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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1934/82
of 12 July 1982
amending Regulation (EEC) No 2603/69 establishing common rules for exports

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the instruments establishing common organization of agricultural markets and to the instruments concerning processed agricultural products adopted in pursuance of Article 235 of the Treaty, in particular the provisions of those instruments which allow for derogation from the general principle that quantitative restrictions or measures having equivalent effect may be replaced solely by the measures provided for in those same instruments,

Having regard to the proposal from the Commission,

Whereas, pursuant to Regulation (EEC) No 2603/69 ⁽¹⁾, the exportation of products from the Community to third countries is free, that is to say, not subject to any quantitative restriction, with the exception of those restrictions which are applied in conformity with the provisions of that Regulation and are listed in the Annex thereto;

Whereas, since the adoption of that Regulation, a number of Member States have abolished the restrictions which they applied to exports of certain products set out in the said Annex;

Whereas this trend towards greater liberalization of exports should be taken into account by updating the said Regulation;

Whereas it should also be specified more clearly that the restrictions maintained in force under Articles 1 and 10 of Regulation (EEC) No 2603/69 are applied only by the Member States indicated in respect of the products listed in the Annex, with the exception of certain products of the energy sector which it seems advisable for all Member States to exclude from the liberalization of exports at Community level in view in

particular of the international commitments entered into by certain Member States;

Whereas, moreover, products traditionally subject to quota restrictions in Greece whose unlimited export could, because of the decline in domestic production and the difference between prices in Greece and on the world market, cause serious supply difficulties for the processing industries in Greece, should be added to the list of goods to which Member States apply export restrictions,

HAS ADOPTED THIS REGULATION:

Article 1

Article 10 of Regulation (EEC) No 2603/69 is hereby replaced by the following:

Article 10

Until the Council, acting by a qualified majority on a proposal from the Commission, has introduced common rules in respect of the products listed in the Annex to this Regulation, the principle of freedom of export from the Community as laid down in Article 1 shall not apply to those products for the Member States mentioned in the Annex or to the following products for all Member States:

- | | |
|-------|---|
| 27.09 | Petroleum oils and oils obtained from bituminous minerals, crude |
| 27.10 | Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations: |

- A Light oils
- B Medium oils

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 25.

		<i>Article 2</i>
ex C	Heavy oils except lubricating oils used in clocks and watches and the like presented in small receptacles containing not more than 250 g net of oil	The Annex to Regulation (EEC) No 2603/69 shall be replaced by the Annex hereto.
27.11	Petroleum gases and other gaseous hydrocarbons :	
A	Propane of a purity not less than 99 %	<i>Article 3</i>
B	Other :	This Regulation shall enter into force on the third day following its publication in the <i>Official Journal of the European Communities</i> .
I	Commercial propane and commercial butane	

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

Done at Brussels, 12 July 1982.

For the Council

The President

I. NØRGAARD

ANNEX

CCT heading No (1982)	Description	Member State applying restriction
1	2	3
12.08	Chicory roots, fresh or dried, whole or cut, unroasted; locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading:	
A	— Chicory roots	Belgium
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams:	
A	— Conifer resins	Greece
23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils:	
ex B	— Cotton oil-cake	Greece
ex 35.07	Enzymes; prepared enzymes not elsewhere specified or included:	
	— Rennet of sheep or goats	Italy
41.01	Raw hides and skins (fresh, salted, dried, pickled or limed), whether or not split, including sheepskins in the wool	Greece, France, Ireland, Italy
41.02	Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06 or 41.08:	
ex B	— Bovine leather, not further prepared than tanned	Greece, France
ex 43.01	Raw furskins:	
	— Of rabbit and badgers	Italy
ex 44.01	Fuel wood, in logs, in billets, in twigs or in faggots; wood waste, including sawdust:	
	— Fuel wood, of coniferous wood and pine and fir shavings	Ireland
44.03	Wood in the rough, whether or not stripped of its bark or merely roughed down:	
B	— Other	Ireland
ex B	— Other: not including poplar and tropical wood	Italy
44.04	Wood, roughly squared or half-squared, but not further manufactured:	
ex B	— Other, not including poplar	Ireland
ex B	— Other, not including poplar and tropical wood	Italy
44.05	Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm:	
ex B	— Of coniferous wood, not including small boards for the manufacture of boxes, sieves or riddles and the like	Ireland, Italy
44.07	Railway or tramway sleepers of wood	Italy
47.02	Waste paper and paperboard; scrap articles of paper or of paperboard, fit only for use in paper-making	Italy

CCT heading No (1982)	Description	Member State applying restriction
1	2	3
ex 70.10	Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass: — Carboys and flasks, of glass, of a capacity not exceeding 5 litres	Italy
ex 71.01	Pearls, unworked or worked, but not mounted, set or strung (except ungraded pearls temporarily strung for convenience of transport): — Pearls unworked	Italy
71.02	Precious and semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport): B I — Other, for industrial uses	France, Italy
71.07	Gold, including platinum-plated gold, unwrought or semi-manufactured	Denmark, Italy
71.09	Platinum and other metals of the platinum group, unwrought or semi-manufactured	France, Italy
71.11	Goldsmiths', silversmiths' and jewellers' sweepings, residues, lemls, and other waste and scrap, of precious metal	Italy
ex 72.01	Coin: which is not legal tender	France, Italy
ex 74.01	Copper matte; unwrought copper (refined or not); excluding copper waste and scrap	France
75.01	Nickel matte, nickel speiss and other intermediate products of nickel metallurgy; unwrought nickel (excluding electro-plating anodes); nickel waste and scrap	France
ex 75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire not including metal thread or strip of the kind used for the manufacture of lamé cloth, ornamental trimmings, galloons and adornments: — Of nickel alloy containing more than 10 % but not more than 50 % of nickel — Of nickel alloy containing not less than 50 % of nickel	France
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes:	
ex A	— Plates, sheets, strip and foil not including metal thread or strip of the kind used for the manufacture of lamé cloth, ornamental trimmings, galloons and adornments: — Of nickel alloy containing more than 10 % but not more than 50 % of nickel — Of nickel alloy containing not less than 50 % of nickel	France
ex B	— Nickel flakes	France

CCT heading No (1982)	Description	Member State applying restriction
1	2	3
75.04	Tubes and pipes and blanks therefor, of nickel ; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel :	
A	— Tubes and pipes and blanks therefor ; hollow bars	France
75.05	Electro-plating anodes, wrought or unwrought, including those produced by electrolysis	France, Italy
79.01	Unwrought zinc ; zinc waste and scrap :	
B	— Waste and scrap	France
ex 80.01	Unwrought tin ; tin waste and scrap	
	— Waste and scrap	France
88.02	Flying machines, gliders and kites ; rotochutes :	
ex B	— Flying machines, used	Belgium
ex 89.01	Ships, boats and other vessels not falling within heading Nos 89.02 to 89.05 :	
ex B I	— Sea-going vessels	France, Ireland
ex 91.01	Pocket-watches, wrist-watches and other watches, including stop-watches :	
	— Pocket-watches with lever escapement	France
ex 91.07	Watch movements (including stop-watch movements), assembled :	
	— With lever escapement	France
92.10	Parts and accessories of musical instruments including perforated music rolls and mechanisms for musical boxes ; metronomes, tuning forks and pitch pipes of all kinds :	
ex C	— Reeds, tuning forks, tongues, diaphragms and parts and accessories thereof, for accordions	Italy

