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Contents

I *Acts whose publication is obligatory*

- *Council Regulation (EEC) No 192/82 of 26 January 1982 amending Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector 1**
- *Council Regulation (EEC) No 193/82 of 26 January 1982 laying down general rules for transfers of quotas in the sugar sector 3**
- Commission Regulation (EEC) No 194/82 of 28 January 1982 fixing the import levies on cereals and on wheat or rye flour, groats and meal 6
- Commission Regulation (EEC) No 195/82 of 28 January 1982 fixing the premiums to be added to the import levies on cereals, flour and malt 8
- Commission Regulation (EEC) No 196/82 of 28 January 1982 fixing minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products 10
- Commission Regulation (EEC) No 197/82 of 28 January 1982 fixing the export refunds on malt. 13
- Commission Regulation (EEC) No 198 /82 of 28 January 1982 fixing the import levies on milk and milk products 15
- *Commission Regulation (EEC) No 199/82 of 27 January 1982 on the classification of goods falling within subheading 23.07 B I a) of the Common Customs Tariff 19**
- *Commission Regulation (EEC) No 200/82 of 27 January 1982 on the classification of goods falling within subheading 23.07 C of the Common Customs Tariff 20**
- Commission Regulation (EEC) No 201/82 of 28 January 1982 altering the export refunds on milk and milk products 21

(Continued overleaf)

Contents (continued)

*Commission Regulation (EEC) No 202/82 of 28 January 1982 amending for the eighth time Regulation (EEC) No 2730/79 laying down common detailed rules for the application of the system of export refunds on agricultural products.	23
Commission Regulation (EEC) No 203/82 of 28 January 1982 fixing the amount of the subsidy on oil seeds	25
Commission Regulation (EEC) No 204/82 of 28 January 1982 fixing the world market price for colza and rape seed	27
Commission Regulation (EEC) No 205/82 of 28 January 1982 fixing the corrective amount applicable to the refund on cereals	29
Commission Regulation (EEC) No 206/82 of 28 January 1982 fixing the corrective amount applicable to the refund on malt	31

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 192/82

of 26 January 1982

amending Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector

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 Article 27 of Regulation (EEC) No 1785/81 ⁽²⁾ affords sugar-producing undertakings the possibility of carrying forward sugar produced in a given marketing year to be treated as part of the following year's production; whereas that Article lays down for the sugar carried forward an obligatory storage period of 12 months beginning on 1 February of the marketing year in which the sugar was produced with, as a counterpart, the reimbursement of storage costs during that period; whereas only undertakings situated in the French departments of Guadeloupe and Martinique have a specific storage period corresponding to their sugar production period;

Whereas these mandatory dates fixed for the start of the storage period no longer correspond to the requirements of sugar production as it has evolved in the various regions of the Community; whereas, in order to avoid inequalities in treatment between producers in these regions, according to whether they begin their production earlier or later, and thus to allow the earlier producers to make use of the aforesaid possibility as soon as their production exceeds their A quotas, the

dates on which the obligatory storage period starts should henceforth no longer be laid down in the said Article 27 but, without affecting the principles involved, in the relevant detailed rules of application;

Whereas, having regard to production in the 1981/82 marketing year and to the need felt by undertakings to carry sugar forward, it is now appropriate for the carry-forward to the 1982/83 marketing year to provide measures which will retroactively allow all Community sugar-producing undertakings to make arrangements in this respect,

HAS ADOPTED THIS REGULATION:

Article 1

Article 27 of Regulation (EEC) No 1785/81 is hereby amended as follows:

1. the first and second subparagraphs of paragraph 2 shall be replaced by the following:

'2. Undertakings which take the decision referred to in paragraph 1 shall:

- inform the Member State concerned, before 1 February, of the quantity or quantities of sugar being carried forward, and
- undertake to store such quantity or quantities for a period of 12 consecutive months from a date to be determined. For this period storage costs, including those of any C sugar carried forward shall be reimbursed under Article 8.

For undertakings situated in the French departments of Guadeloupe and Martinique the date referred to in the first indent of the first subparagraph shall be 1 May.'

⁽¹⁾ Opinion delivered on 22 January 1982 (not yet published in the Official Journal).

⁽²⁾ OJ No L 177, 1. 7. 1981, p. 4.

2. the following new paragraph 4 shall be added :

'4. In respect of sugar carried forward from the 1981/82 marketing year to the 1982/83 marketing year decisions by undertakings referred to in paragraph 1 shall, at the request of the undertakings concerned, be regarded as retroactive to the date on which the Member State concerned determined that the sugar covered by those decisions was produced.

In such cases the storage period referred to in the second indent of the first subparagraph of paragraph 2 shall begin on the date referred to in the preceding subparagraph.'

Article 2

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

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

Done at Brussels, 26 January 1982.

