

Official Journal

of the European Communities

L 364

Volume 24

19 December 1981

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 3643/81 of 15 December 1981 amending Regulation (EEC) No 2771/75 on the common organization of the market in eggs 1
- ★ Council Regulation (EEC) No 3644/81 of 15 December 1981 amending Regulation (EEC) No 2940/81 imposing a definitive anti-dumping duty on *p*-xylene (paraxylene) originating in Puerto Rico, the United States of America and the United States Virgin Islands 3
- ★ Council Regulation (EEC) No 3645/81 of 15 December 1981 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 Algeria (1981/82) 4
- ★ Council Regulation (EEC) No 3646/81 of 15 December 1981 on the treatment applicable to imports of wine originating in Algeria 9
- Commission Regulation (EEC) No 3647/81 of 18 December 1981 fixing the import levies on cereals and on wheat or rye flour, groats and meal 10
- Commission Regulation (EEC) No 3648/81 of 18 December 1981 fixing the premiums to be added to the import levies on cereals, flour and malt 12
- Commission Regulation (EEC) No 3649/81 of 18 December 1981 fixing the difference in white sugar prices to be used in calculating the levy for processed fruit and vegetable products and for wine 14
- ★ Commission Regulation (EEC) No 3650/81 of 18 December 1981 amending for the seventh time the list in Regulation (EEC) No 572/73 setting out the egg and poultrymeat products eligible for the advance fixing of export refunds 15

★ Commission Regulation (EEC) No 3651/81 of 18 December 1981 amending Regulation (EEC) No 467/77 on the method and the rate of interest to be used for calculating the costs of financing intervention measures comprising buying in, storage and disposal	18
★ Commission Regulation (EEC) No 3652/81 of 18 December 1981 laying down detailed rules for implementing the system of advance fixing certificates for refunds in the poultrymeat and eggs sector	19
Commission Regulation (EEC) No 3653/81 of 18 December 1981 opening a standing invitation to tender for the sale for export of olive oil held by the Italian intervention agency	23
Commission Regulation (EEC) No 3654/81 of 18 December 1981 opening a standing invitation to tender for the sale for export of olive oil held by the Greek intervention agency	26
★ Commission Regulation (EEC) No 3655/81 of 18 December 1981 laying down protective measures in respect of import of live plants into Greece	29

II Acts whose publication is not obligatory

Council

81/1000/ECSC :

★ Council Decision of 3 December 1981 replacing a member of the Consultative Committee of the European Coal and Steel Community	31
---	----

81/1001/Euratom, EEC :

★ Council Decision of 7 December 1981 appointing a member of the Economic and Social Committee	32
--	----

81/1002/EEC :

★ Council Decision of 7 December 1981 appointing an alternate member of the Advisory Committee on Training in Nursing	33
---	----

81/1003/EEC :

★ Council Decision of 7 December 1981 appointing an alternate of the Advisory Committee on the Training of Dental Practitioners	34
---	----

Commission

81/1004/EEC :

Commission Decision of 27 November 1981 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3175/81, the maximum amounts for the supply of butter as food aid	35
--	----

81/1005/EEC :

Commission Decision of 27 November 1981 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3176/81, the maximum amounts for the supply of butteroil as food aid	36
---	----

81/1006/EEC :

Commission Decision of 27 November 1981 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3177/81, the maximum amounts for the costs of delivery of skimmed-milk powder as food aid 37

81/1007/ECSC :

*** Commission Decision of 30 November 1981 authorizing the joint formation of Zentralkokerei Saar GmbH, Dillingen, by two steel-producing undertakings and one coal-producing undertaking 39**

81/1008/EEC :

Commission Decision of 1 December 1981 fixing the minimum sale price for olive oil put up for sale for exportation under the fifth partial invitation to tender opened by Regulation (EEC) No 1878/81 42

81/1009/EEC :

Commission Decision of 2 December 1981 opening a standing invitation to tender for the export of 68 500 tonnes of barley held by the French intervention agency . . 43

81/1010/EEC :

Commission Decision of 2 December 1981 opening a standing invitation to tender for the export of 100 000 tonnes of barley held by the United Kingdom intervention agency 46

81/1012/EEC :

*** Commission Decision of 17 December 1981 terminating the anti-dumping proceeding concerning imports of certain monochrome portable television sets originating in the Republic of Korea. 49**

Corrigenda

*** Corrigendum to Commission Regulation (EEC) No 2730/79 of 29 November 1979 laying down common detailed rules for the application of the system of export refunds on agricultural products (OJ No L 317, 12. 12. 1979) 51**

*** Second corrigendum to Commission Regulation (EEC) No 3340/81 of 20 November 1981 on arrangements for imports into the Community of handkerchiefs originating in Macao (OJ No L 338, 25. 11. 1981) 51**

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3643/81
of 15 December 1981
amending Regulation (EEC) No 2771/75 on the common organization of the
market in eggs

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 Council Regulation (EEC) No 2771/75 ⁽²⁾, as
last amended by the 1979 Act of Accession, laid down
that an export refund may be granted on eggs exported
in the form of the processed products listed in Annex
I thereto ;

Whereas new processed products from hens' eggs have
appeared on the market which might be of some
economic importance for the egg sector ; whereas it is

desirable to increase those outlets by facilitating the
export of eggs in the form of those products ; whereas,
to that end, Annex I to Regulation (EEC) No 2771/75
should be supplemented so as to enable refunds to be
granted on the export of the eggs contained in those
products,

HAS ADOPTED THIS REGULATION :

Article 1

Annex I to Regulation (EEC) No 2771/75 is hereby
replaced by the Annex to this Regulation.

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, 15 December 1981.

For the Council

The President

P. WALKER

⁽¹⁾ OJ No C 327, 14. 12. 1981, p. 79.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 49.

ANNEX

ANNEX I

CCT heading No	Description
18.06	Chocolate and other food preparations containing cocoa
19.03	Macaroni, spaghetti and similar products : A. Containing eggs
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
21.07	Food preparations not elsewhere specified or included : G. Other : I. Containing no milkfats or containing less than 1.5 % by weight of such fats : a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) : ex 1. Containing no starch or containing less than 5 % by weight of starch — Preparations known as "long eggs", consisting in hens' eggs cooked in the form of cylinders ; the centre consists of the egg yolks and is completely surrounded by the whites of the eggs
22.09 C	Spirituos beverages : ex V. Other : — Containing egg or egg yolk
35.02 A	Albumins : II. Other : ex a) Ovalbumin : 1. Dried (for example, in sheets, scales, flakes, powder) 2. Other'

COUNCIL REGULATION (EEC) No 3644/81

of 15 December 1981

amending Regulation (EEC) No 2940/81 imposing a definitive anti-dumping duty on *p*-xylene (paraxylene) originating in Puerto Rico, the United States of America and the United States Virgin Islands

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission after consultation with the Advisory Committee set up under the said Regulation,

Whereas the Commission, by Regulation (EEC) No 1591/81⁽²⁾, imposed a provisional anti-dumping duty of 14.7 % on imports of *p*-xylene originating in Puerto Rico, the United States of America and the United States Virgin Islands;

Whereas the Council, by Regulation (EEC) No 2940/81⁽³⁾, confirmed this duty as definitive;

Whereas Exxon Chemical International Supply has voluntarily undertaken to respect the normal values established during the investigation;

Whereas this undertaking was received during the investigation but at a stage too late to be taken account of in Regulation (EEC) No 2940/81;

Whereas the Council considers this undertaking to be acceptable; whereas it is consequently appropriate to

exclude the exports of the *p*-xylene made by this company from the application of the duty; whereas Article 1 (2) of Regulation (EEC) No 2940/81 should therefore be amended to take account of these facts,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (2) of Regulation (EEC) No 2940/81 is hereby replaced by the following:

'2. This duty shall not apply to *p*-xylene exported by:

- Amoco Chemicals Corporation,
- Arco Chemical Company,
- Exxon Chemical International Supply,
- Phillips Paraxylene Inc. and International Petroleum Sales Inc., Panama, members of the Phillips Petroleum Group,
- Tenneco Oil Company,
- Sunoco Overseas Inc. and Sun International Inc.'

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 15 October 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

D. HOWELL

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 158, 16. 6. 1981, p. 7.

⁽³⁾ OJ No L 296, 15. 10. 1981, p. 1.

**COUNCIL REGULATION (EEC) No 3645/81
of 15 December 1981**

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 Algeria (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 Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria⁽¹⁾ provides in Article 20 for preferential treatment for the importation of certain wines having a designation of origin and falling within subheading ex 22.05 C of the Common Customs Tariff; whereas the application of this treatment is limited until 30 June 1981;

Whereas Council Regulation (EEC) No 3646/81⁽²⁾ provides for the treatment which the Community has applied from 1 July 1980 to 30 June 1981 to be extended until 31 December 1982; whereas this treatment provides that certain wines having a designation of origin and falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Algeria shall be exempt from customs duties on importation into the Community within the limits of a Community tariff quota of 450 000 hectolitres; whereas the wines must be put up in containers holding a maximum of two litres; whereas these wines must be accompanied by a certificate of designation of origin in accordance with the model given in Annex D to the Agreement; whereas the Community tariff quota in question should therefore be opened for the period until 30 June 1982;

Whereas, since a Protocol as provided for in Article 118 of the 1979 Act of Accession does not exist, the Community must adopt the measures referred to in Article 119 of the Act; whereas the quota concerned will, therefore, apply to the Community of Nine;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas the wines in question shall benefit from this tariff

quota on condition that Article 18 of Regulation (EEC) No 337/79⁽³⁾, as last amended by Regulation (EEC) No 3456/80⁽⁴⁾, is complied with;

Whereas it is in particular necessary to ensure equal and uninterrupted access for all Community importers to the abovementioned quota, and uninterrupted application of the rates laid down for this quota to all imports of the products concerned into the Member States until the quota has been used up; whereas a system of using a Community tariff quota, based on allocation among the Member States, appears likely to comply with the Community nature of the said quota having regard to the above principles; whereas, in order to reflect most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, assessed by reference both to the statistics relating to imports of the said products from Algeria over a representative reference period and to the economic outlook for the quota period concerned;

