 2 b) of the Spanish Customs Tariff,
- 22 626 pesetas for other processed cheeses falling within subheading 04.04 D 2 c) of the Spanish Customs Tariff,
- 25 988 pesetas for Parmigiano Reggiano, Grana Padano, Pecorino and Fiore Sardo cheeses falling within subheading 04.04 G I a) 1 of the Spanish Customs Tariff,
- 21 977 pesetas for Cheddar cheese ripened for less than three months falling within subheading 04.04 G I b) 1 of the Spanish Customs Tariff,
- 23 255 pesetas for Cheddar cheese ripened for more than three months falling within subheading 04.04 G I b) 1 of the Spanish Customs Tariff,
- 23 695 pesetas for Provolone, Asiago, Caciocavallo and Ragusano cheeses falling within subheading 04.04 G I b) 2 of the Spanish Customs Tariff,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 172, 5. 8. 1970, p. 26.

⁽³⁾ OJ No L 19, 22. 1. 1981, p. 15.

- 22 936 pesetas for first quality Dutch Edam cheese of a minimum fat content by weight in the dry matter of 40 % and ripened for seven to eight weeks falling within subheading 04.04 G I b) 3 of the Spanish Customs Tariff,
- 23 134 pesetas for cheeses of a water content calculated by weight of the non-fatty matter exceeding 62 % but not exceeding 72 % falling within subheading 04.04 G I b) 5 of the Spanish Customs Tariff,
- 23 134 pesetas for cheeses of a water content calculated by weight of the non-fatty matter

exceeding 72 % in packings of a net capacity not exceeding 500 grams falling within subheading 04.04 G I c) 1 of the Spanish Customs Tariff.'

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, 9 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 3189/81

of 9 November 1981

fixing the special rates for converting the free-at-frontier reference prices of imported liqueur wines into national currency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 3456/80⁽²⁾,

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 Commission Regulation (EEC) No 1393/76 of 17 June 1976 laying down detailed rules for the importation of products in the wine-growing sector originating in certain third countries⁽⁵⁾, as last amended by Regulation (EEC) No 3104/80⁽⁶⁾, and in particular Article 1a (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 1a of Regulation (EEC) No 1393/76, special rates are used to convert into national currency the free-at-frontier reference prices for imported liqueur wines; whereas the special rates applicable at present were fixed by Commission Regulation (EEC) No 2308/81⁽⁷⁾; whereas for the currencies of the Member States maintained at any given moment with a maximum spread of 2.25 %, the special rate is the conversion rate resulting from the central rate; whereas, for the other currencies, the special rate for the period 1 July to 15 December 1981 is equal to the conversion rate in relation to all the currencies of the Member States, maintained at any given moment with a maximum spread of 2.25 %, resulting from the average rate taken into consideration for the purpose of calculating the monetary compensatory amounts valid on 1 June 1981;

Whereas the central rates for the Belgian franc, the Luxembourg franc, the Danish krone, the German mark, the French franc, the Irish pound and the Dutch guilder have been altered with effect from 5 October 1981; whereas the special rates in force at present for the said currencies must accordingly be adapted;

Whereas Article 1a (3) (c) of Regulation (EEC) No 1393/76 provides that the special rate for a currency other than those maintained at any given moment within a maximum spread of 2.25 % is to be revised when, for a period of 20 working days, its conversion rate moves away by an average of not less than 10 % from the special rate previously fixed for the currency in question; whereas that condition has been fulfilled for the pound sterling; whereas application of these provisions makes it necessary to alter the special rate for the pound sterling,

HAS ADOPTED THIS REGULATION :

Article 1

The special rate referred to in Article 1a of Regulation (EEC) No 1393/76 shall be :

(a) for the Belgian franc and the Luxembourg franc :

Bfr/Lfr 1 = 0.0245355 ECU;

(b) for the Danish krone :

Dkr 1 = 0.126404 ECU;

(c) for the German mark :

DM 1 = 0.414957 ECU;

(d) for the French franc :

FF 1 = 0.161958 ECU;

(e) for the pound sterling :

£ 1 = 1.69274 ECU;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 18.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 157, 18. 6. 1976, p. 20.

⁽⁶⁾ OJ No L 324, 29. 11. 1980, p. 63.

⁽⁷⁾ OJ No L 226, 12. 8. 1981, p. 7.