For the Council

The President

L. TINDEMANS

COUNCIL REGULATION (EEC) No 193/82**of 26 January 1982****laying down general rules for transfers of quotas in the sugar sector**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1785/81 of 3 June 1981 on the common organization
of the markets in the sugar sector⁽¹⁾, as amended by
Regulation (EEC) No 192/82⁽²⁾, and in particular
Article 25 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Article 25 (1) of Regulation (EEC) No
1785/81 lays down that Member States may transfer A
quotas and B quotas between undertakings, taking into
consideration the interests of each of the parties
concerned, and in particular those of sugar-beet or
sugar-cane producers; whereas, moreover, Article 25
(4) provides that general rules are to be adopted
concerning the adjustment of quotas, in particular in
the event of a merger or transfer of undertakings;
whereas the incorporation of such a possibility in an
inter-trade agreement would facilitate the use of this
authorization by the Member State concerned;

Whereas A quotas and B quotas are affected following
a merger or transfer of undertakings, a transfer by an
undertaking of one of its factories or the closure of an
undertaking or one of its factories; whereas, therefore,
conditions should be laid down for the adjustment by
Member States of the quotas of the undertakings in
question;

Whereas it is essential that the adjustment of the
quotas of sugar-producing undertakings should not
damage the interests of the sugar-beet or sugar-cane
producers concerned; whereas the Member States
should be authorized to allocate quotas to undertakings
other than those directly concerned where some
of the beet or cane producers directly affected by a
merger, transfer or closure expressly show their
willingness to supply their beet or their cane to a
given undertaking;

Whereas the second subparagraph of Article 25 (2) of
Regulation (EEC) No 1785/81 authorizes Italy, and
France as regards the French overseas departments, to
adjust the quotas of undertakings without applying the

10 % limit where such transfers are made on the basis
of restructuring plans in the beet or cane and sugar
manufacturing sectors; whereas, in order to make
implementation of such restructuring plans effective,
Italy and France as regards the said departments,
should be allowed, subject to certain conditions, to
regard a group of undertakings as a sugar-producing
undertaking;

Whereas for certain operations relating to isoglucose-
producing undertakings, rules which tally with those
applicable to sugar should be laid down;

Whereas measures taken by the Member States affect-
ing quotas should be communicated to the Commis-
sion in order to be able to take effect;

Whereas Council Regulation (EEC) No 3331/74 of 19
December 1974 on the allocation and alteration of the
basic quotas for sugar⁽³⁾, as last amended by Regula-
tion (EEC) No 1785/81, and Council Regulation (EEC)
No 748/68 of 18 June 1968 on laying down general
rules for postponing part of the sugar production to
the following marketing year⁽⁴⁾, as amended by Regu-
lation (EEC) No 2829/71⁽⁵⁾, should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall adopt such measures as they deem
necessary to take account of the interests of sugar-beet
and sugar-cane producers in the event of allocation of
quotas to a sugar-producing undertaking having more
than one factory.

Article 2

1. In the event of the merger or transfer of sugar-
producing undertakings and in the event of the
transfer of sugar factories, the A and B quotas shall,
without prejudice, to paragraph 2, be adjusted as
follows:

(a) in the event of the merger of sugar-producing
undertakings, the Member States shall allocate to
the undertaking resulting from the merger an A
quota and a B quota equal respectively to the sum

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 359, 31. 12. 1974, p. 18.

⁽⁴⁾ OJ No L 137, 21. 6. 1968, p. 1.

⁽⁵⁾ OJ No L 285, 29. 12. 1971, p. 65.

of the A quotas and the sum of the B quotas allocated prior to the merger to the sugar-producing undertakings concerned;

- (b) in the event of the transfer of a sugar-producing undertaking, the Member State shall allocate to the transferee undertaking for the production of sugar the A quota and the B quota of the undertaking transferred or, if there is more than one transferee undertaking, the allocation shall be made in proportion to the sugar production absorbed by each of them;
- (c) in the event of the transfer of a sugar factory, the Member State shall reduce the A quota and the B quota of the undertaking transferring ownership of the factory and shall increase the A quota and the B quota of the sugar-producing undertaking or undertakings purchasing the factory in question by the quantity deducted in proportion to the production absorbed.

2. Where a number of the sugar-beet or cane producers directly affected by one of the operations referred to in paragraph 1 expressly show their willingness to supply their beet or cane to a sugar-producing undertaking which is not party to those operations, the Member State may make the allocation on the basis of the production absorbed by the undertaking to which they intend to supply their beet or cane.

3. In the event of the closure, in circumstances other than those referred to in paragraph 1, of:

- (a) a sugar-producing undertaking,
- (b) one or more factories of a sugar-producing undertaking,

the Member State may allocate the part of the quotas involved in such closure to one or more sugar-producing undertakings.

The Member State may, also in the case referred to in (b) in the preceding subparagraph, where some of the producers concerned expressly show their willingness to supply their beet or cane to a given sugar-producing undertaking, allocate that proportion of the quotas which corresponds to the beet or sugar cane in question to the undertaking which they intend to supply with those products.

