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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3589/81**of 7 December 1981**

amending Regulation (EEC) No 2925/78 as regards the period of suspension of application of the price condition to which imports into the Community of certain types of citrus fruit originating in Spain are subject

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas Regulation (EEC) No 2925/78⁽²⁾, as last amended by Regulation (EEC) No 3541/80⁽³⁾, suspended, until 31 December 1981, application of Article 7 (2) and (3) of Annex I to the Agreement between the European Economic Community and Spain⁽⁴⁾ in respect of certain fresh citrus fruits falling within subheading 08.02 A I and ex B of the Common Customs Tariff and application of Council Regulation (EEC) No 2047/70 of 13 October 1970 on imports of citrus fruit originating in Spain⁽⁵⁾;

Whereas the conditions which led to this suspension are still satisfied; whereas the said suspension should therefore be extended until 31 December 1982,

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 3 of Regulation (EEC) No 2925/78 shall be replaced by the following:

'It shall apply until 31 December 1982.'

Article 2

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

It shall apply with effect from 1 January 1982.

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

Done at Brussels, 7 December 1981.

For the Council

The President

CARRINGTON

⁽¹⁾ OJ No C 327, 14. 12. 1981.

⁽²⁾ OJ No L 350, 14. 12. 1978, p. 4.

⁽³⁾ OJ No L 370, 31. 12. 1980, p. 83.

⁽⁴⁾ OJ No L 182, 16. 8. 1970, p. 4.

⁽⁵⁾ OJ No L 228, 15. 10. 1970, p. 2.

COUNCIL REGULATION (EEC) No 3590/81**of 7 December 1981****amending Regulation (EEC) No 1721/81 opening, allocating and providing for the administration of a Community tariff quota for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Morocco (1981/82)**

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 proposal from the Commission,

Whereas the Community opened by Regulation (EEC) No 1721/81 ⁽¹⁾ a Community tariff quota for the importation into the Community of Nine of certain wines having a registered designation of origin and originating in Morocco; whereas Regulation (EEC) No 3511/81 ⁽²⁾ provides that, from its entry into force, Greece is required to apply this tariff measure; whereas Regulation (EEC) No 1721/81 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1721/81 is hereby amended as follows:

1. The following sentence shall be added at the end of Article 1 (2):

'Within this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions of the 1979 Act of Accession and of Regulation (EEC) No 3511/81.'

2. The following paragraph shall be added to Article 2:

'4. If Greece should find that there is a demand for the product in question, it shall draw an appropriate share from the reserve in so far as the level of the reserve permits.'

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, 7 December 1981.

For the Council

The President

CARRINGTON

⁽¹⁾ OJ No L 172, 30. 6. 1981, p. 6.

⁽²⁾ OJ No L 358, 14. 12. 1981, p. 1.

COUNCIL REGULATION (EEC) No 3591/81**of 7 December 1981****temporarily suspending in full the autonomous Common Customs Tariff duty
on certain apparatus falling within heading No ex 90.20**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 28
thereof,

Whereas Community production of the product
referred to in Article 1 of this Regulation is not suffi-
cient to meet the Community's needs; whereas it is
therefore in the Community's interest to suspend in
full the autonomous Common Customs Tariff duties
on this product;

Whereas, taking account of the difficulties involved in
accurately assessing the development of the situation
in the sector concerned in the near future, this suspen-
sion measure should be taken only temporarily,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January until 30 June 1982 the autonomous
Common Customs Tariff duty on the product indi-
cated below shall be suspended in full:

CCT heading No	Description
ex 90.20	Apparatus for the irradiation of biological samples incorporating permanently shielded caesium 137 radioactive sources, an exposure chamber whose volume does not exceed 930 cubic centimetres, an elec- trically driven turntable and a digital timer

Article 2

This Regulation shall enter into force on 1 January
1982.

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

Done at Brussels, 7 December 1981.

For the Council

The President

CARRINGTON

COUNCIL REGULATION (EEC) No 3592/81**of 15 December 1981****fixing the activating prices for table wines for the period 16 December 1981 to
15 December 1982**

THE COUNCIL 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 organiza-
tion of the market in wine⁽¹⁾, as last amended by
Regulation (EEC) No 3577/81⁽²⁾, and in particular
Article 3 (1) thereof,

Having regard to the proposal from the Commission,

Whereas an activating price must be fixed annually
for each type of wine for which a guide price is fixed,
taking into consideration the factors set out in Article
3 (2) of Regulation (EEC) No 337/79;

Whereas the quality of the harvest for the 1981/82
wine year can generally be regarded as average;

Whereas the prices for table wines for types R I, R II
and A I have increased in recent weeks but are still
below the activating price; whereas the prices for R
III, A II and III table wines are above their respective
activating price as a consequence of the limited availa-
bility of such wines;

Whereas, as a result of the far more plentiful stocks at
the beginning of the wine year than average, the quan-
tity available is considerably greater than that recorded
in an average wine year;

Whereas the level of the activating prices must take
account of the factors mentioned above; whereas the
activating prices fixed for the previous wine year
should therefore be increased, without, however,
encouraging production;

