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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2236/82
of 11 August 1982
imposing a definitive anti-dumping duty on upright pianos originating in the
USSR

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⁾,
as amended by Regulation (EEC) No 1580/82⁽²⁾, and
in particular Article 12 thereof,

Having regard to the proposal submitted by the
Commission after consultation within the Advisory
Committee set up under Article 6 of Regulation (EEC)
No 3017/79,

Whereas the Commission, by Regulation (EEC) No
871/82⁽³⁾, imposed a provisional anti-dumping duty of
476 ECU per piano on upright pianos originating in
the USSR;

Whereas, following the imposition of the provisional
anti-dumping duty, the Commission received a written
submission from Razno & Company Limited, a
company whose interest in this case was previously
unknown to the Commission, stating that it was a past,
and potential future, importer of USSR pianos and
making known its views concerning the duty; whereas
Razno requested, and was granted, an opportunity to
be heard orally by the Commission; whereas the
Commission also received a written submission from
the plaintiff;

Whereas Razno also asked to be informed of certain
essential facts and considerations on the basis of which

it was intended to recommend definitive action;
whereas this request was granted;

Whereas, as regards the determination of the dumping
margin, Razno has submitted comments on both the
normal value and the export price;

Whereas Razno does not dispute the choice of Finland
as the basis for calculating the normal value of pianos
originating in the USSR; whereas, however, it
contends that such pianos are of considerably inferior
quality to Finnish pianos and that the allowance made
for this by the Commission in its preliminary determi-
nation of the dumping margin, on the basis of the
evidence then available to it, should be revised to take
account of new evidence from Razno included with
the information supplied by it to the Commissions;
whereas this new evidence covers, in particular, the
defective condition of pianos originating in the USSR
on arrival at the importers' premises and the cost to
the importers of making good the defects in question;
whereas the Commission has taken due account of this
new evidence and has revised its calculation of the
normal value accordingly;

Whereas Razno has produced evidence that the export
price of pianos originating in the USSR has risen twice
since September 1981, the latest period taken into
account by the Commission in its preliminary determi-
nation of the dumping margin; whereas the
Commission has accepted this evidence and has estab-
lished a revised export price;

Whereas a comparison between the most recent export
price and the revised normal value shows a dumping
margin of 284 ECU per piano, which is equivalent to
41.8 % of the free-at-Community-frontier price;

Whereas no fresh evidence regarding the injury to
Community industry has been submitted to the
Commission since the imposition of the provisional
duty;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No L 101, 16. 4. 1982, p. 30.

Whereas the Commission has, nevertheless, considered it appropriate to re-examine the situation as regards price undercutting, following the abovementioned export price increases; whereas despite the increase in the USSR export price, the import price into the Community of pianos originating in the USSR, free delivered distributor's warehouse and including duty is 48 % below the minimum price which a Community producer must charge to make a normal profit; whereas even allowing for the costs which the distributor has to incur in preparing such pianos for sale, the export price of the latter would need to be increased by a further 69 % to eliminate effective price undercutting;

Whereas, therefore, in the Commission's view, the facts as finally determined show that the injury caused by dumped imports of upright pianos originating in the USSR, irrespective of that caused by other factors, has to be considered as material;

Whereas the Council, by Regulation (EEC) No 596/82⁽¹⁾, introduced certain measures designed, in the interests of the Community, to reduce imports from the USSR; whereas, however, that Regulation applies until only 31 December 1982 and does not prevent the release for free circulation of products imported under contracts entered into before 17 March 1982; whereas the effect of Regulation (EEC) No 596/82 on the injury to Community industry caused by imports of dumped pianos originating in the USSR will thus be limited in both time and scope; whereas, moreover, there will be no direct effect on the level of the price undercutting which the present investigation has shown to exist; whereas, consequently the measures taken under Regulation (EEC) No 596/82 cannot be regarded as a substitute or palliative for definitive measures covering all imports of pianos originating in the USSR taken pursuant to Regulation (EEC) No 3017/79; whereas, finally, the purpose of Regulation (EEC) No 596/82 was to reduce imports from the USSR independently of the effect of other Community import measures; whereas this purpose would be defeated were allowance to be made

for the effect of Regulation (EEC) No 596/82 in the normal implementation of these other Community measures;