4. Where the derogation referred to in Article 30 (3) of Regulation (EEC) No 1785/81 is invoked, the Member State in question may require the beet producers and sugar manufacturers concerned by that derogation to incorporate in their inter-trade agreements special clauses for paragraphs 2 and 3 to be applied by that Member State where appropriate.

5. In the event of the lease of a factory belonging to a sugar-producing undertaking, the Member State may

reduce the quotas of the undertaking which offers the factory for rent and allocate the portion by which the quota was reduced to the undertaking which rents the factory in order to produce sugar in it.

If the lease is terminated during the period of the three marketing years referred to in Article 5 (d), the adjustment of quotas pursuant to the preceding subparagraph shall be cancelled retroactively by the Member State as at the date on which the lease took effect. However, if the lease is terminated by reason of *force majeure*, the Member State shall not be bound to cancel the adjustment.

6. Where a sugar-producing undertaking can no longer ensure that it meets its obligations under Community regulations towards the sugar-beet or sugar-cane producers concerned, and where that situation has been ascertained by the competent authorities of the Member State in question, the latter may allocate for one or more marketing years the part of the quotas involved to one or more sugar-producing undertakings in proportion to the production absorbed.

7. Where a sugar-producing undertaking is granted by the Member State price and outlet guarantees in respect of the processing of sugar beet into ethyl alcohol, the Member State may, in agreement with that undertaking and the sugar-beet producers concerned, allocate for one or more marketing years all or part of the sugar-production quotas to one or more other undertakings.

Article 3

In the event of the merger or transfer of isoglucose-producing undertakings, in the event of the transfer of an isoglucose-producing factory and in the event of the closure of one or more isoglucose-producing undertakings, the Member State may allocate the quotas in question for the production of isoglucose to one or more undertakings whether or not they have a production quota.

Article 4

Without prejudice to Article 8, the measures, taken pursuant to Article 2 and Article 3, may take effect only if:

- (a) the interests of each of the parties concerned are taken into consideration, and
- (b) the Member State concerned considers them to be such as to improve the structure of the beet, cane and sugar-manufacturing sectors, and
- (c) they concern undertakings established in the same region within the meaning of Article 24 (2) of Regulation (EEC) No 1785/81.

Article 5

For the purpose of this Regulation :

- (a) 'merger of undertakings' means the consolidation into a single undertaking of two or more undertakings ;
- (b) 'transfer of an undertaking' means the transfer or absorption of the assets of an undertaking having quotas to one or more undertakings ;
- (c) 'transfer of a factory' means the transfer of ownership of a technical unit, including all the plant required to manufacture the product in question, to one or more undertakings, resulting in the partial or total absorption of the production of the undertaking making the transfer ;
- (d) 'lease of a factory' means the leasehold contract of a technical unit including all the plant required for the manufacture of sugar, with a view to its operation, concluded for a period of at least three consecutive marketing years, which the parties agree not to terminate before the end of the third marketing year, with an undertaking which is established in the same region, within the meaning of Article 24 (2) of Regulation (EEC) No 1785/81, as the factory in question, if, after the lease takes effect, the undertaking which rents the factory can be considered a solely sugar-producing undertaking for its entire production.

Article 6

The measures referred to in Articles 2 and 3 shall take effect when the closure of the undertaking or factory, the merger or transfer occurs :

- (a) between 1 July and 31 January of the following year, for the marketing year current during that period ;
- (b) between 1 February and 30 June of the same year, for the marketing year following that period.

Article 7

Where a Member State applies Article 25 (2) of Regulation (EEC) No 1785/81, it shall allocate the adjusted quotas before 1 March with a view to applying them in the following marketing year.

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

Done at Brussels, 26 January 1982.

Article 8

- 1. For the marketing years 1982/83 to 1985/86 :

- (a) measures taken by a Member State pursuant to Article 25 (2) of Regulation (EEC) No 1785/81 and Articles 2 and 3 of this Regulation may not take effect until they have been communicated to the Commission within the time limits stipulated and the Member State has adopted the appropriate measures for the corresponding transfer of the minimum stock obligations ;

- (b) Member States shall inform the Commission, not later than 15 days after the allocation referred to in Article 7 of the adjusted A and B quotas.

- 2. Where Articles 2 and 3 are applied, Member States shall inform the Commission, not later than 15 days following expiry of the periods referred to in Article 6 of the adjusted A and B quotas.

Article 9

For the purposes of transfers of quotas in Italy and in the French overseas departments under the restructuring plans referred to in the second subparagraph of Article 25 (2) of Regulation (EEC) No 1785/81, a group of sugar-producing undertakings having technical, economic and structural links and jointly and severally liable for their obligations, particularly in respect of beet growers or cane growers, under Community rules may be regarded as a sugar-producing undertaking.

Article 10

Regulations (EEC) No 3331/74 and (EEC) No 748/68 are hereby repealed.