Whereas the guide prices for the period 16 December
1981 to 15 December 1982 were fixed by Regulation
(EEC) No 2027/81⁽³⁾; whereas Article 3 (3) of Regula-
tion (EEC) No 337/79 provides that the activating
prices shall be fixed at the same stage and shall be
valid during the same period as the guide prices;
whereas Regulation (EEC) No 340/79⁽⁴⁾ determined
the types of table wine to which these prices apply,

HAS ADOPTED THIS REGULATION:

Article 1

The activating prices for table wines for the period 16
December 1981 to 15 December 1982 shall be fixed
as follows:

Type of wine	Activating price
R I	2.73 ECU/% vol/hl
R II	2.73 ECU/% vol/hl
R III	42.56 ECU/hl
A I	2.47 ECU/% vol/hl
A II	55.62 ECU/hl
A III	63.51 ECU/hl

Article 2

This Regulation shall enter into force on 16
December 1981.

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

Done at Brussels, 15 December 1981.

For the Council

The President

P. WALKER

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.
⁽²⁾ OJ No L 359, 15. 12. 1981, p. 1.

⁽³⁾ OJ No L 200, 21. 7. 1981, p. 1.
⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 60.

COMMISSION REGULATION (EEC) No 3593/81**of 15 December 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 14 December 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 16 December 1981.

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

Done at Brussels, 15 December 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. 7.

ANNEX

to the Commission Regulation of 15 December 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	71.87
10.01 B	Durum wheat	130.65 ⁽¹⁾ ⁽²⁾
10.02	Rye	38.54 ⁽⁶⁾
10.03	Barley	69.83
10.04	Oats	50.22
10.05 B	Maize, other than hybrid maize for sowing	101.00 ⁽³⁾ ⁽⁴⁾
10.07 A	Buckwheat	0
10.07 B	Millet	73.27 ⁽⁴⁾
10.07 C	Grain sorghum	87.49 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	114.57
11.01 B	Rye flour	67.93
11.02 A I a)	Durum wheat groats and meal	215.78
11.02 A I b)	Common wheat groats and meal	122.65

⁽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 3594/81**of 15 December 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 14 December 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 16 December 1981.

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

Done at Brussels, 15 December 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 15 December 1981 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 12	1st period 1	2nd period 2	3rd period 3
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
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 3595/81

of 14 December 1981

extending the period of validity of Community surveillance of imports of certain motor vehicles, machine tools, colour television reception apparatus and cathode-ray tubes for colour television receivers, originating in Japan

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by Regulations (EEC) No 535/81⁽²⁾, (EEC) No 536/81⁽³⁾ and (EEC) No 537/81⁽⁴⁾, the Commission introduced Community surveillance of imports of certain motor vehicles, machine tools, colour television reception apparatus and cathode-ray tubes for colour television receivers, originating in Japan; whereas this surveillance remains in force until 31 December 1981;

Whereas the reason which had led the Commission to introduce these measures, that is to say the threat faced by the producers, still persists;

Whereas, consequently, it is necessary to extend the aforesaid surveillance while adapting it to the latest changes in the 'NIMEXE' nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

1. The period of validity of Regulations (EEC) No 535/81, (EEC) No 536/81 and (EEC) No 537/81 is extended until 31 December 1982.
2. However, in Regulation (EEC) No 537/81 NIMEXE codes 85.15-25 and 85.21-16 are replaced by the new codes listed in the Annex.

Article 2

The present Regulation shall enter into force on 1 January 1982 and shall be valid until 31 December 1982.

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

Done at Brussels, 14 December 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

⁽²⁾ OJ No L 54, 28. 2. 1981, p. 61.

⁽³⁾ OJ No L 54, 28. 2. 1981, p. 62.

⁽⁴⁾ OJ No L 54, 28. 2. 1981, p. 63.

*ANNEX***Colour television sets originating in Japan***NIMEXE code :*

- 85.15-20 — incorporating radio receiver or a sound recorder or reproducer
- other, with a diagonal measurement of the screen of :
 - 85.15-21 not more than 42 cm
 - 85.15-22 more than 42 cm but not more than 52 cm
 - 85.15-23 more than 52 cm

Cathode-ray tubes for colour television sets originating in Japan with a diagonal measurement of the screen of :*NIMEXE code :*

- 85.21-10 not more than 42 cm
 - 85.21-11 more than 42 cm but not more than 52 cm
 - 85.21-12 more than 52 cm
-

COMMISSION REGULATION (EEC) No 3596/81
of 15 December 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 3575/81⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1808/81 to the

information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 December 1981.

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

Done at Brussels, 15 December 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 357, 12. 12. 1981, p. 20.

ANNEX

to the Commission Regulation of 15 December 1981 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	27.88
	B. Raw sugar	19.83 ⁽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 3597/81

of 15 December 1981

altering the monetary compensatory amounts applicable in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States ⁽¹⁾, as last amended by Regulation (EEC) No 876/81 ⁽²⁾, and in particular Article 6 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 2901/81 ⁽³⁾, as last amended by Regulation (EEC) No 3467/81 ⁽⁴⁾;

Whereas from 16 December 1981 the new activating prices and the new representative rates fixed by Regulation (EEC) No 878/77 ⁽⁵⁾, as last amended by Regulation (EEC) No 3398/81 ⁽⁶⁾, and referred to in Annexes I to VIII are applicable in the wine sector; whereas

this should be taken into account in fixing the monetary compensatory amounts;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Part 6 of Annex I to Regulation (EEC) No 2901/81 is replaced by Part 6 of Annex I to this Regulation.
2. Annex II to Regulation (EEC) No 2901/81 is replaced by Annex II to this Regulation.