COUNCIL REGULATION (EEC) No 1935/82
of 12 July 1982
on the supply of skimmed-milk powder as food aid to the Republic of Zimbabwe

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1037/82 of 26 April 1982 laying down general rules
for the supply of skimmed-milk powder to certain
developing countries and specialized bodies under the
1982 food-aid programme ⁽¹⁾, and in particular Article
7 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1038/82 of 26
April 1982 on the supply of skimmed-milk powder to
certain developing countries and specialized bodies
under the 1982 food-aid programme ⁽²⁾ provides for a
reserve of 10 990 tonnes of skimmed-milk powder;
whereas certain quantities are still available under that
reserve;

Whereas the Community has received a request for
food aid in the form of skimmed-milk powder from
the Republic of Zimbabwe; whereas the requirements
justify the granting of food aid by the Community,

HAS ADOPTED THIS REGULATION:

Article 1

From the quantity of skimmed-milk powder still
available as a reserve under Regulation (EEC) No
1038/82, 2 500 tonnes shall be allocated as food aid to
the Republic of Zimbabwe.

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, 12 July 1982.

For the Council

The President

I. NØRGAARD

⁽¹⁾ OJ No L 120, 1. 5. 1982, p. 1.

⁽²⁾ OJ No L 120, 1. 5. 1982, p. 3.

COUNCIL REGULATION (EEC) No 1936/82
of 12 July 1982
on the supply of butteroil as food aid to the Republic of Zimbabwe

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1039/82 of 26 April 1982 laying down general rules
for the supply of milk fats to certain developing coun-
tries and specialized bodies under the 1982 food-aid
programme ⁽¹⁾, and in particular Article 8 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1040/82 of
26 April 1982 on the supply of milk fats to certain
developing countries and specialized bodies under the
1982 food-aid programme ⁽²⁾ provides for a reserve of
1 345 tonnes of butteroil; whereas certain quantities
are still available under that reserve;

Whereas the Community has received a request for
food aid in the form of butteroil from the Republic of

Zimbabwe; whereas the requirements justify the
granting of food aid by the Community,

HAS ADOPTED THIS REGULATION:

Article 1

From the quantity of butteroil still available as a
reserve under Regulation (EEC) No 1040/82, 1 000
tonnes shall be allocated as food aid to the Republic of
Zimbabwe.

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, 12 July 1982.

For the Council

The President

I. NØRGAARD

⁽¹⁾ OJ No L 120, 1. 5. 1982, p. 5.

⁽²⁾ OJ No L 120, 1. 5. 1982, p. 7.

COMMISSION REGULATION (EEC) No 1937/82**of 19 July 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 organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽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 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 import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (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
16 July 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 20 July 1982.

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

Done at Brussels, 19 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽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 19 July 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	106.59
10.01 B II	Durum wheat	151.56 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	66.65 ⁽⁶⁾
10.03	Barley	98.01
10.04	Oats	61.65
10.05 B	Maize, other than hybrid maize for sowing	95.13 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	76.24 ⁽⁴⁾
10.07 C	Grain sorghum	97.38 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	164.65
11.01 B	Rye flour	108.75
11.02 A I a)	Durum wheat groats and meal	248.61
11.02 A I b)	Common wheat groats and meal	175.12

⁽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 1938/82

of 19 July 1982

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 16 July 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 20 July 1982.

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

Done at Brussels, 19 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽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 19 July 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 7	1st period 8	2nd period 9	3rd period 10
10.01 B I	Common wheat, and meslin	0	0	0	0
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	1.85	1.85	2.38
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1939/82
of 15 July 1982
fixing the export refunds on fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽¹⁾, and in particular the fourth subparagraph of Article 25 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 25 of Regulation (EEC) No 3796/81 provides that, to the extent necessary to enable economically important exports of the products listed in Article 1 (2) of that Regulation to be effected on the basis of prices for these products on the world market, the difference between these prices and prices within the Community may be covered by an export refund ;

Whereas Article 2 of Council Regulation (EEC) No 110/76 of 19 January 1976 laying down general rules for granting export refunds on fishery products and criteria for fixing the amount of such refunds⁽²⁾, provides that when refunds are being fixed account must be taken on the one hand of the existing situation and the future trend with regard to prices and availabilities of fishery products on the Community market and prices on the world market on the other ; whereas account must also be taken of the costs referred to in subparagraph (c) of that Article and of the economic significance of the proposed exports and of the aims of the common organization of the market in fishery products ;

Whereas Article 3 of Regulation (EEC) No 110/76 provides that, when prices on the Community market are being determined, account must be taken of the ruling prices which are most favourable from the exportation point of view ; whereas, when prices on the world market are being determined, account must be taken of the prices indicated in paragraph 2 of that Article ;

Whereas the world market situation or the specific requirements of certain markets may make it necessary

to vary the refund according to the destination of the products in question ;

Whereas products of Community origin which are landed, direct from the fishing grounds, in ports situated outside the customs territory of the Community do not qualify for refunds ;

Whereas economically important quantities of frozen whole mackerel, frozen fillets of mackerel, dried and salted coalfish and mackerel, dried, salted or in brine can be exported at the present time ;

Whereas pursuant to Commission Regulation (EEC) No 686/78 of 6 April 1978 laying down additional provisions as regards the granting of export refunds on fishery products⁽³⁾, for the purposes of the export refund system, fishery products of Community origin frozen and/or processed on board a vessel registered or recorded in a third country and flying the flag of a third country shall be considered to be products which are not of Community origin ;

Whereas it follows from applying these detailed rules to the present market situation, and in particular to prices for fishery products in the Community and on the world market, that the refunds should be as set out in the Annex hereto ;

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

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

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

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 20, 28. 1. 1976, p. 48.

⁽³⁾ OJ No L 93, 7. 4. 1978, p. 12.

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

The export refunds referred to in Article 1 (2) of Regulation (EEC) No 3796/81 shall be as set out in the Annex hereto.

This Regulation shall enter into force on 1 August 1982.

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

Done at Brussels, 15 July 1982.

