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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 530/82

of 8 March 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 3808/81⁽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 5 March 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 9 March 1982.

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

Done at Brussels, 8 March 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽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 8 March 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 B I	Common wheat, and meslin	90.11
10.01 B II	Durum wheat	121.66 ⁽¹⁾ ⁽²⁾
10.02	Rye	46.62 ⁽³⁾
10.03	Barley	69.28
10.04	Oats	55.26
10.05 B	Maize, other than hybrid maize for sowing	96.30 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	101.44 ⁽⁴⁾
10.07 C	Grain sorghum	79.01 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	140.84
11.01 B	Rye flour	79.98
11.02 A I a)	Durum wheat groats and meal	202.06
11.02 A I b)	Common wheat groats and meal	150.21

⁽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 531/82
of 8 March 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 organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 3808/81⁽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
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
5 March 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 9 March
1982.

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

Done at Brussels, 8 March 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽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 8 March 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 3	1st period 4	2nd period 5	3rd period 6
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	22.73	22.73	22.73
10.02	Rye	0	5.87	5.87	5.87
10.03	Barley	0	8.06	8.06	8.06
10.04	Oats	0	7.81	7.81	7.81
10.05 B	Maize, other than hybrid maize for sowing	0	0.97	0.97	0.97
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	7.74	7.74	7.74
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 3	1st period 4	2nd period 5	3rd period 6	4th period 7
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	14.35	14.35	14.35	14.35
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	10.72	10.72	10.72	10.72
11.07 B	Roasted malt	0	12.49	12.49	12.49	12.49

COMMISSION DECISION No 532/82/ECSC

of 3 March 1982

fixing the rates of abatement for the second quarter of 1982 in pursuance of Decision No 1831/81/ECSC establishing a system of monitoring and a new system of production quotas in certain products for undertakings in the iron and steel industry

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty establishing the European Coal and Steel Community,

The rates of abatement for the establishment of production quotas for the second quarter of 1982 shall be as follows:

Category Ia:	22
Category Ib:	27
Category Ic:	+ 9
Category Id:	+ 40
Category V:	38
Category VI:	28

Having regard to Commission Decision No 1831/81/ECSC of 24 June 1981 establishing for undertakings in the iron and steel industry a monitoring system and a new system of production quota in respect of certain products ⁽¹⁾, as amended for the second time by Decision No 2804/81/ECSC ⁽²⁾, and in particular Article 9 (1) thereof,

The rates of abatement for the establishment of the part of the production quotas which may be delivered in the common market shall be as follows:

Category Ia:	11
Category Ib:	14
Category Ic:	+ 13
Category Id:	+ 45
Category V:	41
Category VI:	30

Whereas the rates of abatement in respect of certain products must be fixed for the second quarter of 1982;

Article 2

On the basis of studies carried out jointly with undertakings and associations of undertakings,

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

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

Done at Brussels, 3 March 1982.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ No L 180, 1. 7. 1981, p. 1.

⁽²⁾ OJ No L 278, 1. 10. 1981, p. 1.

COMMISSION DECISION No 533/82/ECSC

of 3 March 1982

amending for the third time Decision No 1831/81/ECSC establishing for undertakings in the iron and steel industry a monitoring system and a new system of production quotas in respect of certain products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 1831/81/ECSC of 24 June 1981 ⁽¹⁾, as last amended by Decision No 2804/81/ECSC ⁽²⁾, and in particular Article 16 (1) thereof,

Whereas :

1. By Decision No 532/82/ECSC ⁽³⁾ the Commission laid down the abatement rates for the second quarter of 1982 in the context of the new system of production quotas established by Decision No 1831/81/ECSC.
2. In the case of concrete reinforcing bars, which belong to Category V of the new system of quotas, the downturn in demand, which has continued and become more marked during the last two quarters as a result of the worsening of the slump in the construction sector, together with the high level of stocks, has required very high abatement rates to be granted. This reduction in demand has been reflected during the last few weeks by a slump in market prices, which in certain regions of the Community have fallen well below the level corresponding to the Commission's guidance prices; this reduction in demand is also affecting, although less severely, products in Categories IV (wire rod) and VI (merchant bars), which are marketed in the same sectors and often produced by the same undertakings.
3. There are in the Community a substantial number of small and medium-sized undertakings whose production depends almost exclusively on products in Categories IV, V and VI and to a considerable extent on the production of concrete reinforcing bars; such undertakings are clearly different both from undertakings that also produce several other categories of products and can consequently benefit from the more favourable market conditions for

their other products and from undertakings that produce other categories of products only.