Article 2

This Regulation shall enter into force on 16 December 1981.

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

Done at Brussels, 15 December 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 88, 2. 4. 1981, p. 26.

⁽³⁾ OJ No L 288, 8. 10. 1981, p. 1.

⁽⁴⁾ OJ No L 360, 7. 12. 1981, p. 1.

⁽⁵⁾ OJ No L 106, 29. 4. 1977, p. 27.

⁽⁶⁾ OJ No L 344, 30. 11. 1981, p. 1.

ANNEX I

PART 6

WINE

Monetary compensatory amounts

CCT heading No	Description		Amounts to be charged on imports and granted on exports				Amounts to be granted on imports and charged on exports			
			Germany DM	Belgium/Luxembourg Bfrs/Lfrs	Netherlands Fl	United Kingdom £	Ireland £ Irl	Italy Lit	France FF	
ex 22.05 B	Wine put up in containers of more than three litres	% vol/hl	—						60	
	(a) Table wine ⁽¹⁾ :									
	(1) Type R III ⁽²⁾	hl	9.38						964	
	(2) Types A II and A III ⁽²⁾	hl	13.13						1 349	
ex 22.05 C I	(3) Other	% vol/hl	—						60	
	(b) Red, rosé and white wine from third countries :									
	(1) Presented in the document V.I or V.A under the name Portugieser	hl	9.38						964	
	(2) Presented in the document V.I or V.A under the name Riesling or Sylvaner	hl	13.13						1 349	
	(3) Other	% vol/hl	—						60	
	(a) Table wine ⁽¹⁾	% vol/hl	—						60	
ex 22.05 C II	(b) Red, rosé and white wine from third countries	% vol/hl	—						60	

(¹) As defined under No 11 of Annex II to Regulation (EEC) No 337/79.

(²) As defined in Regulation (EEC) No 340/79.

⁽¹⁾ As defined under No 11 of Annex II to Regulation (EEC) No 337/79.⁽²⁾ As defined in Regulation (EEC) No 340/79.

ANNEX II

Monetary coefficients

Products	Member States							
	Germany	BLEU	Ireland	Italy	United Kingdom	France	Greece	Netherlands
— Beef and veal	0.917	—	—	1.018	0.920	—	—	0.957
— Milk and milk products	0.917	—	—	1.018	0.920	—	—	0.957
— of Regulation (EEC) No 3033/80	0.917	—	—	1.018	0.920	—	—	0.957
— Pigmeat	0.917	—	—	1.018	0.920	—	—	0.957
— Sugar and isoglucose	0.917	—	—	1.044	0.920	—	—	0.957
— Cereals	0.917	—	—	1.044	0.920	—	—	0.957
— Eggs and poultry and albumins	0.917	—	—	1.044	0.920	—	—	0.957
— Wine	0.917	—	—	1.018	—	—	—	—

COMMISSION REGULATION (EEC) No 3598/81**of 15 December 1981****fixing for the United Kingdom the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving that Member State**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 899/81⁽²⁾,

Having regard to Commission Regulation (EEC) No 2661/80 of 17 October 1980 laying down detailed rules for applying the variable slaughter premium for sheep⁽³⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas Article 3 (1) of Regulation (EEC) No 2661/80 lays down that the level of the variable slaughter premium for each Member State concerned shall be fixed weekly by the Commission ;

Whereas Article 4 (1) of Regulation (EEC) No 2661/80 lays down that the amount to be charged on products leaving the Member States concerned shall be fixed weekly by the Commission ;

Whereas, since the United Kingdom is paying the variable slaughter premium, it is necessary for the Commission to fix the level of the premium and the amount to be charged on products leaving that Member State for the week commencing 23 November 1981 ;

Whereas it follows from the application of the rules laid down in Article 9 (1) of Regulation (EEC) No 1837/80 and in Article 4 (1) and (3) of Regulation

(EEC) No 2661/80 that the variable slaughter premium for sheep certified as eligible in the United Kingdom, and the amounts to be charged on products leaving that Member State, during the week commencing 23 November 1981, shall be as set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION :

Article 1

For sheep or sheepmeat certified in the United Kingdom as eligible for the variable slaughter premium during the week commencing 23 November 1981, the level of the premium shall be as set out in Annex I hereto.

Article 2

For products referred to in Article 1 (a) of Regulation (EEC) No 1837/80 which left the territory of the United Kingdom during the week commencing 23 November 1981, the amounts to be charged shall be as set out in Annex II hereto.

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 with effect from 23 November 1981.

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

Done at Brussels, 15 December 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 90, 4. 4. 1981, p. 26.

⁽³⁾ OJ No L 276, 20. 10. 1980, p. 19.