Article 11

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

For the Council

The President

L. TINDEMANS

COMMISSION REGULATION (EEC) No 194/82

of 28 January 1982

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 central rate,

- 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 27 January 1982;

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 29 January 1982.

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

Done at Brussels, 28 January 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 7.

ANNEX

to the Commission Regulation of 28 January 1982 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	80-90
10.01 B	Durum wheat	115-62 ⁽¹⁾ ⁽²⁾
10.02	Rye	42-35 ⁽³⁾
10.03	Barley	63-37
10.04	Oats	55-57
10.05 B	Maize, other than hybrid maize for sowing	91-42 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	90-74 ⁽⁴⁾
10.07 C	Grain sorghum	78-32 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	127-46
11.01 B	Rye flour	73-51
11.02 A I a)	Durum wheat groats and meal	192-56
11.02 A I b)	Common wheat groats and meal	136-30

⁽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 195/82

of 28 January 1982

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1949/81⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2197/81⁽⁵⁾ and subsequent amending Regulations;

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

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

- 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 27 January 1982;

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 29 January 1982.

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

Done at Brussels, 28 January 1982.

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 28 January 1982 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4
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	3.38
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	1.93	1.93	1.93
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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	6.02	6.02
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	4.50	4.50
11.07 B	Roasted malt	0	0	0	5.24	5.24

COMMISSION REGULATION (EEC) No 196/82

of 28 January 1982

fixing minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

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 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 3549/81⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 3549/81, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁶⁾, as last amended by Regulation (EEC) No 3549/81, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁷⁾, as last amended by Regulation (EEC) No 3550/81⁽⁸⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽⁹⁾,

Whereas by Regulation (EEC) No 3131/78 of 28 December 1978⁽¹⁰⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹¹⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 25 and 26 January 1982 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within subheadings 07.01 N II and 07.03 A II of the Common Customs Tariff and on products falling within subheadings 15.17 B I and 23.04 A II of the Common Customs Tariff must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

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

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 356, 11. 12. 1981, p. 13.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁸⁾ OJ No L 356, 11. 12. 1981, p. 14.

⁽⁹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹⁰⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹¹⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 29 January 1982.

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

Done at Brussels, 28 January 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CCT heading No	Non-member countries
15.07 A I a)	30.00 ⁽¹⁾
15.07 A I b)	30.00 ⁽¹⁾
15.07 A I c)	33.00 ⁽¹⁾
15.07 A II a)	32.50 ⁽²⁾
15.07 A II b)	56.00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Spain and Lebanon : 0.60 ECU/100 kg ;
- (b) Turkey : 22.36 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Algeria, Morocco, Tunisia : 24.78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries ; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this tariff subheading :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3.86 ECU/100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3.09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7.25 ECU/100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5.80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CCT heading No	Non-member countries
07.01 N II	6.60
07.03 A II	6.60
15.17 B I a)	15.00
15.17 B I b)	24.00
23.04 A II	2.64

COMMISSION REGULATION (EEC) No 197/82

of 28 January 1982

fixing the export refunds on 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 organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 3808/81⁽²⁾,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
provides that the difference between quotations or
prices on the world market for the products listed in
Article 1 of those Regulations and prices for those
products within the Community may be covered by an
export refund;

Whereas Article 2 of Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general rules
for granting export refunds on cereals and criteria for
fixing the amount of such refunds⁽³⁾, provides that
when refunds are being fixed account must be taken of
the existing situation and the future trend with regard
to prices and availabilities of cereals on the Commu-
nity market on the one hand and prices for cereals and
cereal products on the world market on the other;
whereas the same Article provides that it is also im-
portant to ensure equilibrium and the natural develop-
ment of prices and trade on cereal markets and,
furthermore, to take into account the economic aspect
of the proposed exports, and the need to avoid disturb-
ances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice⁽⁴⁾, as
last amended by Regulation (EEC) No 1783/81⁽⁵⁾,
defines the specific criteria to be taken into account

when the refund on these products is being calcu-
lated;

Whereas it follows from applying these detailed rules
to the present situation on the market in products
processed from cereals and rice that the export refund
should be fixed at an amount which will cover the
difference between Community prices and world
market prices;

Whereas the world market situation or the specific
requirements of certain markets may make it necessary
to vary the refund for certain products according to
destination;

Whereas, if the refund system is to operate normally,
refunds 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 central rate,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous indent;

Whereas the refund must be fixed once a month;
whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of
Regulation (EEC) No 2727/75 subject to Regulation
(EEC) No 2744/75 shall be as set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 29 January
1982.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 176, 1. 7. 1981, p. 10.

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

Done at Brussels, 28 January 1982.

For the Commission
Poul DALSGER
Member of the Commission

ANNEX

to the Commission Regulation of 28 January 1982 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	63.84
11.07 A II b)	49.57
11.07 B	60.09

COMMISSION REGULATION (EEC) No 198/82
of 28 January 1982
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 3763/81 ⁽³⁾, as
amended by Regulation (EEC) No 77/82 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 3763/81 to the
prices known to the Commission that the levies at

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 February
1982.