Whereas, in these circumstances, protection of the Community's interests calls for the imposition of a definitive anti-dumping duty on imports of upright pianos originating in the USSR;

Whereas, having regard to the extent of the damage caused by dumped imports and, in particular, the level of price undercutting, the amount of the definitive anti-dumping duty should be equal to the dumping margin definitively established,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on upright pianos falling within subheading 92.01 A I of the Common Customs Tariff (NIMEXE code 92.01-12) and originating in the USSR.
2. The definitive anti-dumping duty shall be 284 ECU per piano.
3. The provisions in force with regard to customs duties shall apply to the definitive anti-dumping duty.

Article 2

The sums secured by way of provisional anti-dumping duty under Regulation (EEC) No 871/82 shall be definitively collected up to an amount of 284 ECU per piano.

Article 3

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, 11 August 1982.

For the Council
The President
O. MØLLER

⁽¹⁾ OJ No L 72, 16. 3. 1982, p. 15.

COMMISSION REGULATION (EEC) No 2237/82**of 12 August 1982****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 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 agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2118/82⁽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 11 August 1982;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2118/82 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 13 August 1982.

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

Done at Brussels, 12 August 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 223, 31. 7. 1982, p. 44.

ANNEX

to the Commission Regulation of 12 August 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	111.04
10.01 B II	Durum wheat	157.31 ⁽¹⁾ ⁽²⁾
10.02	Rye	64.93 ⁽⁴⁾
10.03	Barley	97.20
10.04	Oats	58.03
10.05 B	Maize, other than hybrid maize for sowing	104.93 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	30.60 ⁽⁴⁾
10.07 C	Grain sorghum	99.77 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	168.45
11.01 B	Rye flour	103.92
11.02 A I a)	Durum wheat groats and meal	256.83
11.02 A I b)	Common wheat groats and meal	181.93

⁽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 2238/82**of 12 August 1982****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2119/82 ⁽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 11 August 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 13 August 1982.

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

Done at Brussels, 12 August 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 223, 31. 7. 1982, p. 47.

ANNEX

to the Commission Regulation of 12 August 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 8	1st period 9	2nd period 10	3rd period 11
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	3.21	3.21	2.14
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 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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 2239/82**of 12 August 1982****fixing minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1413/82⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 9 and 10 August 1982 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

⁽²⁾ OJ No L 162, 12. 6. 1982, p. 6.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 356, 11. 12. 1981, p. 13.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁸⁾ OJ No L 356, 11. 12. 1981, p. 14.

⁽⁹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹¹⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

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

Article 3

This Regulation shall enter into force on 13 August 1982.

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

Done at Brussels, 12 August 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CCT heading No	Non-member countries
15.07 A I a)	30.00 ⁽¹⁾
15.07 A I b)	30.00 ⁽¹⁾
15.07 A I c)	33.00 ⁽¹⁾
15.07 A II a)	37.00 ⁽²⁾
15.07 A II b)	56.00 ⁽²⁾

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

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

**COMMISSION REGULATION (EEC) No 2240/82
of 12 August 1982
fixing the import levies on milk and milk products**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1183/82 ⁽²⁾, and in particular
Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1769/82 ⁽³⁾, as last
amended by Regulation (EEC) No 2082/82 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1769/82 to the
prices known to the Commission that the levies at

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 16 August
1982.

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

Done at Brussels, 12 August 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 196, 5. 7. 1982, p. 16.

⁽⁴⁾ OJ No L 221, 30. 7. 1982, p. 9.