For the Commission

Giorgios CONTOGEORGIS

Member of the Commission

ANNEX

to the Commission Regulation of 15 July 1982 fixing the export refunds on fishery products

CCT heading No	Description	Refund (ECU/100 kg net)
03.01	Fish, fresh (live or dead), chilled or frozen : B. Saltwater fish : I. Whole, headless or in pieces : m) Mackerel : 1. bb) Frozen : For exports to all destinations with the exception of Sweden, Norway, Faroe Islands, Finland, Iceland and the USSR 2. bb) Frozen : For exports to all destinations with the exception of Sweden, Norway, Faroe Islands, Finland, Iceland and the USSR II. Fillets : b) Frozen : 6. Of mackerel : For exports to all destinations with the exception of Sweden, Norway, Faroe Islands, Finland, Iceland and the USSR	4-28 4-28 3-10
03.02	Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process : ex A. I. f) — Coalfish, dried and salted, whole, headless or in pieces : For exports to Puerto Rico, the People's Republic of the Congo, Zaire, Gabon, Cameroon, Angola, Jamaica, Trinidad, Barbados, Windward and Leeward Islands, Panama, Surinam and the Dominican Republic — Mackerel, dried, salted or in brine, whole, headless or in pieces : For exports to Jamaica, Trinidad and Windward and Leeward Islands	16-50 4-00

COMMISSION REGULATION (EEC) No 1940/82

of 19 July 1982

laying down a Community procedure for supervision of the disposal of alcohol taken over by the intervention agencies in connection with the distillation of table wines referred to in Regulation (EEC) No 701/82

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3577/81 ⁽²⁾, and in particular Articles 15 (3) and 65 thereof,

Whereas Article 6 (2) of Council Regulation (EEC) No 701/82 of 25 March 1982 laying down general rules on the distillation of table wines as provided for in Article 15 of Regulation (EEC) No 337/79 ⁽³⁾ places the intervention agencies under an obligation to buy in certain distilled products offered to them by the distiller;

Whereas Article 15 (2) of Regulation (EEC) No 337/79 stipulates that the conditions under which the distillation decided upon in accordance with that Article is carried out should be such as to ensure that the balance of the market in ethyl alcohol is not adversely affected;

Whereas to ensure that this requirement is met it is necessary to establish a procedure for rapid consultation and approval by the Commission except in cases where the risk of disturbance to the market is very small;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. When an intervention agency intends to sell any quantity of one of the products mentioned in Article 6 (2) of Regulation (EEC) No 701/82, the Member State responsible shall inform the Commission. This information shall cover the quantity and quality of the

product to be sold, in particular the alcoholic strength, price, place where the product is held, geographical destination and intended use of the alcohol if known.

2. Sales as mentioned in paragraph 1 may not be made before the Commission has taken a decision under Article 3.

Sales may, however, be made without a Commission decision if the quantity of alcohol is less than 1 000 hl, expressed as hectolitres of alcohol at 100 % vol, and the alcohol is for direct use in the Member State responsible for the intervention agency concerned.

Article 2

Except in the cases referred to in the second subparagraph of Article 1 (2), the Commission shall acknowledge receipt of the information referred to in Article 1 (1) and forward it immediately to the other Member States.

Article 3

On the basis of the information available to it on the situation of the market in ethyl alcohol both in the Community and worldwide, in particular the situation with regard to prices and availability of supplies, the Commission shall consider whether or not the planned sale carries a risk of disturbing the market in ethyl alcohol and shall decide within eight working days of receiving the information mentioned in Article 1 whether the sale may be carried out and, if so, whether any of the terms of the sale are to be altered.

Article 4

The Commission's decision shall be notified to the Member State concerned and copies shall be sent to the other Member States.

If the Commission has not taken a decision within the period set in Article 3, this shall be deemed to constitute authorization to proceed with the sale.

Article 5

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

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 359, 15. 12. 1981, p. 1.

⁽³⁾ OJ No L 80, 26. 3. 1982, p. 30.

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

Done at Brussels, 19 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1941/82

of 19 July 1982

providing for the levying of an amount equal to the accession compensatory amount on certain exports made under a tendering procedure

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 1/81 of 1 January 1981 laying down general rules for the system of accession compensatory amounts for cereals⁽¹⁾, and in particular Article 8 (1) (c) thereof,

Whereas, under Article 7 of Regulation (EEC) No 1/81, provision may be made for the levying of an amount, not exceeding the accession compensatory amount, on exports from Greece to non-member countries of products for which an accession compensatory amount to be deducted from the refund has been fixed, in cases where no export refund has in fact been fixed;

Whereas tenders accepted between 17 March and 31 May 1982 under the tendering procedure opened by Commission Decision 82/173/EEC⁽²⁾ in respect of the export of durum wheat held by the Greek intervention agency, anticipated payment of the accession compensatory amount although export refunds for durum wheat had not been fixed since 26 March 1982 and no provision had been made for levying the said compensatory amount;

Whereas, since the situation as indicated above would enable operators who had already benefited from very

advantageous buying prices to escape payment of the abovementioned amounts, it would breach the principle of equal treatment of Community exporters and hence impair the proper operation of the common organization of the market; whereas the situation should therefore be remedied by levying amounts equal to the accession compensatory amounts on the exports in question; whereas levying of these amounts was anticipated by the trade;

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

HAS ADOPTED THIS REGULATION:

Article 1

An amount of 23.20 ECU per tonne shall be levied on durum wheat exported under the tendering procedure opened by Decision 82/173/EEC.

Article 2

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

It shall apply to customs export formalities completed before 1 August 1982 for durum wheat on the basis of tenders for export accepted between 17 March and 31 May 1982.

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

Done at Brussels, 19 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 1, 1. 1. 1981, p. 1.

⁽²⁾ OJ No L 78, 24. 3. 1982, p. 25.

COMMISSION REGULATION (EEC) No 1942/82
of 19 July 1982
amending Regulation (EEC) No 2111/81 laying down for the 1981/82
wine-growing year detailed rules for the distillation of the by-products of
wine-making

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 337/79
of 5 February 1979 on the common organization of
the market in wine ⁽¹⁾, as last amended by Regulation
(EEC) No 3577/81 ⁽²⁾, and in particular Article 39 (7)
thereof,

Whereas Article 4 of Commission Regulation (EEC)
No 2111/81 ⁽³⁾ specifies that delivery to distillers of
marc, lees and wine for the distillation mentioned in
Article 39 of Regulation (EEC) No 337/79 must, for
the 1981/82 wine-growing year, be effected by 31 July
1982 at the latest and that distillers must deliver to
intervention agencies the alcohol obtained by 31
August 1982 at the latest;

Whereas, because of the quantities to be distilled as a
result of measures decided on during the present
marketing year, it will not be possible to meet the
deadlines set; whereas the said deadlines should be
put back and certain other dates set in Regulation
(EEC) No 2111/81 adjusted accordingly;

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

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 2111/81 is hereby amended as
follows :

1. In Article 4 (1), the date '31 July 1982' is replaced
by '31 August 1982'.
2. In Article 4 (3), the date '31 August 1982' is
replaced by '31 October 1982'.
3. In Article 4 (4), the date '31 August 1982' is
replaced by '31 October 1982'.
4. In Article 9, the date '31 August 1982' is replaced
by '15 October 1982'.
5. In Article 11 (3), the date '1 October 1982' is
replaced by '15 December 1982'.

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, 19 July 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 359, 15. 12. 1981, p. 1.

⁽³⁾ OJ No L 205, 25. 7. 1981, p. 14.