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

Done at Brussels, 28 January 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 374, 30. 12. 1981, p. 43.

⁽⁴⁾ OJ No L 10, 15. 1. 1982, p. 14.

ANNEX

to the Commission Regulation of 28 January 1982 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	17.59
04.01 A I b)	0120	15.18
04.01 A II a) 1	0130	15.18
04.01 A II a) 2	0140	18.27
04.01 A II b) 1	0150	13.97
04.01 A II b) 2	0160	17.06
04.01 B I	0200	33.80
04.01 B II	0300	71.50
04.01 B III	0400	110.50
04.02 A I	0500	11.08
04.02 A II a) 1	0620	69.40
04.02 A II a) 2	0720	116.47
04.02 A II a) 3	0820	118.89
04.02 A II a) 4	0920	134.68
04.02 A II b) 1	1020	62.15
04.02 A II b) 2	1120	109.22
04.02 A II b) 3	1220	111.64
04.02 A II b) 4	1320	127.43
04.02 A III a) 1	1420	33.84
04.02 A III a) 2	1520	45.68
04.02 A III b) 1	1620	71.50
04.02 A III b) 2	1720	110.50
04.02 B I a)	1820	36.27
04.02 B I b) 1 aa)	2220	per kg 0.6215 ⁽¹¹⁾
04.02 B I b) 1 bb)	2320	per kg 1.0922 ⁽¹¹⁾
04.02 B I b) 1 cc)	2420	per kg 1.2743 ⁽¹¹⁾
04.02 B I b) 2 aa)	2520	per kg 0.6215 ⁽¹²⁾
04.02 B I b) 2 bb)	2620	per kg 1.0922 ⁽¹²⁾
04.02 B I b) 2 cc)	2720	per kg 1.2743 ⁽¹²⁾
04.02 B II a)	2820	51.92
04.02 B II b) 1	2910	per kg 0.7150 ⁽¹²⁾
04.02 B II b) 2	3010	per kg 1.1050 ⁽¹²⁾
04.03 A	3110	130.00
04.03 B	3210	158.60
04.04 A I a) 1	3321	18.13
04.04 A I a) 2	3420	154.09 ⁽¹³⁾ ⁽²⁰⁾
04.04 A I b) 1 aa)	3521	18.13
04.04 A I b) 1 bb)	3619	154.09 ⁽¹³⁾ ⁽²⁰⁾
04.04 A I b) 2	3719	154.09 ⁽¹³⁾ ⁽²⁰⁾
04.04 A II	3800	154.09 ⁽²⁰⁾
04.04 B	3900	166.95 ⁽¹⁴⁾
04.04 C	4000	109.03 ⁽²³⁾
04.04 D I	4120	36.27
04.04 D II a) 1	4410	130.41 ⁽²¹⁾
04.04 D II a) 2	4510	127.16
04.04 D II b)	4610	223.88
04.04 E I a)	4710	166.95
04.04 E I b) 1 aa) 11)	4840	174.97 ⁽¹⁹⁾
04.04 E I b) 1 aa) 22) aaa)	4850	174.97 ⁽¹⁹⁾
04.04 E I b) 1 aa) 22) bbb)	4860	174.97 ⁽¹⁹⁾
04.04 E I b) 1 bb)	4870	174.97 ⁽¹⁹⁾

<i>(ECU/100 kg net weight, unless otherwise indicated)</i>		
CCT heading No	Code	Import levy
I b) 1 cc)	4880	174.97 ⁽¹⁹⁾
04.04 E I b) 1 dd)	4890	174.97
04.04 E I b) 2 aa)	4922	139.78 ⁽¹⁵⁾ ⁽²²⁾
04.04 E I b) 2 bb)	5022	139.78 ⁽¹⁶⁾ ⁽²²⁾
04.04 E I b) 3	5030	139.78 ⁽¹⁷⁾
04.04 E I b) 4	5060	139.78 ⁽¹⁷⁾
04.04 E I b) 5 aa)	5130	139.78 ⁽¹⁹⁾ ⁽²³⁾ ⁽²⁴⁾
04.04 E I b) 5 bb)	5140	139.78 ⁽²³⁾ ⁽²⁴⁾
04.04 E I c) 1	5210	104.84
04.04 E I c) 2	5250	236.50
04.04 E II a)	5310	166.95
04.04 E II b)	5410	236.50
17.02 A II ⁽¹⁸⁾	5500	33.60
21.07 F I	5600	33.60
23.07 B I a) 3	5700	49.03
23.07 B I a) 4	5800	63.33
23.07 B I b) 3	5900	59.89
23.07 B I c) 3	6000	50.71
23.07 B II	6100	63.33

For notes ⁽¹⁾ to ⁽¹⁰⁾, see notes ⁽¹⁾ to ⁽¹⁰⁾ of Regulation (EEC) No 3763/81 (OJ No L 374, 30. 12. 1981, p. 43).

