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Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States 1**
- Commission Regulation (EEC) No 2058/82 of 28 July 1982 fixing the import levies on cereals and on wheat or rye flour, groats and meal 6
- Commission Regulation (EEC) No 2059/82 of 28 July 1982 fixing the premiums to be added to the import levies on cereals, flour and malt 8
- Commission Regulation (EEC) No 2060/82 of 28 July 1982 fixing the import levies on rice and broken rice 10
- Commission Regulation (EEC) No 2061/82 of 28 July 1982 fixing the premiums to be added to the import levies on rice and broken rice 12
- ★ Commission Regulation (EEC) No 2062/82 of 27 July 1982 establishing unit values for the determination of the customs value of certain perishable goods 14**
- Commission Regulation (EEC) No 2063/82 of 28 July 1982 abolishing the countervailing charge on aubergines originating in Spain 17
- ★ Commission Regulation (EEC) No 2064/82 of 28 July 1982 amending Regulation (EEC) No 1204/72 on detailed rules for the application of the subsidy system for oilseeds 18**
- ★ Commission Regulation (EEC) No 2065/82 of 28 July 1982 determining actual production of unginned cotton for the 1981/82 marketing year and fixing the percentage of the aid to be paid by Member States for the 1982/83 marketing year 21**

(Continued overleaf)

* Commission Regulation (EEC) No 2066/82 of 28 July 1982 amending Regulation (EEC) No 2183/81 laying down rules implementing the system of aid for cotton	22
* Commission Regulation (EEC) No 2067/82 of 28 July 1982 re-establishing the levying of customs duties on babies' under garments of knitted or crocheted fabrics, not elastic or rubberized, products of category 68 (0680) and originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3602/81 apply	24
* Commission Regulation (EEC) No 2068/82 of 28 July 1982 re-establishing the levying of customs duties on elastic fabrics and trimmings (other than knitted or crocheted goods), products of category 105 (1050) and originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3602/81 apply	26
* Commission Regulation (EEC) No 2069/82 of 28 July 1982 making the importation of certain textile products originating in Turkey subject to quantitative limitation	27
Commission Regulation (EEC) No 2070/82 of 28 July 1982 fixing the export refunds on fruit and vegetables	29
Commission Regulation (EEC) No 2071/82 of 28 July 1982 fixing the maximum export refund for the 20th partial invitation to tender for white sugar issued within the framework of the supplementary standing invitation to tender provided for in Regulation (EEC) No 2042/81	32
Commission Regulation (EEC) No 2072/82 of 28 July 1982 fixing the maximum export refund for raw sugar for the 46th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 2235/81	33
Commission Regulation (EEC) No 2073/82 of 28 July 1982 fixing the maximum export refund for the first partial invitation to tender for white sugar issued within the framework of the principle standing invitation to tender provided for in Regulation (EEC) No 2014/82	34
Commission Regulation (EEC) No 2074/82 of 28 July 1982 fixing the import levies on white sugar and raw sugar	35
* Council Regulation (EEC) No 2075/82 of 28 July 1982 imposing a definitive 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 the USSR, and terminating the proceedings in respect of imports of the said products originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Poland and Romania	36

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2057/82
of 29 June 1982
establishing certain control measures for fishing activities by vessels of the
Member States

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas for catches by fishing vessels flying the flag of, or registered in, a Member State it is important to adopt rules for the control of catches in order to ensure that the limits fixed elsewhere for permissible levels of fishing are observed;

Whereas these rules must include measures concerning the inspection by Member States' authorities of fishing vessels and their activities at sea and in port; whereas this must be conducted in accordance with certain common rules;

Whereas Member States must periodically report to the Commission on their inspection activities and on the action taken with regard to any violations of the common fisheries rules;

Whereas the effective control of landings of fish species for which a total allowable catch (TAC) has been fixed per stock or group of stocks requires that skippers of fishing vessels keep a record and submit statements of their fishing activities; whereas it is appropriate to exempt from the obligation to keep a fishing logbook vessels of small size and of limited operating range for which such an obligation would constitute a burden disproportionate to their catch potential;

Whereas, however, it is desirable that the skippers of vessels over 10 metres in length or their agents should fill out a declaration of landings at the end of each voyage inasmuch as, having regard to the number of boats in question, this declaration constitutes the sole means of monitoring their activities thereby permitting the degree of observance of conservation measures in force to be appraised;

Whereas the effective control of catches of the said species requires that landings made outside the territory of the Community be recorded;

Whereas Member States should record landings of such species and communicate the results to the Commission;

Whereas it is necessary that, if the fishermen of a Member State have exhausted a quota allocated to that State, the obligation to cease fishing should be the subject of a decision of the Commission;

Whereas this Regulation should not affect national control provisions which fall within its scope and which go beyond its minimum requirements provided that they are in accordance with Community law;

Whereas certain provisions are necessary to make it possible to verify the implementation of this Regulation;

Whereas provision should be made for adopting detailed rules for the implementation of this Regulation,

HAS ADOPTED THIS REGULATION:

TITLE I

Inspection of fishing vessels and their activities

Article 1

1. Each Member State shall, within ports situated in its territory and within maritime waters subject to its sovereignty or jurisdiction, inspect fishing vessels

⁽¹⁾ OJ No C 14, 18. 1. 1980, p. 4.

⁽²⁾ OJ No C 6, 9. 1. 1978, p. 120.

⁽³⁾ OJ No C 181, 31. 7. 1978, p. 21.

flying the flag of, or registered in, a Member State in order to ensure compliance with all the regulations in force concerning conservation and control measures.

2. If the competent authorities of a Member State observe, as a result of an inspection carried out by them under paragraph 1, that a fishing vessel flying the flag of, or registered in, a Member State does not comply with the relevant regulations concerning conservation and control measures, they shall take penal or administrative action against the skipper of such a vessel.

3. In order to ensure that inspection is as effective and economical as possible, Member States shall coordinate their control activities and shall introduce measures whereby their competent authorities and the Commission may be regularly informed on a reciprocal basis of the experience acquired.

Article 2

1. The inspection referred to in Article 1 shall be carried out by each Member State on its own account by an inspectorate appointed by it.

In carrying out the task thus conferred on them the Member States shall ensure that the provisions and measures referred to in Article 1 are complied with. Moreover, their action shall be carried out in such a way as to avoid undue interference with normal fishing activities. They shall also ensure that there is no discrimination as regards the sector and vessels chosen for inspection.

2. The persons responsible for the fishing vessels inspected shall cooperate in facilitating inspections carried out in accordance with paragraph 1.

Article 3

1. The skippers of fishing vessels flying the flag of, or registered in, a Member State and fishing for a stock or group of stocks subject to total allowable catches (TACs) shall keep a logbook of their operations, indicating, as a minimum, the quantities of each species caught and kept on board, the date and location of such catches by reference to the smallest zone for which a TAC has been fixed and administered and the type of gear used.