Whereas in this case, however, neither Community nor national statistics showing the breakdown for each of the types of wines in question are available and no reliable estimates of future imports can be made; whereas in these circumstances the quota volumes should be allocated in initial shares, taking into account demand for these wines on the markets of the various Member States;

Whereas, to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quota should be fixed at a level which could, in the present circumstances, be 50 % of the quota volume;

Whereas the initial shares of the Member States may not be used up at the same rate; whereas, in order to take this into account and avoid disruption, any Member State which has used up almost all its initial

⁽¹⁾ OJ No L 263, 28. 9. 1978, p. 2.
⁽²⁾ See page 9 of this Official Journal.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 1.
⁽⁴⁾ OJ No L 360, 22. 12. 1980, p. 18.

share should draw a supplementary share from the reserve ; whereas this should be done by each Member State each time one of its supplementary shares is almost used up, and so on as many times as the reserve allows ; whereas the initial and supplementary shares should be valid until the end of the quota period ; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof ;

Whereas, if at a given date in the quota period a Member State has a considerable quantity of the initial share left over, it is essential that it should return a significant proportion thereof to the reserve, to prevent a part of the Community quota remaining unused in one Member State when it could be used in others ;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. For the period to 30 June 1982, a Community tariff quota of 450 000 hectolitres shall be opened for the following products originating in Algeria :

CCT heading No	Description
22.05	Wine of fresh grapes ; grape must with fermentation arrested by the addition of alcohol : C. Other : — Wines entitled to one of the following designations of origin : Aïn Bessem-Bouira, Médéa, Coteaux du Zaccar, Dahra, Coteaux de Mascara, Monts du Tessalah, Coteaux de Tlemcen, of an actual alcoholic strength by volume not exceeding 15 % vol, in containers holding two litres or less

2. Within this tariff quota the Common Customs Tariff duties applicable to these wines shall be totally suspended.

3. The wines in question are subject to compliance with the free-at-frontier reference price.

The wines in question shall benefit from this tariff quota on condition that Article 18 of Regulation (EEC) No 337/79 shall be complied with.

4. Each of these wines, when imported, shall be accompanied by a certificate of designation of origin, issued by the relevant Algerian authority, in accordance with the model annexed to this Regulation.

Article 2

1. The tariff quota laid down in Article 1 shall be divided into two instalments.

2. A first instalment of the quota shall be allocated among the Member States ; the shares, which subject to Article 5 shall be valid up to 30 June 1982, shall be as follows :

	(hectolitres)
Benelux	37 350
Denmark	22 500
Germany	45 000
France	45 000
Ireland	15 300
Italy	22 500
United Kingdom	37 350

3. The second instalment of the quota, amounting to 225 000 hectolitres, shall constitute the reserve.

Article 3

1. If 90 % or more of one of a Member State's initial share, as specified in Article 2 (2), or of that share less the portion returned to the reserve where Article 5 has been applied, has been used up, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall in accordance with paragraph 1, draw a fourth share equal to the third.

This process shall continue to apply until the reserves are used up.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in these paragraphs if there is reason to believe that those fixed might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 30 June 1982.

Article 5

Member States shall return to the reserve, not later than 1 April 1982, the unused portion of their initial share which, on 15 March 1982, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion might not be used in full.

Member States shall notify the Commission, not later than 1 April 1982, of the total imports of the products concerned effected under the Community quotas up to and including 15 March 1982, and, where appropriate, the proportion of their initial share that they are returning to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States pursuant to Articles 2 and 3 and shall inform each State of the extent to which the reserve has been used up as soon as it has been notified.

The Commission shall notify the Member States, not later than 5 April 1982, of the state of the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that the drawing which uses up the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the final drawing.

Article 7

1. Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their aggregate shares in the Community quota.

2. Member States shall ensure that importers of the products concerned established in their territory have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Articles 9

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is observed.

Article 10

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

It shall apply from 1 July 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

D. HOWELL

ANNEX

1. المصدر - Eksportør - Ausführer - Exporter - Exportateur - Esportatore - Exporteur - 'Εξαγωγέας:	2. الرقم - Nummer - Nummer - Number - Numéro - Numero - Nummer - Αριθμός	00000	
4. المرسل إليه - Modtager - Empfänger - Consignee - Destinataire - Destinatarlo - Geadresseerde - Παραλήπτης:	3. (Name of authority guaranteeing the designation of origin)		
6. وسيلة النقل - Transportmiddel - Beförderungsmittel - Means of transport - Moyen de transport - Mezzo di trasporto - Vervoermiddel - Μεταφορικό μέσο:	5. شهادة التسمية الاصلية CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG ΠΙΣΤΟΠΟΙΗΤΙΚΟ ΟΝΟΜΑΣΙΑΣ ΠΡΟΕΛΕΥΣΕΩΣ		
8. مكان الامراع - Losningssted - Entladungsart - Place of unloading - Lieu de déchargement - Luogo di sbarco - Plaats van lossing - Τόπος εκφορτώσεως:	7. (Designation of origin)		
9. الانواع والارقام ، عدد ونوع الطرود Mærker og numre, kollienes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Marks and numbers, number and kind of packages Marques et numeros, nombre et nature des colis Marca e numero, quantità e natura dei colli Merken en nummers, aantal en soort der colli Σήματα και αριθμοί, αριθμός και είδος τών δεμάτων	10. الوزن الخام Bruttovægt Rohgewicht Gross weight Poids brut Peso lordo Brutogewicht Μεικτό βάρος	11. لترات Liter Liter Litres Litres Litri Liter Λίτρα	
12. لترات (بالحروف) - Liter (i bogstaver) - Liter (in Buchstaben) - Litres (in words) - Litres (en lettres) - Litri (in lettere) - Liter (voluit) - Λίτρα (όλογράφως):			
13. تأشيرة الهيئة المرسله - Påtegning fra udstedende organ - Bescheinigung der erteilenden Stelle - Certificate of the issuing authority - Visa de l'organisme émetteur - Visto dell'organismo emittente - Visum van de instantie van afgifte - Θεώρηση εκδίδοντος οργανισμού:			
14. تأشيرة الجمارك - Toldstedets attest - Sichtvermerk der Zollstelle - Customs stamp - Visa de la douane - Visto della dogana - Visum van de douane - Θεώρηση τελωνείου:	(Oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — see the translation under No 15 — Voir traduction au n° 15 — Vedi traduzione al n. 15 — Zie voor vertaling nr. 15 — Βλέπε μετάφραση στον αριθ. 15)		

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i området og ifølge algerisk lovgivning er berettiget til oprindelsesbetegnelsen : » «.

Alkohol tilsat denne vin er alkohol fremstillet af vin.

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im Bezirk gewonnen wurde und ihm nach algerischem Gesetz die Ursprungsbezeichnung „ “ zuerkannt wird.

Der diesem Wein zugefügte Alkohol ist aus Wein gewonnener Alkohol.

We hereby certify that the wine described in this certificate is wine produced within the wine district of and is considered by Algerian legislation as entitled to the designation of origin '.....'.

The alcohol added to this wine is alcohol of vinous origin.

Nous certifions que le vin décrit dans ce certificat a été produit dans la zone de et est reconnu, suivant la loi algérienne, comme ayant droit à la dénomination d'origine « ».

L'alcool ajouté à ce vin est de l'alcool d'origine vinique.

Si certifica che il vino descritto nel presente certificato è un vino prodotto nella zona di ed è riconosciuto, secondo la legge algerina, come avente diritto alla denominazione di origine « ».

L'alcole aggiunto a questo vino è alcole di origine vinica.

Wij verklaren dat de in dit certificaat omschreven wijn is vervaardigd in het wijndistrict van en dat volgens de Algerijnse wetgeving de benaming van oorsprong „ “ erkend wordt.

De aan deze wijn toegevoegde alcohol is alcohol, uit wijn gewonnen.

Πιστοποιούμε ότι ο οίνος ό περιγραφόμενος σ' αυτό τό πιστοποιητικό παρήχθη στή ζώνη και άναγνωρίζεται, σύμφωνα μέ τή νομοθεσία τής 'Αλγερίας, ότι δικαιούται τής όνομασίας προελεύσεως « ».

'Η άλκοόλη πού έχει προστεθεί σ' αυτόν τόν οίνο είναι οίνικης προελεύσεως.

16. (*)

يحتفظ بهذه الخانة لمعلومات أخرى من الدولة المصدرة

(*) Rubrik forbeholdt eksportlandets andre angivelser.

(*) Diese Nummer ist weiteren Angaben des Ausfuhrlandes vorbehalten.

(*) Space reserved for additional details given in the exporting country.

(*) Case réservée pour d'autres indications du pays exportateur.

(*) Spazio riservato per altre indicazioni del paese esportatore.

(*) Ruimte bestemd voor andere gegevens van het land van uitvoer.

(*) Χώρος πού προορίζεται για άλλες ένδείξεις τής χώρας εξαγωγής.

COUNCIL REGULATION (EEC) No 3646/81

of 15 December 1981

on the treatment applicable to imports of wine originating in Algeria

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 Article 20 of the Cooperation Agreement
between the European Economic Community and the
People's Democratic Republic of Algeria ⁽¹⁾, signed on
26 April 1976, established the treatment applicable
until 30 June 1981 to imports of wine originating in
Algeria;

Whereas as a transitional measure the provisions appli-
cable to imports of wine originating in Algeria should
be unilaterally renewed until 31 December 1982,

HAS ADOPTED THIS REGULATION:

Article 1

The import treatment applicable on 30 June 1981 to
wine originating in Algeria pursuant to Article 20 of
the Cooperation Agreement between the European
Economic Community and the People's Democratic
Republic of Algeria shall be maintained until 31
December 1982.

Article 2

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

It shall apply from 1 July 1981 onwards.

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

D. HOWELL

⁽¹⁾ OJ No L 263, 28. 9. 1978, p. 2.

COMMISSION REGULATION (EEC) No 3647/81**of 18 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 17 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 19 December 1981.