ANNEX

to the Commission Regulation of 12 August 1982 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	19.28
04.01 A I b)	0120	16.87
04.01 A II a) 1	0130	16.87
04.01 A II a) 2	0140	20.63
04.01 A II b) 1	0150	15.66
04.01 A II b) 2	0160	19.42
04.01 B I	0200	41.03
04.01 B II	0300	86.80
04.01 B III	0400	134.15
04.02 A I	0500	10.25
04.02 A II a) 1	0620	73.76
04.02 A II a) 2	0720	128.89
04.02 A II a) 3	0820	131.31
04.02 A II a) 4	0920	148.99
04.02 A II b) 1	1020	66.51
04.02 A II b) 2	1120	121.64
04.02 A II b) 3	1220	124.06
04.02 A II b) 4	1320	141.73
04.02 A III a) 1	1420	26.11
04.02 A III a) 2	1520	35.25
04.02 A III b) 1	1620	86.80
04.02 A III b) 2	1720	134.15
04.02 B I a)	1820	36.27
04.02 B I b) 1 aa)	2220	per kg 0.6651 (*)
04.02 B I b) 1 bb)	2320	per kg 1.2164 (*)
04.02 B I b) 1 cc)	2420	per kg 1.4174 (*)
04.02 B I b) 2 aa)	2520	per kg 0.6651 (*)
04.02 B I b) 2 bb)	2620	per kg 1.2164 (*)
04.02 B I b) 2 cc)	2720	per kg 1.4174 (*)
04.02 B II a)	2820	46.11
04.02 B II b) 1	2910	per kg 0.8680 (*)
04.02 B II b) 2	3010	per kg 1.3415 (*)
04.03 A	3110	157.82
04.03 B	3210	192.54
04.04 A	3300	176.06 (*)
04.04 B	3900	195.60 (?)
04.04 C	4000	136.17 (*)
04.04 D I a)	4410	136.27 (*)
04.04 D I b)	4510	137.19 (*)
04.04 D II	4610	233.91
04.04 E I a)	4710	195.60
04.04 E I b) 1	4800	186.12 ⁽¹⁰⁾

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

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	145.36 ⁽¹¹⁾
04.04 E I c) 1	5210	109.02
04.04 E I c) 2	5250	242.08
04.04 E II a)	5310	195.60
04.04 E II b)	5410	242.08
17.02 A II	5500	40.14 ⁽¹²⁾
21.07 F I	5600	40.14
23.07 B I a) 3	5700	52.30
23.07 B I a) 4	5800	67.60
23.07 B I b) 3	5900	63.78
23.07 B I c) 3	6000	53.66
23.07 B II	6100	67.60

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
 - (b) 7.25 ECU ; and
 - (c) 17.39 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ; and
 - (b) 17.39 ECU.
- (⁶) The levy is limited to :
- 18.13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9.07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36.27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy is limited to 12.09 ECU per 100 kg net weight :
- for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to :
- 77.70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101.88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65.61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania or Turkey and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Cyprus,
 - to 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria,
 - to 18.13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 12.09 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
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COMMISSION REGULATION (EEC) No 2241/82**of 12 August 1982****fixing the export refunds on milk and milk products**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1183/82 ⁽²⁾, and in particular
Article 17 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 17 of Regulation (EEC) No 804/68
provides that the difference between prices in inter-
national trade for the products listed in Article 1 of
that Regulation and prices for those products within
the Community may be covered by an export refund ;

Whereas Council Regulation (EEC) No 876/68 of 28
June 1968 laying down general rules for granting
export refunds on milk and milk products and criteria
for fixing the amount of such refunds ⁽³⁾, as amended
by Regulation (EEC) No 2429/72 ⁽⁴⁾, provides that
when the refunds on the products listed in Article 1 of
Regulation (EEC) No 804/68, exported in the natural
state, are being fixed account must be taken of :

- the existing situation and the future trend with
regard to prices and availabilities of milk and milk
products on the Community market and prices for
milk and milk products in international trade,
- marketing costs and the most favourable transport
charges from Community markets to ports or other
points of export in the Community, as well as costs
incurred in placing the goods on the market of the
country of destination,
- the aims of the common organization of the
market in milk and milk products which are to
ensure equilibrium and the natural development of
prices and trade on this market,

— the need to avoid disturbances on the Community
market, and

— the economic aspect of the proposed exports ;

Whereas Article 3 (1) of Regulation (EEC) No 876/68
provides that when prices within the Community are
being determined account should be taken of the
ruling prices which are most favourable for export-
ation, and that when prices in international trade are
being determined particular account should be taken
of :

