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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 720/82**of 30 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 29 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 31 March 1982.

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

Done at Brussels, 30 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 30 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	82.89
10.01 B II	Durum wheat	135.80 ⁽¹⁾ ⁽²⁾
10.02	Rye	50.75 ⁽⁶⁾
10.03	Barley	70.42
10.04	Oats	61.61
10.05 B	Maize, other than hybrid maize for sowing	87.97 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	90.41 ⁽⁴⁾
10.07 C	Grain sorghum	78.31 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	130.73
11.01 B	Rye flour	85.76
11.02 A I a)	Durum wheat groats and meal	223.98
11.02 A I b)	Common wheat groats and meal	139.30

⁽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 721/82
of 30 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
29 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 31 March
1982.

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

Done at Brussels, 30 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 30 March 1982 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 3	1st period 4	2nd period 5	3rd period 6
10.01 B I	Common wheat, and meslin	0	0	0	1.50
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	1.01
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	2.10

B. Malt

CCT heading No	Description	(ECU/tonne)				
		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	2.67	2.67
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	2.00	2.00
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 722/82

of 29 March 1982

amending Regulations (EEC) No 2041/81, (EEC) No 2042/81 and (EEC) No 2235/81 on standing invitations to tender as regards the time limits for the submission of tenders for the export of 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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 606/82 ⁽²⁾, and in particular Articles 13 (2), 18 (5) and 19 (7) thereof,

Having regard to Council Regulation (EEC) No 608/72 of 23 March 1972 laying down rules to be applied in cases of considerable price rises on the world sugar market ⁽³⁾, and in particular Article 1 (1) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2041/81 of 16 July 1981 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of white sugar ⁽⁴⁾, Commission Regulation (EEC) No 2042/81 of 16 July 1981 on a supplementary standing invitation to tender in order to determine levies and/or refunds on exports of white sugar ⁽⁵⁾ and Commission Regulation (EEC) No 2235/81 of 31 July 1981 on a standing invitation to tender in order to determine levies and/or refunds on exports of raw sugar ⁽⁶⁾, as amended by Regulation (EEC) No 331/82 ⁽⁷⁾, the Member States have been

issuing partial invitations to tender for exports of white sugar and raw sugar; whereas for administrative reasons the dates of certain partial invitations to tender should be changed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph shall be added to Article 4 (3) of Regulations (EEC) No 2041/81, (EEC) No 2042/81 and (EEC) No 2235/81:

'By way of derogation from paragraph 2 (b), the period for submitting tenders which was to end on Wednesday, 5 May 1982 shall end on Thursday, 6 May 1982 at 10.30 a.m.'

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, 29 March 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 200, 21. 7. 1981, p. 22.

⁽⁵⁾ OJ No L 200, 21. 7. 1981, p. 27.

⁽⁶⁾ OJ No L 218, 4. 8. 1981, p. 19.

⁽⁷⁾ OJ No L 41, 12. 2. 1982, p. 35.

COMMISSION REGULATION (EEC) No 723/82

of 30 March 1982

laying down detailed rules for the implementation of the special measures applicable to certain varieties of raw tobacco from the 1981, 1982 and 1983 harvests

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 establishing a common organization of the market in raw tobacco ⁽¹⁾, as last amended by the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 1535/81 of 19 May 1981 laying down special measures for certain varieties of raw tobacco from the 1981, 1982 and 1983 harvests ⁽²⁾, and in particular Article 3 thereof,

Whereas Article 2 of Regulation (EEC) No 1535/81 limits, for the harvests in question and for four tobacco varieties or groups of varieties, the quantities eligible for intervention to certain percentages of the average quantities taken over by the intervention agencies from the 1978, 1979 and 1980 harvests; whereas detailed rules should be adopted for the operation of these measures;

Whereas tobacco of the varieties in question is grown and processed only in Italy; whereas the Italian intervention agency should therefore be given the task of applying the rules on reduction laid down in this Regulation;

Whereas, to ensure the effectiveness of the system, tobacco must be offered for intervention during a given period and in accordance with the provisions of Commission Regulation (EEC) No 1727/70 ⁽³⁾, as last amended by Regulation (EEC) No 2728/81 ⁽⁴⁾; whereas, consequently, time limits should be fixed beyond which tobacco of the varieties in question may no longer be offered for intervention; whereas these time limits must be so determined as to take account of the normal periods for the marketing of leaf tobacco and baled tobacco; whereas, in the case of leaf tobacco, steps should also be taken to ensure that it is taken over in sufficient time for first processing and market preparation to proceed under optimum conditions;

Whereas the quantities from the three reference harvests represent quantities of baled tobacco, there having been no intervention at the leaf tobacco stage; whereas, therefore, any quantities of leaf tobacco offered for intervention from the 1981, 1982 or 1983 harvests should be adjusted by the processing coefficient fixed for each of the varieties in question in Annex V to Regulation (EEC) No 1727/70 so that they can be deducted from the eligible quantities of baled tobacco; whereas it is foreseeable that no significant quantities of leaf tobacco from the harvests in question will be offered for intervention; whereas, therefore, special measures to reduce the quantities offered at the leaf tobacco stage are not needed at the present time;

Whereas the reductions in the quantities bought in should apply proportionately to all vendors; whereas provision should be made for a coefficient to express the ratio of the quantities offered over a given period to the total quantities taken into intervention storage for the year concerned; whereas this 'excess' coefficient should be applied, if necessary, to the quantities offered by each vendor in order to calculate the actual quantities which may be taken over by the intervention agency;

Whereas tobacco offered for intervention is taken into storage gradually over a period of several months following the submission and acceptance of the offer; whereas, on expiry of the period for taking over the quantities accepted under the first allocation, the quantities of tobacco which can still be taken into intervention should be determined, account being taken of the quantities eligible and the deliveries made;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down the detailed rules for the implementation of Article 2 of Regulation (EEC) No 1535/81.