ANNEX I

Level of variable slaughter premium for certified sheep in the United Kingdom for the week commencing 23 November 1981

Description	Premium
Certified sheep or sheepmeat	9.266 ECU per 100 kg of estimated or actual dressed carcase weight ⁽¹⁾

⁽¹⁾ Within the weight limits laid down by the United Kingdom.

ANNEX II

Amount to be charged for products which left the territory of the United Kingdom during the week commencing 23 November 1981

(ECU/100 kg)

CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		4.355
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	9.266
	2. Short forequarters	6.486
	3. Chines and/or best ends	10.193
	4. Legs	12.046
	5. Other :	
	(aa) Unboned (bone-in)	12.046
02.01 A IV b)	(bb) Boned or boneless	16.864
	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	6.950
	2. Short forequarters	4.865
	3. Chines and/or best ends	7.645
	4. Legs	9.035
	5. Other :	
02.06 C II a)	(aa) Unboned (bone-in)	9.035
	(bb) Boned or boneless	12.649
	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	12.046
	2. Boned or boneless	16.864

COMMISSION REGULATION (EEC) No 3599/81
of 15 December 1981
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1614/79 of 24 July 1979 laying down special measures in respect of soya beans ⁽¹⁾, as amended by the Act of Accession of Greece ⁽²⁾, and in particular Article 2 (5) thereof,

Whereas the amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1614/79 was fixed by Regulation (EEC) No 3129/81 ⁽³⁾, as last amended by Regulation (EEC) No 3406/81 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3129/81

to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of Regulation (EEC) No 1614/79 is hereby fixed at 23.613 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 16 December 1981.

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

Done at Brussels, 15 December 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 190, 28. 7. 1979, p. 8.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 312, 31. 10. 1981, p. 52.

⁽⁴⁾ OJ No L 345, 1. 12. 1981, p. 9.

COMMISSION REGULATION (EEC) No 3600/81

of 15 December 1981

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1949/81⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by the Act of Accession of Greece⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 3382/81⁽⁷⁾, as last amended by Regulation (EEC) No 3588/81⁽⁸⁾;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 14 December 1981;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3.02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽¹⁰⁾ as last amended by Regulation (EEC) No 1783/81⁽¹¹⁾, as fixed in the Annex to amended Regulation (EEC) No 3382/81, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 December 1981.

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

Done at Brussels, 15 December 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 341, 28. 11. 1981, p. 5.

⁽⁸⁾ OJ No L 359, 15. 12. 1981, p. 22.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 176, 1. 7. 1981, p. 10.

ANNEX

to the Commission Regulation of 15 December 1981 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 D ⁽²⁾	94.15	88.11
11.01 G ⁽²⁾	92.77	89.75
11.02 A IV ⁽²⁾	94.15	88.11
11.02 A VII ⁽²⁾	92.77	89.75
11.02 B I a) 2 aa)	52.95	49.93
11.02 B I a) 2 bb) ⁽²⁾	91.13	88.11
11.02 B I b) 2 ⁽²⁾	91.13	88.11
11.02 B II d) ⁽²⁾	143.80	140.78
11.02 C IV ⁽²⁾	81.34	78.32
11.02 C VI ⁽²⁾	143.80	140.78
11.02 D IV ⁽²⁾	52.95	49.93
11.02 D VI ⁽²⁾	92.77	89.75
11.02 E I a) 2 ⁽²⁾	52.95	49.93
11.02 E I b) 2 ⁽²⁾	103.94	97.90
11.02 E II d) 2 ⁽²⁾	164.42	158.38
11.02 F IV ⁽²⁾	94.15	88.11
11.02 F VII ⁽²⁾	92.77	89.75

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

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 October 1981

amending the import arrangements laid down in Commission Decision 81/248/EEC as applied in Italy in respect of imports of fibre building board from the Soviet Union

(Only the Italian text is authentic)

(81/981/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3286/80 of 4 December 1980 on import arrangements in respect of State-trading countries⁽¹⁾, and in particular Article 9 (3) thereof,

Whereas Commission Decision 81/248/EEC⁽²⁾ established the list of products originating in State-trading countries in respect of which the putting into free circulation in the Member States is subject to quantitative restrictions pursuant to Regulation (EEC) No 3286/80 ;

Whereas, pursuant to Article 7 (1) of Regulation (EEC) No 3286/80, the Italian Government has informed the other Member States and the Commission that it considers that the import arrangements applied in Italy in respect of imports of fibre building board, falling within heading No 44.11 of the Common Customs Tariff and originating in the Soviet Union, should be amended in accordance with the said Regulation ;

Whereas the measure envisaged is justified by the considerable increase in imports in 1980 compared with 1979 (a trend which is continuing in 1981), the abnormally low prices which are often charged by the supplier country and the economic difficulties facing the sector concerned in Italy,

HAS ADOPTED THIS DECISION :

Article 1

1. The putting into free circulation in Italy of fibre building board of wood or other vegetable material, whether or not bonded with natural or artificial resins or with other organic binders, falling within heading No 44.11 of the Common Customs Tariff and originating in the Soviet Union, shall be subject to quantitative restrictions.