(f) for the Irish pound :

£ Irl 1 = 1.46102 ECU ;

(g) for the Italian lira :

Lit 100 = 0.0794999 ECU ;

(h) for the Dutch guilder :

Fl 1 = 0.375401 ECU ;

(i) for the Greek drachma :

Dr 1 = 0.0162693 ECU.

Article 2

Regulation (EEC) No 2308/81 is hereby repealed.

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, on application by the party concerned, with effect from 5 October 1981.

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

Done at Brussels, 9 November 1981.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 3190/81

of 9 November 1981

re-establishing the levying of customs duties on carbonates of barium falling within subheading 28.42 A ex VII, and originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3322/80 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3322/80 of 16 December 1980 establishing a multi-annual scheme of generalized tariff preferences and its application for 1981 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 12 thereof,

Having regard to Council Regulation (EEC, Euratom) No 3308/80 of 16 December 1980 on the replacement of the European unit of account by the ECU in Community legal instruments⁽²⁾,

Whereas, in pursuance of Article 1 of Regulation (EEC) No 3322/80, duties on the products listed in Annex B originating in each of the countries or territories listed in Annex C shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 12;

Whereas, as provided for in Article 12, where the increase of preferential imports of those products, originating in one or more beneficiary countries, causes, or is likely to cause, economic difficulties in the Community or in a region of the Community, the Commission may, acting on its own initiative, or at the request of a Member State, re-establish the customs duties on imports of the products in question;

Whereas, in the case of carbonates of barium and according to the calculation carried out in conformity with the provisions of Article 12, the preference base

was fixed at 673 000 ECU; whereas, on 12 October 1981, imports of these products into the Community originating in China reached that reference base; whereas continuance of the preference scheme causes economic difficulties in a region of the Community; whereas the Federal Republic of Germany has requested that the levying of customs duties be re-established; whereas, at the end of the period of 10 days commencing as provided for in paragraph 2 of the abovementioned Article 12, that Member State has confirmed its request; whereas customs duties in respect of the products in question must therefore be reintroduced against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 13 November 1981, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3322/80, shall be re-established on imports into the Community of the following products originating in China:

CCT heading No	Description
28.42 A ex VII (NIMEXE 28.42-72)	Carbonates of barium

Article 2

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

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

Done at Brussels, 9 November 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 354, 29. 12. 1980, p. 114.

⁽²⁾ OJ No L 345, 20. 12. 1980, p. 1.

COMMISSION REGULATION (EEC) No 3191/81**of 9 November 1981****re-establishing the levying of customs duties on ethyl acetate, falling within subheading 29.14 A II c) ex 1 and originating in Brazil, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3322/80 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3322/80 of 16 December 1980 establishing a multi-annual scheme of generalized tariff preferences and its application for 1981 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC, Euratom) No 3308/80 of 16 December 1980 on the replacement of the European unit of account by the ECU in Community legal instruments⁽²⁾,

Whereas, in pursuance of Articles 1 and 9 of Regulation (EEC) No 3322/80 suspension of customs duties shall be accorded to each of the countries or territories listed in Annex C, other than those listed in column 4 of Annex A, within the framework of the preferential tariff ceiling fixed in column 9 of Annex A;

Whereas, as provided for in Article 10 (1) of that Regulation, as soon as the individual ceilings in question are reached at Community level, the Commission, either acting on its own initiative or once a Member State has requested it to do so, shall re-establish the levying of customs duties on imports of the products in question;

Whereas, in the case of ethyl acetate falling within subheading 29.14 A II c) ex 1 the individual ceiling

was fixed at 257 000 ECU; whereas, on 28 October 1981, imports of these products into the Community originating in Brazil reached that ceiling; whereas the United Kingdom has requested that the levying of customs duties be re-established; whereas the customs duties in respect of the products in question must therefore be re-established against Brazil,

HAS ADOPTED THIS REGULATION:

Article 1

As from 13 November 1981, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3322/80, shall be re-established on imports into the Community of the following products originating in Brazil:

CCT heading No	Description
29.14 A II c) ex 1 (NIMEXE code : 29.14-31)	Ethyl acetate

Article 2

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

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

Done at Brussels, 9 November 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 354, 29. 12. 1980, p. 114.

⁽²⁾ OJ No L 345, 20. 12. 1980, p. 1.