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

Done at Brussels, 18 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 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 18 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	76.06
10.01 B	Durum wheat	133.57 ⁽¹⁾ ⁽²⁾
10.02	Rye	46.00 ⁽³⁾
10.03	Barley	72.13
10.04	Oats	52.71
10.05 B	Maize, other than hybrid maize for sowing	102.01 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	75.46 ⁽⁴⁾
10.07 C	Grain sorghum	89.45 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	119.67
11.01 B	Rye flour	77.63
11.02 A I a)	Durum wheat groats and meal	219.43
11.02 A I b)	Common wheat groats and meal	128.16

⁽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 3648/81
of 18 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 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
17 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 19 December
1981.

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

Done at Brussels, 18 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 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 18 December 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 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

CCT heading No	Description	(ECU/tonne)				
		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 3649/81**of 18 December 1981****fixing the difference in white sugar prices to be used in calculating the levy for
processed fruit and vegetable products and for wine**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No 337/79
of 5 February 1979 on the common organization of
the market in wine⁽³⁾, as last amended by Regulation
(EEC) No 3577/81⁽⁴⁾, and in particular Article 19 (3)
thereof,

Whereas, in order that the Member States may deter-
mine the amount of the levy applicable, in respect of
the various added sugars, to imports of the products
listed in Annex I to Regulation (EEC) No 516/77 and
of the products falling within subheadings 20.07 A I b)
1, B I b) 1 aa) 11 and B I b) 1 bb) 11 of the Common
Customs Tariff which are listed in Article 1 (2) (a) of
Regulation (EEC) No 337/79, it is necessary in accor-
dance with Article 2 (2) of Regulation (EEC) No
516/77 and Article 19 (2) of Regulation (EEC) No
337/79 to determine the difference between, firstly, the

average of the threshold prices for one kilogram of
white sugar for each month of the quarter for which
the difference is being determined and, secondly, the
average of the cif prices for one kilogram of white
sugar used in fixing the levies on white sugar, as calcu-
lated for a period comprising the first 15 days of the
month preceding the quarter for which the difference
is being determined and the two months immediately
preceding that month; whereas, pursuant to the
abovementioned Regulations, this difference must be
determined by the Commission for each quarter of the
calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 January to 31 March 1982, the
difference referred to in Article 2 (2) of Regulation
(EEC) No 516/77 and in Article 19 (2) of Regulation
(EEC) No 337/79 is fixed at 0.2782 ECU.

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, 18 December 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 10.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁴⁾ OJ No L 359, 15. 12. 1981, p. 1.

COMMISSION REGULATION (EEC) No 3650/81**of 18 December 1981****amending for the seventh time the list in Regulation (EEC) No 572/73 setting out the egg and poultrymeat products eligible for the advance fixing of export refunds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 9 (3) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽²⁾, as last amended by the Act of Accession of Greece, and in particular Article 9 (3) thereof,

Whereas Commission Regulation (EEC) No 572/73 ⁽³⁾, as last amended by Regulation (EEC) No 1627/79 ⁽⁴⁾, provides that export refunds may be fixed in advance, on request, for the products listed in the Annex thereto;

Whereas the present market situation, and in particular export outlets, justify the inclusion of a certain

number of other products under the arrangements for the advance fixing of export refunds;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Commission Regulation (EEC) No 572/73 is hereby replaced by the Annex to this Regulation.

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, 18 December 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽³⁾ OJ No L 56, 1. 3. 1973, p. 6.

⁽⁴⁾ OJ No L 190, 28. 7. 1979, p. 33.

ANNEX

CCT heading No	Description
1	2
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls : A. Of a weight not exceeding 185 g, known as 'chicks' : I. Turkeys and geese II. Other
02.02	Dead poultry (that is to say fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' II. Ducks : a) Plucked, bled, not drawn or gutted, with heads and feet, known as '85 % ducks' b) Plucked and drawn, without heads and feet, with hearts, livers and gizzards, known as '70 % ducks' c) Plucked and drawn, without heads and feet, without hearts, livers and gizzards, known as '63 % ducks' IV. Turkeys : a) Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as '80 % turkeys' b) Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as '73 % turkeys' B. Poultry cuts (excluding offals) : I. Boned or boneless II. Unboned (bone-in) : a) Halves or quarters : 1. Of fowls 2. Of ducks 4. Of turkeys b) Whole wings, with or without tips d) Breasts and cuts of breasts : 2. Of turkeys 3. Of other poultry e) Legs and cuts of legs : 2. Of turkeys aa) Drumsticks and cuts of drumsticks bb) Other 3. Of other poultry

CCT heading No	Description
1	2
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : A. Eggs in shell, fresh or preserved : I. Poultry eggs : a) Eggs for hatching : 1. Of turkeys or geese 2. Other b) Other — In original condition — In the form of ovalbumin B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs, not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid 2. Frozen 3. Dried

COMMISSION REGULATION (EEC) No 3651/81

of 18 December 1981

amending Regulation (EEC) No 467/77 on the method and the rate of interest to be used for calculating the costs of financing intervention measures comprising buying in, storage and disposal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 929/79⁽²⁾, and in particular Article 3 (2) thereof,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽³⁾, as last amended by Regulation (EEC) No 249/80⁽⁴⁾, and in particular Article 5 thereof,

Whereas the interest rate currently valid was fixed at 9 % for 1981 by Regulation (EEC) No 175/81⁽⁵⁾; whereas, taking account of the development of interest rates, it is necessary to retain this figure;

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

HAS ADOPTED THIS REGULATION :

Article 1

The last sentence of Article 2 of Regulation (EEC) No 467/77⁽⁶⁾ is hereby amended as follows :

'For the period 1 January 1981 to 31 December 1982 the rate of interest is 9 %'.

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, 18 December 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 117, 12. 5. 1979, p. 4.

⁽³⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽⁴⁾ OJ No L 28, 5. 2. 1980, p. 1.

⁽⁵⁾ OJ No L 20, 23. 1. 1981, p. 14.

⁽⁶⁾ OJ No L 62, 8. 3. 1977, p. 9.

COMMISSION REGULATION (EEC) No 3652/81

of 18 December 1981

laying down detailed rules for implementing the system of advance fixing certificates for refunds in the poultrymeat and eggs sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Articles 9 (3) and 15 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽²⁾, as last amended by the Act of Accession of Greece, and in particular Articles 9 (3) and 15 thereof,

Whereas Council Regulations (EEC) No 2774/75 ⁽³⁾ and (EEC) No 2779/75 ⁽⁴⁾ laid down general rules on granting export refunds and criteria for fixing the amount thereof,

Whereas Commission Regulation (EEC) No 2043/75 of 25 July 1975 laying down special detailed rules for the application of the system of advance fixing certificates for poultrymeat and eggs ⁽⁵⁾ has been amended on several occasions, most recently by Regulation (EEC) No 1753/81 ⁽⁶⁾;

Whereas, in the interests of clarity and good administration, the rules in this field should be consolidated; whereas, at the same time, the rates of security required should be adapted;

Whereas these rules are either complementary to or derogate from the provisions of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁷⁾, as last amended by Regulation (EEC) No 3392/81 ⁽⁸⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

In cases where the refund is fixed in advance, the rate of security applicable shall be that given in the Annex in relation to the products listed therein.

Article 2

1. Subject to the provisions of paragraph 2, certificates shall be valid from the date of their issue within the meaning of Article 21 (1) of Regulation (EEC) No 3183/80 until the end of the third month following that date.

2. In the case of export on the basis of an invitation to tender issued in a non-member importing country, the certificate shall be valid from the date of issue, within the meaning of Article 21 (1) of Regulation (EEC) No 3183/80, until the date when the obligations resulting from acceptance of the tender in question are to be fulfilled. However, the period of validity of the certificate shall not exceed 12 months following the month during which the certificate was issued within the meaning of the said Article 21 (1).

The special measures referred to in Article 4 shall not prevent the issue of the advance fixing certificate in the case referred to in the first subparagraph unless they are applicable not later than the fifth working day following the day on which the application for a certificate was lodged.

3. By way of derogation from the second subparagraph of Article 43 (2) of Regulation (EEC) No 3183/80, the period within which the applicant for an advance fixing certificate must inform the issuing agency of the results of the invitation to tender or provide proof that the time limit for submission of tenders has been deferred, is hereby fixed at 40 days following the time limit for submission of tenders.

Article 3

For products in the poultrymeat sector, the application for a certificate and the certificate itself shall bear, in section 13, a statement of the destination zone within the meaning of Commission Regulation (EEC) No 1175/81 ⁽⁹⁾.

Article 4

Advance fixing certificates for products in the poultrymeat sector other than certificates referred to in Article

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 68.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽⁵⁾ OJ No L 213, 11. 8. 1975, p. 12.

⁽⁶⁾ OJ No L 175, 1. 7. 1981, p. 21.

⁽⁷⁾ OJ No L 338, 13. 12. 1981, p. 1.

⁽⁸⁾ OJ No L 341, 28. 11. 1981, p. 30.

⁽⁹⁾ OJ No L 120, 1. 5. 1981, p. 77.

43 of Regulation (EEC) No 3183/80 shall be issued on the fifth working day following the day when the application was submitted, provided that no special measures are taken during that period.

Article 5

Member States shall communicate to the Commission :

- before the tenth of each month, a list of advance fixing certificates which they have issued during the preceding calendar month for export of products in the eggs sector set out in the Annex to Commission Regulation (EEC) No 572/73 ⁽¹⁾,
- on the Wednesday and Friday of each week, a list of the advance fixing certificates for refunds which have been applied for since the last such communication, for export of products in the poultrymeat

sector set out in the Annex to Regulation (EEC) No 572/73.

Article 6

1. Regulation (EEC) No 2043/75 is hereby repealed.
2. In all Community instruments where reference is made to Regulation (EEC) No 2043/75 or to Articles thereof, such reference shall be construed as a reference to this Regulation or to the corresponding Articles thereof.

Article 7

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

It shall apply with effect from 1 January 1982.

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

Done at Brussels, 18 December 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 56, 1. 3. 1973, p. 6.