2. In the Annex to Commission Decision 81/248/EEC, a cross (+) shall be inserted in the column headed 'Italy', opposite NIMEXE headings 44.11-10, 20, 30 and 90. This cross shall be accompanied by a footnote (?) reading as follows : '(?) US.'

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 12 October 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 353, 29. 12. 1980, p. 1.

⁽²⁾ OJ No L 115, 27. 4. 1981, p. 1.

COMMISSION DECISION

of 19 November 1981

establishing that the apparatus described as 'Hewlett Packard — network analyzer, model 8410 B, with harmonic frequency converter, model 8411 A, polar display, model 8414 A and reflection/transmission test unit, model 8743 A' may not be imported free of Common Customs Tariff duties

(81/982/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 14 May 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 'Hewlett Packard — network analyzer, model 8410 B, with harmonic frequency converter, model 8411 A, polar display, model 8414 A and reflection/transmission test unit, model 8743 A', to be used for the development of a submm-heterodyne receiver for research on the submm-radiation of astronomical objects and in particular for measuring the intermediate frequency impedance of a quasi-optical mixer, 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 30 October 1981 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

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

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 'Hewlett Packard — network analyzer, model 8410 B, with harmonic frequency converter, model 8411 A, polar display, model 8414 A and reflection/transmission test unit, model 8743 A', which is the subject of an application by the Federal Republic of Germany of 14 May 1981, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 November 1981.

For the Commission

Étienne DAVIGNON

Vice-President

⁽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 20 November 1981

approving certain food-aid operations carried out by humanitarian organizations and exempting them from monetary compensatory amounts

(Only the English text is authentic)

(81/983/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States⁽¹⁾, as last amended by Regulation (EEC) No 876/81⁽²⁾, and in particular Article 6 thereof,Whereas Commission Regulation (EEC) No 1371/81⁽³⁾, as last amended by Regulation (EEC) No 2898/81⁽⁴⁾, laid down detailed rules for the administrative application of the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 ;

Whereas exports to non-member countries carried out in the context of the food-aid operations referred to in Article 21 (2) of Regulation (EEC) No 1371/81 should be exempted from monetary compensatory amounts where such exports are carried out by humanitarian organizations and approved in accordance with Community procedure ;

Whereas an examination of the statutes of the 'Congregation of Marian Fathers, Food for Poland Fund', the 'Polish Relief Fund (Midlands)' and 'Aid for Poland (Association of Polish Doctors)' shows the said associations are humanitarian organizations ;

Whereas those organizations intend to carry out humanitarian food-aid operations in favour of Poland ;

Whereas the measures provided for in this Decision are in accordance with the opinion of all the relevant management committees,

HAS ADOPTED THIS DECISION :

Article 1

1. The food-aid operations in favour of Poland carried out by :

- the 'Congregation of Marian Fathers, Food for Poland Fund',
- the 'Polish Relief Fund (Midlands)',
- 'Aid for Poland (Association of Polish Doctors)',

are hereby approved for the purposes of Article 21 (2) of Regulation (EEC) No 1371/81 with effect from 1 November 1981.

2. The United Kingdom shall determine the conditions under which the organizations referred to in paragraph 1 are eligible for application of the provisions of Article 21 (2) of Regulation (EEC) No 1371/81.

Article 2

The United Kingdom shall inform the Commission :

- on 1 February of every year, of the quantities exported as aid by the organizations mentioned in Article 1,
- forthwith, in the event of any change with regard to the nature of the activities of the said organizations.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 20 November 1981.

For the Commission

Poul DALSGER

Member of the Commission⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.⁽²⁾ OJ No L 88, 2. 4. 1981, p. 26.⁽³⁾ OJ No L 138, 25. 5. 1981, p. 1.⁽⁴⁾ OJ No L 287, 8. 10. 1981, p. 1.

COMMISSION DECISION**of 23 November 1981****on a Belgian Government proposal to aid certain investments in a refinery at Antwerp****(Only the Dutch and French texts are authentic)**

(81/984/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 to the parties concerned to submit their comments as provided for in Article 93,

Whereas :

I

The Belgian Law of 17 July 1959, implemented by the Royal Order of 17 August 1959 ⁽¹⁾, introduced general measures to aid the Belgian economy and in particular interest rate rebates on loans contracted to pay for investments, State guarantees covering loans contracted by undertakings with banks where certain interest rebates are given, and exemption for five years tax on income from immovable property.

When examining the Belgian Law, pursuant to the procedure defined in Article 93 (1) and (2) of the EEC Treaty, the Commission pointed out that, since it contained no industrial or regional objectives and permitted aid to be given for investment by any firm in any area or industry, it constituted a general aid system which, as such, could not qualify for exemption under Article 92 (3) (a) or (c). In the absence of such specific references, the Commission could not assess the scheme's effects on trade between Member States or on competition and was, therefore, unable to form an opinion as to its compatibility with the common market.

It is now the well-established policy of the Commission to accept such general aid schemes subject to one of two conditions, namely that the Member State concerned informs the Commission of either a regional or sectoral plan of application or where this is felt not to be possible, that it notifies significant individual cases of application.

⁽¹⁾ Moniteur Belge of 29 August 1959.