2. The Italian intervention agency shall be responsible for applying the rules on reduction laid down in this Regulation.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 156, 15. 6. 1981, p. 19.

⁽³⁾ OJ No L 191, 27. 8. 1970, p. 5.

⁽⁴⁾ OJ No L 272, 26. 9. 1981, p. 1.

If tobacco of the varieties referred to in Article 2 of Regulation (EEC) No 1535/81 is offered for intervention to intervention agencies other than that of Italy, such agencies shall inform the Italian agency thereof without delay.

Article 2

1. Leaf tobacco of the varieties mentioned in Article 1 of Regulation (EEC) No 1535/81 may be offered to the intervention agency in accordance with Article 1 (1) and (2) of Regulation (EEC) No 1727/70:

- from 1 June to 30 June 1982 in the case of the 1981 harvest,
- from 1 March to 31 March 1983 in the case of the 1982 harvest,
- from 1 March to 31 March 1984 in the case of the 1983 harvest.

2. The quantities of leaf tobacco bought in by the intervention agency in accordance with paragraph 1 shall be deducted from the quantities of tobacco of the corresponding varieties and harvests, expressed in terms of baled tobacco, which may be taken over by the intervention agency in accordance with Article 2 of Regulation (EEC) No 1535/81.

The quantities of leaf tobacco shall be converted into quantities of baled tobacco by means of the processing coefficients given in Annex V to Regulation (EEC) No 1727/70.

Article 3

1. Baled tobacco of the varieties mentioned in Article 1 of Regulation (EEC) No 1535/81 may be offered to the intervention agency in accordance with Article 1 (1) and (2) of Regulation (EEC) No 1727/70:

- from 1 December to 31 December 1982 in the case of the 1981 harvest,
- from 1 December to 31 December 1983 in the case of the 1982 harvest,
- from 1 December to 31 December 1984 in the case of the 1983 harvest.

Article 4

For each of the tobacco varieties mentioned in Article 1 of Regulation (EEC) No 1535/81, the intervention agency shall determine the quantities of baled tobacco which it can take over from the 1981, 1982 and 1983 harvests in accordance with Article 2 of the same Regulation.

The intervention agency shall ensure official publication of the data referred to in the first paragraph before 15 November of each year.

Article 5

1. If, in the case of a given variety for a given harvest, the sum of the quantities offered does not exceed the quantity referred to in Article 4 at the end of the period specified in Article 3, the intervention agency shall take over the quantities offered in accordance with the provisions of Regulation (EEC) No 1727/70.

2. If, in the case of a given variety for a given harvest, the sum of the quantities offered exceeds the quantity referred to in Article 4 at the end of the period specified in Article 3, the intervention agency shall calculate for the variety in question an 'excess' coefficient being the ratio of the sum of the quantities offered to the quantity referred to in Article 4.

In this case, the quantity of baled tobacco which may be taken over from a vendor by the intervention agency in accordance with the provisions of Regulation (EEC) No 1727/70 shall be the quantity offered by the vendor divided by the coefficient referred to in paragraph 2.

Article 6

1. Not later than one month after the expiry of each of the periods specified in Article 3, the intervention agency shall notify each vendor of the quantity of baled tobacco which may be taken over.

2. Within the same period the intervention agency shall fix the last date for taking over the quantities referred to in Article 5 (1) or in the second subparagraph of Article 5 (2) and shall ensure official publication of that date.

Article 7

1. If, on expiry of the period referred to in Article 6 (2), the quantities of any variety or harvest taken over by the intervention agency fall short of the quantities referred to in Article 4, the intervention agency shall allocate the residual quantities which may be taken over.

2. For the allocation of the residual quantities, the provisions of Article 5 shall apply *mutatis mutandis*.

Article 8

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, 30 March 1982.

For the Commission
Poul DALSAER
Member of the Commission

COMMISSION REGULATION (EEC) No 724/82
of 30 March 1982

imposing a provisional anti-dumping duty on imports of standardized multi-phase electric motors having an output of more than 0.75 kW but not more than 75 kW, originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Poland, Romania and the USSR, and terminating the proceeding in respect of imports of said products originating in Hungary

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 thereof,

After consultations within the Advisory Committee set up under that Regulation,

Whereas, on 22 February 1980, the Commission decided to accept undertakings in connection with the anti-dumping proceeding concerning imports of standardized multi-phase electric motors having an output of more than 0.75 kW but not more than 75 kW, originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland and Romania, and to terminate that procedure⁽²⁾; whereas a similar decision was taken on 19 June 1980 in respect of the USSR⁽³⁾;