ANNEX

CCT heading No	Description of goods	Amount of security
1	2	3
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls : A. Of a weight not exceeding 185 g, known as 'chicks': I. Turkeys and geese II. Other	ECU/100 units
		1.50
		0.40
		ECU/100 kg net weight
	B. Other	2.00
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls II. Ducks III. Geese IV. Turkeys V. Guinea fowls B. Poultry cuts (excluding offals) : I. Boned or boneless II. Unboned (bone-in) : a) Halves or quarters b) Whole wings, with or without tips c) Backs, necks, backs with necks attached, rumps and wing tips d) Breasts and cuts of breasts : e) Legs and cuts of legs : f) Other C. Offals	
		2.00
		2.60
		3.00
		2.80
		3.30
		5.40
		3.00
		1.70
		1.20
		4.00
		3.00
		5.40
		1.20
02.03	Poultry liver, fresh, chilled, frozen, salted or in brine : A. Fatty liver of goose or duck B. Other	
		30.40
		3.00
02.05	Pig fat, free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked : C. Poultry fat	
		2.70
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted : B. Poultry fat	
		3.20

CCT heading No	Description of goods	Amount of security
1	2	3
16.02	Other prepared or preserved meat or meat offal : B. Other : I. Poultrymeat or offal : a) Containing 57 % or more by weight of poultrymeat b) Containing 25 % or more but less than 57 % by weight of poultrymeat c) Other	ECU/100 kg net weight
		5.60
		3.20
		1.90
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : A. Eggs in shell, fresh or preserved : I. Poultry eggs : a) Eggs for hatching : 1. Of turkeys or geese 2. Other b) Other B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid 2. Frozen 3. Dried	ECU/100 units
		0.80
		0.20
		ECU/100 kg net weight
		1.70
		6.70
		1.80
		3.60
		3.80
		8.00

COMMISSION REGULATION (EEC) No 3653/81**of 18 December 1981****opening a standing invitation to tender for the sale for export of olive oil held
by the Italian intervention agency**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No 5/81
of 1 January 1981 laying down the general rules for
the system of accession compensatory amounts for
olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Article 2 of Council Regulation (EEC) No
2754/78⁽⁴⁾ provides that olive oil held by the interven-
tion agencies is to be put up for sale by tender;

Whereas, pursuant to Article 12 (1) of Regulation No
136/66/EEC, the Italian intervention agency has
bought in, since the 1975/76 marketing year, large
quantities of olive oil;

Whereas Commission Regulation (EEC) No
2960/77⁽⁵⁾, as last amended by Regulation (EEC) No
3473/80⁽⁶⁾, laid down the conditions for the sale by
tender of olive oil for the Community market and for
export, whereas at the present time there exist opportu-
nities for exporting edible virgin olive oil; whereas,
therefore, the said oil should be put up for sale under
a standing invitation to tender;

Whereas the minimum selling price is so fixed that
the Community operators enjoy equal conditions of
competition with operators in non-member countries;
whereas accordingly, oil should under this Regulation
qualify neither for the export refund provided for in
Article 20 of Regulation No 136/66/EEC nor for the
consumption aid provided for in Article 11 of the
same Regulation;

Whereas there is an established export trade in olive
oil put up in small containers from the Community to
the United States of America and to Canada; whereas

if oil subject of an award by tender under this Regula-
tion were to be exported in bulk to these two coun-
tries, it might well damage this traditional export
trade; whereas, to guard against this danger, exporta-
tion in bulk or in immediate containers of a net
content of more than five litres should be allowed
only to countries other than the United States of
America and Canada;

Whereas Article 20 of Commission Regulation (EEC)
No 2730/79 of 29 November 1979 laying down
common detailed rules for the application of the
system of export refunds on agricultural products⁽⁷⁾,
as last amended by Regulation (EEC) No 2646/81⁽⁸⁾,
specifies the evidence required to prove importation
into non-Community countries;

Whereas Commission Regulation (EEC) No 2566/79
of 15 November 1979 on the country nomenclature
for the external trade statistics of the Community and
statistics of trade between Member States⁽⁹⁾ lists the
non-member countries of Europe, Africa and the Near
and Middle East;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Italian intervention agency 'Azienda di Stato
per gli interventi nel mercato agricolo', hereinafter
referred to as 'AIMA', shall open a standing invitation
to tender in accordance with the provisions of this
Regulation and of Regulation (EEC) No 2960/77 for
the sale for export of about 8 000 tonnes of extra
quality virgin olive oil out of intervention purchases
made during the 1979/80 and 1980/81 olive oil
marketing years at a rate of 2 000 tonnes per month,
this latter quantity being increased the following
month by any quantity of olive oil remaining unsold
from the previous invitations to tender.

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

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 1.

⁽³⁾ OJ No L 1, 1. 1. 1981, p. 8.

⁽⁴⁾ OJ No L 331, 28. 11. 1978, p. 13.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 46.

⁽⁶⁾ OJ No L 363, 31. 12. 1980, p. 49.

⁽⁷⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁸⁾ OJ No L 259, 12. 9. 1981, p. 10.

⁽⁹⁾ OJ No L 294, 21. 11. 1979, p. 5.

2. The quantities of olive oil awarded shall not be exported in bulk or in immediate containers of a net content of more than five litres to the United States of America or Canada.

Article 2

The invitation to tender shall be made public on 22 December 1981.

Particulars of the lots of oil offered for sale and the places where they are stored shall be displayed at the head office of AIMA, Via Palestro 81, Rome, Italy. A copy of the invitation to tender referred to above shall be sent without delay to the Commission.

Article 3

The first series of tenders must reach AIMA, Via Palestro 81, Rome, Italy, not later than 2 p.m. (local time) on 22 January 1982.

Subsequent series of tenders must be lodged by 2 p.m. on :

- 19 February 1982,
- 22 March 1982,
- 22 April 1982.

Article 4

Not later than three days after the expiry of each time limit laid down for the submission of tenders, AIMA shall send the Commission a list, without mentioning names, stating the highest tender received for each lot put up for sale.

Article 5

The minimum selling price shall be fixed, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, on the basis of the tenders received, not later than the last working day of the month during which the tenders were submitted. The decision fixing the minimum selling price shall be notified forthwith to the Member State concerned.

Article 6

The olive oil shall be sold by AIMA not later than the seventh day of each month following that during which the tenders were submitted.

AIMA shall supply the agencies responsible for storage with a list of the lots remaining unsold.

A list of the lots put up for sale and a list of the lots remaining unsold from the previous invitations to tender shall be displayed at the head office of AIMA not later than the seventh day of each month.

Article 7

The security referred to in Article 7 of Regulation (EEC) No 2960/77 shall be 9.50 ECU per 100 kilograms.

The security referred to in Article 12 (3) of Regulation (EEC) No 2960/77 shall be 165 ECU per 100 kilograms of olive oil.

For the purposes of applying the provisions of Article 1 (2), the security referred to in the second subparagraph of this Article shall not be released in the event of olive oil being exported in bulk or in immediate containers of a net content of more than five litres unless proof is provided that the oil was imported into a non-member country other than the United States of America or Canada, except in cases where it has been destroyed during transport as a result of *force majeure* or that it has been used for supplies as indicated in Article 5 of Regulation (EEC) No 2730/79.

The Member States may, however, exempt the exporter from producing the documentary evidence, other than the transport document, specified in Article 20 of Regulation (EEC) No 2730/79 in the case of a transaction where there is reasonable certainty of arrival at destination of products for which a declaration of export to a non-member country in Europe, Africa, or the Near or Middle East, listed in Regulation (EEC) No 2566/79, was made.

In the case of export of oil in bulk, the security referred to in the second subparagraph shall be forfeit up to the amount of the accession compensatory amount applicable in trade between Greece and the other Member States, if the party concerned does not provide proof that it has not received the compensatory amount.

Article 8

The storage charge provided for in Article 15 of Regulation (EEC) No 2960/77 shall be Lit 2 000 per 100 kilograms.

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, 18 December 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 3654/81**of 18 December 1981****opening a standing invitation to tender for the sale for export of olive oil held
by the Greek intervention agency**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES.

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No 5/81
of 1 January 1981 laying down the general rules for
the system of accession compensatory amounts for
olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Article 2 of Council Regulation (EEC) No
2754/78⁽⁴⁾ provides that olive oil held by the interven-
tion agencies is to be put up for sale by tender;

Whereas, pursuant to Article 12 (1) of Regulation No
136/66/EEC, the Greek intervention agency has
bought in, since the 1980/81 marketing year, large
quantities of olive oil;

Whereas Commission Regulation (EEC) No
2960/77⁽⁵⁾, as last amended by Regulation (EEC) No
3473/80⁽⁶⁾, laid down the conditions for the sale by
tender of olive oil for the Community market and for
export, whereas at the present time there exist opportu-
nities for exporting edible virgin olive oil; whereas,
therefore, the said oil should be put up for sale under
a standing invitation to tender;

Whereas the minimum selling price is so fixed that
the Community operators enjoy equal conditions of
competition with operators in non-member countries;
whereas accordingly, oil should under this Regulation
qualify neither for the export refund provided for in
Article 20 of Regulation No 136/66/EEC nor for the
consumption aid provided for in Article 11 of the
same Regulation;

Whereas there is an established export trade in olive
oil put up in small containers from the Community to
the United States of America and to Canada; whereas

if oil subject of an award by tender under this Regula-
tion were to be exported in bulk to these two coun-
tries, it might well damage this traditional export
trade; whereas, to guard against this danger, exporta-
tion in bulk or in immediate containers of a net
content of more than five litres should be allowed
only to countries other than the United States of
America and Canada;

Whereas Article 20 of Commission Regulation (EEC)
No 2730/79 of 29 November 1979 laying down
common detailed rules for the application of the
system of export refunds on agricultural products⁽⁷⁾,
as last amended by Regulation (EEC) No 2646/81⁽⁸⁾,
specifies the evidence required to prove importation
into non-Community countries;

Whereas Commission Regulation (EEC) No 2566/79
of 15 November 1979 on the country nomenclature
for the external trade statistics of the Community and
statistics of trade between Member States⁽⁹⁾ lists the
non-member countries of Europe, Africa and the Near
and Middle East;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek intervention agency 'Ypiresia Diachi-
riseos Agoron Georgikon Proionton', hereinafter
referred to as 'Ydagep', shall open a standing invita-
tion to tender in accordance with the provisions of
this Regulation and of Regulation (EEC) No 2960/77
for the sale for export of about 8 000 tonnes of extra
quality virgin olive oil out of intervention purchases
made during the 1980/81 olive oil marketing year at a
rate of 2 000 tonnes per month, this latter quantity
being increased the following month by any quantity
of olive oil remaining unsold from the previous invita-
tions to tender.