Commission Decision 75/397/EEC ⁽²⁾ required the Government of the Kingdom of Belgium to notify the Commission in advance and in sufficient time of significant cases of application of the Belgian Law of 17 July 1959 introducing measures to promote economic expansion and the creation of new industries, so as to enable the Commission to decide on the compatibility of the proposed aids with the common market.

II

In accordance with this procedure the Belgian Government notified the Commission on 23 February 1981 of its intention of applying the aid provided for under the abovementioned Law to investments to be carried out at a refinery in Antwerp.

The investment would cost Bfrs 6 670 million and mainly involve the installation of catalytic conversion equipment. The overall capacity of the refinery would not be affected but it would be able to convert heavy petroleum fractions into light refined products (motor spirits, naphtha and distillates).

The State aid, to be granted in the form of interest and tax concessions, would amount to some 6 % of the investment.

The refinery in question markets part of its output in Belgium, although over 50 % is exported to other Member States.

III

The refining industry in the Community is still in a difficult situation. In its communications to the Council of 17 March 1977, the Commission pointed out that the industry was facing a two-fold problem : considerable surplus refining capacity and structures relatively ill-adapted to structures of the demand trend.

⁽²⁾ OJ No L 177, 8. 7. 1975, p. 13.

As regards the latter, the rise in the price of crude petroleum and the measures taken to develop alternative sources of energy have in fact caused and will continue to cause a substantial reduction in the demand for heavy refined products and concurrently make it necessary to convert these products into lighter ones, for which demand continues to expand. However, the price differential in favour of light products (or crudes giving larger quantities of those products) compared with heavy refined products (or heavy crudes) constitutes a sufficient incentive and as a rule provides firms with the funds needed to build such conversion plants. Assistance towards building these plants can therefore only be warranted where genuinely necessary on account of the recipient firm's financial position and where it does not run counter to the aim of reducing capacity by indirectly supporting the maintenance of surplus refining capacity in the Community.

The turnover and profits attained by the refinery in question do not give reason to believe that the aid is absolutely necessary to the investment; in their comments submitted under the procedure of Article 93 (2) of the EEC Treaty, the Belgian authorities themselves acknowledged that even if the request for aid were turned down, the cracking equipment would be installed, at least in part.

The Belgian authorities also pointed out in their comments that the investment would not only maintain the jobs of 336 persons, but would also lead over the next few years to the recruitment of several hundred workers in the district bordering on the Turnhout area, which qualifies for regional assistance and where the rate of unemployment is particularly high. However, this knock-on effect is by no means assured and at this juncture the effect of the aid on the employment situation in the Turnhout area cannot be assessed.

IV

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

The terms of the Treaty provide that aids fulfilling the criteria set out in Article 92 (1) of the Treaty shall be incompatible with the common market. The exemptions from this incompatibility set out in Article 92 (3)

of the EEC Treaty specify objectives to be pursued in the Community interest and not that of the individual beneficiary. These exemptions must be strictly construed in the examination both of regional or sectoral aid schemes and of individual cases of application of general aid systems. In particular, they may be granted only when the Commission can establish that this will contribute to the attainment of the objectives specified in the derogations, which the recipient firms would not attain by their own actions under normal market conditions alone.

To grant an exemption where there is no compensatory justification would be tantamount to allowing trade between Member States to be affected and competition to be distorted without any benefit in terms of the interest of the Community, while at the same time accepting that undue advantages accrue to some 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 particular beneficiary 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). Where such evidence cannot be provided and especially where the aided investment would take place unmodified, it is clear that the aid does not contribute to the attainment of the objectives specified in the exemptions 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 undertaking benefiting from the aid.

The Belgian Government has not been able to provide, nor has the Commission found, any evidence which establishes that the proposed aid meets the conditions justifying one of the exemptions provided for in Article 92 (3) of the EEC Treaty.

Furthermore, notwithstanding the fact that Belgium is experiencing a high rate of unemployment, with the result that the Commission has granted an exemption to a scheme of aids to employment on the grounds that a serious disturbance exists in the Belgian

economy, it does not follow that every other aid of whatever nature proposed by the Belgian Government may automatically benefit from one of the exemptions specified in Article 92 (3), since each aid notified must be considered on its own merits in the light of the specific criteria laid down.

As far as the exemptions set out in Article 92 (3) (a) and (c) are concerned in respect of aids designed to promote or facilitate the development of certain areas, it is the case that the Antwerp area continues to enjoy a better socio-economic situation than that of other regions in Belgium; to the extent to which the general problem of unemployment also exists in Antwerp, it is already provided for under the general scheme to promote employment and there is, therefore, no reason to grant a further exemption in respect of this aid on the grounds that it promote or facilitate the development of that area, a purpose, moreover, for which this aid was not intended.

As regards the exemptions provided for in Article 92 (3) (b), this investment would be brought about in any event by normal market forces. 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, which merits exemption under Article 92 (3) (b) from the provision laid down in Article 92 (1) on the incompatibility of aids.

As regards the exemption specified in Article 92 (3) (c) in favour of 'aid to facilitate the development of certain economic activities... where such aid does not adversely affect trading conditions to an extent contrary to the common interest', the proposed assistance does not appear essential to the development of the industry or the firm in question, although it is likely to affect trading conditions to an extent contrary to the common interest.