Whereas on 5 August 1981 the Commission announced, in a notice published in the *Official Journal of the European Communities*⁽⁴⁾, that it was reviewing the decision to accept undertakings in connection with the anti-dumping proceeding concerning imports of standardized multi-phase electric motors having an output of more than 0.75 kW but not more than 75 kW originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR and was re-opening those proceedings;

Whereas the Commission officially so advised the exporters and importers known by it to be concerned;

Whereas the Commission has given the parties directly concerned the opportunity to make known their views in writing and to be heard orally;

Whereas some of the parties concerned took this opportunity to present detailed written and/or oral observations;

Whereas, in order to arrive at a preliminary assessment of the dumping margin and injury, the Commission gathered from the Community exporters, importers and producers concerned which agreed to cooperate in the investigation all the information it deemed necessary and checked that information; whereas, where necessary, it carried out inspections at the companies' premises; whereas information was supplied *inter alia* by the following companies:

— Community importers:

Exico (London)
Frimodt-Pedersen (Daugard)
Arnitlund Handels APS (Voyens)
A. Johnson (Charlottenlund)
Enital (Milan)
Veneta Motori (Padua)
Bame (Quarrata)
Elprom (Parma)
Elektropol Cantoni (Milan)
Mez Italiana (Milan)
Emac (Turin)
Cimme (Piacenza)
Stanko (Longjumeau)
Magra (Bagnole)
Sofbim (Argenteuil)
Sorice (Ivry s/Seine)
Sodimef (Strasbourg)
Sermet (Strasbourg)
Symkens (Liège)
Industrial Electric (Kortrijk)
Neotype (Bergich Gladbach)
Eltrans (Hamburg)
Elektra (Frankfurt a/m)
Fritz Oberstenfeld (Hamburg)
Elprom (Borken)
Rotor (Eibergen)
Stokvis (Rotterdam)
Bege (Wassenaar)
Huberts (Veghel)
Peja (Arnhem)

— Community producers:

Acec (Drogenbos)
Leroy-Somer (Angoulême)
Cem (Lyons)
Ansaldo (Arzignano)
Marelli (Milan)

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 53, 27. 2. 1980, p. 21.

⁽³⁾ OJ No L 153, 21. 6. 1980, p. 48.

⁽⁴⁾ OJ No C 197, 5. 8. 1981, p. 2.

Asea (Odense)
Bcpm (London)
Newman Electric Motors (Bristol)

— and exporters :

Transelektro (Hungary)
Electroexportimport (Romania)
Zse (Czechoslovakia)
Elektrotechnik (German Democratic Republic)
Elektrim (Poland)
Electroimpex (Bulgaria)

Whereas, in order to establish whether the abovementioned imports were dumped, the Commission has to take into account the fact that Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR are not market-economy countries ;

Whereas, for that reason, the Commission has to base its calculations on the normal value in a market-economy country ; whereas, in that connection, the complaint cited the Austrian and Spanish domestic markets ; whereas other parties referred to the Brazilian market ;

Whereas, on the basis of contacts with Brazilian producers and inspections carried out on their premises, and in the light of the arguments put forward in the course of the hearings by the exporters and importers concerned *inter alia* disputing the comparability of the Spanish and Austrian markets, a comparison with the price of electric motors on the Brazilian domestic market appeared fair and reasonable since *inter alia* the Brazilian market is large, the biggest local producer manufactures considerable quantities of motors of similar technical standards and also more than six producers are operating on the Brazilian market ; whereas that market is therefore competitive and the level of prices on that market reasonable ;

Whereas the preliminary assessment of dumping has accordingly been effected by comparing the average Brazilian ex-works prices for sales over the period from January to November 1981 with the prices for exports to the Community from the countries in question over the same period ;

Whereas, to take due account of the differences affecting price comparability, the maximum discounts for bulk orders, sales and service costs have been deducted from Brazilian list prices ; whereas an adjustment was made to bring the prices to a 'cash payment' level ; whereas all the above factors, added to the fact that the producer prices serving as a reference are considerably lower than those of its national competitors, have had the effect of reducing the Brazilian ex-works and hence of narrowing the gap between those prices and the export prices of the countries concerned by the procedure ; whereas the latter export prices were available on a fob and cif basis and a price adjustment has, where necessary, been made to take account of the

transport costs included in those prices and of the payment terms ;

Whereas the above preliminary examination of the facts shows the existence of dumping in respect of the imports considered in the investigation, the dumping margin being equal to the amount by which the normal value as established above exceeds the price for export to the Community ; whereas the margin varies depending on the type of motor, the exporting country and the importing Member State ; whereas the margins for the six types of motors considered by nearly all the parties concerned to be the most common, and hence most representative, of those covered by the proceeding, vary between 13.2 and 97.7 % for imports originating in Bulgaria, between 11.1 and 144.5 % for Czechoslovakia, between 19.9 and 105.8 % for the German Democratic Republic, between 4.9 and 45.6 % for Hungary, between 10.5 and 93 % for Poland, between 14.9 and 131.1 % for Romania and between 16.9 and 101.5 % for the USSR ;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of multi-phase electric motors having an output of more than 0.75 kW but not more than 75 kW and originating in the countries covered by the investigation have risen from approximately 817 000 units in 1977 to 1 047 000 units in 1979 and to approximately 753 000 units for the first nine months of 1981 ;