4. By Decision No 1831/81/ECSC, the Commission recognized that the system of quotas could create exceptional difficulties for certain undertakings 'both because of the size of their plants and because of their dependence on a limited range of products' ⁽⁴⁾ and included Article 14 in that Decision in order to be able to adjust the reference productions of such undertakings should the abatement rate exceed a certain level.

In view of the extremely high abatement rate in respect of concrete reinforcing bars for the second quarter of 1982, the system of quotas will clearly create exceptional difficulties for the undertakings referred to in point 3 above. Less stringent quotas should therefore now be established for these undertakings.

5. Since point 3 above concerns a large number of undertakings, it should be stipulated that for these producers a reduction in the abatement rates for the establishment of quotas will be made by general decision.
6. The worsening of the slump in the construction sector and the increased downturn in demand and prices for concrete reinforcing bars constitute a radical change in the iron and steel market within the meaning of Article 16 (1) of Decision No 1831/81/ECSC.

HAS ADOPTED THIS DECISION :

Article 1

The following Article 14b shall be inserted in Decision No 1831/81/ECSC after Article 14a :

'Article 14b

For producers whose total production of the products referred to in Article 1 did not exceed

⁽¹⁾ OJ No L 180, 1. 7. 1981, p. 1.

⁽²⁾ OJ No L 278, 1. 10. 1981, p. 1.

⁽³⁾ See page 5 of this Official Journal.

⁽⁴⁾ Second paragraph of point 7 of the statement of reasons for Decision No 1831/81/ECSC.

700 000 tonnes in 1981 and whose production of Categories IV, V and VI accounts for at least 90 % of their total production, the abatement rates in respect of Category V for the purpose of establishing production quotas and the proportion of the production quotas that may be delivered to the common market laid down in Article 1 of Decision No 532/82/ECSC ⁽¹⁾ for the second quarter of 1982 shall be reduced by five percentage points if

production of Category V represents at least 30 % of production of Categories IV, V and VI in 1981.

⁽¹⁾ OJ No L 65, 9. 3. 1982, p. 5.

Article 2

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

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

Done at Brussels, 3 March 1982.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION REGULATION (EEC) No 534/82

of 4 March 1982

on arrangements for imports into the United Kingdom of certain textile products originating in the People's Republic of China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3061/79 of 20 December 1979 on common rules for imports of certain textile products originating in China⁽¹⁾, and in particular Article 11 (4) and (5) thereof,

Whereas Article 11 of Regulation (EEC) No 3061/79 lays down the conditions under which quantitative limits may be established; whereas imports into the United Kingdom of certain textile products (categories 26 and 68), specified in the Annex hereto and originating in China, are liable to exceed the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11, China was notified of a request for consultations; whereas quantitative limits have been placed provisionally on the products in question pending the outcome of those consultations;

Whereas the products in question exported from China between 1 January 1982 and the date of entry into force of this Regulation must be set off against the quantitative limits which have been introduced;

Whereas these quantitative limits should not prevent the importation of products covered by them shipped from China before the date of entry into force of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provisions of Article 2, importation into the United Kingdom of the categories of products originating in China and specified in the Annex hereto shall be subject to the quantitative limits given in that Annex.

Article 2

1. Products as referred to in Article 1, shipped from China to the United Kingdom before the date of entry into force of this Regulation and not yet released for free circulation, shall be so released subject to the presentation of a shipment certificate proving that shipment actually took place before that date.

2. All quantities of products shipped from China on or after 1 January 1982 and released for free circulation shall be deducted from the quantitative limits laid down. These provisional limits shall not, however, prevent the importation of products covered by them but shipped from China before the date of entry into force of this Regulation.

Article 3

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

It shall apply until the entry into force of a Regulation establishing definitive quantitative limits following the current consultations.