Since the investment is likely to yield a profit, it could be carried out under normal market conditions alone, which could hence adapt the structures of the industry and the firm concerned to the latest demand trends.

Furthermore, the financial position of the firm in question is essentially no different from that of other Community firms in the industry not receiving specific assistance to build conversion plant which is, however, essential to them.

Even assuming that the firm could not finance the whole of the investment in question without State aid and would in that case have to cut its refining capacity, the aid would still not be warranted. In view of current surplus capacity at Community level, aid contributing to the maintenance of capacity cannot be regarded as being in the Community interest, since it is likely to transfer, without due cause, the burden of the inevitable reductions to other Member States.

In view of the above, the aid proposal of the Belgian Government does not meet the conditions necessary to benefit from any of the exemptions set out in Article 92 (3) of the EEC Treaty,

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium shall not put into effect its proposal, notified to the Commission on 23 February 1981, to grant assistance in respect of certain investments to be carried out in an Antwerp refinery under the Law of 17 July 1959 on the promotion of economic expansion and the creation of new industries.

Article 2

The Kingdom of Belgium 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 Belgium.

Done at Brussels, 23 November 1981.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION DECISION

of 23 November 1981

on the appointment of members to the Scientific and Technical Committee for Fisheries

(81/985/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Decision 79/572/EEC of 8 June 1979 relating to the institution of a Scientific and Technical Committee for Fisheries ⁽¹⁾, and in particular Articles 4 and 6 (1) thereof,

Whereas the appointment of members of the said Committee expired on 11 September 1981,

HAS DECIDED AS FOLLOWS:

Sole Article

The composition of the Committee, which shall consist for the time being of 22 members whose term of office shall expire two years after the date of their nomination, is as follows:

Mr. D. Armstrong	(United Kingdom)
Drs. R. Boddeke	(Netherlands)
Prof. H.-J. Bohl	(Germany)
Dr. G. Bombace	(Italy)
Mr. G. van den Broucke	(Belgium)

Ir. E. J. de Boer	(Netherlands)
Dr. R. De Clerck	(Belgium)
Mr. D. J. Garrod	(United Kingdom)
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Mr. M. Portier	(France)
Dr. G. Rauck	(Germany)
Prof. A. Schumacher	(Germany)
Dr. N. Tsimenides	(Greece)

Done at Brussels, 23 November 1981.

For the Commission

Giorgios CONTOGEOORGIS

Member of the Commission

⁽¹⁾ OJ No L 156, 23. 6. 1979, p. 29.

COMMISSION DECISION

of 23 November 1981

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

(81/986/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 3019/81⁽²⁾, and in particular Article 23 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 2798/81⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 November 1981 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. Greece :
750.0 tonnes originating from Swaziland.
2. United Kingdom :
18.8 tonnes originating from Swaziland.

Article 2

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

Botswana :	13 723.7 tonnes
Kenya :	142.0 tonnes
Madagascar :	6 569.2 tonnes
Swaziland :	781.2 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 23 November 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 302, 23. 10. 1981, p. 4.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 275, 29. 9. 1981, p. 24.

COMMISSION DECISION

of 24 November 1981

on health protection measures in respect of the Republic of Botswana

(81/987/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⁾, as last amended by Directive 81/476/EEC⁽²⁾, and in particular Article 15 thereof,

Whereas Commission Decision 81/442/EEC⁽³⁾ granted the Member States the option of authorizing imports into their territory, under certain conditions and from certain regions, of fresh meat from the Republic of Botswana, taking into account, in particular, the existing health situation in that country and the measures taken by that country's authorities to combat foot-and-mouth disease and to avoid its spreading into other unaffected regions;

Whereas outbreaks of exotic foot-and-mouth disease have occurred from time to time in certain northern areas of the Republic of Botswana; whereas, however, other parts of the country have been free of the disease for a number of years;

Whereas strict measures, in particular the prohibition of movements of livestock from the northern districts Ngamiland, Chobe, North-East and Central to the disease-free districts Ghanzi, Kweneng, Kgatlend, South-East, Southern and Kgalagadi are applied, except in the case of livestock for immediate slaughter; whereas the northern regions are clearly demarcated and separated from the disease-free areas; whereas measures are applied throughout the country to monitor the movements of livestock and to detect any outbreak of the disease;

Whereas the central veterinary authorities of Botswana have confirmed that Botswana has remained free of foot-and-mouth disease since September 1980 and have undertaken to inform the Member States and the Commission of any new outbreak of foot-and-mouth disease therein; whereas during the period of production of meat for export to the EEC and for seven days beforehand no cattle may be moved from northern

Botswana to the remainder of the country; whereas the competent veterinary authority of Botswana has given an assurance that the Commission and the Member States will be informed before the commencement of slaughtering of cattle from northern Botswana;

Whereas the Republic of Botswana may now be authorized to export under new conditions to the Community fresh meat obtained from animals coming from regions which have been free of foot-and-mouth disease for a number of years; whereas the competent authorities of Botswana have given assurances that meat intended for the Community will be produced, handled and stored entirely separately from meat which does not fulfil the terms of this Decision;