COMMISSION REGULATION (EEC) No 1943/82**of 19 July 1982****applying a special intervention measure for common wheat of bread-making quality at the start of the 1982/83 marketing year**

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 1451/82 ⁽²⁾, and in particular the first subparagraph of Article 8 (4) thereof,

Whereas there is some concern about the market for common wheat of bread-making quality at the beginning of the marketing year; whereas, consequently, in accordance with the provisions of Article 8 of Regulation (EEC) No 2727/75, special intervention measures should be applied at the beginning of the 1982/83 marketing year:

- in the form of purchases of common wheat of medium bread-making quality in Italy, since the bread-making wheat grown in Italy is of higher quality and generally reaches medium quality level, and
- in the form of purchases of common wheat of minimum bread-making quality in the rest of the Community;

Whereas the conditions set out in Articles 1 and 2 of Council Regulation (EEC) No 2738/75 of 29 October 1975 laying down general rules for intervention on the market in cereals ⁽³⁾ should apply to such purchases;

Whereas, for determination of medium bread-making quality, reference should be made to the provisions of Commission Regulation (EEC) No 2062/81 of 15 July 1981 laying down the method for determining the minimum bread-making quality of common wheat ⁽⁴⁾; whereas for determination of the Zeleny index, reference should be made to ICC method No 118;

Whereas the conditions laid down in Commission Regulation (EEC) No 1629/77 of 20 July 1977 laying down detailed rules of application for special intervention measures to support the development of the

market in common wheat of bread-making quality ⁽⁵⁾, as last amended by Regulation (EEC) No 1837/82 ⁽⁶⁾, will, for the abovementioned reasons, be satisfied at the start of the 1982/83 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In accordance with Articles 4 (3) and 5 of Regulation (EEC) No 1629/77 intervention agencies shall purchase common wheat of bread-making quality offered to them during August, September and October of the 1982/83 marketing year, as follows:

- in Italy, wheat of medium bread-making quality as defined in Article 1 of Council Regulation (EEC) No 1955/81 ⁽⁷⁾,
- in the rest of the Community, wheat of minimum bread-making quality as defined in Regulation (EEC) No 2062/81.

2. For the purposes of this Regulation, medium bread-making quality as defined in Article 1 of Regulation (EEC) No 1955/81 shall be determined as follows:

- for protein content and Hagberg falling number, by the methods indicated in Regulation (EEC) No 2062/81,
- for the Zeleny index, by the method recognized by the International Association for Cereal Chemistry (ICC), described under heading No 118.

3. Delivery of the quantities offered must take place not later than 30 November 1982. Such purchases shall be made in any of the intervention centres for common wheat, under the conditions laid down in Articles 1 and 2 of Regulation (EEC) No 2738/75.

Where delivery takes place in November 1982, the price payable shall be that for October 1982.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 49.

⁽⁴⁾ OJ No L 201, 22. 7. 1981, p. 6.

⁽⁵⁾ OJ No L 181, 21. 7. 1977, p. 26.

⁽⁶⁾ OJ No L 202, 9. 7. 1982, p. 28.

⁽⁷⁾ OJ No L 198, 20. 7. 1981, p. 12.

Article 2

Intervention agencies shall, where necessary, adopt additional procedures and conditions for taking over wheat, compatible with the provisions of this Regulation, in order to take account of special conditions in the Member States in which they operate.

Article 3

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

It shall apply with effect from 1 August 1982.

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

Done at Brussels, 19 July 1982.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1944/82**of 19 July 1982****amending Regulation (EEC) No 773/82 on detailed rules governing the distillation of table wine as referred to in Article 15 of Regulation (EEC) No 337/79**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3577/81 ⁽²⁾, and in particular Article 15 (3) thereof,

Whereas Article 1 (3) of Commission Regulation (EEC) No 773/82 ⁽³⁾ requires certain distillation operations to be completed by 31 August 1982 and Article 7 (1) of that Regulation requires fortification of wine for distillation to be completed by 15 July 1982;

Whereas many distilleries will be unable to cope with the quantities of wine to be distilled and it will not therefore be possible for the deadline to be met; whereas, in order for the object of the measure to be attained, the deadline for distillation operations should be deferred to 30 November 1982; whereas, for the same reason, the deadline for fortification of wine for distillation should be deferred to 15 October 1982 and the deadline for distillation of wine fortified for distillation fixed in the same Regulation should be altered accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 773/82 is hereby amended as follows:

1. In Article 1 (3), the date '31 August 1982' is replaced by '30 November 1982'.
2. In Article 7 (1), the date '15 July 1982' is replaced by '15 October 1982'.
3. In Article 8 (1), the date '1 October 1982' is replaced by '1 January 1983'.

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, 19 July 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 359, 15. 12. 1981, p. 1.

⁽³⁾ OJ No L 88, 2. 4. 1982, p. 13.

COMMISSION REGULATION (EEC) No 1945/82

of 19 July 1982

re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Interim Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and in particular Protocol 1 thereto,

Having regard to Article 1 of Council Regulation (EEC) No 3810/81 of 15 December 1981 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia⁽²⁾, as amended by Regulation (EEC) No 954/82⁽³⁾,

Whereas Article 1 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 2 of the Interim Agreement are subject to the annual ceiling indicated below, above which customs duties applicable to third countries may be re-established:

(tonnes)

CCT heading No	Description	Ceiling
73.02	Ferro-alloys : C. Ferro-silicon	4 540

Whereas imports into the Community of those products, originating in Yugoslavia, have reached that ceiling; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 23 July to 31 December 1982, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the following products:

CCT heading No	Description	Origin
73.02	Ferro-alloys : C. Ferro-silicon	Yugoslavia

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, 19 July 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 130, 27. 5. 1980, p. 1.

⁽²⁾ OJ No L 383, 31. 12. 1981, p. 1.

⁽³⁾ OJ No L 117, 30. 4. 1982, p. 1.

COMMISSION REGULATION (EEC) No 1946/82

of 19 July 1982

re-establishing the levying of customs duties applicable to third countries on
certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Interim Agreement between the
European Economic Community and the Socialist
Federal Republic of Yugoslavia⁽¹⁾, and in particular
Protocol 1 thereto,

Having regard to Article 1 of Council Regulation
(EEC) No 3810/81 of 15 December 1981 establishing
ceilings and Community supervision for imports of
certain products originating in Yugoslavia⁽²⁾, as
amended by Regulation (EEC) No 954/82⁽³⁾,

Whereas Article 1 of the abovementioned Protocol
provides that the products listed below, imported
under reduced duty rates according to Article 2 of the
Interim Agreement are subject to the annual ceiling
indicated below, above which customs duties appli-
cable to third countries may be re-established:

(tonnes)

CCT heading No	Description	Ceiling
73.02	Ferro-alloys : D. Ferro-silico-manganese	700

Whereas imports into the Community of those
products, originating in Yugoslavia, have reached that
ceiling; whereas the situation on the Community
market requires that customs duties applicable to third
countries on the products in question be
re-established,

HAS ADOPTED THIS REGULATION :

Article 1

From 23 July to 31 December 1982, the levying of
customs duties applicable to third countries shall be
re-established on imports into the Community of the
following products :

CCT heading No	Description	Origin
73.02	Ferro-alloys : D. Ferro-silico-manganese	Yugoslavia

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, 19 July 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 130, 27. 5. 1980, p. 1.

⁽²⁾ OJ No L 383, 31. 12. 1981, p. 1.