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

Done at Brussels, 4 March 1982.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 345, 31. 12. 1979, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1982)	Description	Member States	Units	Quantitative limits from 1 January to 31 December 1982
26	60.05 A II b) 4 cc) 11 22 33 44 61.02 B II e) 4 bb) cc) dd) ee)	60.05-45; 46; 47; 48 61.02-48; 52; 53; 54	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres	UK	1 000 pieces	194
68	60.04 A I II a) b) c) III a) b) c) d)	60.04-02; 03; 04; 06; 07; 08; 10; 11; 12; 14	Under garments, knitted or crocheted, not elastic or rubberized : A. Babies' garments; girls' garments up to and including commercial size 86 : Babies' under garments of knitted or crocheted fabrics, not elastic or rubberized	UK	Tonnes	26

COMMISSION REGULATION (EEC) No 535/82
of 5 March 1982

re-establishing the levying of customs duties on coumarin, methylcoumarins and ethylcoumarins, falling within subheading 29.35 N and originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3601/81 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3601/81 of 7 December 1981 applying generalized tariff preferences for 1982 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 12 thereof,

Whereas, in pursuance of Articles 1 and 9 of that Regulation, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex C, other than those listed in column 4 of Annex A, within the framework of the preferential tariff ceiling fixed in column 9 of Annex A;

Whereas, as provided for in Article 10 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of coumarin, methylcoumarins and ethylcoumarins falling within subheading 29.35 N the individual ceiling was fixed at 124 000 ECU; whereas, on 26 February 1982, imports of these

products into the Community originating in China reached that ceiling; whereas customs duties in respect of the products in question must therefore be re-established against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 12 March 1982, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3601/81 shall be re-established on imports into the Community of the following products originating in China:

CCT heading No	Description of goods
29.35 N	Coumarin, methylcoumarins and ethylcoumarins

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, 5 March 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 365, 21. 12. 1981, p. 1.

COMMISSION REGULATION (EEC) No 536/82
of 8 March 1982
altering the export refunds on syrups and certain other sugar products exported
in the natural state

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1785/81 of 30 June 1981 on the common
organization of the markets in the sugar sector ⁽¹⁾, as
amended by Regulation (EEC) No 192/82 ⁽²⁾, and in
particular Article 19 (4) thereof,

Whereas the refunds on syrups and certain other sugar
products were fixed by Regulation (EEC) No
457/82 ⁽³⁾, as amended by Regulation (EEC) No
489/82 ⁽⁴⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)
No 457/82 to the information at present available to
the Commission that the export refunds at present in

force should be altered as shown in the Annex to this
Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No
1785/81, exported in the natural state, as fixed in the
Annex to amended Regulation (EEC) No 457/82 are
hereby altered to the amounts shown in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 9 March
1982.

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

Done at Brussels, 8 March 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 21, 29. 1. 1982, p. 1.

⁽³⁾ OJ No L 56, 27. 2. 1982, p. 19.

⁽⁴⁾ OJ No L 58, 2. 3. 1982, p. 14.

ANNEX

to the Commission Regulation of 8 March 1982 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) : I. Isoglucose ex II. Other, excluding sorbose E. Artificial honey, whether or not mixed with natural honey F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	 — 0-2212 0-2212 0-2212	 22-12 — — —
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose IV. Other (other than lactose, glucose and malto-dextrine syrups)	 — 0-2212	 22-12 —

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 537/82
of 8 March 1982
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as amended by Regulation (EEC) No 192/82⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1808/81⁽³⁾, as last amended by Regulation (EEC) No 529/82⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1808/81 to the information known to the Commission that the levies

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 March 1982.

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

Done at Brussels, 8 March 1982.

For the Commission

Poul DALSGER

Member of the Commission

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 21, 29. 1. 1982, p. 1.
⁽³⁾ OJ No L 181, 2. 7. 1981, p. 24.
⁽⁴⁾ OJ No L 63, 6. 3. 1982, p. 15.

ANNEX

to the Commission Regulation of 8 March 1982 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	28.88
	B. Raw sugar	22.81 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 538/82**of 8 March 1982****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as amended by Regulation (EEC) No 192/82⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 504/82⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 504/82 to the information known to the Commission that the export

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 504/82, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 March 1982.