COMMISSION REGULATION (EEC) No 3192/81

of 9 November 1981

opening an invitation to tender for the mobilization of common wheat as food aid for the Republic of Rwanda

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 28 thereof,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid⁽³⁾, and in particular Article 6 thereof,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, on 19 May 1981, the Council of the European Communities declared that by way of Community action it proposed to grant Rwanda 2 000 tonnes of common wheat under its 1981 food-aid programme;

Whereas an analysis of the state of the cereals market with reference to cereals intervention in France indicates that the criteria of Article 3 (2) of Regulation (EEC) No 2750/75 should be applied and that the intervention agency of the Member State as specified should mobilize the cereals from those stocked in its own stores and should also determine the conditions of mobilization;

Whereas the proposed invitation to tender should be for supply of the products delivered to Mombasa/Dares Salaam, that is at the moment when the goods are actually placed on the quay or in the lighter where applicable;

Whereas the award under the invitation to tender must be made in favour of the tenderer offering the best terms;

Whereas, should *force majeure* make it impossible to complete the operation in question within the set time limits, it should be made clear who is to bear the liability for any resulting costs;

Whereas provisions should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender will be fulfilled;

Whereas the French intervention agency should be made responsible for the tendering procedure for supply to Rwanda;

Whereas it is important that the Commission be informed without delay of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply, by way of Community food-aid action to the Republic of Rwanda of 2 000 tonnes of common wheat.
2. The tendering procedure shall take place in France in two lots of 1 000 tonnes. The product shall be mobilized by the French intervention agency from the stores specified in the Annex. Shipment shall be from a Community port.
3. The invitation to tender provided for in paragraph 1 is for supply of products delivered to Mombasa/Dares Salaam, that is at the moment when the goods are actually placed on the quay or in the lighter where applicable.
4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks:

'Froment tendre/Don de la Communauté économique européenne au Rwanda.'

⁽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. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

To allow for the possibility of rebagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 20 November 1981.

2. The closing date for submission of tenders shall be 20 November 1981 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency, with the agreement of the Commission, may refuse the tenders.

Article 5

1. The tenderer shall give security in an amount of 6 ECU per tonne of goods.

It shall be released :

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3,
- in the case of the successful tenderer for quantities not supplied by reason of *force majeure*,

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 6

1. The common wheat referred to in Article 1 must be of fair and sound merchantable quality and corres-

pond at least to the bread-making quality required for intervention except that the moisture content shall not exceed 15.5 %.

2. For this purpose the intervention agency of the country of shipment shall arrange for a check at the port at the time of loading on the nature, quality and packaging of the goods. Following inspection an attestation shall be issued. The costs relating thereto shall be borne by the intervention agency.

3. Samples intended for analysis shall be taken and the inspection shall be carried out in accordance with the trade practices in force in the country of shipment.

Article 7

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation and the payment to the successful tenderer.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packing ;
- (b) the date of the departure of the ships, the estimated date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

Article 8

As regards this tender the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of loading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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, 9 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

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

Partiets nummer Nummer der Partie Ἀριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Indskibningshavn Verschiffungshafen Λιμένας φορτώσεως Port of shipment Port d'embarquement Porto d'imbarco Haven van inlading	Mængde (t) Menge (t) Τόνοι Tonnage Tonnage Tonnellaggio Hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση έναποθηκευτοῦ Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder	Lagerplads Ort der Lagerhaltung Τόπος άποθηκεύσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	Fællesskabshavne Hafen der Gemeinschaft	1 000 t	SICA des agriculteurs de l'Adour Avenue Gaston Phoebus F-64230 Lescar	Solferino (40)
2	Κοινοτικός λιμένας Community port Port de la Communauté Porto della Comunità Haven van de Gemeenschap	1 000 t	SICA des agriculteurs de l'Adour Avenue Gaston Phoebus F-64230 Lescar	Solferino (40)

COMMISSION REGULATION (EEC) No 3193/81**of 9 November 1981****amending Regulation (EEC) No 3012/81 on an invitation to tender for the refund
on export of milled long grain rice 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
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice⁽¹⁾, as last amended by the
Act of Accession of Greece⁽²⁾, and in particular
Article 17 thereof,

Having regard to Council Regulation (EEC) No
1431/76 of 21 June 1976 laying down general rules
for granting export refunds on rice and criteria for
fixing the amount of such refunds⁽³⁾, and in particular
Article 4 thereof,

Whereas the Commission, by Regulation (EEC) No
3012/81 of 19 October 1981⁽⁴⁾, opened an invitation
to tender for determining the refund on export of
milled long grain rice to Poland; whereas the invita-
tion to tender is to cover a maximum quantity of
10 000 tonnes; whereas, however, for administrative
and financial reasons, the invitation to tender should
be organized in two successive instalments of 5 000
tonnes;

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

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 3012/81 is hereby amended as
follows :

1. Article 1 (2) is replaced by the following :

‘2. The invitation to tender shall cover a
maximum of 10 000 tonnes of milled long grain
rice for export to Poland.