⁽³⁾ OJ No L 117, 30. 4. 1982, p. 1.

re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN
COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Interim Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia (¹), and in particular Protocol 1 thereto,

Having regard to Article 1 of Council Regulation (EEC) No 3810/81 of 15 December 1981 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia (2), as amended by Regulation (EEC) No 954/82 (3),

Whereas Article 1 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 2 of the Interim Agreement are subject to the annual ceiling indicated below, above which customs duties applicable to third countries may be re-established :

(tonnes)

CCT heading No	Description	Ceiling
73.02	Ferro-alloys : E. Ferro-chromium and ferro-silico-chromium : I. Ferro-chromium — Of which ferro-chromium containing by weight not more than 0.10 % of carbon and more than 30 % but not more than 90 % of chromium (super-refined ferro-chromium), maximum	1 074 537

Whereas imports into the Community of those products, originating in Yugoslavia, have reached that ceiling; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 23 July to 31 December 1982, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the following products :

CCT heading No	Description	Origin
73.02	Ferro-alloys : E. Ferro-chromium and ferro-silico-chromium : I. Ferro-chromium — Of which ferro-chromium containing by weight not more than 0.10 % of carbon and more than 30 % but not more than 90 % of chromium (super-refined ferro-chromium), maximum	Yugoslavia

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, 19 July 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

(¹) OJ No L 130, 27. 5. 1980, p. 1.

(²) OJ No L 383, 31. 12. 1981, p. 1.

(³) OJ No L 117, 30. 4. 1982, p. 1.

COMMISSION REGULATION (EEC) No 1948/82

of 19 July 1982

**fixing the minimum price payable to producers for dried plums derived from
prunes d'Ente and the amount of production aid for prunes for the 1982/83
marketing year**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas Article 3a (3) of Regulation (EEC) No 516/77
requires the minimum price payable to producers to
be calculated for Member States other than Greece on
the basis of:

- the minimum price level in force during the
previous marketing year, and
- the trend in production costs in the fruit and veg-
etables sector;

Whereas application of those criteria requires the
minimum price to be fixed at the level given below for
Member States other than Greece;

Whereas Article 3b of the same Regulation defined
the criteria for fixing the level of production aid;
whereas application of those criteria requires the
amount of aid to be fixed at the level given below for
Member States other than Greece;

Whereas, with regard to Greece, Article 103 of the Act
of Accession lays down that the minimum price
payable to Greek producers is to be established on the
basis of the prices paid in Greece to national pro-
ducers during the reference period defined in Article 1
of Regulation (EEC) No 41/81⁽³⁾ and adapted to take
account of the difference between Greek price levels
and the price level fixed for the other Member States;

Whereas application of those criteria requires the
minimum price to be fixed for Greece at the level
given below;

Whereas, with regard to Greece, the said Article 103
defines the criteria for fixing the amount of produc-
tion aid;

Whereas application of those criteria requires the
amount of the aid to be fixed at the level given below
for Greece;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Management
Committee for Products Processed from Fruit and
Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The minimum price payable to producers
referred to in Article 3a (3) of Regulation (EEC) No
516/77 is hereby fixed for the 1982/83 marketing year
per 100 kilograms of dried plums derived from prunes
d'Ente, ex grower, of size 66 fruit per 500 grams and
with a moisture content of 21 to 23 % at 167.99 ECU
for Member States other than Greece and at the same
level for Greece.

2. For the marketing year in question, the amount
of production aid for prunes falling within subheading
08.12 C of the Common Customs Tariff and referred
to in Article 3a of Regulation (EEC) No 516/77 is
hereby fixed, per 100 kilograms net for products of
size 66 fruit per 500 grams, at 67.68 ECU for Member
States other than Greece and at the same level for
Greece.

3. Where processing is carried out outside the
Member State where the raw material was produced,
that Member State shall supply the Member State
which pays the processing aid with proof that the
requirement to pay the minimum price to producers
has been complied with.

Article 2

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

It shall apply with effect from 1 September 1982.

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 10.

⁽³⁾ OJ No L 3, 1. 1. 1981, p. 12.

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

Done at Brussels, 19 July 1982.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1949/82**of 19 July 1982****altering the basic amount of the import levy on syrups and certain other sugar products**

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 last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Regulation (EEC) No 1708/82⁽³⁾, as last amended by Regulation (EEC) No 1916/82⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1708/82 to the information known to the Commission that the basic

amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 1708/82, are hereby altered to the amounts shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 20 July 1982.

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

Done at Brussels, 19 July 1982.

For the Commission

Poul DALSGER

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 189, 1. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 208, 16. 7. 1982, p. 58.

ANNEX

to the Commission Regulation of 19 July 1982 altering the basic amount of the import levy
on syrups and certain other sugar products

(ECU)			
CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
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 :		
	C. Maple sugar and other syrup	0.3629	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	45.71
	ex II. Other	0.3629	—
	E. Artificial honey, whether or not mixed with natural honey	0.3629	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0.3629	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	45.71
	IV. Other	0.3629	—

COMMISSION REGULATION (EEC) No 1950/82
of 19 July 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 last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1716/82⁽³⁾, as last amended by Regulation (EEC) No 1917/82⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1716/82 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 20 July 1982.

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

Done at Brussels, 19 July 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 189, 1. 7. 1982, p. 42.

⁽⁴⁾ OJ No L 208, 16. 7. 1982, p. 60.

ANNEX

to the Commission Regulation of 19 July 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	36.29
	B. Raw sugar	33.21 ⁽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)

CONFERENCE OF THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COMMUNITIES

of 8 July 1982

appointing Judges and Advocates-General to the Court of Justice

(82/463/ECSC, EEC, Euratom)

THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Coal and Steel Community, and in particular Article
32b thereof,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 167
thereof,

Having regard to the Treaty establishing the European
Atomic Energy Community, and in particular Article
139 thereof,

Whereas the terms of office of Mr Giacinto Bosco, Mr
Adolphe Touffait, Lord Mackenzie Stuart, Mr Th.
Koopmans, Mr U. Everling and Mr Fernand Crevisse,
Judges of the Court of Justice, together with those of
Mr Francesco Capotorti and Mrs Simone Rozes,
Advocates-General of the Court of Justice, expire on 6
October 1982,

HAVE DECIDED AS FOLLOWS:

Sole Article

1. The following are hereby appointed Judges of
the Court of Justice for the period 7 October 1982 to
6 October 1988 inclusive:

Mr Giacinto Bosco
Lord Mackenzie Stuart
Mr Thymen Koopmans
Mr Ulrich Everling
Mr Kai Bahlmann
Mr Yves Galmot

2. The following are hereby appointed Advocates-
General of the Court of Justice for the period 7
October 1982 to 6 October 1988 inclusive:

Mrs Simone Rozes
Mr Federico Mancini

Done at Brussels, 8 July 1982.

The President

G. RIBERHOLDT

COUNCIL

COUNCIL DECISION

of 14 July 1982

allocating a sum of 30 753 710 ECU for compensatory payments to stabilize export earnings (1981)

(82/464/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, hereinafter referred to as 'the Second Convention',

Having regard to the 1979 Internal Agreement on the financing and administration of Community aid, hereinafter referred to as 'the Internal Agreement', and in particular Article 9 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the amount of requests for transfers submitted for the 1981 year of application exceeds the resources available to the system for stabilizing export earnings, hereinafter referred to as 'the system', set up by the Second Convention; whereas the Community and the ACP States attach great importance to the system;

Whereas solely for the 1981 year of application use should be made of the possibilities provided by Article 9 (1) of the Internal Agreement in order to finance partial compensation for losses of export earnings over and above the transfers to be made pursuant to the provisions of the Second Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The payments, proceeds and income referred to in Article 9 (1) of the Internal Agreement which have accrued from operations financed from the resources of the second, third, fourth and fifth European

Development Funds, less any commission due to the European Investment Bank, hereinafter referred to as 'the Bank', shall be allocated as follows:

- 24 264 677 ECU in respect of the six original Member States of the Community,
- 6 489 033 ECU in respect of the three Member States which acceded to the Community in 1973,

for compensatory payments, which by definition are additional to the resources available pursuant to Article 33 of the Second Convention for the 1981 year of application.