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

- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
- (b) 7.25 ECU ; and
- (c) 13.80 ECU.

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

- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ; and
- (b) 13.80 ECU.

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

⁽¹⁴⁾ The levy on 100 kg net weight is limited to 6 % of the value for customs purposes.

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

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

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

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

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

⁽²⁰⁾ The levy is limited to 18.13 ECU per 100 kg net weight for imports from Austria or Finland in accordance with the requirements of Regulation (EEC) No 3700/81.

⁽²¹⁾ The levy is limited to 36.27 ECU per 100 kg net weight for imports from Austria or Finland in accordance with the requirements of Regulation (EEC) No 3700/81.

⁽²²⁾ The levy is limited to 55.00 ECU per 100 kg net weight for imports from Austria in accordance with the requirements of Regulation (EEC) No 3700/81.

-
- (²³) The levy is limited to 50.00 ECU per 100 kg net weight for imports from Austria in accordance with the requirements of Regulation (EEC) No 3700/81.
- (²⁴) The levy is limited to 18.13 ECU per 100 kg net weight for imports from Finland in accordance with the requirements of Regulation (EEC) No 3700/81.
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NB: For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the ECU referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I, of the Common Customs Tariff, be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the ECU and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 199/82

of 27 January 1982

on the classification of goods falling within subheading 23.07 B I a) of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 3 thereof,

Whereas, in order to ensure uniform application of the nomenclature of the Common Customs Tariff, provisions must be laid down concerning the tariff classification of a premix consisting of ronidazole (INN) (12 % by weight calculated on the dry product) on a base of maize gluten (containing less than 10 % of starch) used in the preparation of supplementary animal feedingstuffs;

Whereas heading No 23.07 of the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68⁽²⁾, as last amended by Regulation (EEC) No 3300/81⁽³⁾, refers to preparations of a kind used in animal feeding;

Whereas the premix in question, although containing an active substance of a medicinal nature, is not prepared to be used as a veterinary medicament; whereas it has the characteristics of a product of a kind used in the preparation of animal feedingstuffs falling within heading No 23.07 (see also the Explanatory Notes to the CCC nomenclature, heading No 23.07,

item II c)); whereas, within heading No 23.07, subheading 23.07 B I a) should be chosen for such a product;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The premix consisting of ronidazole (INN) (12 % by weight calculated on the dry product) on a base of maize gluten (containing less than 10 % of starch) shall be classified in the Common Customs Tariff under subheading:

23.07 Sweetened forage; other preparations of a kind used in animal feeding:

B. Other, containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, or milk products:

I. Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup:

a) Containing no starch or containing 10 % or less by weight of starch.

Article 2

This Regulation shall enter into force on the 21st 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, 27 January 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 335, 23. 11. 1981, p. 1.

COMMISSION REGULATION (EEC) No 200/82
of 27 January 1982
on the classification of goods falling within subheading 23.07 C of the Common
Customs Tariff

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 97/69
of 16 January 1969 on measures to be taken for
uniform application of the nomenclature of the
Common Customs Tariff⁽¹⁾, as last amended by the
Act of Accession of Greece, and in particular Article 3
thereof,

Whereas, in order to ensure uniform application of the
nomenclature of the Common Customs Tariff, provi-
sions must be laid down concerning the tariff classifi-
cation of a premix consisting of oxytetracycline
hydrochloride (INN²) (20 % by weight calculated on
the dry product) on a base of calcium carbonate, used
in the preparation of supplementary animal feeding-
stuffs;

Whereas heading No 23.07 of the Common Customs
Tariff annexed to Council Regulation (EEC) No
950/68⁽²⁾, as last amended by Regulation (EEC) No
3300/81⁽³⁾, refers to preparations of a kind used in
animal feeding;

Whereas the premix in question, although containing
an active substance of a medicinal nature, is not
prepared to be used as a veterinary medicament;
whereas it has the characteristics of a product of a kind

used in the preparation of animal feedingstuffs falling
within heading No 23.07 (see also the Explanatory
Notes to the CCC nomenclature, heading No 23.07,
item II c)); whereas, within heading No 23.07, sub-
heading 23.07 C should be chosen for such a product;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Committee
on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The premix consisting of oxytetracycline hydrochlo-
ride (INN²) (20 % by weight calculated on the dry
product) on a base of calcium carbonate shall be classi-
fied in the Common Customs Tariff under sub-
heading:

23.07 Sweetened forage; other preparations of a kind
used in animal feeding:

C. Other

Article 2

This Regulation shall enter into force on the 21st 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, 27 January 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 14 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 335, 23. 11. 1981, p. 1.