The operation shall be organized in two successive
instalments, each covering a maximum of 5 000
tonnes.’

2. Article 1 (3) is replaced by the following :

‘3. The first instalment shall be open until 31
December 1981. The second instalment shall be
open from 1 January until 31 March 1982.

During those periods, weekly invitations to tender
shall be issued and the dates for submission of
tenders shall be determined in the notices of invita-
tion to tender.’

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, 9 November 1981.

For the Commission

Poul DALSAER

Member of the Commission

¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

²⁾ OJ No L 291, 19. 11. 1979, p. 17.

³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁴⁾ OJ No L 301, 22. 10. 1981, p. 19.

COMMISSION REGULATION (EEC) No 3194/81
of 9 November 1981
amending Regulation (EEC) No 3142/81 introducing a countervailing charge on
cucumbers 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 3142/81 ⁽³⁾ introduced a
countervailing charge on cucumbers originating in
Spain;

Whereas Article 26 (1) of Regulation (EEC) No
1035/72 laid down the conditions under which a
charge introduced in application of Article 25 of that

Regulation is amended; whereas, if these conditions
are taken into consideration, the countervailing charge
on the import of cucumbers originating in Spain must
be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The amount '4.49 ECU' appearing in Article 1 of
Regulation (EEC) No 3142/81 is replaced by the
amount 17.16 ECU.

Article 2

This Regulation shall enter into force on 10
November 1981.

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

Done at Brussels, 9 November 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 312, 31. 10. 1981, p. 74.

COMMISSION REGULATION (EEC) No 3195/81
of 9 November 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 3185/81 ⁽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 10
November 1981.

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

Done at Brussels, 9 November 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 318, 7. 11. 1981, p. 15.

ANNEX

**to the Commission Regulation of 9 November 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	28.03
	B. Raw sugar	22.95 ⁽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 3196/81

of 9 November 1981

altering the corrective amount on import of cucumbers originating in Greece
into the Community of Nine

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 10/81
of 1 January 1981 fixing, in respect of fruit and vege-
tables, the general rules for implementing the 1979
Act of Accession⁽¹⁾, and in particular Article 9 (2)
thereof,

Whereas Article 75 of the Act of Accession fixes the
conditions under which a compensatory mechanism
for imports into the Community of Nine of fruit and
vegetables coming from Greece for which an institu-
tional price is fixed, is to be introduced;

Whereas Council Regulation (EEC) No 10/81 deter-
mined the general rules for applying the said compen-
satory mechanism and Commission Regulation (EEC)
No 53/81 of 1 January 1981⁽²⁾ fixed detailed rules for
applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 3141/81
of 30 October 1981⁽³⁾, introduced a corrective amount

on import of cucumbers originating in Greece into the
Community of Nine;

Whereas Article 7 (1) of Regulation (EEC) No 10/81
fixed the conditions under which a corrective amount,
introduced pursuant to Article 6 (1) (a) of the said
Regulation, is to be altered; whereas the said condi-
tions require alteration of the corrective amount on
import of cucumbers originating in Greece into the
Community of Nine,

HAS ADOPTED THIS REGULATION:

Article 1

The amount '2.63 ECU' in Article 1 of Regulation
(EEC) No 3141/81 is hereby replaced by the amount
'12.53 ECU'.

Article 2

This Regulation shall enter into force on 10
November 1981.

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

Done at Brussels, 9 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 1, 1. 1. 1981, p. 17.

⁽²⁾ OJ No L 4, 1. 1. 1981, p. 34.