Whereas the best information available suggests that imports of standardized multi-phase electric motors with an output of more than 0.75 kW but not more than 75 kW originating in the countries covered by the investigation took a market share of 15.8 % in the Community in 1977, 17.2 % in 1980 and 20.8 % during the first nine months of 1981 ; whereas that share is estimated for the last period referred to at 9 % for Belgium, 61.7 % for Denmark, 6.1 % for the Federal Republic of Germany (excluding inter-Germany trade), 26.1 % for France and 38.1 % for Italy ;

Whereas the resale prices in the Community of motors originating in the countries in question have undercut those of like motors produced by Community manufacturers by different amounts according to the type of motor and have undercut them by more than 25 % in many cases ;

Whereas the consequent impact on the Community industry, whose volume of production has fallen from 4 900 000 units in 1977 to approximately 2 800 000 in the first nine months of 1981, has taken the form of pressure on prices, which have not been able to develop in line with production costs, making it impossible in most instances to cover those costs ;

Whereas most of the Community firms are consequently making considerable losses on the standardized multi-phase motors covered by the procedure, and this puts at risk the profitability of the rotary

machinery industry as a whole, and has already led to an appreciable fall in the numbers directly employed in the manufacture of electric motors, from 28 300 in 1974 to 23 630 in 1978; whereas more than a thousand further jobs were lost between 1979 and 1981;

Whereas injuries caused by other factors which could adversely affect the Community industry, such as the volume and prices of other imports, or stagnation of demand, have been examined and have not been attributed to the imports under consideration;

Whereas the preliminary examination of the facts shows the existence of dumping, and there is sufficient evidence of consequent injury;

Whereas the Commission must in these circumstances withdraw its acceptance of the undertakings offered in 1980;

Whereas the Romanian exporter Electroexportimport and the Soviet exporter Energomachexport proposed new undertakings to increase their prices; whereas the Commission, after consultations within the Committee provided for in Regulation (EEC) No 3017/79, and with regard to Romania, after examining these solutions in the light of Article 13 of the GATT anti-dumping code, found that the proposed price levels are unlikely to eliminate either the dumping margin or the injurious effects of the imports originating in Romania and the Soviet Union;

Whereas the Hungarian exporter Transelektro also proposed a new undertaking to increase its prices; whereas the Commission, after consultations within the Committee, found that the proposed price level is likely to eliminate the injury; whereas the Commission therefore considers this undertaking acceptable and that the procedure may be terminated in respect of imports originating in Hungary;

Whereas, in these circumstances, the interests of the Community call for immediate action to prevent injury being caused during the procedure by the imports in question other than those originating in Hungary;

Whereas a provisional anti-dumping duty must therefore be imposed on imports of the electric motors in question;

Whereas, in order to determine the amount of such duty, the Commission considered the provisionally determined dumping margins and the scale of injury caused;

Whereas the Commission accordingly compared the average prices, costs, and profits and losses of Community manufacturers with the importers' costs and conditions of sale; whereas it also took account of differences in quality, particularly with regard to thermal and electrical insulation, between the motors produced by Community manufacturers and those imported from the countries involved in the proceeding and of the differences between the Brazilian and Community price structures; whereas it has therefore concluded that injury would be eliminated if import prices, calculated for cash payment, free at Community frontier, not cleared through customs, were no lower than the prices set out in the Annex, which are well below the normal value; whereas, in order to take account of differences in transport costs, these prices vary according to the country of origin of the imports;

Whereas these prices apply to imports of type B3 multi-phase electric motors and an amount of 5 %, in accordance with the practice in the industry, must be added to them in the case of other models such as the B5 and B14 types; whereas it is therefore necessary to stipulate that the duty applicable to imports of the electric motors in question must be equal to the difference for each type, between the import price, for cash payment, free at Community frontier, not cleared through customs, to the first purchaser and the price specified in the Annex; whereas for the purposes of this calculation the import price must be reduced for 1 % for each month of deferred payment granted;

Whereas, in order to prevent evasion of the anti-dumping duty, it is necessary to establish another basis for calculating such duty where the electric motors in question are not put into free circulation by the first purchaser in the Community; whereas the method used should take account of the average margin between import prices and resale prices charged by Community importers of electric motors, such margin having been determined in the course of the investigations carried out by the Commission on the premises of importers known to it;

Whereas a period should be fixed within which the parties concerned may, following the imposition of the provisional duty, make their views known and apply to be heard orally by the Commission,

HAS ADOPTED THIS REGULATION :

Article 1

1. The Commission Decisions of 22 February 1980 and 11 June 1980 accepting the undertakings given respectively by exporters in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland and Romania and by exporters in the USSR, in connection with the anti-dumping proceedings concerning imports of standardized multi-phase electric motors having an output of more than 0.75 kW but not more than 75 kW originating in those countries, are hereby repealed.

2. The new undertaking entered into by the Hungarian exporter Transelektro is hereby accepted and the procedure regarding imports originating in Hungary terminated.

Article 2

1. A provisional anti-dumping duty is hereby imposed on imports of standardized multi-phase electric motors having an output of more than 0.75 kW but not more than 75 kW, falling within subheading ex 85.01 B I b) of the Common Customs Tariff, corresponding to NIMEXE codes ex 85.01-ex 33, ex 34 and ex 36, originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Poland, Romania or the USSR.