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

(2) OJ No L 360, 31. 12. 1980, p. 1.

(3) OJ No L 1, 1. 1. 1981, p. 8.

(4) OJ No L 331, 28. 11. 1978, p. 13.

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

(6) OJ No L 363, 31. 12. 1980, p. 49.

(7) OJ No L 317, 12. 12. 1979, p. 1.

(8) OJ No L 259, 12. 9. 1981, p. 10.

(9) OJ No L 294, 21. 11. 1979, p. 5.

2. The quantities of olive oil awarded shall not be exported in bulk or in immediate containers of a net content of more than five litres to the United States of America or Canada.

Article 2

The invitation to tender shall be made public on 22 December 1981.

Particulars of the lots of oil offered for sale and the places where they are stored shall be displayed at the head office of Ydagep, 5 Acharnon Street, Athens, Greece. A copy of the invitation to tender referred to above shall be sent without delay to the Commission.

Article 3

The first series of tenders must reach Ydagep, 5 Acharnon Street, Athens, Greece, not later than 2 p.m. (local time) on 22 January 1982.

Subsequent series of tenders must be lodged by 2 p.m. on :

- 19 February 1982,
- 22 March 1982,
- 22 April 1982.

Article 4

Not later than three days after the expiry of each time limit laid down for the submission of tenders, Ydagep shall send the Commission a list, without mentioning names, stating the highest tender received for each lot put up for sale.

Article 5

The minimum selling price shall be fixed, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, on the basis of the tenders received, not later than the last working day of the month during which the tenders were submitted. The decision fixing the minimum selling price shall be notified forthwith to the Member State concerned.

Article 6

The olive oil shall be sold by Ydagep not later than the seventh day of each month following that during which the tenders were submitted.

Ydagep shall supply the agencies responsible for storage with a list of the lots remaining unsold.

A list of the lots put up for sale and a list of the lots remaining unsold from the previous invitations to tender shall be displayed at the head office of Ydagep not later than the seventh day of each month.

Article 7

The security referred to in Article 7 of Regulation (EEC) No 2960/77 shall be 9.50 ECU per 100 kilograms.

The security referred to in Article 12 (3) of Regulation (EEC) No 2960/77 shall be 165 ECU per 100 kilograms of olive oil.

For the purposes of applying the provisions of Article 1 (2), the security referred to in the second subparagraph of this Article shall not be released in the event of olive oil being exported in bulk or in immediate containers of a net content of more than five litres unless proof is provided that the oil was imported into a non-member country other than the United States of America or Canada, except in cases where it has been destroyed during transport as a result of *force majeure* or that it has been used for supplies as indicated in Article 5 of Regulation (EEC) No 2730/79.

The Member States may, however, exempt the exporter from producing the documentary evidence, other than the transport document, specified in Article 20 of Regulation (EEC) No 2730/79 in the case of a transaction where there is reasonable certainty of arrival at destination of products for which a declaration of export to a non-member country in Europe, Africa, or the Near or Middle East, listed in Regulation (EEC) No 2566/79, was made.

In the case of export of oil in containers of a net content not exceeding five litres, the security referred to in the second subparagraph shall be forfeit up to the amount of the accession compensatory amount, if the party concerned does not provide proof that it has not received the compensatory amount.

Article 8

The storage charge provided for in Article 15 of Regulation (EEC) No 2960/77 shall be Dr 100 per 100 kilograms.

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, 18 December 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 3655/81

of 18 December 1981

laying down protective measures in respect of import of live plants into Greece

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, and in particular the third subparagraph of Article 130 (2) thereof,

Having regard to Council Regulation (EEC) No 234/68 of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage ⁽¹⁾, and in particular Article 9 (2) thereof,

Whereas the Hellenic Republic requested the Commission on 11 December 1981 to take protective measures against imports into Greece of live plants from the other Member States and from non-member countries; whereas further data in support of that request were supplied on 17 December 1981;

Whereas Greek production of live plants in 1981 is estimated at some 3 900 000; whereas that production is approximately the same as in previous years;

Whereas, since July 1981, only 20 % of that production has been sold on the Greek market; whereas, during the second half of 1980, the proportion of Greek production sold amounted to more than 60 %;

Whereas, following Greek accession to the Community and the relaxation in the conditions for imports of live plants into that Member State, consignments from other Member States and from non-member countries have substantially increased in 1981 over the previous year; whereas the said consignments have increased particularly during recent weeks, reaching a level during the period 1 November to 11 December 1981 three times that found during the same period of 1980;

Whereas the said imports are made at prices below half the production prices for plants grown in Greece;

Whereas this situation has required Greek producers to make a substantial reduction in the quantities put up for sale;

Whereas, in view of the development over the marketing year, there is a risk that consignments

towards Greece will continue at an increased rate; whereas a further sharp fall in the quantities of Greek products which can be sold through the market is likely;

Whereas the assessment of the market situation outlined above implies that the Greek market for live plants is undergoing, on account of consignments from the other Member States and from non-member countries, serious disturbance likely to jeopardize the objectives in Article 39 of the Treaty; whereas, in these circumstances, it is necessary to take protective measures in respect of the said consignments;

Whereas, for this purpose, introduction onto Greek territory of live plants from all sources should be suspended for the period strictly necessary for elimination of the disturbances described above;

Whereas the special situation of products in course of consignment to Greece at the time this Regulation is published should be taken into account,

HAS ADOPTED THIS REGULATION:

Article 1

1. Release onto the market in Greece of the products referred to in the first indent of paragraph 2, including products in one of the situations referred to in Article 9 (2) of the Treaty, shall be forbidden until 31 January 1982.

2. The provisions of this Regulation:

- shall apply to live plants within subheading 06.02 D of the Common Customs Tariff, with the exception of rooted cuttings,
- shall not apply to the products referred to in the first subparagraph where proof is provided that consignment from the non-member country or Member State in question to Greece took place before the date of entry into force of this Regulation.

Article 2

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

⁽¹⁾ OJ No L 55, 2. 3. 1968, p. 1.

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

Done at Brussels, 18 December 1981

For the Commission

Poul DALSGER

Member of the Commission

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 3 December 1981

replacing a member of the Consultative Committee of the European Coal and Steel Community

(81/1000/ECSC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 18 thereof,

Having regard to the Council Decision of 25 November 1980 appointing the members of the Consultative Committee of the European Coal and Steel Community for the period ending on 24 November 1982⁽¹⁾,

Whereas the Council was informed on 27 October 1981 that a member's seat on the above Committee in the consumers and dealers category had become vacant as a result of the death of Mr Mario Portanova ;

Having regard to the nomination submitted on 19 November 1981,

HAS DECIDED AS FOLLOWS :

Sole Article

Dr Francesco Noli is hereby appointed a member of the Consultative Committee of the European Coal and Steel Community in place of Mr Portanova for the remainder of the latter's term of office, which runs until 24 November 1982.

Doen at Brussels, 3 December 1981.

For the Council

The President

T. KING

⁽¹⁾ OJ No L 326, 2. 12. 1980, p. 20.

COUNCIL DECISION
of 7 December 1981
appointing a member of the Economic and Social Committee

(81/1001/Euratom, EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 193 to 195 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 165 to 167 thereof,

Having regard to the Convention on certain institutions common to the European Communities, and in particular Article 5 thereof,

Having regard to the Council Decision of 19 September 1978 appointing the members of the Economic and Social Committee for the period ending on 18 September 1982,

Whereas a member's seat on the Economic and Social Committee has become vacant following the resignation of Mr Knud Christensen, which was notified to the Council on 29 October 1981,

Having regard to the nominations submitted on 16 November 1981,

Having obtained the opinion of the Commission of the European Communities,

HAS DECIDED AS FOLLOWS :

Sole Article

Mr Bent Nielsen is hereby appointed member of the Economic and Social Committee in place of Mr Christensen for the remainder of the latter's term of office, which runs until 18 September 1982.

Done at Brussels, 7 December 1981.

For the Council

The President

CARRINGTON

COUNCIL DECISION**of 7 December 1981****appointing an alternate member of the Advisory Committee on Training in Nursing**

(81/1002/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Decision 77/454/EEC of 27 June 1977 setting up an Advisory Committee on Training in Nursing ⁽¹⁾, and in particular Articles 3 and 4 thereof,

Whereas by its Decision 79/85/EEC ⁽²⁾ the Council appointed Mr Niels Bentsen as an alternate member for ther period ending 14 January 1982;

Whereas the Danish Government nominated Mr Bent Rasmussen, on 19 November 1981, with a view to replacing Mr Niels Bentsen,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Bent Rasmussen is hereby appointed an alternate member of the Advisory Committee on Training in Nursing in place of Mr Niels Bentsen for the remainder of the latter's term of office, which runs until 14 January 1982.

Done at Brussels, 7 December 1981.

*For the Council**The President*

CARRINGTON

⁽¹⁾ OJ No L 176, 15. 7. 1977, p. 11.

⁽²⁾ OJ No L 18, 25. 1. 1979, p. 25.

COUNCIL DECISION**of 7 December 1981****appointing an alternate of the Advisory Committee on the Training of Dental Practitioners**

(81/1003/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Whereas by its Decision 80/376/EEC⁽²⁾ the Council appointed Mrs Jette Mersing as an alternate for the period ending on 25 March 1983;

Whereas on 19 November 1981 the Danish Government nominated Mr Poul Toftegaard as a replacement for Mrs Jette Mersing, alternate of the abovementioned Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Poul Toftegaard is hereby appointed an alternate of the Advisory Committee on the Training of Dental Practitioners in place of Mrs Jette Mersing for the remainder of the latter's term of office, which runs until 25 March 1983.

Done at Brussels, 7 December 1981.

*For the Council**The President*

CARRINGTON

⁽¹⁾ OJ No L 233, 24. 8. 1978, p. 15.