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

Done at Brussels, 8 March 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 21, 29. 1. 1982, p. 1.

⁽³⁾ OJ No L 61, 4. 3. 1982, p. 11.

ANNEX

to the Commission Regulation of 8 March 1982 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	22.12	
	(b) Other	22.90	
	(II) Flavoured or coloured sugar		0.2212
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	20.35 ⁽¹⁾	
	(b) Other raw sugar	19.00 ⁽¹⁾	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 539/82

of 8 March 1982

altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 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 19 (1) and (2) thereof,

Whereas the rates of the refunds applicable from 1 March 1982 to the products listed in the Annex exported in the form of goods not covered by Annex II to the Treaty were fixed by Regulation (EEC) No 463/82⁽³⁾, as amended by Regulation (EEC) No 487/82⁽⁴⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 463/82 to the infor-

mation at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by amended Regulation (EEC) No 463/82 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 March 1982.

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

Done at Brussels, 8 March 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 21, 29. 1. 1982, p. 1.

⁽³⁾ OJ No L 56, 27. 2. 1982, p. 33.

⁽⁴⁾ OJ No L 58, 2. 3. 1982, p. 10.

ANNEX

to the Commission Regulation of 8 March 1982 altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Table A

<i>Rate of refund in ECU/100 kg:</i>	White sugar :	22.12
	Raw sugar :	18.71
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$22.12 \times \frac{S^{(1)}}{100}$
	Molasses :	—
	Isoglucose or flavoured or coloured isoglucose syrups :	22.12 ⁽²⁾

Table B

<i>Rate of refund in ECU/100 kg:</i>	White sugar :	18.67
	Raw sugar :	15.54
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$18.67 \times \frac{S^{(1)}}{100}$
	Molasses :	—

(¹) 'S' represents the weight of sucrose (including invert sugar expressed as sucrose) in 100 kilograms of syrup.

(²) Amount of refund for 100 kilograms of dry matter.

**COMMISSION REGULATION (EEC) No 540/82
of 8 March 1982**

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 3808/81⁽²⁾, and in particular
Article 14 (4) thereof,

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

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

Having regard to the advice of the Monetary
Committee,

Whereas the import levies on products processed from
cereals and rice were fixed by Regulation (EEC) No
471/82⁽⁷⁾, as amended by Regulation (EEC) No
480/82⁽⁸⁾;

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

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2.25 %, a rate of exchange based on
their 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
5 March 1982;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed
from cereals and rice covered by Regulation (EEC) No
2744/75⁽¹⁰⁾, as last amended by Regulation (EEC) No
1783/81⁽¹¹⁾, as fixed in the Annex to amended Regula-
tion (EEC) No 471/82, are hereby altered to the
amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 March
1982.

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

Done at Brussels, 8 March 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.
⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.
⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.
⁽⁷⁾ OJ No L 56, 27. 2. 1982, p. 48.
⁽⁸⁾ OJ No L 56, 27. 2. 1982, p. 67.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.
⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽¹¹⁾ OJ No L 176, 1. 7. 1981, p. 10.

ANNEX

to the Commission Regulation of 8 March 1982 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	12.46 ⁽¹⁾	10.65 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	130.62	124.58
11.02 A III ⁽²⁾	130.62	124.58
11.02 B I a) 1 ⁽²⁾	113.76	110.74
11.02 B I b) 1 ⁽²⁾	113.76	110.74
11.02 B II a) ⁽²⁾	121.70	118.68
11.02 C I ⁽²⁾	145.79	142.77
11.02 C III ⁽²⁾	179.07	173.03
11.02 D I ⁽²⁾	94.03	91.01
11.02 D III ⁽²⁾	73.61	70.59
11.02 E I a) 1 ⁽²⁾	73.61	70.59
11.02 E I b) 1 ⁽²⁾	144.46	138.42
11.02 E II a) ⁽²⁾	166.65	160.61
11.02 F I ⁽²⁾	166.65	160.61
11.02 F III ⁽²⁾	130.62	124.58
11.02 G I	72.96	66.92
11.04 C I	15.48	8.83 ⁽²⁾
11.07 A I a)	169.71	158.83
11.07 A I b)	129.56	118.68
11.07 A II a)	134.07 ^(*)	123.19
11.07 A II b)	102.93	92.05
11.07 B	118.16 ^(*)	107.28
11.08 A III	162.58	142.03
11.09	439.58	258.24