⁽³⁾ OJ No L 312, 31. 10. 1981, p. 73.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 19 October 1981

**appointing a full member and an alternate member of the Advisory Committee
on Safety, Hygiene and Health Protection at Work**

(81/872/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Decision of 27 June 1974 on the setting up of an Advisory Committee on Safety, Hygiene and Health Protection at Work ⁽¹⁾, and in particular Article 4 thereof,

Having regard to the Council Decision of 23 November 1978 appointing the full members and alternate members of the Advisory Committee on Safety, Hygiene and Health Protection at Work for the period ending on 22 November 1981,

Whereas one full member's seat and one alternate member's seat in the employers' representatives category on the aforementioned Committee have become vacant following the resignation of Mr Cobb and Mr Eberlie, notified to the Council on 23 September 1981 ;

Having regard to the candidates proposed on 23 September 1981,

HAS DECIDED AS FOLLOWS :

Sole Article

Mr R. F. Eberlie is hereby appointed a full member and Miss B. Swiadcowska an alternate member of the Advisory Committee on Safety, Hygiene and Health Protection at Work in place of Mr Cobb and Mr Eberlie for the remainder of the latter's term of office, which runs until 22 November 1981.

Done at Luxembourg, 19 October 1981.

For the Council

The President

P. WALKER

⁽¹⁾ OJ No L 185, 9. 7. 1974, p. 15.

COUNCIL DECISION**of 19 October 1981****appointing a full member of the Advisory Committee on Safety, Hygiene and Health Protection at Work**

(81/873/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Decision of 27 June 1974 on the setting up of an Advisory Committee on Safety, Hygiene and Health Protection at Work⁽¹⁾, and in particular Article 4 thereof,

Having regard to the Council Decision of 23 November 1978 appointing full members and alternate members of the Advisory Committee on Safety, Hygiene and Health Protection at Work for the period ending on 22 November 1981,

Whereas one full member's seat in the government representatives category of the aforementioned Committee has fallen vacant following the resignation of Mr Hayden notified to the Council on 11 August 1981;

Having regard to the candidate proposed on 24 September 1981,

HAS DECIDED AS FOLLOWS :

Sole Article

Mr Joseph Conroy is hereby appointed full member of the Advisory Committee on Safety, Hygiene and Health Protection at Work in place of Mr Hayden for the remainder of the latter's term of office, which runs until 22 November 1981.

Done at Luxembourg, 19 October 1981.

*For the Council**The President*

P. WALKER

⁽¹⁾ OJ No L 185, 9. 7. 1974, p. 15.

COUNCIL DECISION**of 26 October 1981****replacing a member of the Administrative Board of the European Foundation
for the improvement of living and working conditions**

(81/874/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1365/75 of 26 May 1975 on the creation of a European Foundation for the improvement of living and working conditions⁽¹⁾, and in particular Article 6 thereof,Having regard to the Council Decision of 14 March 1980 appointing, for the period ending on 16 March 1983, the members of the Administrative Board of the European Foundation for the improvement of living and working conditions⁽²⁾,

Whereas the Council was informed on 12 October 1981 that a member's seat on the Administrative Board of the abovementioned Foundation in the 'government representatives' category had become vacant as a result of the resignation of Mr Brun,

Having regard to the nomination submitted on 12 October 1981,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Bernard Boyer is hereby appointed a member of the Administrative Board of the European Foundation for improvement of living and working conditions in place of Mr Brun for the remainder of the latter's term of office, which runs until 16 March 1983.

Done at Luxembourg, 26 October 1981.

*For the Council**The President*

CARRINGTON

⁽¹⁾ OJ No L 139, 30. 5. 1975, p. 1.⁽²⁾ OJ No L 78, 25. 3. 1980, p. 17.

COUNCIL DIRECTIVE
of 27 October 1981
amending Directive 75/275/EEC concerning the Community list of less-favoured
areas within the meaning of Council Directive 75/268/EEC (Netherlands)

(81/875/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 75/268/EEC of 28
April 1975 on mountain and hill farming and farming
in certain less-favoured areas ⁽¹⁾, as last amended by
Directive 80/666/EEC ⁽²⁾, and in particular Article 2 (3)
thereof,

Having regard to the proposal from the Commis-
sion ⁽³⁾,

Having regard to the opinion of the European
Parliament ⁽⁴⁾,

Whereas Council Directive 75/275/EEC of 28 April
1975 concerning the Community list of less-favoured
farming areas within the meaning of Directive
75/268/EEC (Netherlands) ⁽⁵⁾ indicates the areas in the
Netherlands included in the Community list of less-
favoured areas within the meaning of Article 3 (5) of
Directive 75/268/EEC ;