2. The skipper of a fishing vessel flying the flag of, or registered in, a Member State, whose vessel is

- (a) 10 m long or under;
- (b) over 10 m but not over 17 m long if carrying out a fishing voyage of a maximum of 24 hours measured from the time of leaving port to the time of re-entering port; or

(c) 12 m long or under, if operating in the Skagerrak or the Kattegat,

shall be exempted from the obligations defined in paragraph 1.

Article 4

In accordance with the procedure laid down in Article 13 detailed rules may be adopted for the implementation of Articles 1 and 2, concerning in particular:

- (a) the identification of officially designated inspectors, of inspection vessels or of such other similar means of inspection as may be used by a Member State;
- (b) the procedure to be used by inspectors and skippers of fishing vessels, if an inspector wishes to board a vessel;
- (c) the procedure to be used by inspectors, having boarded a fishing vessel, in inspecting that vessel, its gear or its catches;
- (d) the report to be drawn up by inspectors after each boarding;
- (e) the marking and identification of fishing vessels and their gear.

Article 5

Member States shall at regular intervals provide the Commission with information on the number of fishing vessels inspected, their nationality, the type of infringements observed and the action taken by them with respect to such infringements.

TITLE II

Regulation of catches

Article 6

1. At the time of landing after each voyage, the skipper of each fishing vessel over 10 m long flying the flag of, or registered in, a Member State or his agent shall submit to the authorities of the Member State whose landing places he uses a declaration, for accuracy of which the skipper alone shall be held responsible, indicating, as a minimum, for each stock or group of stocks subject to a TAC, the quantities landed and indicating the location of catches by reference to the smallest zone for which a TAC has been fixed and administered. If the catches have been made in waters under the sovereignty or jurisdiction of third countries, this information shall be listed separately by reference to the waters of each of the third countries concerned.

2. Member States shall take appropriate measures to verify the accuracy of the declarations made under paragraph 1.

Article 7

Without prejudice to Article 6, the skipper of a fishing vessel as referred to in Article 1 who :

- transships to another vessel any quantities of catches of a stock or groups of stocks subject to a TAC, irrespective of the place of landing, or
- directly lands such quantities outside Community territory,

shall at the time of the transshipment or of the landing inform the Member State whose flag his vessel is flying or in which his vessel is registered of the species and quantities involved and of the date of transfer or of landing and of the location of catches by reference to the smallest zone for which a TAC has been fixed and administered. If the catches have been made in waters under the sovereignty or jurisdiction of third countries, this information must be indicated separately by reference to the waters of each of the third countries concerned.

Article 8

Where the transshipment or the landing is likely to take place more than 15 days after the catch, the information required in Articles 6 and 7 shall be submitted to the competent authorities of the Member State whose flag the vessel is flying or in which the vessel is registered not later than 15 days after the catch.

Article 9

1. Member States shall ensure that all landings of stocks or groups of stocks subject to TACs are recorded. For this purpose, Member States may require that the first placing on the market be made by sale by public auction.

Where catches of stocks or groups of stocks subject to TACs are not placed for the first time on the market by means of sale by public auction, Member States shall ensure that the quantities involved are notified to the centres for sales by public auction or to the bodies designated by such States.

2. Before the 15th of each month, each Member State shall notify the Commission of the quantities of each stock or groups of stocks subject to TACs landed during the preceding month and shall provide it with any information received under Articles 7 and 8.

Notifications to the Commission shall indicate the location of the catches as laid down in Articles 3 and 6 and the nationality of the fishing vessels concerned.

3. The Commission shall on the 25th of each month, inform Member States of the notifications received.

Article 10

1. All catches of a stock or group of stocks subject to quota made by fishing vessels flying the flag of a Member State or registered in a Member State shall be charged against the quota applicable to that State for the stock or group of stocks in question, irrespective of the place of landing.

2. Each Member State shall determine the date from which the catches of a stock or group of stocks subject to quota made by the fishing vessels flying its flag or registered in that Member State shall be deemed to have exhausted the quota applicable to it for that stock or group of stocks. As from that date, it shall provisionally prohibit fishing for that stock or group of stocks by such vessels as well as the retention on board, the transshipment and the landing of fish taken after that date and shall decide on a date up to which transshipments and landings or final notifications of catches are permitted. The Commission shall forthwith be notified of this measure and shall then inform the other Member States.

3. Following notification under paragraph 2 or on its own initiative, the Commission shall fix, on the basis of the information available, the date on which, for a stock or group of stocks, the catches subject to quota made by the fishing vessels flying the flag of, or registered in, that Member State are deemed to have exhausted the quota allocated.

Fishing vessels flying the flag of, or registered in, a Member State shall cease fishing in respect of a stock or of a group of stocks subject to quota on the date on which the quota allocated for the stock or group of stocks in question to that Member State is deemed to have been exhausted ; such vessels shall equally cease retention on board, transshipment, landing or arranging for transshipment and landing in respect of such catches taken after that date.

TITLE III

Use of fishing gear

Article 11

If vessels are fishing for certain species in certain areas or during certain periods for which the use of nets with meshes smaller than those specified in the

applicable provisions is not authorized, such nets must be stowed in accordance with the conditions set out in the Annex in order that they may not readily be used.

Article 12

1. Member States shall provide the Commission with such information as it may request on the implementation of this Regulation. In submitting a request for information, the Commission shall specify the time limit within which the information is to be supplied.

2. If the Commission considers that irregularities have occurred in the implementation of this Regulation, it shall inform the Member State or States concerned, which shall then conduct an administrative inquiry in which Commission officials may participate. The Member State or States concerned shall inform the Commission of the progress and results of the inquiry.

3. To ensure that Member States comply with this Regulation, the Commission may verify on the spot the implementation thereof, in liaison with the competent national departments.

4. (a) To that end, officials authorized by the Commission shall be entitled to be present, as deemed necessary by the Commission, at inspections carried out by national departments. The Commission shall establish appropriate contacts with Member States with a view, wherever possible, to establishing a mutually acceptable programme of inspection. Member States shall cooperate with the Commission in its fulfilment of this task. However, where inspection at sea or from the air is concerned, in duly substantiated cases where the relevant national departments must carry out other priority tasks relating to, in particular, defence, security or customs inspection, the authorities of the Member State shall retain the right to defer or redirect inspection operations at which the Commission intends to be present; in such circumstances the Member State shall cooperate with the Commission in making alternative arrangements.

(b) In the case of inspections at sea or from the air the commander of the vessel or aircraft shall be in sole charge of the operations, taking account of the obligation on the part of his authorities to implement this Regulation. Commission officials participating in such operations shall abide by the rules and practices laid down by the commander.

(c) In all case, whether at sea, in the air or on land, Commission officials shall not have rights of enforcement against private citizens, but shall accompany national inspectors who shall remain at all times responsible for the operations which are carried out.

Article 13

The detailed rules for implementing Articles 3 to 10 of this Regulation shall be adopted in accordance with the procedure laid down in Article 33 of Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾.