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

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

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

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

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

⁽²⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 February 1982

fixing the maximum aid levels for butter and concentrated butter for the 13th individual invitation to tender under the standing invitation to tender provided for in Regulation (EEC) No 1932/81

(82/149/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the grant of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food-stuffs⁽²⁾, as last amended by Regulation (EEC) No 48/82⁽³⁾, intervention agencies are to undertake a standing invitation to tender for aid for butter and concentrated butter;

Whereas Article 7 of the said Regulation lays down that a maximum aid level is to be fixed for the butter and for the concentrated butter and that this is to be differentiated according to the intended use and the fat content of the butter, or that a decision may be taken not to accept any tender; whereas, in the case of

concentrated butter, the amount of the processing security must be fixed taking account of the maximum aid level;

Whereas, in the light of the tenders received in response to the 13th individual invitation to tender, the maximum aid should be fixed at the level specified below and the processing security for concentrated butter determined accordingly;

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

For the 13th individual invitation to tender under Regulation (EEC) No 1932/81, in respect of which the time limit for submission of tenders expired on 9 February 1982, the maximum aid and processing securities are hereby fixed as follows:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽³⁾ OJ No L 7, 12. 1. 1982, p. 5.

(a) *for butter:*

<i>(ECU/100 kg butter)</i>		
Use to which the butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Fat content of the butter	Maximum aid level
Formula A	82 % or more	160·00
	80 % or more, but not exceeding 82 %	156·10
Formula B	82 % or more	105·00
	80 % or more, but not exceeding 82 %	—

(b) *for concentrated butter:*

<i>(ECU/100 kg pure concentrated butter)</i>		
Use to which the concentrated butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Maximum aid level	Processing security
Formula A and/or C	212·00	233·00
Formula B	145·00	160·00

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 February 1982.

For the Commission
Poul DALSAGER
Member of the Commission

COMMISSION DECISION

of 12 February 1982

correcting Commission Decisions 82/44/EEC and 82/36/EEC of 28 December 1981 amending Commission Decisions 81/925/EEC and 81/926/EEC opening standing invitations to tender for the export of cereals held by the German intervention agency

(Only the German text is authentic)

(82/150/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3808/81⁽²⁾, and in particular Article 7 (5) thereof,

Whereas by Commission Decisions 82/44/EEC⁽³⁾ and 82/36/EEC⁽⁴⁾ of 28 December 1981 the Commission increased the amounts of rye and barley to be put up for tender for export; whereas, as a result of an omission, the wording of these Decisions did not correspond to the texts presented to the management committee for its opinion; whereas the Decisions in question should accordingly be corrected,

HAS ADOPTED THIS DECISION:

Article 1

1. The following shall be added to Article 1 of the Decision of 28 December 1981 amending Decision 81/925/EEC:

'Article 3 (1) of Decision 81/925/EEC shall be replaced by the following:

"Article 3

1. The places for which the minimum sale price is to be fixed are as follows: Braunschweig, Bremen, Brunsbüttel, Büsum, Fallersleben, Flensburg, Hamburg, Kiel, Lübeck Rendsburg."

2. The following shall be added to Article 1 of the Decision of 28 December 1981 amending Decision 81/926/EEC:

'Article 3 (1) of Decision 81/926/EEC shall be replaced by the following:

"Article 3

1. The places for which the minimum sale price is to be fixed are as follows: Braunschweig, Bremen, Emden, Hamburg, Rotterdam, Lübeck, Flensburg, Brunsbüttel, Fallersleben."

Article 2

This Decision shall apply with effect from 28 December 1981.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 12 February 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽³⁾ OJ No L 20, 28. 1. 1982, p. 38.

⁽⁴⁾ OJ No L 16, 22. 1. 1982, p. 42.