- (a) prices ruling on third country markets ;
- (b) the most favourable prices in third countries of
destination for third country imports ;
- (c) producer prices recorded in exporting third coun-
tries, account being taken, where appropriate, of
subsidies granted by those countries ; and
- (d) free-at-Community-frontier offer prices ;

Whereas Article 4 of Regulation (EEC) No 876/68
provides that the world market situation or the specific
requirements of certain markets may make it necessary
to vary the refund on the products listed in Article 1
of Regulation (EEC) No 804/68 according to desti-
nation ;

Whereas Article 5 (1) of Regulation (EEC) No 876/68
provides that the list of products on which export
refunds are granted and the amount of such refunds
should be fixed at least once every four weeks ;
whereas the amount of the refund may, however,
remain at the same level for more than four weeks ;

Whereas Article 2 of Commission Regulation (EEC)
No 1098/68 of 27 July 1968 on detailed rules for the
application of export refunds on milk and milk
products ⁽⁵⁾, as last amended by Regulation (EEC) No
2283/81 ⁽⁶⁾, provides that the refund on products
falling within subheading 04.02 B is equal to the sum
of two components, the first representing the quantity
of milk products and the second representing the
quantity of added sucrose ; whereas, however, the latter
component applies only if the added sucrose was
produced from beet or cane harvested within the
Community ;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 223, 8. 8. 1981, p. 10.

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5 % by weight, the first component referred to above is fixed for 100 kilograms of the whole product ; whereas, for the other products falling within subheading 04.02 B, this component is calculated by multiplying the basic amount by the milk product content of the product in question ; whereas this basic amount is the refund on one kilogram of milk products contained in the product ;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾ ;

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

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

Whereas the level of refund for cheeses is calculated for products intended for direct consumption ; whereas the cheese rinds and cheese wastes are not products

intended for this purpose ; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04 ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex hereto.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 14 August 1982.

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

Done at Brussels, 12 August 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

ANNEX

to the Commission Regulation of 12 August 1982 fixing the export refunds on milk and milk products

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened : ex A. Other than whey, of a fat content, by weight, not exceeding 6 % (!) : I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk : a) In immediate packings of a net capacity of two litres or less : (1) Of a fat content, by weight, not exceeding 1.5 % (2) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 % (3) Of a fat content, by weight, exceeding 3 % b) Other : (1) Of a fat content, by weight, not exceeding 1.5 % (2) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 % (3) Of a fat content, by weight, exceeding 3 % II. Other : a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight : 1. Not exceeding 4 % : (aa) Of a fat content, by weight, not exceeding 1.5 % (bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 % (cc) Of a fat content, by weight, exceeding 3 % 2. Exceeding 4 % b) Other, of a fat content, by weight : 1. Not exceeding 4 % : (aa) Of a fat content, by weight, not exceeding 1.5 % (bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 % (cc) Of a fat content, by weight, exceeding 3 % 2. Exceeding 4 % ex B. Other, excluding whey, of a fat content, by weight (!) : ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 %	0110 05 0110 15 0110 20 0110 25 0110 35 0110 40 0130 10 0130 22 0130 31 0140 00 0150 10 0150 21 0150 31 0160 00 0200 05 0200 11 0200 21	3-70 5-81 8-35 3-70 5-81 8-35 3-70 5-81 8-35 9-78 3-70 5-81 8-35 9-78 12-64 19-66 29-68

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01 (cont'd)	II. Exceeding 21 % but not exceeding 45 % :		
	(a) Of a fat content, by weight, not exceeding 35 % for exports to : — Zone C 2 — Other destinations	0300 12	— 35.40
	(b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 % for exports to : — Zone C 2 — Other destinations	0300 13	— 55.44
	(c) Of a fat content, by weight, exceeding 39 % for exports to : — Zone C 2 — Other destinations	0300 20	— 61.17
	III. More than 45 % :		
	(a) Of a fat content, by weight, not exceeding 68 % for exports to : — Zone C 2 — Other destinations	0400 11	— 69.76
	(b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % for exports to : — Zone C 2 — Other destinations	0400 22	— 102.68
	(c) Of a fat content, by weight, exceeding 80 % for exports to : — Zone C 2 — Other destinations	0400 30	— 119.86
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar ⁽²⁾ :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620 00	43.00
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	43.00
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	60.86
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	67.04
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	75.00
	3. Exceeding 27 % but not exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 28 %	0820 20	75.94
	(bb) Of a fat content, by weight, exceeding 28 %	0820 30	77.02