2. Subject to paragraph 4, the amount of duty shall be equivalent, for each type of motor, to the difference between the net unit price, free at Community frontier, not cleared through customs, to the first purchaser on Community territory, and the price specified in the Annex.

3. The free-at-Community frontier price, not cleared through customs, referred to in paragraph 2 shall be net if the terms of sale provide that payment

shall be made in cash on the date of delivery ; it shall be lowered by 1 % for each month for which payment is deferred.

4. (a) Where the products defined in paragraph 1 are not put into free circulation on the basis of the price to the first purchaser in the Community, the amount of duty shall be equivalent, for each type, to the difference between the net unit price, free at the Community frontier and not cleared through customs, and the price specified in the Annex increased by 40 %.

(b) However, where the declarant is able to give proof to the satisfaction of the customs authorities of the price paid by the first purchaser, paragraph 2 of this Article shall apply.

5. The release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to payment of a deposit equivalent to the amount of the provisional duty.

6. The provisions in force with regard to customs duties shall apply to the said provisional duty.

Article 3

Subject to Article 7 (4) (b) and (c) of Regulation (EEC) No 3017/79, the parties concerned may make known their views, and apply to be heard orally by the Commission, within a month of the entry into force of this Regulation.

Article 4

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

Subject to Articles 11, 12 and 14 of Regulation (EEC) No 3017/79, this Regulation shall be applicable for four months or until the adoption by the Council of definitive measures.

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

Done at Brussels, 30 March 1982.

For the Commission
Wilhelm HAERKAMP
Vice-President

ANNEX

Minimum prices for imports into the Community of certain standardized multi-phase electric motors

The minimum import prices referred to in Article 1 (2) of this Regulation are contained in the following tables and are expressed in ECU. These prices apply to type B3 multi-phase electric motors (with retaining legs).

For other types (e.g. B5 or B14) a supplement of 5 % must be added to the prices specified in these tables.

(a) Imports originating in Czechoslovakia and the German Democratic Republic:

kW	hp	3000 r/min	1 500 r/min	1 000 r/min	750 r/min
1.1	1.5	25.55	29.53	40.72	53.29
1.5	2	29.14	32.69	48.18	69.59
2.2	3	36.37	42.20	58.87	95.23
3.0	4	47.38	50.58	66.72	113.78
4.0	5.5	63.58	64.43	97.23	137.26
5.5	7.5	74.90	82.06	99.31	168.91
7.5	10	90.98	105.81	143.52	191.21
11.0	15	143.42	140.71	207.57	282.99
15.0	20	165.59	183.82	271.65	364.16
18.5	25	206.78	223.75	321.38	452.07
22	30	254.78	263.56	391.48	557.32
30	40	326.45	347.83	518.46	717.76
37	50	374.71	431.32	639.27	872.61
45	60	494.42	511.52	765.27	1 024.81
55	75	662.95	639.27	951.10	1 245.84
75	100	884.75	846.86	1 261.99	1 513.15

(b) Imports originating in Poland:

kW	hp	3000 r/min	1 500 r/min	1 000 r/min	750 r/min
1.1	1.5	25.80	29.82	41.12	53.80
1.5	2	29.52	33.01	48.65	70.27
2.2	3	36.73	42.61	59.44	96.17
3.0	4	47.84	51.08	67.37	114.90
4.0	5.5	64.20	65.07	98.17	138.60
5.5	7.5	75.62	82.87	100.28	170.57
7.5	10	91.86	106.85	144.93	193.06
11.0	15	144.81	142.09	209.60	285.77
15.0	20	167.20	185.63	274.31	367.74
18.5	25	208.78	225.95	336.46	456.51
22	30	257.25	266.14	395.32	562.79
30	40	329.62	351.25	523.55	724.80
37	50	378.35	435.55	645.54	881.18
45	60	499.28	516.54	772.79	1 034.87
55	75	669.46	645.54	960.44	1 258.08
75	100	893.44	855.18	1 274.39	1 527.84

(c) *Imports originating in Bulgaria and Romania:*

kW	hp	3000 r/min	1 500 r/min	1 000 r/min	750 r/min
1.1	1.5	26.30	30.39	41.91	54.84
1.5	2	30.08	33.65	49.59	71.62
2.2	3	37.43	43.43	60.59	98.01
3.0	4	48.76	52.06	68.66	117.09
4.0	5.5	65.44	66.31	100.06	141.25
5.5	7.5	77.08	84.45	102.21	173.83
7.5	10	93.63	108.89	147.70	196.77
11.0	15	147.60	144.81	213.61	291.23
15.0	20	170.41	189.18	279.56	374.77
18.5	25	212.80	230.27	342.89	465.24
22	30	262.20	271.23	402.88	573.55
30	40	335.96	357.96	533.56	738.66
37	50	385.63	443.88	657.88	898.02
45	60	508.82	526.42	787.56	1 054.65
55	75	682.26	657.88	978.80	1 282.12
75	100	910.51	871.52	1 289.75	1 557.23