COMMISSION DECISION**of 12 February 1982****amending Commission Decision 81/926/EEC and increasing to 250 000 tonnes the quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened****(Only the German text is authentic)****(82/151/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 organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 3808/81 ⁽²⁾, and in particular
Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No
376/70 of 27 February 1970 ⁽³⁾, laying down the proce-
dures and conditions for the disposal of cereals held
by the intervention agencies;

Whereas the amended Commission Decision
81/926/EEC of 6 November 1981 ⁽⁴⁾ opened a stan-
ding invitation to tender for the export of 150 000
tonnes of barley held by the German intervention
agency;

Whereas in a communication of 26 January 1982 the
Federal Republic of Germany informed the Commis-
sion of the intention of its intervention agency to
increase by 100 000 tonnes the quantity for which a
standing invitation to tender for export has been
opened; whereas the total quantity of barley held by
the German intervention agency for which a standing
invitation to tender for export has been opened should
be increased to 250 000 tonnes;

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

HAS ADOPTED THIS DECISION:

Article 1

Article 2 of Decision 81/926/EEC is amended as
follows:

Article 2

1. The invitation to tender shall relate to a
quantity of 250 000 tonnes of barley.
2. The regions in which the 250 000 tonnes of
barley is stored are listed in the Annex hereto.

Article 2

The Annex to Decision 81/926/EEC is replaced by the
Annex hereto.

Article 3

This Decision is addressed to the Federal Republic of
Germany.

Done at Brussels, 12 February 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽³⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁴⁾ OJ No L 337, 24. 11. 1981, p. 17.

ANNEX

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein	15 778
Niedersachsen	65 259
Nordrhein-Westfalen	142 833
Hamburg	9 259
Bremen	3 345
Hessen	3 437
Rheinland-Pfalz	2 997
Baden-Württemberg	1 314
Bayern	7 041

COMMISSION DECISION**of 12 February 1982****amending Commission Decision 81/1010/EEC and increasing to 150 000 tonnes the quantity of barley held by the British intervention agency for which a standing invitation to tender for export has been opened****(Only the English text is authentic)****(82/152/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3808/81⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 376/70 of 27 February 1970 laying down the procedure and conditions for the disposal of cereals held by intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 1687/76⁽⁴⁾, and in particular Article 5 (1) and (7) thereof,

Whereas Commission Decision 81/1010/EEC of 2 December 1981⁽⁵⁾ opened a standing invitation to tender for the export of 100 000 tonnes of barley held by the British intervention agency;

Whereas, in a communication of 4 February 1982, the United Kingdom informed the Commission of the intention of its intervention agency to increase by 50 000 tonnes the quantity for which a standing invitation to tender for export had been opened; whereas the total quantity of barley held by the United Kingdom intervention agency for which a standing invitation to tender for export has been opened should be increased to 150 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of exit points and of regions and quantities in store; whereas the Annex to Decision 81/1010/EEC must therefore be amended;

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

HAS ADOPTED THIS DECISION:

Article 1

Article 2 of Decision 81/1010/EEC is amended as follows:

'Article 2

1. The invitation to tender shall relate to a quantity of 150 000 tonnes of barley.
2. The regions in which the 150 000 tonnes of barley is stored are listed in the Annex hereto.'

Article 2

The Annex to Decision 81/1010/EEC is replaced by the Annex hereto.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 12 February 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽³⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁴⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁵⁾ OJ No L 346, 19. 12. 1981, p. 46.

ANNEX

<i>(tonnes)</i>	
Place of storage	Quantity
North	64 715
South	37 127
Midlands and East	48 158

COMMISSION DECISION**of 17 February 1982****approving a programme covering the processing of Community-grown oilseed and by-products in France pursuant to Council Regulation (EEC) No 355/77****(Only the French text is authentic)****(82/153/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed⁽¹⁾, and in particular Article 5 thereof,

Whereas on 23 October 1980 the French Government forwarded the programme covering the processing of Community-grown oilseed and by-products and in September 1981 provided additional details;