COMMISSION REGULATION (EEC) No 201/82
of 28 January 1982
altering the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by the Act of Accession of Greece ⁽²⁾, and in particular
Article 17 (4) thereof,

Whereas the export refunds on milk and milk
products were fixed by Commission Regulation (EEC)
No 33/82 ⁽³⁾, as last amended by Regulation (EEC) No
112/82 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 33/82 to the infor-

mation known to the Commission that the export
refunds for the products listed in the Annex hereto
should be altered to the amounts set out therein,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds referred to in Article 17 of Regula-
tion (EEC) No 804/68 on products exported in the
natural state, as fixed in the Annex to amended Regu-
lation (EEC) No 33/82 are hereby altered, in respect of
the products set out in the Annex hereto, to the
amounts set out therein.

Article 2

This Regulation shall enter into force on 29 January
1982.

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

Done at Brussels, 28 January 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 4, 8. 1. 1982, p. 15.

⁽⁴⁾ OJ No L 15, 21. 1. 1982, p. 13.

ANNEX

to the Commission Regulation of 28 January 1982 altering the export refunds on milk and milk products

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03	ex A. (III) Of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	
	For exports to :		
	— Zone C 1		102-44
	— Zone C 2		—
	— Other destinations		102-44
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	
	For exports to :		
	— Zone C 1		105-00
	— Zone C 2		—
	— Other destinations		105-00

COMMISSION REGULATION (EEC) No 202/82**of 28 January 1982****amending for the eighth time Regulation (EEC) No 2730/79 laying down common detailed rules for the application of the system of export refunds on agricultural products**

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 16 (6) thereof, and to the corresponding provisions of the other Regulations on the common organization of markets in agricultural products,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular the second subparagraph of Article 8 (2) and Article 8 (3) thereof, and to the corresponding provisions of the other Regulations laying down general rules for granting export refunds on agricultural products,

Whereas Article 25 of Commission Regulation (EEC) No 2730/79⁽⁴⁾, as last amended by Regulation (EEC) No 2646/81⁽⁵⁾, provides that the Member States may advance to the exporter all or part of the amount of the refund as soon as customs export formalities are completed; whereas, in order to ensure that this provision is uniformly applied, provision should be made for payment, on application by the exporter, of the advance on the refund as soon as customs export formalities are completed;

Whereas Article 4a (1) (b) of Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States⁽⁶⁾, as last amended by Regulation (EEC) No 3605/81⁽⁷⁾, provides that the compensatory amounts levied on

export are, in certain cases, to be deducted from the export refunds; whereas Article 61 (3) (b) of the Act of Accession of Greece lays down that export refunds are to be reduced by the accession compensatory amounts, whereas this should be taken into account for the purposes of calculating the amount advanced;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2730/79 is hereby amended as follows:

1. Article 25 (1) is replaced by the following:

1. 'On application by the exporter, Member States shall advance all or part of the amount of the refund as soon as customs export formalities are completed on condition that a security is provided to guarantee repayment of the amount advanced plus 15 %. Member States may lay down the conditions in which it shall be possible to apply for an advance of part of the refund.'

The amount advanced shall be calculated taking account of the rate of refund applicable for the declared destination and corrected, as necessary, by the monetary compensatory amounts, accession compensatory amounts and any other amounts provided for by Community rules.'

2. The following subparagraph is inserted after the first subparagraph of Article 25 (2):

'Where the amount advanced exceeds the amount actually due for the export in question, the exporter shall repay the difference between those two amounts plus 15 %.'

Article 2

This Regulation shall enter into force on 1 April 1982.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁵⁾ OJ No L 259, 12. 9. 1981, p. 10.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 362, 17. 12. 1981, p. 2.

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

Done at Brussels, 28 January 1982.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 203/82
of 28 January 1982
fixing the amount of the subsidy on oil seeds

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 27 ⁽⁴⁾ thereof,

Whereas the amount of the subsidy referred to in
Article 27 of Regulation No 136/66/EEC was fixed by
Regulation (EEC) No 3701/81 ⁽³⁾, as last amended by
Regulation (EEC) No 125/82 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 3701/81 to the

information known to the Commission that the
amount of the subsidy at present in force should be
altered to the amount set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of
Regulation No 136/66/EEC shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 29 January
1982.

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

Done at Brussels, 28 January 1982.

For the Commission

Poul DALSGER

Member of the Commission

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

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 369, 24. 12. 1981, p. 36.

⁽⁴⁾ OJ No L 16, 22. 1. 1982, p. 18.

ANNEX

to the Commission Regulation of 28 January 1982 fixing the amount of the subsidy
on oil seeds

(ECU/100 kg)

CCT heading No	Description	Subsidy
ex 12.01	Colza and rape seed	21.524
ex 12.01	Sunflower seed	20.650

(ECU/100 kg)

CCT heading No	Description	Subsidy in the case of advance fixing for the month of					
		January 1982	February 1982	March 1982	April 1982	May 1982	June 1982
ex 12.01	Colza and rape seed	19.834	20.286	20.738	21.084	20.065	20.065
ex 12.01	Sunflower seed	20.650	20.984	21.505	21.668	19.790	—

COMMISSION REGULATION (EEC) No 204/82
of 28 January 1982
fixing the world market price for colza and rape seed

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 markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3454/80⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 852/78⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 3476/80⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 3701/81 of 23 December 1981 fixing the amount of the subsidy on

oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 203/82⁽⁸⁾;

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

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

Whereas it follows from applying these provisions that the world market price for colza and rape seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 January 1982.