(d) *Imports originating in the USSR:*

kW	hp	3000 r/min	1 500 r/min	1 000 r/min	750 r/min
1.1	1.5	26.54	30.68	42.31	55.36
1.5	2	30.27	33.96	50.06	72.30
2.2	3	37.79	43.84	61.16	98.94
3.0	4	49.22	52.55	69.31	118.21
4.0	5.5	66.05	66.94	101.01	142.60
5.5	7.5	77.80	85.26	103.17	175.49
7.5	10	94.51	109.93	149.10	198.63
11.0	15	148.99	146.19	215.65	294.01
15.0	20	172.02	190.98	282.23	378.35
18.5	25	214.81	232.46	346.16	469.68
22	30	264.67	273.82	406.72	579.02
30	40	339.13	361.38	538.65	745.71
37	50	389.27	448.11	664.16	906.59
45	60	513.68	531.44	795.07	1 064.72
55	75	688.77	664.16	988.14	1 294.36
75	100	919.20	879.84	1 311.14	1 571.92

**COMMISSION REGULATION (EEC) No 725/82
of 30 March 1982**

**fixing the amounts by which import duties on beef and veal originating in the
African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 435/80
of 18 February 1980 on the arrangements applicable to
agricultural products and certain goods resulting from
the processing of agricultural products originating in
the African, Caribbean and Pacific States or in the
overseas countries and territories ⁽¹⁾, as last amended by
Regulation (EEC) No 3019/81 ⁽²⁾, and in particular
Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 435/80
provides for a 90 % reduction in the import duties on
beef and veal ; whereas the amount of this reduction
must be calculated in conformity with Article 4 of

Commission Regulation (EEC) No 486/80 ⁽³⁾, as
amended by Regulation (EEC) No 2377/80 ⁽⁴⁾;

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal
are to be reduced pursuant to Article 4 (1) of Regula-
tion (EEC) No 435/80 shall, in respect of importations
during the second quarter of 1982, be as shown in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1982.

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

Done at Brussels, 30 March 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.
⁽²⁾ OJ No L 302, 23. 10. 1981, p. 4.

⁽³⁾ OJ No L 56, 29. 2. 1980, p. 22.
⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

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

Position i den fælles toldtarif Nummer des Gemeinsamen Zolltarifs Κλάση του Κοινού Δασμολογίου CCT heading No Numéro du tarif douanier commun Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief	Belgique Luxembourg FB/Flux/100 kg	Danmark Dkr./100 kg	Deutschland DM/100 kg	Ελλάδα Δρχ./100 χγρ	France FF/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg
01.02 A II	2 635,53	541,26	197,06	4 265,47	422,52	47-562	85 607	201,99	45-928
02.01 A II a) 1	5 007,57	1 028,39	374,42	8 104,39	802,79	90-368	162 653	383,77	87-263
02.01 A II a) 2	4 006,04	822,71	299,53	6 483,47	642,23	72-293	130 122	307,01	69-810
02.01 A II a) 3	6 009,06	1 234,07	449,31	9 725,27	963,35	108-441	195 185	460,52	104-715
02.01 A II a) 4 aa)	8 077,98	1 567,02	525,19	12 156,57	1 204,18	135-552	248 942	556,35	122-303
02.01 A II a) 4 bb)	8 873,05	1 776,63	624,34	13 905,41	1 377,42	155-052	281 542	648,89	145-461
02.01 A II b) 1	4 703,27	960,27	346,85	7 555,82	748,45	84-251	151 948	356,61	80-831
02.01 A II b) 2	3 762,63	768,22	277,48	6 044,66	598,76	67-401	121 558	285,28	64-665
02.01 A II b) 3	5 879,11	1 200,35	433,56	9 444,78	935,57	105-314	189 934	445,76	101-039
02.01 A II b) 4 aa)	7 558,93	1 462,15	487,86	11 333,75	1 122,68	126-376	232 334	517,75	113-603
02.01 A II b) 4 bb) 11	5 879,11	1 200,35	433,56	9 444,78	935,57	105-314	189 934	445,76	101-039
02.01 A II b) 4 bb) 22 (1)	5 879,11	1 200,35	433,56	9 444,78	935,57	105-314	189 934	445,76	101-039
02.01 A II b) 4 bb) 33	8 428,02	1 666,27	574,81	12 995,98	1 287,33	144-912	264 312	601,85	133-898
02.06 C I a) 1	8 077,98	1 567,02	525,19	12 156,57	1 204,18	135-552	248 942	556,35	122-303
02.06 C I a) 2	9 056,29	1 784,53	612,56	13 905,41	1 377,42	155-052	283 145	642,65	142-682
16.02 B III b) 1 aa)	9 056,29	1 784,53	612,56	13 905,41	1 377,42	155-052	283 145	642,65	142-682

(1) Hønfærsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.
(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) Η υπαγωγή εις την διάκριση ταύτην εξαρτάται εκ της προσκομίσσεως πιστοποιητικού εκδομένου κατ' όρους προβλεπόμενους παρά των αρμοδίων αρχών.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

COMMISSION REGULATION (EEC) No 726/82**of 30 March 1982****amending for the second time Regulation (EEC) No 603/82 introducing a
countervailing charge on cucumbers originating in Spain**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1116/81⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Regulation (EEC) No 603/82⁽³⁾, as amended
by Regulation (EEC) No 669/82⁽⁴⁾, introduced a coun-
tervailing charge on cucumbers originating in Spain ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The amount '47.25 ECU' appearing in Article 1 of
Regulation (EEC) No 603/82 is replaced by the
amount '68.47 ECU'.