Whereas this programme relates to the modernization and extension of facilities for the crushing of multi-seeds (colza, sunflower, linseed) and of refining capacity as well as the technical adaptation of margarine factories and marketing facilities in order to match the evolution of oilseeds production in France and to improve the techniques and quality of its processing; whereas it is therefore a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the programme contains the details referred to in Article 3 of Regulation (EEC) No 355/77, showing that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of the sector in question; whereas the schedule for imple-

mentation of the programme, does not exceed the time limit laid down in Article 3 (1) (g) of this Regulation;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The programme covering the processing of Community-grown oilseed and by-products pursuant to Regulation (EEC) No 355/77 communicated by the French Government on 23 October 1980 and supplemented in September 1981 is hereby approved.
2. Approval of the programme does not extend to projects for the production of margarine.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 17 February 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

COMMISSION OPINION

of 22 February 1982

addressed to the Government of Denmark regarding implementation of Regulation (EEC) No 954/79 concerning the ratification by Member States of, or their accession to, the United Nations Convention on a code of conduct for liner conferences

(82/154/EEC)

1. In a letter dated 16 November 1981, the Minister of Industry of Denmark submitted the following documents for the opinion of the Commission under Article 6 of the above Regulation:

- (i) a draft act on liner conferences;
- (ii) a draft order on liner conferences.

2. Having examined these documents, the Commission considers that they give rise to the following observations:

General form of the draft legislation

The order repeats (in fact it re-enacts) the directly applicable provisions already contained in the Council Regulation. In this connection it is relevant to note the remarks of the Court of Justice in Case 39/72, *Commission v. Italy* [1973] 1 ECR, 101, where the Court said in paragraphs 17 and 18 of the judgment:

'In substance the same decree, apart from some procedural provisions of a national character, confines itself to reproducing the provisions of the Community Regulations.

By following this procedure, the Italian Government has brought into doubt both the legal nature of the applicable provisions and the date of their coming into force.

According to the terms of Articles 189 and 191 of the Treaty, Regulations are, as such, directly applicable in all Member States and come into force solely by virtue of their publication in the *Official Journal of the European Communities*, as from the date specified in them, or in the absence thereof, as from the date provided in the Treaty.

Consequently, all methods of implementation are contrary to the Treaty, which would have the result of creating an obstacle to the direct effect of Community Regulations and of jeopardizing their simultaneous and uniform application in the whole of the Community.

Moreover, the implementing measures provided both by Law No 935 and by the decree of 22 March 1972 do not take into account the extension of the time allowed for slaughter by Regulation (EEC) No 580/70, so that Italian farmers have been misled as regards the extension of the time allowed for the slaughter of cows which have calved between 1 April and 30 May 1970.

The default of the Italian Republic has thus been established by reason not only of the delay in putting the system into effect but also of the manner of giving effect to it provided by the decree.'

In principle, therefore, the reproduction of a Community Regulation in national legislation is objectionable. In the present case, however, the intention of the Danish Government is merely to provide a comprehensive code of legislation which will be more intelligible to the reader than would be provisions scattered in several instruments (the relevant provisions of the code of conduct on liner conferences are also reproduced). In these circumstances the Danish draft legislation could be made acceptable, but only on the condition that it is made clearly apparent that the draft contains provisions reproduced from a Council Regulation and that they are identified. The relevant provisions could for example be printed in italics, the significance of which would be indicated by a footnote.

Act on liner conferences*Section 4*

It would seem preferable to delete the reference to 'Danish Courts of Law'. It may happen for example that a Court other than Danish may be called upon to apply Danish law with reference to liner conferences.

Section 5

These provisions will be subject to those in the Convention on jurisdiction and enforcement of judgments in civil and commercial matters.

Section 11

The Council Regulation applies generally to Denmark and this provision cannot be regarded as disapplying it.

Order*Article 4 (2)*

A better view would seem to be that a contract term in a conference agreement etc. which is

contrary to the Regulation or Code is void, not merely avoidable.

3. Subject to the abovementioned observations, the Commission hereby delivers a favourable opinion on the proposed legislation.

Done at Brussels, 22 February 1982.

For the Commission

Giorgios CONTOGEOGRIS

Member of the Commission

CLASSIFICATION OF CHEMICALS IN THE COMMON CUSTOMS TARIFF OF THE EUROPEAN COMMUNITIES

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