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 % (cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 % (dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 % (ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 % (ff) Of a fat content, by weight, exceeding 79 % b) Other, of a fat weight content : 1. Not exceeding 1.5 % 2. Exceeding 1.5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 28 % (bb) Of a fat content, by weight, exceeding 28 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 % (cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 % (dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 % (ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 % (ff) Of a fat content, by weight, exceeding 79 %	0920 10 0920 30 0920 40 0920 50 0920 60 0920 70 1020 00 1120 10 1120 20 1120 30 1120 40 1220 20 1220 30 1320 10 1320 30 1320 40 1320 50 1320 60 1320 70	78.63 89.25 92.17 104.12 112.71 121.30 43.00 43.00 60.86 67.04 75.00 75.94 77.02 78.63 89.25 92.17 104.12 112.71 121.30

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules : a) In immediate packings of a net content of 2.5 kg or less and of a fat content by weight not exceeding 11 % : 1. Of a fat content, by weight, not exceeding 8.9 % and of a non-fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 7.4 % (33) Exceeding 7.4 % 2. Other, of a non fat lactic dry matter content : (aa) Of less than 15 %, by weight (bb) Of 15 % or more, by weight b) Other, of a fat content, by weight : 1. Not exceeding 45 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 8.9 % (33) Exceeding 8.9 %, by weight, but not exceeding 11 % (44) Exceeding 11 %, by weight, but not exceeding 21 % (55) Exceeding 21 %, by weight, but not exceeding 39 % for exports to : — Zone C 2 — Other destinations (66) Exceeding 39 % for exports to : — Zone C 2 — Other destinations (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 7.4 % (33) Exceeding 7.4 %, by weight, but not exceeding 8.9 % (44) Exceeding 8.9 % 2. Exceeding 45 % for exports to : — Zone C 2 — Other destinations	1420 12 1420 22 1420 50 1420 60 1420 70 1520 10 1520 20 1620 70 1630 00 1630 10 1630 20 1630 30 1630 40 1630 50 1630 60 1630 70 1630 80 1720 00	— 8.35 — 14.97 19.98 16.80 23.69 — 8.35 16.80 21.09 — 35.40 — 61.17 — 14.97 19.98 23.69 — 69.76

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2.5 kilo-grams or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2220 00	0.4300 (*) per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0.4300 (*) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.6086 (*) per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.6704 (*) per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	0.7500 (*) per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	0.7500 (*) per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	0.8925 (*) per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.4300 (*) per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.4300 (*) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.6086 (*) per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.6704 (*) per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.7500 (*) per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0.7500 (*) per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	0.8925 (*) per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content by weight not exceeding 9.5 % :		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	(1) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 % by weight (bb) Of 15 % or more (2) Of a fat content, by weight, exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more (bb) Of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more (cc) Of a fat content by weight, exceeding 9.5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 % (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % for exports to : — Zone C 2 — Other destinations (ee) Of a fat content, by weight, exceeding 39 % for exports to : — Zone C 2 — Other destinations 2. Exceeding 45 % for exports to : — Zone C 2 — Other destinations	2810 11 2810 12 2810 15 2810 20 2910 70 2910 76 2910 80 2910 85 2910 90 3010 00 3110 03	— (*) per kg 0.0835 (*) per kg 12.57 (5) 24.53 (5) 12.57 (5) 24.53 (5) 0.1823 (*) per kg — 0.3540 (*) per kg — 0.6117 (*) per kg — 0.6976 (*) per kg 94.51 — 94.51
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (1) Of a fat content, by weight, of 62 % or more, but less than 78 % For exports to : — Zone C 1 — Zone C 2 — Other destinations		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(II) Of a fat content, by weight, of 78 % or more but less than 80 %	3110 16	
	For exports to :		
	— Zone C 1		118-90
	— Zone C 2		—
	— Other destinations		118-90
	(III) Of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	
	For exports to :		
	— Zone C 1		121-95
	— Zone C 2		—
	— Other destinations		121-95
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	
	For exports to :		
	— Zone C 1		125-00
	— Zone C 2		—
	— Other destinations		125-00
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	
	For exports to :		
	— Zone C 1		125-00
	— Zone C 2		—
	— Other destinations		125-00
	(II) Exceeding 99.5 %	3210 20	
	For exports to :		
	— Zone C 1		183-00
	— Zone C 2		—
	— Other destinations		183-00
04.04	Cheese and curd (*) :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	(I) Pieces packed in vacuum or in inert gas, of a net weight of less than 7.5 kg	3800 40	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		34-87
	— Zone E		33-10
	— Canada		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		116-36
	(II) Other	3800 60	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		34-87
	— Zone E		—
	— Canada		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		116-36