The provisions of the system shall apply to the said payments.

Article 2

The amounts referred to in Article 1 shall be paid by the Bank to the Commission, at the latter's request, within the limits of sums and currency actually available.

The rates of exchange from such currencies to the ECU shall be those obtaining on the second working day before the payment.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*. It shall take effect on the day following its publication.

Done at Brussels, 14 July 1982.

For the Council

The President

I. NØRGAARD

COMMISSION

COMMISSION DECISION

of 11 December 1981

relating to a proceeding under Article 15 of Council Regulation No 17 (IV/AF 511 — National Panasonic (France) SA) as amended by the Commission Decision of 21 June 1982

(Only the French text is authentic)

(82/465/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 85 thereof,

Having regard to Council Regulation No 17 of 6 February 1962⁽¹⁾, and in particular Articles 11 and 15 thereof,

Having regard to the request for information addressed by the Commission to National Panasonic (France) SA on 25 May 1981, and the reply of the undertaking in response to that request, dated 15 June 1981,

Having regard to the Commission Decision of 4 August 1981 to initiate a proceeding in this case,

Having given the undertaking concerned the opportunity, in accordance with Article 19 of Regulation No 17 and with Commission Regulation No 99/63/EEC⁽²⁾, of being heard on the matters to which the Commission has taken objection,

Having regard to the opinion of the Advisory Committee for Restrictive Practices and Dominant Positions delivered, pursuant to Article 10 of Regulation No 17, on 24 November 1981,

Whereas :

THE FACTS

A. The undertaking

1. National Panasonic (France) SA (hereinafter called 'NPF'), an undertaking with its registered office at 13-15 rue des Frères-Lumière, F-93150 Le Blanc-Mesnil, is a wholly-owned subsidiary of the Japanese undertaking Matsushita Electrical Trading Company, itself a subsidiary of Matsushita Electric Industrial

Company, the leading Japanese manufacturer of electrical and electronic equipment.

2. The principal activity of NPF is the import and marketing in France of consumer electronic products made in Japan and other countries by Matsushita, including hi-fi and stereo equipment sold under the brand-names 'Technics', 'National Panasonic' and 'Panasonic'.

B. The Commission investigation

3. On 27 June 1979, the Commission carried out an investigation pursuant to Article 14 (3) of Regulation No 17 at National Panasonic (UK) Ltd, also a subsidiary of Matsushita and which carries out the same function in the United Kingdom as NPF in France.

4. The object of the investigation was to obtain information and documentary evidence concerning the suspected imposition by National Panasonic (UK) Ltd on its hi-fi dealers in the United Kingdom of a ban from exporting this product to other EEC Member States, in order to protect the distribution network in those States from the competitive effect of parallel imports.

5. During the investigation the Commission officials obtained a number of documents regarding the policy and practice of the firm concerning parallel exports of Technics and National Panasonic equipment.

6. On 24 August 1979, National Panasonic (UK) Ltd appealed to the Court of Justice of the European Communities against the Decision ordering an investigation. On 26 June 1980, the Court dismissed the appeal.

7. An examination of the documents obtained during the investigation showed that it was necessary to obtain further information in order to ascertain

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽²⁾ OJ No 127, 20. 8. 1963, p. 2268/63.

precise details concerning the price structure for the sale of the Technics hi-fi equipment in the EEC, particularly the trade price paid by dealers and the retail selling price. In this context, the existence of recommended or advised prices in the different national markets was of fundamental importance. It was therefore decided to send a request for information to this effect to the main national marketing subsidiaries and exclusive distributors of Technics equipment in the EEC. The purpose of this request was to obtain readily comparable data, which could most conveniently be ascertained from the price lists of the subsidiaries and distributors, regarding the margins and prices applied at each state of distribution.

C. The request for information

8. On 25 May 1981, the Commission addressed to a number of the marketing subsidiaries of Matsushita in Germany, France and the United Kingdom and to its exclusive distributor in the Netherlands a request for information under Article 11 of Regulation No 17. Subsequently a request was also sent to SA National Panasonic (Belgium) NV. The request contained the usual reference to the sanctions provided for in the said Regulation in the case that the undertaking provided incorrect information.

9. The request stated that the Commission had carried out an investigation at National Panasonic (UK) Ltd on 27 June 1979 under Article 14 (3) of Regulation No 17 in order to ascertain whether that undertaking had participated in agreements or concerted practices of which the object or effect might be the prevention of parallel exports to other EEC Member States, and that an examination of the documents obtained made it necessary to obtain information concerning the marketing of Technics products in the Community.

10. In its request the Commission required *inter alia* details of the price structure in the Member State concerned. In the letter to NPF the relevant part of the request was formulated as follows:

'(Please provide details of)

- (2) The price lists issued by your company since 1 January 1976 for Technics equipment.

These price lists should show

- your purchase price from the manufacturer;
- your trade price to retailers, showing also all rebates and discounts;
- recommended retail prices.'

(Translation from the original French.)

11. The letter stated in its penultimate paragraph that the request was addressed to NPF pursuant to

Article 11 of Regulation No 17 and fixed a period of three weeks for the reply.

D. The reply of NPF

12. NPF replied to the request for information by registered letter dated 15 June 1981.

The letter, signed by the Chairman and Managing Director (Président Directeur-Général) reads:

'In reply to your request for information dated 25 May 1981, we request you to find set out hereafter the following confidential information.

(1) ...

- (2) In Appendix B, you will find the price lists issued by our company since 1 January 1976 for Technics equipment. Our company does not have any issued price list showing its purchase price from its suppliers. These purchase prices are communicated to us at very close intervals and are negotiated by the department concerned.

We are at the Commission's disposal to provide precise details as to the purchase price practised at any date it likes to indicate.

- (3) In Appendix C, you will find an analysis of the discounts and rebates given to our customers.

Our company does not recommend any retail prices.'

(Translation from the original French.)

13. Annex B consisted of the 12 trade price lists issued by NPF to dealers during the period covered by the Commission's request.

Annex C contained detailed information of all rebates and discounts off basic trade price given to dealers during the same period and indicated how these had been altered on several occasions.

14. NPF therefore purported to deal in turn with each of the categories of price list requested by the Commission, and either provided copies or explained why such lists did not exist. NPF stated during the hearing that the request for information had arrived at

a time when its legal advisers were already at the company's premises on another matter and that the reply to be made had been discussed with them and drafted on legal advice.

E. The retail prices of NPF in France

15. Documentary evidence consisting principally of internal management papers, reports of meetings with important customers, visit reports of area sales representatives and correspondence with dealers, however, shows:

- (1) NPF recommended retail prices including 33.33 % value added tax based on a coefficient of $\times 1.80$ on the basic trade price. Discounts were given to dealers of up to 30 % off basic trade price as that the actual profit margins were often considerably higher.
16. (2) Dealers were generally required by NPF to apply these retail prices for Technics and National Panasonic products whatever their form of distribution. Hypermarkets or discount stores had to apply the same coefficient, namely 1.80 on basic trade price, as was considered appropriate for traditional retailers.