⁽²⁾ OJ No L 93, 10. 4. 1980, p. 22.

COMMISSION

COMMISSION DECISION

of 27 November 1981

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3175/81, the maximum amounts for the supply of butter as food aid

(81/1004/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 3175/81 of 3 November 1981 on the delivery of various consignments of butter as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the manufacture and the costs of delivery as food aid of 600 tonnes of butter for certain third countries and beneficiary organizations;

Whereas, in pursuance of Article 16 of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, as last amended by Regulation (EEC) No 3474/80⁽⁵⁾, it is provided that in the light of tenders received a maximum amount for each lot put up for tender is to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 3175/81 shall be fixed as follows:

Lot A:	486 415 ECU (B)
Lot B:	648 554 ECU (B)
Lot C:	318 395 ECU (B)
Lot D:	477 592 ECU (B)

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 November 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 323, 11. 11. 1981, p. 1.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.

COMMISSION DECISION

of 27 November 1981

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3176/81, the maximum amounts for the supply of butteroil as food aid

(81/1005/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 6 (7) thereof;

Whereas, pursuant to Commission Regulation (EEC) No 3176/81 of 3 November 1981 on the delivery of various consignments of butteroil as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the manufacture and the costs of delivery as food aid of 5 575 tonnes of butteroil for certain third countries and beneficiary organizations;

Whereas, in pursuance of Article 16 of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, as last amended by Regulation (EEC) No 3474/80⁽⁵⁾, it is provided that in the light of tenders received a maximum amount for each lot put up for tender is to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 3176/81 shall be fixed as follows:

Lot P:	820 766 ECU (B)
Lot Q:	2 283 474 ECU (F)
Lot R:	2 371 209 ECU (F)
Lot S:	2 057 813 ECU (F)
Lot T:	2 024 132 ECU (F)
Lot U:	1 987 078 ECU (NL)
Lot V:	2 031 632 ECU (B)
Lot X:	2 073 421 ECU (F)
Lot Y:	2 066 028 ECU (F)
Lot Z:	2 794 350 ECU (NL)
Lot AA:	1 192 247 ECU (NL)
Lot AB:	997 249 ECU (B)

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 November 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 323, 11. 11. 1981, p. 8.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.

COMMISSION DECISION

of 27 November 1981

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3177/81, the maximum amounts for the costs of delivery of skimmed-milk powder as food aid

(81/1006/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 7 (5) thereof;

Whereas, pursuant to Commission Regulation (EEC) No 3177/81 of 3 November 1981 on the delivery of various consignments of skimmed-milk powder as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of delivery as food aid of 17 750 tonnes of skimmed-milk powder for certain third countries and beneficiary organizations;

Whereas, in pursuance of Article 14 (2) of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, as last amended by Regulation (EEC) No 3474/80⁽⁵⁾, the tender introduced for Lot G may be a part quantity of 500 tonnes or a multiple of 500 tonnes of the whole of the lot concerned;

Whereas Article 16 of the aforementioned Regulation lays down that, on the basis of tenders received, a maximum amount shall be fixed for each lot put up for tender or it shall be decided not to proceed with the tender;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 3177/81 shall be fixed as follows:

Lot C:	8 184 ECU
Lot D 1:	10 939 ECU
Lot D 2:	12 839 ECU
Lot E:	30 651 ECU
Lot F:	30 651 ECU
Lot G:	679 437 ECU (B) ⁽⁶⁾
Lot K 1:	10 974 ECU
Lot K 2:	11 124 ECU
Lot K 3:	10 861 ECU
Lot K 4:	11 805 ECU
Lot K 5:	11 417 ECU
Lot K 6:	11 124 ECU
Lot K 7:	13 573 ECU
Lot K 8:	13 329 ECU
Lot L 1:	8 444 ECU
Lot L 2:	9 501 ECU
Lot L 3:	9 795 ECU
Lot L 4:	10 096 ECU
Lot L 5:	9 775 ECU
Lot M 1:	9 102 ECU
Lot M 2:	13 847 ECU
Lot N 1:	9 398 ECU
Lot N 2:	9 549 ECU
Lot N 3:	10 491 ECU
Lot N 4:	10 774 ECU
Lot N 5:	9 116 ECU
Lot N 6:	10 420 ECU
Lot N 7:	8 978 ECU
Lot O 1:	13 288 ECU
Lot O 2:	12 567 ECU
Lot O 3:	10 663 ECU

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 323, 11. 11. 1981, p. 27.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.

⁽⁶⁾ For a part quantity of 500 tonnes.

Lot P 1 : 10 774 ECU
Lot P 2 : 11 059 ECU

Done at Brussels, 27 November 1981.

For the Commission

Article 2

Poul DALSAGER

This Decision is addressed to the Member States.

Member of the Commission

COMMISSION DECISION

of 30 November 1981

authorizing the joint formation of Zentralkokerei Saar GmbH, Dillingen, by two steel-producing undertakings and one coal-producing undertaking

(Only the German text is authentic)

(81/1007/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 66 thereof,

Having regard to Decision No 24/54 of 6 May 1954 laying down, in implementation of Article 66 (1) of the Treaty, a Regulation on what constitutes control of an undertaking ⁽¹⁾,

Having regard to the application made on 15 May 1981 by Stahlwerke Röchling-Burbach GmbH, Völklingen, by Aktiengesellschaft der Dillinger Hüttenwerke, Dillingen, and Saarbergwerke Aktiengesellschaft, Saarbrücken, for authorization of the joint formation of 'Zentralkokerei Saar GmbH, Dillingen',

Having obtained the comments of the Government of the Federal Republic of Germany,

Whereas :

I

1. Stahlwerke Röchling-Burbach GmbH (Röchling-Burbach) is a steel-producing undertaking with a capital of DM 330 000 000 which is merged with other steel-producing undertakings to form the Arbed group.

Aktiengesellschaft der Dillinger Hüttenwerke (Dillingen) is a steel-producing undertaking with a capital of DM 178 500 000 which is merged with other steel-producing undertakings to form the Société Financière Siderurgique/Sacilor-Aciéries et Laminaires de Lorraine group (SFS/Sacilor).

Saarbergwerke Aktiengesellschaft (Saarberg) is an undertaking engaged in coal production and distribution, with a capital of DM 435 000 000. The Federal Republic of Germany has a 74 % holding in Saarberg's share capital. Although the Government of the Federal Republic of Germany also exerts direct or indirect control over other coal-producing and coal-

distribution undertakings, these are not subject to any unified planning or decision-making authority. They operate as inter-linked but economically independent undertakings, so that the links between them do not involve any restriction of competition. Scrutiny of the effects of the proposed transaction can therefore be confined to Saarberg's involvement.

The applicants are therefore undertakings within the meaning of Article 80 of the Treaty.

2. Zentralkokerei Saar GmbH (ZKS), the planned joint venture, will be a coke-producing undertaking which is to supply the blast-furnace coke requirements of Roheisengesellschaft Saar GmbH (Rogesa), a joint venture of its two steel-producing owners. Accordingly, ZKS is also an undertaking within the meaning of Article 80.

Saarberg will have a 49 % holding in ZKS, and Röchling-Burbach and Dillingen each a 25.5 % holding.

II

The planned transaction will bring about a concentration within the meaning of Article 66 (1) of the Treaty. The agreements on the shareholdings in ZKS and on its management prevent any of the parent companies from exercising individual control over the joint venture. Since ZKS will, in principle, serve to supply the blast-furnace coke requirements of Rogesa, it is also to be assumed that Röchling-Burbach and Dillingen will vote along identical lines in the organs of the joint venture. Under the circumstances, ZKS will be controlled jointly by the parent companies, who will operate as a group in the pursuit of the joint object of the business. The joint venture will therefore be merged with Röchling-Burbach and the rest of the Arbed group, with Dillingen and the rest of the SFS/Sacilor group and with Saarberg and the undertakings controlled by Saarberg, without those groups being merged with each other.

⁽¹⁾ Official Journal of the ECSC No 9, 11. 5. 1954, p. 345.

'Zentralkokerei Saar Besitzgesellschaft mbH und Co. KG' (an *ad hoc* enterprise) will be set up as the vehicle for financing the joint venture, either through a leasing arrangement or by way of conventional financing. Regardless of their respective shares in this enterprise's capital, Röchling-Burbach, Dillingen and Saarberg will hold 76 % of the voting rights at its general meeting. The enterprise will be the principal, owner and lessor to ZKS of the projected coking plant, but will not itself operate the plant. It will not therefore be an undertaking within the meaning of Article 80, and the concentration between the parties and the *ad hoc* enterprise is thus exempt from the requirements of prior authorization pursuant to Articles 2 and 3 of the amended text applicable with effect from 1 November 1978⁽¹⁾ of Decision No 25-67 laying down in implementation of Article 66 of the ECSC Treaty a Regulation concerning exemption from prior authorization⁽²⁾. Accordingly, scrutiny of the project is confined to the concentration between the parties concerned and Zentralkokerei Saar GmbH.

III

The planned concentration may be authorized if it does not give the undertakings concerned the power :

- to determine prices, control or restrict production or distribution or to hinder effective competition in a substantial part of the relevant market, or
- to evade the rules of competition instituted under the Treaty, in particular by establishing an artificially privileged position involving a substantial advantage in access to supplies or markets.

This condition is met for the following reasons :

- Irrespective of the pattern of shareholdings in ZKS, the coking plant has the basic function of a steelworks coking plant and is designed for an eventual output of some 2.5 million tonnes a year. It will replace four existing coking plants which are owned by Röchling-Burbach and by Dillingen and which are to be closed down for technical reasons. It will meet some 90 % of Rogesa's blast-furnace coke requirements. The project will not involve any change in the pattern of supplies to the two steel-producing shareholders of ZKS where their use of blast-furnace coke produced from coal mined in the Saar is concerned.

This pooling of coking capacities will not have any appreciable effect on the conditions of competition on the market for hard coke since the coking plant's entire useful capacity will be devoted to meeting Rogesa's requirements. Only in the event of a temporary reduction in Rogesa's requirements is it intended to sell a fraction of ZKS coke output on the market. Measured against the quantity of coke sold on the German market in 1980 (some 14 million tonnes), these marginal supplies can be deemed not to have any significant effect on competition.