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		75.59
	— Zone E		—
	— Canada		—
	— Other destinations		96.87
	D. Processed cheese, not grated or powdered, of a fat content, by weight :		
	I. Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex a) Not exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 27 % or more but less than 33 %	4410 05	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		4.73
	— Zone E		1.91
	— Canada		—
	— Switzerland		—
	— Other destinations		14.55
	(2) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		11.71
	— Zone E		4.77
	— Canada		—
	— Switzerland		—
	— Other destinations		36.30
	(3) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 %	4410 20	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		11.71
	— Zone E		4.77
	— Canada		—
	— Switzerland		—
	— Other destinations		36.30
	(bb) Of 20 % or more	4410 30	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		17.43
	— Zone E		7.04
	— Canada		—
	— Switzerland		—
	— Other destinations		53.65

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(4) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 % for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4410 40	— — 11·71 4·77 — — 36·30
	(bb) Of 20 % or more but less than 40 % for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4410 50	— 17·43 7·04 — — 53·65
	(cc) Of 40 % or more for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4410 60	— 25·46 10·29 — — 78·35
	ex b) Exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 33 % or more but less than 38 % for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4510 10	— 11·71 4·77 — — 36·30
	(2) Of 38 % or more but less than 43 % for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4510 20	— 17·43 7·04 — — 53·65
	(3) Of 43 % or more but less than 46 % for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4510 30	— 25·46 10·29 — — 78·35

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(4) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 55 % for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4510 40	— 25.46 10.29 — — 78.35
	(bb) Of 55 % or more for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4510 50	— 30.20 12.21 — — 92.95
	II. Exceeding 36 % for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4610 00	— 30.20 12.21 — — 92.95
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana Padano, Parmigiano Reggiano for exports to : — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4710 11	124.00 100.00 80.00 90.00 146.32
	(2) Fiore Sardo and Pecorino manufactured exclusively from sheep milk for exports to : — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4710 17	105.03 126.00 102.52 105.03 172.64
	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more for exports to : — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland — Other destinations	4710 22	90.00 50.00 50.00 60.00 106.20

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % : ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more for exports to : — Austria — — Zone D, Ceuta, Melilla and Andorra 35.60 — Zone E 17.99 — Canada — — Switzerland — — Other destinations 109.56 ex 2. Other, of a fat content, by weight, in the dry matter : (aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria — — Zone D, Ceuta, Melilla and Andorra 20.61 — Zone E 8.33 — Canada — — Switzerland — — Other destinations 47.54 (bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria — — Zone D, Ceuta, Melilla and Andorra 23.72 — Zone E 9.58 — Canada — — Switzerland — — Other destinations 72.99 (cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey) for exports to : — Austria — — Zone D, Ceuta, Melilla and Andorra 28.60 — Zone E 11.44 — Canada — — Switzerland — — Other destinations 87.08 (dd) Of 39 % or more : (11) Asiago, Caciocavallo, Montasio, Provolone, Ragusano for exports to : — Zone D, Ceuta, Melilla and Andorra 42.83 — Zone E 100.00 — Canada 80.00 — Switzerland 42.66 — Other destinations 130.00	4850 00 5120 12 5120 16 5120 22 5120 31	— 35.60 17.99 — — 109.56 — 20.61 8.33 — — 47.54 — 23.72 9.58 — — 72.99 — 28.60 11.44 — — 87.08 — 42.83 100.00 80.00 42.66 130.00