The policy of NPF was summed up in a letter written on 22 September 1976 by the then Commercial Director: 'The point which seems to be the most important to confirm to you is the continuity of our commercial policy based on a respect of the recommended retail prices whatever the form of distribution.' (Translation from the original French.)

17. (3) It was made a condition of opening a new account with certain important hypermarkets or discount stores that they apply the coefficient of 1.80 required by NPF.
18. (4) Special arrangements were made on retail prices with the most important retail groups selling hi-fi equipment. The Darty chain specializing in electrical goods and consumer electronics equipment expanded from 19 shops in 1975 to 49 in 1980 and is established throughout France. FNAC with 12 outlets in 1979 was estimated to hold between 5 and 7 % of the French market in audio equipment. NPF negotiated with both these important retail groups the retail price which they would charge for each model in its range.

In certain cases the agreed price was below the normal retail price suggested by NPF of basic price $\times 1.80$. The documents obtained show detailed tables giving the retail price ('prix public') to be charged by Darty and FNAC and fixed for a large number of models.

19. (5) The above policies represented the considered commercial policy of NPF and was conceived and supervised by the senior management of the company who either participated personally in such arrangements or ordered their execution and were kept informed of detailed developments by their staff.

The commercial policy of NPF as set out above continued at least until the discovery of the practices in June 1979. The Commission has no evidence as to whether this policy was continued or abandoned after that date.

20. NPF claimed that since the matters mentioned above and as a result of a greater awareness of the need to comply with EEC and national competition laws Matsushita decided to issue a 'code of conduct' to be observed by all its marketing subsidiaries in the EEC. The decision to prepare these guidelines was taken in about April of 1981. A copy of the code would be submitted to the Commission in due course. NPF did not admit the probative value of the Commission's evidence on NPF's pricing policy and expressly reserved its position in this regard.

LEGAL ASSESSMENT

21. By Article 15 (1) (b) of Regulation No 17, the Commission may, by Decision, impose upon undertakings fines of from 100 to 5 000 units of account where intentionally or negligently they supply incorrect information in response to a request made under Article 11 (3) or (5) of the said Regulation.

22. In its answer NPF stated in clear and unequivocal terms that it did not recommend any retail prices.

As the documents show, the standard practice of NPF as conceived and enforced by its senior commercial management during at least the larger part of the period covered by the Commission's request was to ensure that its dealers observed a recommended coefficient of $\times 1.80$ on basic trade price while in the case of its principal customers the specific retail price for each model was not only the subject of a 'recommendation' but of individual agreement.

23. In its defence, NPF, while making no admissions as to the facts, claimed that it had not contravened the provisions of Article 15 (1) (b) by providing incorrect information in response to a request made under Article 11 (3). First, the statement had been volunteered by NPF and had not been given 'in response to a request' in the terms of the Regulation since the Commission in its request had specifically referred to 'issued price lists' and NPF had never in fact issued such lists. NPF's reply was not, therefore, an incorrect reply to the question which was asked.

24. Secondly, the statement made by NPF was expressed in the present tense and as there was no documentary evidence that alleged behaviour had continued up to the date of the reply, the answer given was not incorrect.

25. If, however, the Commission considered the answer 'incomplete', it should have taken a decision under Article 11 (5) specifying the detailed information it required. NPF nevertheless considered itself as being under an obligation to provide a complete answer and accordingly claimed to amend its reply to read:

'NPF has not issued lists of recommended retail prices for the period since 1 January 1976.'

26. The Commission rejects the arguments of NPF as being without substance on the facts of this case.

27. First, the question whether Article 15 (1) (b) may apply to incorrect information given by an undertaking on its own initiative and not in response to a particular question posed by the Commission in its request does not arise in the present case. The statement made by NPF regarding retail prices was directly related to the specific question asked by the Commission.

The Commission asked for details of price lists showing recommended retail prices from 1 January 1976 and NPF's reply was designed to explain that the reason why such lists could not be provided was that NPF's commercial practice was not to recommend any retail prices whatever to dealers. The incorrect statement was a direct response, and the firm's only response, to the Commission's question about retail price lists.

28. The Commission also rejects the claim that the reply was not incorrect by reason of being expressed in the present tense and so referable only to the present commercial policy of NPF on which the Commission has no evidence. It is quite clear from the context of

both the Commission's request and the answer that NPF intended the Commission to believe that during the whole of the period from 1 January 1976 to the present time the continuing policy of the undertaking was not to recommend retail prices to dealers. Indeed in its reply NPF used the present tense throughout to refer to the whole of the period covered by the request.

Nor since NPF has declined to admit the facts clearly shown in its own internal documents, is there any proof that the conduct referred to has in fact been terminated. Even if the proposed code of conduct represented a real change in policy it was not even decided to issue it until about April 1981.

29. Nor does the Commission consider that the reply was simply 'incomplete but not incorrect'.

The reply given was intended to be taken as a full response to the Commission's request and would indeed have been taken as a complete reply and acted upon by the Commission in its assessment of the case under Article 85 (1) against National Panasonic (UK) Ltd had not proof to the contrary been available. Whatever the present position, the statement was intended to relate to the continuity of NPF's policy throughout the whole period since 1 January 1976.

30. Whether or not the proposed amended reply would itself constitute an incorrect answer by reason of the misleading impression it would create need not be determined by the Commission. The issue here is what NPF stated in its reply, not what it now wishes it had stated.

31. The Commission therefore considers that NPF provided incorrect information in response to a request made under Article 11 (3) of Regulation No 17. Since the facts were entirely within the knowledge of the undertaking, and indeed NPF had the advantage of legal advice at the very moment when it was considering its reply, the only conclusion to which the Commission can come is that the incorrect information was supplied deliberately with the intention of deceiving the Commission.

32. The infringement is considered to be a serious one. Differences in the recommended retail price levels in the various EEC Member States are of particular importance in the assessment by the Commission of the economic effects of a suspected export prohibition such as was believed to have been imposed by National Panasonic (UK) Ltd. Had the Commission been obliged to accept the answer given by NPF, its impression of the price structure for the sale of Technics in an important part of the EEC would have been totally incorrect.

33. The Commission therefore intends to impose a fine upon NPF. Having regard to the circumstances set out above it sets the fine at 5 000 ECU,

HAS ADOPTED THIS DECISION:

Article 1

By stating in its letter dated 15 June 1981 that it did not recommend any retail prices whatever, National Panasonic (France) SA intentionally supplied incorrect information in response to a request for information made under Article 11 (3) of Regulation No 17.

Article 2

A fine of 5 000 (five thousand) ECU, that is FF 30 906.70 (thirty thousand nine hundred and six French francs and seventy centimes) is hereby imposed on National Panasonic (France) SA.

This amount shall be paid, within three months of notification of this Decision to National Panasonic (France) SA, to the following account: Commission of the European Communities — Société Générale, Paris, No 5 770 006 5.

Article 3

This Decision is addressed to National Panasonic (France) SA, 13-15 rue des Frères-Lumières, F-93150 Le Blanc-Mesnil.

This Decision shall be enforceable in accordance with Article 192 of the Treaty establishing the European Economic Community.