Nor does participation in an undertaking which can be regarded as having virtually the same function as a steelworks coking plant place the coal-producing undertaking Saarberg in an artificially privileged position with the prospect of a substantial advantage in access to markets. Admittedly, ZKS is committed to taking from Saarberg at least 60 % of the coal needed to supply Rogesa, with the remaining 40 % coming in principle from third suppliers, and Saarberg, through its participation, secures long-term use of its own coal for coking purposes and hence the sale of part of its output (some 10 100 000 tonnes in 1980). Saarberg's decision to participate in a coal-processing undertaking is only one of several ways in which coal-producing undertakings can safeguard output and sales in the long term. Long-term supply contracts or the acquisition of majority holdings in energy-consuming undertakings as a means of influencing their purchasing policies, and in particular the choice of fuels, serve the same purpose. By contrast, the link-up between Saarberg and a steelworks coking plant is one example of the various forms of integration between coal and steel established in the industry. Yet the advantage in access to markets that Saarberg will thus undoubtedly enjoy is not artificial within the meaning of Article 66 (2). A position established by vertical integration is deemed to be artificially privileged where it unjustifiably restricts the scope for competition from non-integrated undertakings. This is not the case here. Owing to its location, and blending components apart, Saarberg has traditionally supplied the needs of the iron and steel industry in the Saar. The proposed transaction will not appreciably affect its share of supplies ;

- In the case of Röchling-Burbach and Dillingen, which are also the shareholders of Rogesa, supplies of blast-furnace coke from ZKS to Rogesa rank as internal supplies. They do not exceed Rogesa's actual requirements or restrict the supply base of other competitors (consumers of blast-furnace coke). Competition on the market for steel products is not impaired either, since no agree-

⁽¹⁾ OJ No C 255, 27. 10. 1978, p. 2.

⁽²⁾ OJ No 154, 14. 7. 1967, p. 11.

ments have been concluded whereby the joint venture would be granted a preferential price for supplies of coal from the Saar, thereby reducing the costs of the smelting process;

- A group effect between the two steel-producing parties to the concentration that will be detrimental to the conditions of competition on the steel market is not to be assumed. It is stated in the Decision concerning the joint creation of Roheisengesellschaft Saar mbH (Rogesa)⁽¹⁾ that, with regard to the joint venture's sphere of influence, Röchling-Burbach and Dillingen are operating on different markets for steel products and that, as a result, no group effect will materialize. Cooperation between the two groups within ZKS will not have any effects likely to alter this assessment.

Any group effect between Röchling-Burbach and Dillingen on the one hand, and Saarberg on the other hand, may likewise be ruled out since the former operate on the steel market while Saarberg operates on the coal market.

The proposed transaction accordingly meets the requirements for authorization laid down in Article 66 (2) and may be authorized,

HAS ADOPTED THIS DECISION:

Article 1

The joint formation of Zentralkokerei Saar GmbH, Dillingen, by Stahlwerke Röchling-Burbach GmbH, Völklingen, Aktiengesellschaft der Dillinger Hüttenwerke, Dillingen, and Saarbergwerke Aktiengesellschaft, Saarbrücken, is hereby authorized.

Article 2

This Decision is addressed to Stahlwerke Röchling-Burbach GmbH, Völklingen, to Aktiengesellschaft der Dillinger Hüttenwerke, Dillingen, and to Saarbergwerke Aktiengesellschaft, Saarbrücken.

Done at Brussels, 30 November 1981.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 189, 11. 7. 1981, p. 54.

COMMISSION DECISION

of 1 December 1981

fixing the minimum sale price for olive oil put up for sale for exportation under
the fifth partial invitation to tender opened by Regulation (EEC) No 1878/81

(Only the Italian text is authentic)

(81/1008/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas, in accordance with Article 1 of Commission
Regulation (EEC) No 1878/81 opening a standing invi-
tation to tender for the sale for export of olive oil held
by the Italian intervention agency⁽³⁾, as amended by
Regulation (EEC) No 3184/81⁽⁴⁾, that agency is
putting up for sale, as from July 1981, a total quantity
of some 16 000 tonnes of olive oil from intervention
purchases during the 1980/81 marketing year;

Whereas Article 5 of the Regulation cited above lays
down that a minimum selling price shall be fixed, on
the basis of the tenders received;

Whereas, on the basis of the tenders submitted under
the fifth partial invitation to tender, the minimum
price should be fixed at the level hereinafter given;

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

HAS ADOPTED THIS DECISION:

Article 1

For the fifth partial invitation to tender, the minimum
selling price referred to in Article 5 of Regulation
(EEC) No 1878/81 shall be fixed as follows for olive
oil put up for sale;

- extra virgin olive
oil Lit 157 130 per 100 kilograms,
- residue olive oil, 5° Lit 63 120 per 100 kilograms.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 1 December 1981.

For the Commission

Poul DALSAGER

Member of the Commission

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

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 187, 9. 7. 1981, p. 16.

⁽⁴⁾ OJ No L 318, 7. 11. 1981, p. 14.

COMMISSION DECISION**of 2 December 1981****opening a standing invitation to tender for the export of 68 500 tonnes of barley
held by the French intervention agency****(Only the French text is authentic)****(81/1009/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1949/81 ⁽²⁾, and in particular
Article 7 (5) thereof,

Whereas Article 3 of Council Regulation (EEC) No
2738/75 of 29 October 1975 laying down general
rules for intervention on the market in cereals ⁽³⁾
provides that cereals held by the intervention agencies
shall be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 376/70 of
27 February 1970 ⁽⁴⁾ lays down the procedure and
conditions for the disposal of cereals held by the inter-
vention agencies;

Whereas the French Republic in a communication
dated 9 November 1981 advised the Commission of
its wish to put up for sale for export to non-member
countries 68 500 tonnes of barley which its interven-
tion agency holds in store; whereas, in view of the
intervention stock levels within the Community, the
proposed operation seems particularly appropriate;

Whereas the 68 500 tonnes of barley to be put up for
sale by tender are to be exported from the points of
departure for which tenders are to be made by
tenderers; whereas a certain proportion of the said
quantity is stored in other places; whereas the French
intervention agency, in order to place all participants
in the invitation to tender on the same footing, must
undertake the sale at uniform prices, and for that
purpose, it should take over the cost of transport from
the place of storage to the points of departure deter-
mined;

Whereas under Article 5 (5) of Commission Regula-
tion (EEC) No 376/70 it may be provided that a

tender shall only be valid if it is accompanied by an
application for an export licence and by an applica-
tion for advance fixing of the refund for the destina-
tion in question; whereas the intention of this provi-
sion is to facilitate assessment of the tender;

Whereas, in order to ensure that the tenders are made
in good faith and to guarantee the smooth running of
the proposed operation in existing market conditions,
it is necessary to provide for a special security;
whereas, for the same reasons, the security must be
released only on provision of proof of the arrival of
the goods at their destination;

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

HAS ADOPTED THIS DECISION:

Article 1

The French intervention agency may, on the
following conditions, open a standing invitation to
tender for the export of barley held by it.

Article 2

1. The invitation to tender shall cover a maximum
of 68 500 tonnes of barley.
2. The regions in which the 68 500 tonnes of
barley are stored are stated in the Annex.

Article 3

1. The places for which the minimum sale price is
to be fixed are as follows: Dunkerque, Rouen, Franco-
Swiss frontier.
2. Tenders must be drawn up by reference to the
standard quality defined in Council Regulation (EEC)
No 2731/75 ⁽⁵⁾. They must relate to a quantity of at
least 1 000 tonnes.

⁽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. 49.

⁽⁴⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 22.

3. Tenders must be made for one or more ports or places of departure. The tenderer shall specify the port or ports or places of departure in respect of which his tender is put forward.

Tender shall be for barley :

- in port silos from which direct loading into barge or sea-going vessel is possible, or
- delivered not unloaded to the place of embarkation in the port or place of departure.

4. Tenders shall be valid only if they are accompanied by :

- an application for export licence lodged by the tenderer, with an application for advance fixing of the export refund or levy for the destination in question.

For the purpose of this Decision, all countries for which the same rate of export refund or levy is fixed shall be considered as one destination ;

- a written undertaking by the tenderer, countersigned by a financial institution, to provide a special security of 40 ECU per tonne not later than two working days following the date of receipt of the information that his tender has been accepted.

5. The security shall be released only in respect of quantities for which the tenderer and exporter proves either :

- (a) that the customs formalities for release into free circulation have been completed in the non-member country or countries for which the export refund or levy has been fixed in advance. The said proof shall be provided in accordance with the provisions of Article 20 (3) to (6) of Commission Regulation (EEC) No 2730/79 ⁽¹⁾; or
- (b) that the product has become unsuitable for human or animal consumption.

6. For barley which is not located at the places referred to in the first and second indents of the second subparagraph of paragraph 3, the most favourable transport costs between the place of storage and the place of embarkation in the ports or places of departure referred to in paragraph 1 and attainable at

the lowest transport cost, shall be reimbursed to the exporter and tenderer by the French intervention agency.

Article 4

1. Notwithstanding the provisions of Article 21 (1) of Commission Regulation (EEC) No 3183/80 ⁽²⁾, export licences issued under this standing invitation to tender shall be considered, for the purposes of determining their period of validity, as having been issued on the day the tender was submitted.

2. The said licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the second month following.

Article 5

The time limit for submission of tenders under the first partial invitation to tender shall expire on 2 December 1981 at 1 p.m. (Brussels time).

The French intervention agency shall specify in the notice of invitation to tender the time limit for submission of tenders under the subsequent partial invitation to tender.

The time limit for submission of tenders under the last partial invitation to tender shall expire on 31 March 1982 at 1 p.m. (Brussels time).

Article 6

The French intervention agency lays down where necessary additional provisions and conditions consistent with the provisions of this Decision.

Article 7

This Decision is addressed to the French Republic.

Done at Brussels, 2 December 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽²⁾ OJ No L 338, 13. 12. 1980, p. 1.