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		57.50
	— Zone E		—
	— Canada		—
	— Switzerland		—
	— Other destinations		100.41
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		57.50
	— Zone E		—
	— Canada		—
	— Switzerland		—
	— Other destinations		86.81
	(44) Cantal, Cheshire, Wensleydale, Lanca- shire, Double Gloucester, Blarney	5120 58	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		35.60
	— Zone E		20.00
	— Canada		—
	— Switzerland		—
	— Other destinations		102.30
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 59	
	for exports to :		
	— Zone E		6.20
	— Canada		—
	— Other destinations		47.27
	(66) Feta	5120 82	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		26.57 (?)
	— Zone E		10.71 (?)
	— Canada		— (?)
	— Switzerland		— (?)
	— Jordan, Iraq, Iran, the Arabian Penin- sula and Mediterranean countries except Zone D		84.11 (?)
	— Other destinations		79.11 (?)
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		35.60
	— Zone E		13.45
	— Canada		—
	— Switzerland		—
	— Other destinations		102.30

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Kefalotyri, Kefalograviera and Kasseri manufactured exclusively from sheep's and/or goats' milk	5120 84	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		42-83
	— Zone E		100-00
	— Canada		80-00
	— Switzerland		42-66
	— Other destinations		130-00
	(99) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter :	5120 87	
	(aaa) Exceeding 47 % but not exceeding 52 %		
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		35-60
	— Zone E		17-99
	— Canada		—
	— Switzerland		—
	— Other destinations		102-30
	(bbb) Exceeding 52 % but not exceeding 62 %	5120 92	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		57-50
	— Zone E		—
	— Canada		—
	— Switzerland		—
	— Other destinations		100-41
	ex c) Exceeding 72 % (excluding cheeses produced from whey) :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 11	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Switzerland and Liechtenstein		—
	— Other destinations		14-65
	(bb) Cream cheese of a water content, calculated by weight, of the non-fatty matter, exceeding 77 % but not exceeding 81 % and of a fat content, by weight in the dry matter :	5121 20	
	(11) Of 60 % or more but less than 70 %		
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Switzerland and Liechtenstein		—
	— Other destinations		26-46

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 70 % or more For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland and Liechtenstein — Other destinations	5121 30	— — — — — 33.29
	(cc) Other	5121 40	—
	2. Other :		
	(aa) Cottage cheese	5121 50	—
	(bb) Cream cheese of a water content, calculated by weight of the non-fatty matter, exceeding 77 % but not exceeding 81 % and of a fat content, by weight in the dry matter :		
	(11) Of 60 % or more but less than 70 % For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland and Liechtenstein — Other destinations	5121 60	— — — — — 26.46
	(22) Of 70 % or more For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Switzerland and Liechtenstein — Other destinations	5121 70	— — — — — 33.29
	(cc) Other	5121 80	—
	ex II. Other (excluding cheeses produced from whey) :		
	ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight :		
	(1) Of 60 % or more but less than 80 % For exports to : — Zone E — Canada — Other destinations	5310 05	— 5.00 — 56.52
	(2) Of 80 % or more but less than 85 % For exports to : — Zone E — Canada — Other destinations	5310 11	— 6.67 — 75.36
	(3) Of 85 % or more but less than 95 % For exports to : — Zone E — Canada — Other destinations	5310 22	— 7.08 — 80.07
	(4) Of 95 % or more For exports to : — Zone E — Canada — Other destinations	5310 31	— 7.92 — 89.49

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs (*) : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch : (3) Containing 50 % or more but less than 75 %, by weight, of milk products of which content of milk in powder or granules (excluding whey), by weight, is (*) : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more (4) Containing 75 % or more, by weight, of milk products, of which content of milk in powder or granules (excluding whey), by weight, is (*) : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more II. Containing no starch, glucose or glucose syrup, but containing milk products of which content of milk in powder or granules (excluding whey), by weight, is (*) : (a) 50 % or more but less than 60 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62 5800 13 5800 23 5800 32 5800 42 5800 52 5800 62 5800 72 5800 82 5900 12 5900 22 5900 32 5900 42	— 13-76 18-06 22-36 26-66 30-96 — 13-76 18-06 22-36 26-66 30-96 33-11 35-26 22-36 26-66 30-96 35-26

(1) When the product falling within this subheading is a mixture containing added whey and/or added lactose, no export refund shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose have been added to the product.