Article 14

This Regulation shall apply without prejudice to any national control measures which go beyond any of its minimum requirements, provided that they comply with Community law and are in conformity with the common fisheries policy.

The national measures referred to in the first paragraph shall be communicated to the Commission in accordance with Article 2 (2) of Council Regulation (EEC) No 101/76 of 19 January 1976 laying down a common structural policy for the fishing industry ⁽²⁾.

Article 15

Council Regulation (EEC) No 753/80 of 26 March 1980 laying down detailed rules for the recording and transmission of information concerning catches taken by fishing vessels of the Member States ⁽³⁾ is hereby repealed.

Article 16

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

It shall apply from the date of application of a Regulation to be adopted by the Council concerning, for certain stocks or groups of stocks of fishes existing in the Community fisheries zone, the fixing for 1982 of the total allowable catch (TAC) for 1982 and the part of such catch available to the Community, the division of such part between the Member States and the conditions governing fishing for the TAC, or not later than 1 January 1983.

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 20, 28. 1. 1976, p. 19.

⁽³⁾ OJ No L 84, 28. 3. 1980, p. 33.

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

Done at Brussels, 29 June 1982.

For the Council

The President

P. de KEERSMAEKER

ANNEX

Conditions referred to in Article 11 (2)

- (a) Nets, weights and similar gear shall be disconnected from their trawl boards and towing and hauling wires or ropes.
 - (b) Nets which are on or above deck shall be securely lashed to some part of the superstructure.
-

COMMISSION REGULATION (EEC) No 2058/82

of 28 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
27 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 29 July 1982.

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

Done at Brussels, 28 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 28 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	108.04
10.01 B II	Durum wheat	151.89 ⁽¹⁾ ⁽²⁾
10.02	Rye	72.86 ⁽⁶⁾
10.03	Barley	103.29
10.04	Oats	68.72
10.05 B	Maize, other than hybrid maize for sowing	101.88 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	71.72 ⁽⁴⁾
10.07 C	Grain sorghum	100.57 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	166.68
11.01 B	Rye flour	117.44
11.02 A I a)	Durum wheat groats and meal	249.13
11.02 A I b)	Common wheat groats and meal	177.31

⁽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 2059/82

of 28 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 organ-
ization 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 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
27 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 29 July 1982.

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

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSAGER

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 28 July 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 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	0	0	3.61
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 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 2060/82
of 28 July 1982
fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by the Act of
Accession of Greece ⁽²⁾, and in particular Article 11 (2)
thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2526/81 ⁽³⁾, as last
amended by Regulation (EEC) No 1989/82 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2526/81 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 the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 July 1982.

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

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 248, 1. 9. 1981, p. 5.

⁽⁴⁾ OJ No L 215, 23. 7. 1982, p. 15.

ANNEX

to the Commission Regulation of 28 July 1982 fixing the import levies on rice and broken rice

(ECU / tonne)			
CCT heading No	Description	Third countries ⁽¹⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	125.74	59.27
	2. Long grain	171.02	81.91
	b) Husked rice :		
	1. Round grain	157.17	74.98
	2. Long grain	213.78	103.29
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	232.06	104.10
	2. Long grain	389.19	182.71
	b) Wholly milled rice :		
	1. Round grain	247.15	111.22
	2. Long grain	417.21	196.25
	III. Broken rice	39.75	16.87

⁽¹⁾ Subject to the application of the provisions of Article 10 of Regulation (EEC) No 435/80.

⁽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⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 2061/82
of 28 July 1982
fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by the Act of
Accession of Greece ⁽²⁾, and in particular Article 13 (6)
thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2527/81 ⁽³⁾, as last amended by Regulation (EEC)
No 1990/82 ⁽⁴⁾;

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 July 1982.

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

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 248, 1. 9. 1981, p. 8.

⁽⁴⁾ OJ No L 215, 23. 7. 1982, p. 17.

ANNEX

to the Commission Regulation of 28 July 1982 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 7	1st period 8	2nd period 9	3rd period 10
ex 10.06	Rice :				
	B. Other				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 2062/82
of 27 July 1982
establishing unit values for the determination of the customs value of certain
perishable goods

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Commission Regulation (EEC) No
1577/81 of 12 June 1981 establishing a system of
simplified procedures for the determination of the
customs value of certain perishable goods ⁽¹⁾, as
amended by Regulation (EEC) No 3523/81 ⁽²⁾, and in
particular Article 1 thereof,

Whereas Article 1 of that Regulation provides that the
Commission shall periodically establish unit values for
the products referred to in the classification in the
Annex ;

Whereas the result of applying the rules and criteria
laid down in Regulation (EEC) No 1577/81 to the

elements communicated to the Commission in accor-
dance with Article 1 (2) of that Regulation is that the
unit values set out in the Annex to this Regulation
should be established in regard to the products in
question,

HAS ADOPTED THIS REGULATION :

Article 1

The unit values provided for in Article 1 (1) of Regula-
tion (EEC) No 1577/81 are hereby established as set
out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 July 1982.

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

Done at Brussels, 27 July 1982.

For the Commission
Karl-Heinz NARJES
Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 355, 10. 12. 1981, p. 26.

ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net							
				Bfrs/Lfrs	Dkr	DM	FF	£ Irl	Lit	Fl	£
1.1	07.01-13 07.01-15	07.01 A II	New potatoes	1 392	252·11	72·92	202·61	21·15	40 794	80·43	16·98
1.2	07.01-31 07.01-33	07.01 D I	Cabbage lettuce	1 493	269·98	78·22	216·75	22·73	44 009	86·34	18·25
1.3	07.01-45 07.01-47	07.01 F II	Beans of the species Phaseolus	4 570	826·54	239·48	663·56	69·59	134 731	264·32	55·87
1.4	ex 07.01-54	ex 07.01 G II	Carrots	473	85·66	24·78	68·85	7·18	13 862	27·33	5·77
1.5	ex 07.01-59	ex 07.01 G IV	Radishes	5 680	1 027·18	297·62	824·63	86·49	167 437	328·48	69·43
1.6	07.01-63	ex 07.01 H	Onions (other than sets)	296	53·81	15·50	43·12	4·50	8 709	17·14	3·66
1.7	07.01-67	ex 07.01 H	Garlic	9 310	1 690·57	487·05	1 354·67	141·65	273 622	538·69	115·22
1.8	07.01-71	07.01 K	Asparagus	30 217	5 471·72	1 582·77	4 397·52	459·12	885 368	1 745·67	368·53
1.9	07.01-73	07.01 L	Artichokes	4 078	737·57	213·71	592·13	62·10	120 229	235·87	49·85
1.10	07.01-75 07.01-77	07.01 M	Tomatoes	1 073	194·86	56·14	156·14	16·32	31 539	62·09	13·28
1.11	07.01-81 07.01-82	07.01 P I	Cucumbers	491	89·30	25·73	71·56	7·48	14 454	28·45	6·08
1.12	07.01-93	07.01 S	Sweet peppers	2 414	438·37	126·29	351·27	36·73	70 951	139·68	29·87
1.13	07.01-94	ex 07.01 T	Aubergines (Solanum melongena L.)	942	171·23	49·33	137·20	14·34	27 714	54·56	11·67
1.14	07.01-96	ex 07.01 T	Vegetable marrows (including courgettes. (Cucurbita pepo L. var. medullosa Alef.)	2 072	374·83	108·60	300·92	31·56	61 101	119·87	25·33
1.15	ex 07.01-99	ex 07.01 T	Celery stalks and leaves	937	169·52	49·12	136·09	14·27	27 634	54·21	11·46
2.1	08.01-31	ex 08.01 B	Bananas, fresh	1 741	316·23	91·10	253·39	26·49	51 182	100·76	21·55
2.2	ex 08.01-50	ex 08.01 C	Pineapples, fresh	3 056	552·66	160·13	443·68	46·53	90 087	176·73	37·35
2.3	ex 08.01-60	ex 08.01 D	Avocados, fresh	8 655	1 571·76	452·82	1 259·47	131·69	254 392	500·83	107·12
2.4	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	9 338	1 695·71	488·53	1 358·79	142·08	274 454	540·33	115·57
2.5		08.02 A I	Sweet oranges, fresh :								
2.5.1	08.02-02 08.02-06 08.02-12 08.02-16		— Sanguines and semi-sanguines	2 294	414·85	120·20	333·05	34·93	67 623	132·66	28·04
2.5.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	2 341	425·19	122·49	340·71	35·62	68 818	135·48	28·98
2.5.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	1 908	346·60	99·85	277·73	29·04	56 098	110·44	23·62
2.6		ex 08.02 B	Mandarins including tangerines and satsumas, fresh ; clementines, wilkings and other similar citrus hybrids, fresh :								
2.6.1	08.02-29		— Monreales and Satsumas	1 193	215·73	62·50	173·19	18·16	35 166	68·99	14·58
2.6.2	08.02-31		— Mandarins and Wilkings	1 839	333·03	96·33	267·65	27·94	53 887	106·25	22·43
2.6.3	08.02-32		— Clementines	1 085	196·26	56·86	157·56	16·52	31 993	62·76	13·26
2.6.4	08.02-34 08.02-37		— Tangerines and others	2 919	530·11	152·72	424·78	44·41	85 799	168·91	36·13

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net							
				Bfrs/Lfrs	Dkr	DM	FF	£ Irl	Lit	Fl	£
2.7	ex 08.02-50	ex 08.02 C	Lemons, fresh	1 384	251.33	72.41	201.39	21.05	40 679	80.08	17.13
2.8		ex 08.02 D	Grapefruit, fresh :								
2.8.1	ex 08.02-70		— white	2 323	421.84	121.53	338.03	35.34	68 276	134.42	28.75
2.8.2	ex 08.02-70		— pink	2 295	416.78	120.07	333.97	34.92	67 456	132.80	28.40
2.9	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	5 273	957.60	275.88	767.34	80.23	154 990	305.13	65.26
2.10	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	3 258	591.78	170.49	474.20	49.58	95 781	188.56	40.33
2.11	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	2 423	440.05	126.78	352.62	36.87	71 224	140.22	29.99
2.12	08.07-10	08.07 A	Apricots	2 639	479.23	138.06	384.01	40.15	77 564	152.70	32.66
2.13	ex 08.07-32	ex 08.07 B	Peaches	3 840	697.29	200.88	558.74	58.42	112 858	222.19	47.52
2.14	ex 08.07-32	ex 08.07 B	Nectarines	3 815	692.79	199.59	555.14	58.04	112 130	220.75	47.21
2.15	08.07-51 08.07-55	08.07 C	Cherries	4 191	758.00	219.63	608.53	63.82	123 559	242.40	51.24
2.16	08.07-71 08.07-75	08.07 D	Plums	2 350	426.74	122.94	341.95	35.75	69 069	135.98	29.08
2.17	08.08-11 08.08-15	08.08 A	Strawberries	2 790	504.64	146.21	405.13	42.49	82 260	161.38	34.11
2.18	08.09-11	ex 08.09	Water melons	964	175.05	50.43	140.26	14.66	28 332	55.77	11.93
2.19	08.09-19	ex 08.09	Melons (other than water melons)	2 500	454.02	130.80	363.81	38.04	73 484	144.67	30.94
2.20	ex 08.09-90	ex 08.09	Kiwis	16 648	3 023.16	870.96	2 422.48	253.30	489 303	963.31	206.05

COMMISSION REGULATION (EEC) No 2063/82**of 28 July 1982****abolishing the countervailing charge on aubergines 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 1738/82⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Commission Regulation (EEC) No 1792/82
of 6 July 1982⁽³⁾, as amended by Regulation (EEC) No
1967/82⁽⁴⁾, introduced a countervailing charge on
aubergines originating in Spain;

Whereas for this product originating in Spain there
were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of
Regulation (EEC) No 1035/72 are therefore fulfilled
and the countervailing charge on imports of auber-
gines originating in Spain can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1792/82 is hereby repealed.

Article 2

This Regulation shall enter into force on 29 July 1982.

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

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 190, 1. 7. 1982, p. 7.

⁽³⁾ OJ No L 199, 7. 7. 1982, p. 14.

⁽⁴⁾ OJ No L 212, 21. 7. 1982, p. 55.

COMMISSION REGULATION (EEC) No 2064/82
of 28 July 1982
amending Regulation (EEC) No 1204/72 on detailed rules for the application of
the subsidy system for oilseeds

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and fats ⁽¹⁾,
as last amended by Regulation (EEC) No 1413/82 ⁽²⁾,

Whereas Council Regulation (EEC) No 851/78 of 24
April 1978 amending Regulation (EEC) No 2114/71
on the subsidy for oilseeds ⁽³⁾ limited the subsidy for
colza and rape seed to seeds with an erucic acid
content not exceeding a determined percentage,
except for colza seeds with a high erucic acid content
to be used for non-food purposes; whereas subse-
quently to this amendment Commission Regulation
(EEC) No 2980/78 ⁽⁴⁾ amended Commission Regula-
tion (EEC) No 1204/72 of 7 June 1972 laying down
detailed rules for the application of the subsidy system
for oilseeds ⁽⁵⁾; whereas since the period of application
of Regulation (EEC) No 851/78 has expired it is neces-
sary to repeal Regulation (EEC) No 2980/78 and in
consequence to restore application of the old formula-
tion of the relevant Articles of Regulation (EEC) No
1204/72 with certain necessary changes;