Whereas the Netherlands Government has applied,
under Article 2 (1) of Directive 75/268/EEC, to have
the list of areas contained in the Annex to Directive
75/275/EEC amended in accordance with the Annex
to this Directive ;

Whereas the new areas contained in the list corres-
pond to the criteria and statistical values which were

applied in Directive 75/275/EEC for determining the
areas concerned within the meaning of Article 3 (5) of
Directive 75/268/EEC ;

Whereas moreover the total surface area of these areas
is less than 2.5 % of the total surface area of the
Netherlands,

HAS ADOPTED THIS DIRECTIVE :

Article 1

The list of less-favoured areas in the Netherlands
contained in the Annex to Directive 75/275/EEC is
hereby replaced by the list as shown in the Annex to
this Directive.

Article 2

This Directive is addressed to the Kingdom of the
Netherlands.

Done at Luxembourg, 27 October 1981.

For the Council

The President

CARRINGTON

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 180, 14. 7. 1980, p. 34.

⁽³⁾ OJ No C 160, 30. 6. 1981, p. 3.

⁽⁴⁾ Opinion delivered on 16 October 1981 (not yet published
in the Official Journal).

⁽⁵⁾ OJ No L 128, 19. 5. 1975, p. 229.

ANNEX

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

PROBLEEMGEBIEDEN IN DE ZIN VAN ARTIKEL 3, LID 5, VAN RICHTLIJN
75/268/EEG

Provincies	Aantal gebieden	Oppervlakte (Ha)
Groningen	1	40
Friesland	10	2 897
Drente	5	220
Overijssel	7	2 041
Gelderland	10	1 695
Utrecht	2	92
Noord-Holland	2	415
Zuid-Holland	4	890
Zeeland	9	532
Noord-Brabant	4	1 582
Limburg	2	792
Nederland	56	11 178'

COMMISSION

COMMISSION DECISION

of 8 October 1981

establishing that the apparatus described as 'MKS transducer, model 223 A with power supply, model PDR-C-1 A, vacuum/pressure/flow/control, model 250 and control valve, model 251/50' may not be imported free of Common Customs Tariff duties

(81/876/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 1 April 1981, the Federal Republic of Germany has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'MKS transducer, model 223 A with power supply, model PDR-C-1 A, vacuum/pressure/flow/control, model 250 and control valve, model 251/50', to be used for the pressure stabilization in the photolysis cell, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7(5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 9 July 1981 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a pressure measurement system;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'MKS-transducer, model 223 A with power supply, model PDR-C-1 A, vacuum/pressure/flow/control, model 250 and control valve, model 251-50' which is the subject of an application by the Federal Republic of Germany of 1 April 1981 may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 October 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 8 October 1981

establishing that the apparatus described as 'CME square wave electromagnetic flowmeter, model 501, with blood flow probes, model EP 1101, 5S, model EP 1102 S and model EP 1102 R' may not be imported free of Common Customs Tariff duties

(81/877/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 7 April 1981, the United Kingdom has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'CME square wave electromagnetic flowmeter, model 501, with blood flow probes, model EP 1101, 5S, model EP 1102 S and model EP 1102 R', to be used to measure renal blood flow, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 9 July 1981 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a blood flowmeter;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'CME square wave electromagnetic flowmeter, model 501, with blood flow probes, model EP 1101, 5S, model EP 1102 S and model EP 1102 R' which is the subject of an application by the United Kingdom of 7 April 1981 may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 October 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 8 October 1981

establishing that the apparatus described as 'MKS sensor head, model 315 BHS, with electronics unit, model 170 M-6B, model 170 M-34 B, readout unit, model 170 M-25C, temperature controller, model 170 M-39 and temperature compensation unit, model 170 M-35' may not be imported free of Common Customs Tariff duties

(81/878/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 1 April 1981, the Federal Republic of Germany has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'MKS sensor head, model 315 BHS, with electronics unit, model 170 M-6B, model 170 M-34B, readout unit, model 170 M-25C, temperature controller, model 170 M-39 and temperature compensation unit, model 170 M-35', to be used for the analysis of absorption and permeation of gases and vapours by means of polymer films for the clarification of transport mechanisms and for the structural examination of polymer substances, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 9 July 1981 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a manometer with electronic units;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'MKS sensor head, model 315 BHS, with electronics unit, model 170 M-6B, model 170 M-34B, readout unit, model 170 M-25C, temperature controller, model 170 M-39 and temperature compensation unit, model 170 M-35' which is the subject of an application by Germany of 1 April 1981 may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 October 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION RECOMMENDATION
of 9 October 1981
on transfrontier coordination for regional development