ANNEX

<i>(tonnes)</i>	
Place of storage	Quantity
Lille	4 520
Châlons	36 226
Amiens	20 400
Nancy	5 000
Paris	500
Dijon	1 720

COMMISSION DECISION**of 2 December 1981****opening a standing invitation to tender for the export of 100 000 tonnes of
barley held by the United Kingdom intervention agency****(Only the English text is authentic)**

(81/1010/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1949/81⁽²⁾, and in particular
Article 7 (5) thereof,

Whereas Article 3 of Council Regulation (EEC) No
2738/75 of 29 October 1975 laying down general
rules for intervention on the market in cereals⁽³⁾
provides that cereals held by the intervention agencies
shall be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 376/70 of
27 February 1970⁽⁴⁾ lays down the procedure and
conditions for the disposal of cereals held by the inter-
vention agencies;

Whereas the United Kingdom in a communication
dated 12 November 1981 advised the Commission of
its wish to put up for sale for export to non-member
countries 100 000 tonnes of barley which its interven-
tion agency holds in store; whereas, in view of the
intervention stock levels within the Community, the
proposed operation seems particularly appropriate;

Whereas the 100 000 tonnes of barley to be put up for
sale by tender are to be exported from the points of
departure for which tenders are to be made by
tenderers; whereas a certain proportion of the said
quantity is stored in other places; whereas the United
Kingdom intervention agency, in order to place all
participants in the intervention to tender on the same
footing, must undertake the sale at uniform prices,
and for that purpose, it should take over the cost of
transport from the place of storage to the points of
departure determined;

Whereas under Article 5 (5) of Commission Regula-
tion (EEC) No 376/70 it may be provided that a
tender shall only be valid if it is accompanied by an
application for an export licence and by an applica-
tion for advance fixing of the refund for the destina-

tion in question; whereas the intention of this provi-
sion is to facilitate assessment of the tender;

Whereas, in order to ensure that the tenders are made
in good faith and to guarantee the smooth running of
the proposed operation in existing market conditions,
it is necessary to provide for a special security;
whereas, for the same reasons, the security must be
released only on provision of proof of the arrival of
the goods at their destination;

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

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom intervention agency may, on
the following conditions, open a standing invitation to
tender for the export of barley held by it.

Article 2

1. The invitation to tender shall cover a maximum
of 100 000 tonnes of barley.
2. The regions in which the 100 000 tonnes of
barley are stored are stated in the Annex.

Article 3

1. The places for which the minimum sale price is
to be fixed are as follows:

Avonmouth, Blyth, Dover, Birkenhead, Hull, Leith,
Kings Lynn, Lowestoft, Shoreham and Tilbury.

2. Tenders must be drawn up by reference to the
standard quality defined in Council Regulation (EEC)
No 2731/75⁽⁵⁾. They must relate to a quantity of at
least 500 tonnes.

3. Tenders must be made for one or more ports or
places of departure. The tenderer shall specify the port
or ports or places of departure in respect of which his
tender is put forward.

⁽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. 49.

⁽⁴⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 22.

Tender shall be for barley :

- in port silos from which direct loading into barge or sea-going vessel is possible, or
- delivered not unloaded to the place of embarkation in the port or place of departure.

4. Tenders shall be valid only if they are accompanied by :

- an application for export licence lodged by the tenderer, with an application for advance fixing of the export refund or levy, for the destination in question.

For the purpose of this Decision, all countries for which the same rate of export refund or levy is fixed shall be considered as one destination ;

- a written undertaking by the tenderer, countersigned by a financial institution, to provide a special security of 40 ECU per tonne not later than two working days following the date of receipt of the information that his tender has been accepted.

5. The security shall be released only in respect of quantities for which the tenderer and exporter proves either :

- (a) that the customs formalities for release into free circulation have been completed in the non-member country or countries for which the export refund or levy has been fixed in advance. The said proof shall be provided in accordance with the provisions of Article 20 (3) to (6) of Commission Regulation (EEC) No 2730/79⁽¹⁾; or
- (b) that the product has become unsuitable for human or animal consumption.

6. For barley which is not located at the places referred to in the first and second indents of the second subparagraph of paragraph 3, the most favourable transport costs between the place of storage and the place of embarkation in the ports or places of departure referred to in paragraph 1 and attainable at the lowest transport cost, shall be reimbursed to the exporter and tenderer by the United Kingdom intervention agency.

Article 4

1. Notwithstanding the provisions of Article 21 (1) of Commission Regulation (EEC) No 3183/80⁽²⁾, export licences issued under this standing invitation to tender shall be considered, for the purposes of determining their period of validity, as having been issued on the day the tender was submitted.

2. The said licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the second month following.

Article 5

The time limit for submission of tenders under the first partial invitation to tender shall expire on 2 December 1981 at 1 p.m. (Brussels time).

The United Kingdom intervention agency shall specify in the notice of invitation to tender the time limit for submission of tenders under the subsequent partial invitations to tender.

The time limit for submission of tenders under the last partial invitation to tender shall expire on 31 March 1982 at 1 p.m. (Brussels time).

Article 6

The United Kingdom intervention agency lays down where necessary additional provisions and conditions consistent with the provisions of this Decision.

Article 7

This Decision is addressed to the United Kingdom.

Done at Brussels, 2 December 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽²⁾ OJ No L 338, 13. 12. 1980, p. 1.

ANNEX

<i>(tonnes)</i>	
Place of storage	Quantity
North	44 715
Midlands and East	28 158
South	27 127

COMMISSION DECISION

of 17 December 1981

terminating the anti-dumping proceeding concerning imports of certain monochrome portable television sets originating in the Republic of Korea

(81/1012/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 9 thereof,

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

Whereas in September 1980 the Commission received a complaint lodged by the European Association of Consumer Electronics Manufacturers (EACEM) on behalf of the Dutch, French and Italian producers of monochrome portable televisions whose collective output constitutes a major part of total Community production of the product in question; whereas this complaint was later supported by the German producers of these goods; whereas the complaint contained evidence on the one hand of dumping in respect of monochrome portable televisions falling within NIMEXE code 85.15-27 originating in Korea and on the other hand of material injury resulting therefrom;

Whereas, since there was sufficient evidence to justify initiating a proceeding, the Commission accordingly announced by a notice published in the *Official Journal of the European Communities*⁽²⁾ the initiation of a proceeding concerning imports into the Community of certain monochrome portable television sets originating in Korea, and commenced an investigation of the matter at Community level;

Whereas, as regards the question of dumping, and of injury resulting therefrom, the Commission sought to obtain and verify all information it deemed to be necessary and to this end sent questionnaires to the Korean firms involved in the production and export of the product in question and to the importers known to be concerned;

Whereas in February/March 1981 the Commission also sent questionnaires to the 29 Dutch, German,

Italian and French firms on whose behalf the complaint was made, in order to allow each firm to demonstrate the injury caused to it by imports of monochrome portable television sets imported from Korea; whereas the firms were requested to reply before the end of March 1981;

Whereas at the expiration of the time limit replies had been received from only seven firms, of which only one supplied the information requested in the questionnaire, the other six replies indicating that the firms concerned did not regard themselves as having been injured by imports of the products in question from Korea;

Whereas, despite subsequent requests from the Commission to EACEM for a more complete response from its members, only six further replies were received up to the end of September 1981, i.e. six to seven months after the questionnaires were sent; whereas of these six replies four contained information requested in the questionnaire and the other two indicated that the firms concerned did not consider themselves as having been injured by imports of the products in question from Korea; whereas the other 16 producers did not reply; whereas the Commission carried out a detailed analysis of the five replies received;

Whereas the reply from the most important Community producer with facilities in France, Italy and the United Kingdom indicated that its sales in the Community had increased from 137 000 sets in 1977 to 241 000 sets in 1978, to 258 000 sets in 1979 and to 282 000 sets in 1980 and its production increased in parallel;

Whereas the only other French producer who replied indicated that its sales were made only on the French market; whereas imports from Korea into France were 0 in 1977, seven sets in 1978, 0 in 1979 and 515 sets in 1980; whereas imports in such small quantities could not cause material injury;

Whereas the two other Italian producers who replied indicated that their sales were made only on the Italian market; whereas imports from Korea into Italy increased from 212 sets in 1977 to 26 420 sets in

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 25, 5. 2. 1981, p. 3.

1980; whereas, however, in the same period imports from Taiwan increased from 751 sets to 204 206 sets; whereas in the circumstances there is no evidence that any injury suffered by Italian producers has been caused by imports from Korea;

Whereas the only German producer who replied indicated that its sales were made in Germany and the Benelux countries; whereas imports from Korea into those markets increased from 254 305 sets in 1977 to 535 704 sets in 1980; whereas, although imports into these markets from Taiwan increased from 289 158 sets in 1977 to 956 650 sets in 1980, there was some evidence that the German producer may have been injured by imports from Korea; whereas, therefore, the Commission sought to verify the information supplied by the producer; whereas, however, despite repeated requests from the Commission this producer has consistently failed to facilitate the carrying out by the Commission of an on-spot investigation at its premises, thereby significantly impeding the investigation; whereas the Commission concluded from this attitude that it was unlikely that any injury which this firm might have suffered was material;

Whereas, in the light of the above facts, the Commission has concluded that there is no evidence of material injury caused to a Community industry by

imports of monochrome portable television sets originating in Korea; whereas in the circumstances it is not appropriate to determine whether these imports have been dumped; whereas therefore the anti-dumping proceeding concerning imports of certain monochrome portable television sets from Korea should be terminated,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of certain monochrome portable television sets originating in the Republic of Korea is hereby terminated.

Done at Brussels, 17 December 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 2730/79 of 29 November 1979 laying down common detailed rules for the application of the system of export refunds on agricultural products**

(Official Journal of the European Communities No L 317 of 12 December 1979)

Page 4, Article 1 (1):

first indent:

for: 'Articles 18 and 28',

read: 'Articles 20 and 28'.

11th indent:

for: 'Article 21',

read: 'Article 23'.

Second corrigendum to Commission Regulation (EEC) No 3340/81 of 20 November 1981 on arrangements for imports into the Community of handkerchiefs originating in Macao

(Official Journal of the European Communities No L 338 of 25 November 1981)

Page 10, Annex, column 'Units':

for: '1 000 pieces',

read: 'tonnes'.