Whereas Article 10 (1) of Regulation (EEC) No
1204/72 laid down that, except in cases of *force
majeure*, the ID part of the certificate is to make it
obligatory to process the identified quantity within a
period of 270 days from the day of issue; whereas
Commission Regulation (EEC) No 3699/81 ⁽⁶⁾ dero-
gated from this provision by reducing the time limit to
60 days for the first half of 1982; whereas the expe-
rience acquired during this period indicates that the
time limit should be set permanently at 150 days;

Whereas under Article 9 of Council Regulation (EEC)
No 2114/71 ⁽⁷⁾ a control system is to be applied to all
imported seeds and mixtures of seeds; whereas under

Article 27 of Regulation (EEC) No 1204/72 denatured
seeds and mixtures of seeds and also seeds recognized
as seeds for sowing are excluded from control;
whereas because of their oil content, white striated
sunflower seeds should also be excluded from the
control system mentioned in the said Article 9 on
condition that they are put up in bags of a certain
maximum content;

Whereas the said Article 9 states that a security may
be required for seeds and mixtures of seeds brought
under control; whereas, in the interests of uniformity
of Community law, the rules on forfeiture of all or part
of the security should be adapted;

Whereas Article 28 (1) of Regulation (EEC) No
1204/72 fixed the amount of the security referred to in
Article 9 (2) of Regulation (EEC) No 2114/71; whereas
having regard to the trend of prices on the world
market and to the level of aid fixed in recent months,
it is necessary to increase the amount of the security;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1204/72 is amended as follows:

1. Article 2 is replaced by the following:

'Article 2

For the purposes of this Regulation "oil mill"
means:

- (a) any building or other place within the
precincts of an establishment which produces
oil; and
- (b) if the seeds cannot be stored within these
precincts, any building situated outside them
in which the seeds can be properly stored
under control and which has been approved in
advance by the authority responsible for that
control.'

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

⁽²⁾ OJ No L 162, 12. 6. 1982, p. 6.

⁽³⁾ OJ No L 116, 28. 4. 1978, p. 4.

⁽⁴⁾ OJ No L 335, 19. 12. 1978, p. 17.

⁽⁵⁾ OJ No L 133, 10. 6. 1972, p. 1.

⁽⁶⁾ OJ No L 369, 24. 12. 1981, p. 32.

⁽⁷⁾ OJ No L 222, 2. 10. 1971, p. 2.

2. Article 3 (3) is replaced by the following :

'3. For the purposes of control separate stock records shall be kept at the oil mill, for seeds harvested in the Community and for imported seeds, which must show :

- quantities entering the mill, specifying net weight as received and oil, moisture and impurity content,
- movements of seeds between the buildings and places mentioned in Article 2 (a) and those mentioned in Article 2 (b),
- quantities of seeds processed and quantities of oil and oilcake obtained from these seeds.'

3. Article 6 (1) is replaced by the following :

'1. Application may be made for the ID part of the certificate for a single lot or for several lots. In no case may an application be made for the ID part of the certificate in respect of a lot for which an ID part has already been issued.

"Lot" shall be understood to mean a quantity of seeds determined by the interested party, given a number by him when it enters the oil mill and analyzed pursuant to Article 33.'

4. The first subparagraph of Article 10 (1) is replaced by the following :

'Except in cases of *force majeure* the ID part of the certificate carries with it the obligation to process the quantity identified therein within 150 days of the date of its issue.'

5. In Article 21 (1) the amount '4.8 ECU' is replaced by '6 ECU'.

6. Article 25 is replaced by the following :

'Article 25

1. The subsidy shall be granted only for seeds of sound and fair merchantable quality and, as far as sunflower seeds are concerned, for seeds with less than 1 % white and striped seed.

2. The subsidy shall be paid on presentation of the ID part of the certificate and after certification by the authority responsible for control, that the seed identified in the certificate has been processed within the period mentioned in Article 10 (1).

3. The subsidy shall be paid within 120 days of the certification referred to in paragraph 2.'

7. Article 27 (1) is replaced by the following :

'1. In accordance with Article 9 of Regulation (EEC) No 2114/71, a system of customs control or

of administrative control offering equivalent guarantees shall be applied at the time of import to all seeds or mixtures of seeds referred to in that Article except for :

- seeds and mixtures of seeds recognized as seeds for sowing under the legislation of the importing Member State,
- colza and rape seed and mixtures containing such seed that have been denatured as indicated in Regulation (EEC) No 190/68,
- white and striped sunflower seeds in bags with a maximum content of 100 kg. These seeds may contain up to 10 % of black sunflower seeds.

Securities shall be lodged for seeds brought under control.'

8. Article 28 (1) is amended as follows :

- in the first indent '22 ECU' is replaced by '25 ECU',
- in the second indent '23 ECU' is replaced by '28 ECU'.

9. Article 29 (2) is replaced by the following :

'2. If the time limits mentioned in paragraph 1 are not met, the security shall be forfeit.

However, if the proof referred to in paragraph 1 is presented not later than nine months after the expiry of the period mentioned in that paragraph, the security shall be reimbursed less 10 % thereof for each month or part of a month by which presentation of the said proof is late.'

10. Article 33 is replaced by the following :

'Article 33

The drawing of samples, the reduction of samples to samples for analysis and the determination of oil, impurity and moisture content shall be carried out by the uniform Community methods set out in Annexes I to IV of Regulation (EEC) No 1470/78.'

Article 2

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

Article 1 (1), (2), (3), (6) and (10) shall apply with effect from 1 July 1982.

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

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2065/82

of 28 July 1982

determining actual production of unginned cotton for the 1981/82 marketing year and fixing the percentage of the aid to be paid by Member States 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 the Act of Accession of Greece, and in particular Protocol 4 on cotton,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽¹⁾, as amended by Regulation (EEC) No 1982/82⁽²⁾, and in particular Articles 7 and 8 thereof,

Whereas Article 7 of Regulation (EEC) No 2169/81 states that actual production for each marketing year shall be determined every year, account being taken in particular of the quantities for which aid has been requested; whereas application of this criterion gives the figure for actual production in the 1981/82 marketing year indicated below;

Whereas Article 8 of Regulation (EEC) No 2169/81 provides that the percentage of the aid to be paid by Member States after ginning of the cotton pending determination of the quantity actually produced shall be laid down for each marketing year taking into account crop estimates; whereas those estimates for the marketing year concerned indicate that the percentage should be fixed at the level shown below;

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

HAS ADOPTED THIS REGULATION:

Article 1

Actual Community production of unginned cotton is hereby determined at 374 200 tonnes for the 1981/82 marketing year.

Article 2

The percentage of the aid for the 1982/83 marketing year to be paid by the Member States after ginning of the cotton has been carried out and pending determination of the actual quantity produced is hereby fixed at 100.

Article 3

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

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

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 215, 23. 7. 1982, p. 5.