Done at Brussels, 11 December 1981.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION DECISION**of 2 June 1982****amending the Commission Decision of 31 March 1982 concerning aid granted by the French Government in the sheepmeat and pigmeat sectors****(Only the French text is authentic)****(82/466/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 899/81⁽²⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽³⁾, as last amended by Regulation (EEC) No 2966/80⁽⁴⁾, and in particular Article 21 thereof,

Whereas, by Decision 82/261/EEC of 31 March 1982 concerning aid granted by the French Government in the sheepmeat and pigmeat sectors⁽⁵⁾, the Commission decided that the French Republic should abolish aid granted:

- in the pigmeat sector in the form of a payment equal to the difference between the average national price and a guaranteed price,
- in the sheepmeat sector in the form of price-support premiums and monthly flat-rate premiums under rearing contracts;

Whereas, under Article 2 of the abovementioned Decision, the Commission was to be informed within a period of one month of the measures taken by the French Government to abolish the aids in question; whereas notification of the Decision to the French Republic was made on 13 April 1982 and the period

consequently ended on 14 May 1982; whereas on 13 May 1982 the French authorities asked for the period to be extended;

Whereas, in order to take account of procedural requirements and of the administrative difficulties that the French authorities may have in abolishing the aids, a favourable reply to the request is justified; whereas, however, the extra period should be limited to that deemed necessary for the abolition required to be effected,

HAS ADOPTED THIS DECISION:

Article 1

The words 'within one month' in Article 2 of Commission Decision 82/261/EEC of 31 March 1982 concerning aid granted by the French Government in the sheepmeat and pigmeat sectors are replaced by the words 'by 14 June 1982 at the latest'.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 2 June 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 90, 4. 4. 1981, p. 26.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽⁵⁾ OJ No L 113, 27. 4. 1982, p. 22.

COMMISSION DECISION**of 30 June 1982****authorizing a number of Member States to sell butter at a reduced price in the form of concentrated butter****(Only the English, French and German texts are authentic)****(82/467/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 Regulation (EEC) No 1183/82 ⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽³⁾, as last amended by the Act of Accession of Greece, and in particular Article 7a thereof,

Whereas Commission Regulation (EEC) No 649/78 of 31 March 1978 on the sale at reduced prices of intervention butter for direct consumption as concentrated butter ⁽⁴⁾, as last amended by Regulation (EEC) No 1728/82 ⁽⁵⁾, provides that the Member States may be authorized to sell butter in public storage at a reduced price, or grant aid for butter in private storage, for the purpose of direct consumption of this butter in the form of concentrated butter;

Whereas the Federal Republic of Germany, the United Kingdom and the French Republic have requested authorization to undertake such operations and are in a position to see that the concentrated butter is used as intended;

Whereas the quantity of butter to be covered by the operations must be decided in the light of experience of previous operations and with regard to the quantities of concentrated butter that can normally be absorbed by the market for private consumption in the Community and to the state of butter stocks;

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

HAS ADOPTED THIS DECISION :

Article 1

The Member States indicated below are hereby authorized, for the quantities of butter stated, to have recourse to the provisions of Regulation (EEC) No 649/78 :

Member State	Quantity
Federal Republic of Germany	3 000
United Kingdom	750
France	250

Article 2

This Decision is addressed to the Federal Republic of Germany, the United Kingdom and the French Republic.

Done at Brussels, 30 June 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 86, 1. 4. 1978, p. 33.

⁽⁵⁾ OJ No L 189, 1. 7. 1982, p. 67.

COMMISSION DECISION

of 1 July 1982

**approving the programme of measures submitted by the Italian Government for
1982 for the restructuring of the system for agricultural surveys in Italy**

(Only the Italian text is authentic)

(82/468/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Decision 81/518/EEC of
6 July 1981 on the restructuring of the system for
agricultural surveys in Italy ⁽¹⁾, and in particular Article
4 (3) thereof,Whereas, as required by Article 4 (1) of Decision
81/518/EEC, the Italian Government has submitted
the annual programme of measures planned for 1982 ;Whereas the Italian Government has also supplied the
additional information requested by the Commission,
pursuant to Article 4 (3) of the said Decision ;Whereas the programme submitted is such as to
organize in Italy a system of surveys on agricultural
matters which will satisfy Community requirements ;Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Agricultural Statistics,

HAS ADOPTED THIS DECISION :

*Article 1*The programme of measures for the restructuring of
the system for agricultural surveys in Italy submitted
by the Italian Government for 1982 is hereby
approved.*Article 2*

This Decision is addressed to the Italian Republic.

Done at Brussels, 1 July 1982.

For the Commission

Richard BURKE

Member of the Commission

⁽¹⁾ OJ No L 195, 18. 7. 1981, p. 48.

COMMISSION DECISION

of 2 July 1982

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 1099/82, the maximum amounts for the costs of delivery of skimmed-milk powder as food aid

(82/469/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 Regulation (EEC) No 1183/82 ⁽²⁾, and in particular
Article 7 (5) thereof;

Whereas, pursuant to Commission Regulation (EEC)
No 1099/82 of 7 May 1982 on the delivery of various
consignments of skimmed-milk powder as food aid ⁽³⁾,
the intervention agencies of the Member States have
invited tenders for the costs of delivery as food aid of
19 000 tonnes of skimmed-milk powder for certain
third countries and beneficiary organizations;

Whereas, under Article 14 (2) of Regulation (EEC) No
303/77 of 14 February 1977 laying down general rules
for the supply of skimmed-milk powder and butteroil
as food aid ⁽⁴⁾, as last amended by Regulation (EEC)
No 3474/80 ⁽⁵⁾, tenders in respect of Lots A, B, C, D, E
and F could be made for part quantities of 500 tonnes
or a multiple of 500 tonnes;

Whereas Article 16 of the abovementioned Regulation
provides that, in the light of tenders received, a
maximum amount shall be fixed for each lot put up
for tender or it shall be decided not to proceed with
the tender;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of
awarding a contract pursuant to Regulation (EEC) No
1099/82 shall be fixed as follows:

— Lot A 1 :	13 494 ECU
— Lot A 2 :	12 815 ECU
— Lot A 3 :	8 617 ECU
— Lot A 4 :	10 621 ECU
— Lot A 5 :	10 981 ECU
— Lot A 6 :	10 485 ECU
— Lot A 7 :	10 058 ECU
— Lot A 8 :	11 669 ECU
— Lot A 9 :	10 330 ECU
— Lot A 10 :	11 067 ECU
— Lot A 11 :	10 693 ECU
— Lot B 1 :	13 500 ECU
— Lot B 2 :	12 019 ECU
— Lot B 3 :	9 576 ECU
— Lot B 4 :	13 786 ECU
— Lot B 5 :	10 981 ECU
— Lot B 6 :	11 161 ECU
— Lot B 7 :	11 145 ECU
— Lot B 8 :	10 796 ECU
— Lot B 9 :	11 067 ECU
— Lot B 10 :	11 858 ECU
— Lot B 11 :	11 047 ECU
— Lot C :	84 313 ECU
— Lot D :	139 012 ECU
— Lot E :	27 732 ECU
— Lot F :	11 677 ECU

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 July 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 129, 11. 5. 1982, p. 7.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.