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

Done at Brussels, 28 January 1982.

For the Commission

Poul DALSGER

Member of the Commission

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

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 363, 31. 12. 1980, p. 71.

⁽⁷⁾ OJ No L 369, 24. 12. 1981, p. 36.

⁽⁸⁾ See page 25 of this Official Journal.

ANNEX

to the Commission Regulation of 28 January 1982 fixing the world market price for colza and rape seed

(ECU/100 kg) (1)

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	23.296

(ECU/100 kg) (1)

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		January 1982	February 1982	March 1982	April 1982	May 1982	June 1982
ex 12.01	Colza and rape seed	24.986	24.986	24.986	25.092	26.111	26.111

(1) The conversion rates from ECU into currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 ECU = DM	2.40989
1 ECU = Fl	2.66382
1 ECU = Bfr/Lfr	40.7572
1 ECU = FF	6.17443
1 ECU = Dkr	7.91117
1 ECU = £ Irl	0.684452
1 ECU = £	0.563050
1 ECU = Lit	1 300.00

COMMISSION REGULATION (EEC) No 205/82**of 28 January 1982****fixing the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Council Regulation (EEC) No 3808/81 ⁽²⁾,

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

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 (4) of Regulation (EEC) No
2727/75 provides that the export refund applicable to
cereals on the day on which application for an export
licence is made, adjusted for the threshold price in
force during the month of exportation, must be
applied on request to exports to be effected during the
period of validity of the export licence; whereas, in
this case, a corrective amount must be applied to the
refund;

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice ⁽⁴⁾, as
last amended by Regulation (EEC) No 1783/81 ⁽⁵⁾,
made possible the fixing of a corrective amount for
certain products listed in Article 1 (c) of Regulation
(EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down
detailed rules for the advance fixing of export refunds
for cereals and certain products processed from
cereals;

Whereas, pursuant to that Regulation, when the
corrective amount is being fixed, account must be

taken of the existing situation and the future trend
with regard to prices and availabilities of cereals on the
Community market on the one hand and possibilities
and conditions for the sale of cereals and cereal
products on the world market on the other; whereas
the same Regulation provides that it is also important
to ensure equilibrium and the natural development of
prices and trade on cereal markets and, furthermore, to
take into account the economic aspect of exports and
the need to avoid disturbances on the Community
market;

Whereas for the products listed in Article 1 (c) of
Regulation (EEC) No 2727/75 account should be
taken of the specific criteria laid down in Article 2 (2)
of Regulation (EEC) No 1281/75;

Whereas the world market situation or the specific
requirements of certain markets may make it necessary
to vary the corrective amount according to desti-
nation;

Whereas the corrective amount must be fixed at the
same time as the refund and according to the same
procedure; whereas it may be altered in the period
between fixings;

Whereas it may be altered in the period between
fixings;

Whereas, if the system of corrective amounts is to
operate normally, corrective amounts should be calcu-
lated 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 central rate,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded for a given period in
relation to the Community currencies referred to
in the preceding indent;

Whereas it follows from applying the provisions set
out above that the corrective amount must be as set
out in the Annex hereto;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 176, 1. 7. 1981, p. 10.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

HAS ADOPTED THIS REGULATION:

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 1 February 1982.

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

Done at Brussels, 28 January 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 28 January 1982 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7	6th period 8
10.01 A	Common wheat, and meslin :	0	0	—3.00	—5.00	—5.00	0	0
10.01 B	Durum wheat	0	0	0	—	—	—	—
10.02	Rye	0	0	0	—	—	—	—
10.03	Barley	0	0	0	0	0	—	—
10.04	Oats	0	0	0	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	—	—
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977).

COMMISSION REGULATION (EEC) No 206/82

of 28 January 1982

fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Council Regulation (EEC) No 3808/81⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1783/81⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and

the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 central rate,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the preceding indent;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1982.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 176, 1. 7. 1981, p. 10.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

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

Done at Brussels, 28 January 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 28 January 1982 fixing the corrective amount applicable to the refund on malt

CCT heading No	(ECU/tonne)					
	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	0	0	0	0	0	— 5.00
11.07 B	0	0	0	0	0	— 5.00

CCT heading No	(ECU/tonne)					
	6th period 8	7th period 9	8th period 10	9th period 11	10th period 12	11th period 1
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	— 5.00	— 5.00	— 5.00	— 5.00	— 5.00	— 5.00
11.07 B	— 5.00	— 5.00	— 5.00	— 5.00	— 5.00	— 5.00