COMMISSION REGULATION (EEC) No 2066/82
of 28 July 1982
amending Regulation (EEC) No 2183/81 laying down rules implementing the
system of aid for cotton

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Greece, and
in particular Protocol 4 on cotton,

Having regard to Council Regulation (EEC) No
2169/81 of 27 July 1981 laying down the general rules
for the system of aid for cotton ⁽¹⁾, as last amended by
Regulation (EEC) No 1982/82 ⁽²⁾, and in particular
Article 11 thereof,

Whereas Article 1 (2) of Commission Regulation
(EEC) No 2183/81 ⁽³⁾ gives a figure for ginning costs
and Article 2 (2) (e) gives the cost of unloading and
forwarding ginned cotton at Piraeus; whereas since
these costs have increased in the meantime the
amounts given in the Regulation should be adjusted;

Whereas Article 7 of Regulation (EEC) No 2183/81
states that all cotton growers shall lodge a declaration
of areas sown not later than 15 June; whereas the
sowing period does not allow this deadline to be
respected every year; whereas it should therefore be
deferred to 1 July; whereas in Italy administrative
difficulties make it impossible to comply with this
time limit in respect of the 1982/83 marketing year;
whereas the date in question for that year should
therefore be deferred in this Member State until 31
July 1982;

Whereas in Annex B of Regulation (EEC) No 2183/81
coefficients are given at point 3 to be used when the
cotton brought under supervised storage differs from
the standard quality; whereas these coefficients should
be adjusted in line with price differences recorded in
Greece for the different qualities of cotton;

Whereas drafting errors were made in Article 8 (7) and
in the first paragraph of Article 9 of Regulation (EEC)
No 2183/81 and these should be corrected;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2183/81 is hereby amended as
follows:

1. In Article 1 (2) '11.3' is replaced by '12.5.
2. In Article 2 (2) (e) '0.9' is replaced by '1'.
3. Article 7 is hereby replaced by the following:

'All cotton growers shall send an annual declaration
of the areas sown before a date fixed by the
Member State concerned and, except in cases of
force majeure, not later than 1 July.

However, for the 1982/83 marketing year in Italy,
the expiry date mentioned above shall be 31 July.'

4. In the first subparagraph of Article 8 (7) the words
'provided for in Article 15' are replaced by
'provided for in Article 8 (1) of Regulation (EEC)
No 2169/81'.
5. In the first paragraph of Article 9 the words 'Article
8 (6)' are replaced by 'Article 8 (8)'.
6. In Annex B point 3 is replaced by the following:

'3. Coefficients applicable to the difference in grade
of the ginned cotton obtained in relation to the
standard quality.

Grade	Percentage of price to be added	Percentage of price to be subtracted
3 and 3.5	7.5	
4	4.5	
4.5	2	
5	—	
5.5		2
6		5
6.5		9
7		14

Should the quality of the cotton be lower than
grade 7 the price of the unginned cotton shall be
determined by mutual agreement between the
contracting parties.'

Article 2

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

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 215, 23. 7. 1982, p. 5.

⁽³⁾ OJ No L 211, 31. 7. 1981, p. 35.

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

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2067/82

of 28 July 1982

re-establishing the levying of customs duties on babies' under garments of knitted or crocheted fabrics, not elastic or rubberized, products of category 68 (0680) and originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3602/81 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3602/81 of 7 December 1981 applying generalized tariff preferences for 1982 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated in column 6 of Annex B, for each of the beneficiaries indicated in column 5 of the same Annex;

Whereas Article 3 (1) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, once the relevant Community ceiling has been reached;

Whereas, in respect of babies' under garments of knitted or crocheted fabrics, not elastic or rubberized, or products of category 68 the ceiling should be 2 040 tonnes; whereas on 19 July 1982 the amount of imports into the Community of babies' under garments of knitted or crocheted fabrics, not elastic or rubberized, of products of category 68, originating in South Korea, a country covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 3602/81 which provides that ceiling should not be exceeded, customs duties should be re-established in respect of the products in question in relation to South Korea,

HAS ADOPTED THIS REGULATION:

Article 1

As from 1 August 1982, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3602/81 shall be re-established in respect of the following products, imported into the Community and originating in South Korea:

Code	Category	CCT heading No	NIMEXE code 1982	Description
	(1)	(2)	(3)	(4)
0680	68	ex 60.04 A	60.04-02; 03; 04; 06; 07; 08; 10; 11; 12; 14	Under garments, knitted or crocheted, not elastic or rubberized: A. Babies' garments, girls' garments up to and including commercial size 86: Babies' under garments of knitted or crocheted fabrics, not elastic or rubberized

Article 2

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

⁽¹⁾ OJ No L 365, 21. 12. 1981, p. 90.

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

Done at Brussels, 28 July 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

COMMISSION REGULATION (EEC) No 2068/82
of 28 July 1982

re-establishing the levying of customs duties on elastic fabrics and trimmings (other than knitted or crocheted goods), products of category 105 (1050) and originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3602/81 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3602/81 of 7 December 1981 applying generalized tariff preferences for 1982 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated in column 6 of Annex B, for each of the beneficiaries indicated in column 5 of the same Annex;

Whereas Article 3 (1) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, once the relevant Community ceiling has been reached;

Whereas, in respect of elastic fabrics and trimmings (other than knitted or crocheted goods) of products of category 105 the ceiling should be 2 040 tonnes; whereas on 19 July 1982 the amount of imports into the Community of elastic fabrics and trimmings (other than knitted or crocheted goods) of products of category 105, originating in China, a country covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 3602/81 which provides that ceiling should not be exceeded, customs duties should be re-established in respect of the products in question in relation to China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 1 August 1982, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3602/81 shall be re-established in respect of the following products, imported into the Community and originating in China:

Code	Category	CCT heading No	NIMEXE code 1982	Description
	(1)	(2)	(3)	(4)
1050	105	59.13	59.13-01; 11; 13; 15; 19; 32; 34; 35; 39	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads

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, 28 July 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 365, 21. 12. 1981, p. 90.

COMMISSION REGULATION (EEC) No 2069/82
of 28 July 1982
making the importation of certain textile products originating in Turkey subject
to quantitative limitation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1842/71 of 21 June 1971 ⁽¹⁾, and in particular Article 1 thereof,

After consultation within the Advisory Committee established by Article 3 of that Regulation,

Whereas imports of textile products on the Community market have during recent years given rise to market disturbance and are causing serious damage to Community producers resulting in the closure of factories and considerable loss of employment;

Whereas, in consequence of this situation, imports of certain textile products originating in the majority of low-cost supplier countries are at present subject to a Community system of authorization and quantitative limitation;

Whereas imports into the Community of T-shirts originating in Turkey in the first four months of 1982 have already reached 93 % of imports in 1981, which represents an increase of 103 % compared with the same period in 1981;

Whereas the extremely rapid increase in recent months of imports into the Community of T-shirts

originating in Turkey have helped to exacerbate the cumulative disturbance of that market;

Whereas the volume of this increase makes it necessary to take immediate action aimed at avoiding irreparable damage to Community producers; whereas it therefore justifies the adoption, pursuant to Article 60 of the Additional Protocol to the Association Agreement between the European Economic Community and Turkey, of the protective measures needed to overcome these difficulties,

HAS ADOPTED THIS REGULATION:

Article 1

1. The importation into the Community of the category 4 textile products listed in the Annex, originating in Turkey, shall be suspended until 15 October 1982.
2. The provisions of the preceding paragraph shall not apply to products which have been placed on board and are in the course of shipment to the Community before the entry into force of this Regulation.