Whereas this Decision will be reviewed in the light of the developing animal health situation in Botswana and in particular of the appearance of foot-and-mouth disease, of the vaccination policy employed, of the designation of buffer zones and of the designation of zones from which animals, whose meat is intended for export to the Community, are acceptable;

Whereas the animal health requirements of Member States, pursuant to Article 16 of Directive 72/462/EEC relating to imports of meat from Botswana, have not yet been laid down at Community level; whereas, pending the entry into force of such requirements, the Member States may continue to apply their national animal health rules on imports of fresh meat from Botswana;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The prohibition provided for in Article 14 (2) of Directive 72/462/EEC shall not apply to the following districts of the Republic of Botswana: Ghanzi (with the exclusion of its north-west sector called 'Ghanzi-Farms'), Kweneng, Kgatlend, South-East, Southern and Kgalagadi.

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽³⁾ OJ No L 168, 25. 6. 1981, p. 27.

Article 2

If a Member State authorizes the importation into its own territory of fresh meat exclusively from deboned carcasses of animals of the bovine species coming from the districts referred to in Article 1 and slaughtered in one of these districts, the following conditions shall apply :

- the meat shall satisfy the requirements of the specimen health certificate annexed hereto ; the certificate shall accompany the meat during transport to the importing Member State,
- the meat shall not enter the importing Member State's territory for at least 21 days from the date of slaughter,
- the meat shall come from bovine animals coming from the districts mentioned in Article 1 and which have been slaughtered at least seven days

after the completion of slaughter of cattle from northern Botswana and the cleaning and disinfection of the slaughterhouse at Lobatse.

Article 3

Decision 81/442/EEC is hereby repealed.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 24 November 1981.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ from de-boned carcasses ⁽²⁾ of bovine animals from Botswana

Reference number of the public health certificate :

Ministry :

Department :

Reference :
(Optional)

I. Identification of meat :

Meat ⁽³⁾ of :
(Animal species)Nature of cuts ⁽⁴⁾ :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat :

Address and veterinary approval number of the approved slaughterhouse :

.....

Address and veterinary approval number of the approved cutting plant :

.....

III. Destination of meat :

The meat will be sent from :
(Place of loading)to :
(Country and place of destination)by the following means of transport ⁽⁵⁾ :

Name and address of consignor :

.....

Name and address of consignee :

.....

⁽¹⁾ 'Fresh meat' means all parts of domestic bovine animals fit for human consumption which have not undergone any preserving process ; however, chilled and frozen meat shall be considered to be fresh meat.

⁽²⁾ 'Carcase' means the whole body of a slaughtered animal after bleeding, evisceration, removal of the limbs at the carpus and tarsus, removal of the head, tail and mammary gland and in addition, in the case of bovine animals, after skinning.

⁽³⁾ Only fresh de-boned carcass meat of bovine animals from which the major accessible lymphatic glands have been removed is authorized for importation.

⁽⁴⁾ Fresh carcass meat is authorized for importation only if all bones have been removed.

⁽⁵⁾ For railway wagons or lorries, the vehicle registration number should be stated, for aircraft the flight number and for vessels the name.

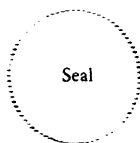
IV. Attestation of health :

I, the undersigned, official veterinarian, certify that :

1. The fresh de-boned carcase meat described above :

- (a) originates from cattle which :
 - were born and reared in the Republic of Botswana and which, in the preceding 12 months or since birth, have remained in one or more of the following districts : Ghanzi, with the exception of its north-western sector known as 'Ghanzi-Farms', Kweneng, Kgatlend, South-East, Southern, Kgalagadi,
 - bore, in accordance with the legal provisions, a mark indicating their region of origin,
 - had not been vaccinated against foot-and-mouth disease within the past 12 months,
 - on the way to the slaughterhouse and while awaiting slaughter therein did not come into contact with animals not satisfying the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of their meat to a Member State, and if they were conveyed by vehicle or container, the latter was cleaned and disinfected before loading,
 - when subjected to an ante-mortem health inspection at the slaughterhouse during the 24 hours preceding slaughter, which included examination of the mouth and foot, showed no symptom of foot-and-mouth disease,
 - were slaughtered during the period mentioned in the third indent of Article 2 of Commission Decision 81/987/EEC (date of slaughter :);
 - (b) was obtained in a slaughterhouse in which no case of exotic foot-and-mouth disease has been detected for at least three months ;
 - (c) has been kept strictly separate from meat not conforming to the requirements for export to a Member State laid down in the Decisions of the European Economic Community currently in force ;
 - (d) has had the major accessible lymphatic glands removed ;
 - (e) originates from carcases which were matured at an ambient temperature of more than + 2 °C for at least 24 hours after slaughter and before de-boning.
2. During the period between arrival of the cattle at the slaughterhouse and completion of the packing of the meat of the same cattle for export to a Member State, in boxes or cartons, no animal or meat not conforming to the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of meat to a Member State (with the exception of meat packed in boxes or cartons and kept in special storage areas) was present in the slaughterhouse or cutting plant.

Done at, on



.....
(Signature of official veterinarian)

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