(81/879/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 155 thereof,

Having regard to Council Decision 75/185/EEC of 18 March 1975 setting up a Regional Policy Committee⁽¹⁾, and in particular Article 2 (1) (d) thereof,

Having regard to Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund⁽²⁾, as last amended by Regulation (EEC) No 3325/80⁽³⁾, and in particular Article 6 thereof,

Having regard to the common outline for regional development programmes⁽⁴⁾, prepared by the Regional Policy Committee,

Having regard to Commission recommendation 79/535/EEC of 23 May 1979 to the Member States on regional development programmes⁽⁵⁾, and in particular point 5 thereof,

Having regard to the Ems-Dollar transfrontier programme communicated to the Commission by the Governments of the Netherlands and the Federal Republic of Germany and examined by the Regional Policy Committee on 15 February 1979,

Whereas the Ems-Dollar programme prepared jointly by the Kingdom of the Netherlands and the Federal Republic of Germany is an initial experiment bringing into relief the specific problems of this area, and in particular the bottlenecks arising from delayed integration and from measures adopted on either side of the frontier;

Whereas this programme should be developed further on the basis of joint objectives in order to achieve improved coordination of regional development on both sides of the frontier with emphasis on uniform competitive conditions;

Whereas, in the case of these two Member States, there are other areas adjoining a common land frontier presenting special problems for which common transfrontier programmes are being prepared;

Whereas, generally, in coordinating regional development policies, internal frontier regions of the Community frequently give rise to special problems, in particular in the case of development or reconversion regions or areas;

Whereas, therefore, Member States of the Community have a special responsibility with regard to these regions and areas;

Whereas, when these special problems arise on either side of the frontier, close collaboration is necessary between the authorities concerned to ensure proper coordination between national regional policies;

Whereas, in this case the regional development programmes for the period 1981 to 1985, within the meaning of Article 6 of the ERDF Regulation, should in the economic and social analysis take account of the special geographical situation of these regions, in particular of the complementary character of their economies;

Whereas it is desirable that such cooperation lead, in the areas nearest frontiers, to the implementation of investment programmes, particularly in relation to economic and social infrastructure and to the protection of the environment;

Whereas the Commission declares its intention, on the one hand, of examining with special attention and in the light of the recommendations drawn up below the development programmes for the frontier regions as notified to it pursuant to Article 6 (3) of the ERDF Regulation and, on the other hand, of granting priority to financing studies on improved coordination in the formulation of regional development programmes for frontier regions,

⁽¹⁾ OJ No L 73, 21. 3. 1975, p. 47.

⁽²⁾ OJ No L 73, 21. 3. 1975, p. 1.

⁽³⁾ OJ No L 349, 23. 12. 1980, p. 10.

⁽⁴⁾ OJ No C 69, 24. 3. 1976, p. 2.

⁽⁵⁾ OJ No L 143, 12. 6. 1979, p. 9.

HEREBY RECOMMENDS TO THE MEMBER STATES THAT:

1. The Kingdom of the Netherlands and the Federal Republic of Germany continue their coordination with a view to developing the existing Ems Dollar transfrontier programme. They should likewise formulate programmes for other areas along the Dutch-German border. These programmes, starting from a common basis, should aim at the harmonization of regional and sectoral aids to private investment and should indicate bottlenecks as well as action to be undertaken particularly in relation to economic and social infrastructure.

2. In general, Member States which establish, for regions benefiting from ERDF assistance, regional development programmes pursuant to Article 6 of the ERDF Regulation for the period 1981 to 1985 should, when considering regions having a common frontier with regions of another Member State, make appropriate contact with the competent authorities of the neighbouring State with a view to coordinating, in particular:

— economic and social analysis, in particular concerning employment problems related to trans-frontier movements,

— development objectives,
— development action.

3. In formulating these regional development programmes the Member States should take care to achieve a better balance as regards direct and indirect aids to enterprises so as to avoid risks of distortion particularly in areas close to frontiers.

4. For areas closest to frontiers the Member States should examine the possibility of formulating common transfrontier programmes, particularly in relation to economic and social infrastructure investments and to the protection of the environment.

Done at Brussels, 9 October 1981.

For the Commission

Antonio GIOLITTI

Member of the Commission