Article 2

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

It shall be applicable until 15 October 1982.

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

Done at Brussels, 28 July 1982.

For the Commission

Wilhelm HAERKAMP

Vice-President

⁽¹⁾ OJ No L 192, 26. 8. 1971, p. 14.

ANNEX

Category	CCT heading No	NIMEXE code (1982)	Description	Third countries
4	60.04 B I II a) b) c) IV b) 1 aa) dd) 2 ee) d) 1 aa) dd) 2 dd)	60.04-19; 20; 22; 23; 24; 26; 41; 50; 58; 71; 79; 89	Under garments, knitted or crocheted, not elastic or rubberized: Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers, of regenerated textile fibres, other than babies' garments	Turkey

COMMISSION REGULATION (EEC) No 2070/82
of 28 July 1982
fixing the export refunds on fruit and vegetables

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 1738/82⁽²⁾, and in particular Article 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, apples and peaches of the common quality standards 'Extra' Class, Class I and Class II, 'Extra' Class and Class I hothouse grapes and open ground grapes, shelled almonds and hazelnuts, and unshelled walnuts and hazelnuts may at present be exported in economically significant quantities;

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 on account of the different production prices for peaches in Greece and in the other Member States, this difference should be reflected, pursuant to the provisions of Regulation (EEC) No 10/81⁽⁵⁾, when calculating export refunds for this product; whereas application of the above criteria results in fixing the refund applicable in Greece at zero;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas the obligations under Article 10 (1) (b) of Commission Regulation (EEC) No 2730/79 of 29 November 1979 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁶⁾, as last amended by Regulation (EEC) No 3476/80⁽⁷⁾, may be relaxed in the case of exports to non-member countries outside Europe; whereas, in such a case, Article 23 (1) (c) of Regulation (EEC) No 2730/79 may be applied;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 190, 1. 7. 1982, p. 7.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 1, 1. 1. 1981, p. 17.

⁽⁶⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁷⁾ OJ No L 363, 31. 12. 1980, p. 71.

HAS ADOPTED THIS REGULATION :

Article 1

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.

2. The provisions of Articles 10 (1) (b) and 23 (1) (c) of Commission Regulation (EEC) No 2730/79 shall apply to exports of lemons, walnuts in shell, shelled almonds, hazelnuts, and apples as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 July 1982.

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

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 28 July 1982 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)		
CCT heading No	Description	Refund
ex 07.01 M	Tomatoes ('Extra' Class, Class I and Class II)	4.50
ex 08.02 C	Fresh lemons ('Extra' Class, Class I and Class II)	
	For export to :	
	— Countries or States with a planned economy in central or eastern Europe	6.04
	— Other destinations	4.23
ex 08.04 A I	Table grapes :	
	— Fresh, open ground ('Extra' Class and Class I)	4.84
	— Fresh, hothouse ('Extra' Class and Class I)	19.34
ex 08.05 A II	Shelled almonds, other than bitter almonds	20.00
ex 08.05 B	Unshelled walnuts	14.00
ex 08.05 G	Unshelled hazelnuts (31 August 1982 at the latest)	15.00
ex 08.05 G	Shelled hazelnuts	30.00
ex 08.06 A II	Apples ('Extra' Class, Class I and Class II) other than cider apples	
	For export to :	
	— Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comoros, Mauritius, Sudan, Ethiopia, Jibuti, the countries of the Arabian peninsula ⁽¹⁾ , Iran and Iraq	12.00
	— Indonesia, Malaysia, Singapore and Hong Kong	12.00
	— Countries and territories of Africa other than those mentioned above and South Africa, Syria, Jordan, countries with a planned economy in central and eastern Europe, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Iceland, Finland, Norway, Sweden, Austria and the Faroe Islands	3.63
ex 08.07 B	Peaches (other than nectarines) in categories Extra, I and II for export to all destinations other than Switzerland and Austria	
	— Originating in Greece	0.00
	— Originating in other Member States	5.00

(¹) For the purpose of this Regulation the 'countries of the Arabian peninsula' are considered to be the following, including the territories attached thereto : Saudi Arabia, Bahrain, Qatar, Kuwait, the Sultanate of Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras Al Khaimah), Yemen Arab Republic (North Yemen) and the People's Democratic Republic of Yemen (South Yemen).

**COMMISSION REGULATION (EEC) No 2071/82
of 28 July 1982**

**fixing the maximum export refund for the 20th partial invitation to tender for
white sugar issued within the framework of the supplementary standing
invitation to tender provided for in Regulation (EEC) No 2042/81**

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
the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 2042/81
of 16 July 1981 on a supplementary standing invita-
tion to tender in order to determine levies and/or
refunds on exports of white sugar⁽³⁾, as amended by
Regulation (EEC) No 1496/82⁽⁴⁾, requires partial invi-
tations to tender to be issued for the export of this
sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC)
No 2042/81, a maximum export refund shall be fixed,
as the case may be, account being taken in particular
of the state and foreseeable development of the
Community and world markets in sugar, for the partial
invitation to tender in question;

Whereas, following an examination of the tenders
submitted in response to the 20th partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

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 maximum export refund for the 20th partial
invitation to tender for white sugar issued under Regu-
lation (EEC) No 2042/81 is hereby fixed at 35.669
ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 29 July 1982.

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

Done at Brussels, 28 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 200, 21. 7. 1981, p. 27.

⁽⁴⁾ OJ No L 161, 12. 6. 1982, p. 5.

COMMISSION REGULATION (EEC) No 2072/82**of 28 July 1982****fixing the maximum export refund for raw sugar for the 46th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 2235/81**

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas 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⁽³⁾, as last amended by Regulation (EEC) No 1840/82⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2235/81, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 46th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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 maximum export refund for the 46th partial invitation to tender for raw sugar issued under Regulation (EEC) No 2235/81 is hereby fixed at 32.549 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 29 July 1982.

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

Done at Brussels, 28 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 218, 4. 8. 1981, p. 19.

⁽⁴⁾ OJ No L 202, 9. 7. 1982, p. 34.

COMMISSION REGULATION (EEC) No 2073/82

of 28 July 1982

fixing the maximum export refund for the first partial invitation to tender for white sugar issued within the framework of the principle standing invitation to tender provided for in Regulation (EEC) No 2014/82

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 2014/82 of 20 July 1982 on a principle standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾, in respect of the 1982/83 marketing year, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2014/82, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the first partial invitation to tender, the provisions set out in Article 1 should be adopted;

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 maximum export refund for the first partial invitation to tender for white sugar issued under Regulation (EEC) No 2014/82 is hereby fixed at 37.324 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 29 July 1982.