Article 2

This Regulation shall enter into force on 31 March
1982.

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

Done at Brussels, 30 March 1982.

For the Commission

Poul DALSÄGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 1.

⁽³⁾ OJ No L 73, 17. 3. 1982, p. 12.

⁽⁴⁾ OJ No L 78, 24. 3. 1982, p. 17.

COMMISSION REGULATION (EEC) No 727/82

of 30 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 organization 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 agricultural policy ⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 471/82 ⁽⁷⁾, as last amended by Regulation (EEC) No 719/82 ⁽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 29 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 Regulation (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 31 March 1982.

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

Done at Brussels, 30 March 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 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 84, 30. 3. 1982, p. 15.

⁽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 30 March 1982 altering the import levies on products processed from cereals and rice

CCT heading No	Import levies (ECU/tonne)	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 D ⁽²⁾	115·68	109·64
11.02 A IV ⁽²⁾	115·68	109·64
11.02 B I a) 2 aa)	65·15	62·13
11.02 B I a) 2 bb) ⁽²⁾	112·66	109·64
11.02 B I b) 2 ⁽²⁾	112·66	109·64
11.02 C IV ⁽²⁾	100·48	97·46
11.02 D IV ⁽²⁾	65·15	62·13
11.02 E I a) 2 ⁽²⁾	65·15	62·13
11.02 E I b) 2 ⁽²⁾	127·86	121·82
11.02 F IV ⁽²⁾	115·68	109·64

⁽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.

COMMISSION REGULATION (EEC) No 728/82
of 30 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 710/82⁽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 31 March 1982.

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

Done at Brussels, 30 March 1982.

For the Commission

Poul DALSAGER

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 81, 27. 3. 1982, p. 23.

ANNEX

to the Commission Regulation of 30 March 1982 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (ECU/100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	28.38 23.17 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 26 February 1982

establishing that the apparatus described as 'Perkin-Elmer — scattered transmission UV-VIS double-beam spectrophotometer, model 576' may be imported free of Common Customs Tariff duties

(82/183/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas, by letter dated 28 August 1981, Italy has
requested the Commission to invoke the procedure
provided for in Article 7 of Regulation (EEC) No
2784/79 in order to determine whether or not the
apparatus described as 'Perkin-Elmer — scattered
transmission UV-VIS double-beam spectrophotometer,

model 576', to be used for the study of cell cultures,
should be considered to be a scientific apparatus and,
where the reply is in the affirmative, whether appar-
atus of equivalent scientific value is currently being
manufactured in the Community;

Whereas, in accordance with the provisions of Article 7
(5) of Regulation (EEC) No 2784/79, a group of experts
composed of representatives of all the Member States
met on 15 December 1981 within the framework of
the Committee on Duty-Free Arrangements to
examine the matter;

Whereas this examination showed that the apparatus
in question is a spectrophotometer; whereas its objec-
tive technical characteristics such as the spectropho-
tometric field and the use to which it is put make it
specially suited to scientific research; whereas, more-
over, apparatus of the same kind are principally used
for scientific activities; whereas it must therefore be
considered to be a scientific apparatus;

Whereas, on the basis of information received from
Member States, apparatus of equivalent scientific value
capable of use for the same purpose is not currently
manufactured in the Community; whereas, therefore,
duty-free admission of this apparatus is justified,

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

HAS ADOPTED THIS DECISION:

Article 2

This Decision is addressed to the Member States.

Article 1

The apparatus described as 'Perkin-Elmer — scattered transmission UV-VIS double-beam spectrophotometer, model 576', which is the subject of an application by Italy of 28 August 1981, may be imported free of Common Customs Tariff duties.

Done at Brussels, 26 February 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

COMMISSION DECISION

of 26 February 1982

establishing that the apparatus described as 'Cray-Computer System, model Cray-1' may not be imported free of Common Customs Tariff duties

(82/184/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 3 September 1981, the Federal Republic of Germany has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Cray-Computer System, model Cray-1' to be used for fundamental research into possible energy production by means of nuclear fusion and in particular for the performance of calculations of magnetic fields, of strength calculations relating to the vessel and coils employed in the reactor experiment, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 4 February 1982 within the framework

of the Committee on Duty-Free Arrangements to examine the matter;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Cray-Computer System, model Cray-1', which is the subject of an application by the Federal Republic Germany of 3 September 1981, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 February 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 26 February 1982****establishing that the apparatus described as 'Perkin-Elmer — differential scanning calorimeter, model DSC-2' may not be imported free of Common Customs Tariff duties**

(82/185/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 28 August 1981, Italy has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Perkin-Elmer — differential scanning calorimeter, model DSC-2', to be used for research into the thermal behaviour and polymorphism of pharmaceutical substances for the study of polymers, for the purity determination, the characterization and analysis of reactions and transformations to the solid state, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 15 December 1981 within the frame-

work of the Committee on Duty-Free Arrangements to examine the matter;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Perkin-Elmer — differential scanning calorimeter, model DSC-2', which is the subject of an application by Italy of 28 August 1981, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 February 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 26 February 1982****establishing that the apparatus described as 'Du Pont — automatic superspeed refrigerated centrifuge, model RC-5B' may not be imported free of Common Customs Tariff duties**