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

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSAER

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 216, 24. 7. 1982, p. 15.

COMMISSION REGULATION (EEC) No 2074/82
of 28 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 2034/82⁽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 29 July 1982.

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

Done at Brussels, 28 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 218, 27. 7. 1982, p. 21.

ANNEX

to the Commission Regulation of 28 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	39.67
	B. Raw sugar	36.11 ⁽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.

COUNCIL REGULATION (EEC) No 2075/82

of 28 July 1982

imposing a definitive 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 the USSR, and terminating the proceedings in respect of imports of the said products originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Poland and Romania

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3017/79 of 20 December 1979 on protection against
dumped or subsidized imports from countries not
members of the European Economic Community⁽¹⁾,
and in particular Articles 10 and 12 thereof,

Having regard to the proposal from the Commission,
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 stan-
dardized 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 those proceedings⁽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 proceedings
concerning imports of standardized multi-phase elec-
tric 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 neces-
sary 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)
Imex (Milan)
Elektropol Cantoni (Milan)
Mez Italiana (Milan)
Emac (Turin)
Cimme (Piacenza)
Stanko (Longjumeau)
Magra (Bagnole)
Sofbim (Argenteuil)
Sorice (Ivry s/Seine)
Sodimef (Strasbourg)
Sermes (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)

⁽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.

— Community producers :

Accec (Drogenbos)
 Leroy-Somer (Angoulême)
 Cem (Lyons)
 Ansaldo (Arzignano)
 Marelli (Milan)
 Asea (Odense)
 Bcpm (London)
 Newman Electric Motors (Bristol)

— and exporters :

Transelektro (Hungary)
 Electroexportimport (Romania)
 Zse (Czechoslovakia)
 AHB-Elektrotechnik Export-Import (German Democratic Republic)
 Elektrim (Poland)
 Electroimpex (Bulgaria);

Whereas, since the preliminary examination of the matter showed that there was dumping, that there was sufficient evidence of injury, and that the interests of the Community called for immediate intervention, the Commission by Regulation (EEC) No 724/82⁽¹⁾ repealed its 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 the products in question; whereas, by the same Regulation, it accepted the new undertaking given by the Hungarian exporter Transelektro and terminated the proceedings regarding imports originating in Hungary; whereas it finally imposed a provisional anti-dumping duty on imports of the products in question originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Poland, Romania and the USSR;

Whereas, in the course of subsequent examination of the matter, completed after the imposition of the provisional anti-dumping duty, the interested parties had the opportunity to make known their views in writing, to be heard by the Commission and to develop their views orally, to inspect non-confidential information relevant to the defence of their interests and to be informed of the principal facts and considerations on the basis of which it was intended to make a final determination; whereas a number of producers, importers and users availed themselves of these possibilities by making known their views in writing or orally;

Whereas several importers and exporters challenged the choice of the Brazilian market for the normal

value, as well as the data produced to evidence both the existence of injury and the causality;

Whereas, however, the information received in the course of its subsequent examination of the matter does not lead the Commission to modify the reasons for nor the results of its provisional determination, as set out in Regulation (EEC) No 724/82, either in respect of dumping or of injury;

Whereas, when confronted with the results of the investigation, the exporters AHB-Elektrotechnik Export-Import of the German Democratic Republic, ZSE of Czechoslovakia, Electroexportimport of Romania, Electroimpex of Bulgaria and Elektrim of Poland proposed new undertakings to increase their prices; whereas the Commission found that the terms of these undertakings and the proposed price levels are likely to eliminate the injurious effects of the imports originating in those countries;

Whereas, within the Committee provided for in Regulation (EEC) No 3017/79, objections were expressed in this regard by several Member States; whereas the Commission therefore presented to the Council a report on the results of the consultations and a proposal for the acceptance of the five undertakings and for the termination of the proceedings in respect of the imports concerned originating in the five countries in question; whereas this proposal is acceptable to the Council;

Whereas, moreover, in view of the scale of the margin of dumping and of the injury caused, the Community's interests require the definitive collection of the sums paid by way of the provisional anti-dumping duty and the imposition of a definitive anti-dumping duty on the imports concerned originating in the USSR;

Whereas the amount of the definitive anti-dumping duty should be the same as that of the provisional anti-dumping duty, that is it should 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, moreover, it is necessary to make specific provisions in the case of imports which are sold on a consignment basis where no mention is made on the invoice of the period allowed for payment; whereas such provisions should take account of the fact that the Commission found that on average a period of 180 days elapsed between importation and payment; whereas, therefore, in the event that the importer is unable to furnish proof of the period within which he must make the payment, a period of 180 days should be taken for the purposes of calculating the definitive anti-dumping duty;

⁽¹⁾ OJ No L 85, 31. 3. 1982, p. 9.

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,

HAS ADOPTED THIS REGULATION:

Article 1

The undertakings given by the exporters AHB Elektrotechnik Export-Import of the German Democratic Republic, ZSE of Czechoslovakia, Electroexportimport of Romania, Electroimpex of Bulgaria and Electrim of Poland are hereby accepted and the proceedings concerning imports originating in these countries shall be terminated.

Article 2

1. A definitive 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 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. (a) 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.
- (b) However in the case of imports which are sold on a consignment basis, the free-at-frontier price referred to in paragraph 2 shall be lowered by 6 %, unless the importer is able to furnish proof of the real period within which he may make payment.
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 provisions in force with regard to customs duties shall apply to this duty.

Article 3

The amounts secured by way of provisional anti-dumping duty in accordance with Regulation (EEC) No 724/82 shall be definitively collected.

Article 4

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

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

Done at Brussels, 28 July 1982.

For the Council

The President

O. MØLLER

ANNEX

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

The minimum import prices referred to in Article 2 (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 this table.

kW	hp	3 000 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

THE EUROPEAN COMMUNITY'S RESEARCH POLICY

**Science and research are foundation stones for long-term economic development.
The pace of progress depends on them as much today as in the past.**

It was therefore inevitable that from the outset the European Community would be involved in them. In the future much will depend on whether the European countries and the European Community show themselves capable of adopting a policy commensurate with the issues at stake.

What can and must the Community do to encourage research within its territory?

The Community has no intention of taking over from the industrial and government research effort in the Member States. However, it is in a position to carry out in its own research centres and with its own funds various specific projects that serve the common interests of the Community.

It can also provide financial support of up to 50 % of the cost for certain projects carried out by one or more Member States.

The Community also has a coordinating role. Its main aim is to facilitate discussion between those responsible for national research projects. These discussions can cover a wide variety of aims and achievements.

The Community is currently giving priority to the execution and promotion of research in several key areas. The first is the security of our supplies of raw materials (energy, food, other raw materials), followed by efforts to increase the competitiveness of industry, then the improvement of living and working conditions and finally the protection of our environment.

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