(82/186/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 28 August 1981, Italy has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Du Pont — automatic superspeed refrigerated centrifuge, model RC-5B', to be used for the density gradient separations of subcellular particles, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 12 January 1982 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a refrigerated supercentrifuge; whereas its objective technical characteristics such as the specific density gradient and the use to which it is put make it specially suited to scientific research; whereas,

moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular to the apparatus 'Hi-spin 21' manufactured by MSE Scientific Instruments, Manor Royal, UK-Crawley, Sussex, and to the apparatus 'Cryofuge 20-3' manufactured by Heraeus-Christ GmbH, Postfach 1220, D-3360 Osterode am Harz,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Du Pont — automatic superspeed refrigerated centrifuge, model RC-5B', which is the subject of an application by Italy of 28 August 1981, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 February 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 26 February 1982

establishing that the apparatus described as 'Perkin-Elmer — atomic absorption spectrophotometer, model 560' may not be imported free of Common Customs Tariff duties

(82/187/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 28 August 1981, Italy has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Perkin-Elmer — atomic absorption spectrophotometer, model 560', to be used for the analysis of samples with a complex matrix, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 4 February 1982 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a spectrophotometer; whereas its objective technical characteristics such as the answer in the whole of the spectral field of the analysis and the use

to which it is put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'SP 1900/1950' manufactured by Pye Unicam Ltd, York Street, UK-Cambridge,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Perkin-Elmer — atomic absorption spectrophotometer, model 560', which is the subject of an application by Italy of 28 August 1981, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 February 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 26 February 1982

establishing that the apparatus described as 'Tracor-digital signal analyzer, model NS-570A' may not be imported free of Common Customs Tariff duties

(82/188/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 7 September 1981, the Federal Republic of Germany has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Tracor-digital signal analyzer, model NS-570A', to be used for the study of the population kinetics of dyestuff molecules from the decay with time of a laser-induced amplitude lattice and in particular for the storage and averaging of repeatable decay curves, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 12 January 1982 within the framework

of the Committee on Duty-Free Arrangements to examine the matter;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Tracor-digital signal analyzer, model NS-570A', which is the subject of an application by the Federal Republic of Germany of 7 September 1981, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 February 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 26 February 1982

establishing that the apparatus described as 'Packard — automatic tri-carb liquid scintillation spectrometer, model 2450, with teletype typewriter, model 645' may not be imported free of Common Customs Tariff duties

(82/189/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 28 August 1981, Italy has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Packard — automatic tri-carb liquid scintillation spectrometer, model 2450, with teletype typewriter, model 645', intended for use in research on the flow of ions across the plasmatic membrane of photoreceptors, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community,

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 15 December 1981 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a spectrometer; whereas its objective technical characteristics such as the ease with which the spectrum measurement may be reproduced and the use to which it is put make it specially suited to

scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'Isocap 300' manufactured by the firm of G. D. Searle Nederland BV, Wiegerbruinlaan 75, 1422 CB NL-Uithoorn, the apparatus 'PW 4540' manufactured by the firm of Philips Nederland BV, Boschdijk 525, NL-Eindhoven and the apparatus 'SL 4000' manufactured by the firm of Inter-technique-Roche Bioélectronique Kontron, 6, rue des Frères Caudron, F-78140 Velizy Villacoublay,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Packard — automatic tri-carb liquid scintillation spectrometer, model 2450, with teletype typewriter, model 645', which is the subject of an application by Italy of 28 August 1981, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 February 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 26 February 1982

establishing that the apparatus described as 'Perkin-Elmer — atomic absorption spectrophotometer, model 5000' may not be imported free of Common Customs
Tariff duties

(82/190/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas, by letter dated 28 August 1981, Italy has
requested the Commission to invoke the procedure
provided for in Article 7 of Regulation (EEC) No
2784/79 in order to determine whether or not the
apparatus described as 'Perkin-Elmer — atomic
absorption spectrophotometer, model 5000', to be used
for the study of methodology and the development of
new techniques for the analysis of compounds in the
field of pharmacy, should be considered to be a scien-
tific apparatus and, where the reply is in the affirma-
tive, whether apparatus of equivalent scientific value is
currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article
7 (5) of Regulation (EEC) No 2784/79, a group of
experts composed of representatives of all the Member
States met on 4 February 1982 within the framework
of the Committee on Duty-Free Arrangements to
examine the matter;

Whereas this examination showed that the apparatus
in question is a spectrophotometer; whereas its objec-

tive technical characteristics such as the answer in the
whole of the spectral field of the analysis and the use
to which it is put make it specially suited to scientific
research; whereas, moreover, apparatus of the same
kind are principally used for scientific activities;
whereas it must therefore be considered to be a scien-
tific apparatus;

Whereas, however, on the basis of information
received from Member States, apparatus of scientific
value equivalent to the said apparatus, capable of being
used for the same purposes, are currently being manu-
factured in the Community; whereas this applies, in
particular, to the apparatus 'SP 1900/1950' manufac-
tured by Pye Unicam Ltd, York Street, UK-Cambridge,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Perkin-Elmer — atomic
absorption spectrophotometer, model 5000', which is
the subject of an application by Italy of 28 August
1981, may not be imported free of Common Customs
Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 February 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

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