(2) The weight of the added non-lactic matter and/or added whey and/or added lactose shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose, the added whey and/or added lactose shall not be taken into account in the calculation of the amount of refund.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
- the lactose content of the added whey.

(3) The weight of added non-lactic matter and/or added whey and/or added lactose shall not be taken into account for the purpose of calculating the fat content, by weight.

The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product ; however, where whey and/or lactose have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose, contained in 100 kg of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
- the lactose content of the added whey.

(4) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements :

- (a) the amount per 100 kg shown ; however, where whey and/or lactose have been added to the product, the amount per 100 kg shown shall be :

- multiplied by the weight of the lactic part other than the added whey and/or added lactose contained in 100 kg of product, and then
- divided by the weight of the lactic part contained in 100 kg of product ;

- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
- the lactose content of the added whey.

(5) No refund shall be applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.

(6) This amount applies to the net weight, minus the weight of the brine.

(7) When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the skimmed-milk powder content, by weight,
- the content by weight of the added whey and/or lactose, and
- the lactose content of the added whey
per 100 kg of finished product.

(8) 'Special compound feedingstuffs' are compound feedingstuffs containing skimmed-milk powder and fish meal and/or fish oil and/or fish liver oil and/or more than 6 grams of iron (as ferrous sulphate) and/or more than 1.2 grams of copper (as copper sulphate) in 100 kg of product.

N.B. : — Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 2283/81.

- 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras al Khaimah), Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

COMMISSION RECOMMENDATION No 2242/82/ECSC

of 10 August 1982

imposing a provisional anti-dumping duty on broad-flanged beams originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission recommendation No 3018/79/ECSC of 21 December 1979 on protection against dumped or subsidized imports from countries not members of the European Coal and Steel Community⁽¹⁾, as amended by recommendation No 1995/82/ECSC⁽²⁾, and in particular Article 11 thereof,

After consultations within the Advisory Committee provided for by Article 6 of recommendation No 3018/79/ECSC,

Whereas in July 1982 the Commission received a complaint, lodged by the European Confederation of Iron and Steel Industries (EUROFER) on behalf of almost all Community producers of broad-flanged beams;

Whereas, since the complaint provided sufficient evidence of dumping in respect of the like product originating in Spain and of material injury resulting therefrom, the Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽³⁾, the initiation of a proceeding concerning imports of broad-flanged beams originating in Spain and commenced an investigation of the matter at Community level;

Whereas the Commission has published basic prices⁽⁴⁾ based on the lowest normal prices or costs of production in the supplying countries where normal conditions of competition prevail, including the costs of transport, insurance and customs duties; whereas for its preliminary determination of dumping the Commission compared for the first half of 1982 the prices of imports into the Community of the products under consideration with the basic prices;

Whereas this comparison shows that between January and June 1982 considerable quantities of broad-flanged beams originating in Spain have been offered for importation within the Community at prices lower than the basic prices and that dumping has taken

place the margin of which is constituted by this undercutting; whereas the margin has varied, reaching more than 20 % in some instances;

Whereas, with regard to injury to the Community industry concerned, the evidence available to the Commission shows that imports of the products concerned originating in Spain into the Federal Republic of Germany, which traditionally accounted for the vast majority of Community imports of these products, have increased very significantly over the last few years; whereas the level of these imports into the Federal Republic of Germany was 85 824 tonnes in 1977 and increased to 112 100 tonnes in 1980, 130 414 tonnes in 1981 and 90 715 tonnes in the six month period running from October 1981 to March 1982; whereas during the six month period ending in May 1982 import licence applications for 125 574 tonnes were lodged with the German authorities;

Whereas in 1980 imports into the Federal Republic of Germany of the product concerned originating in Spain represented 16 % of German and 7 % of Community consumption; whereas the average monthly quantity for which import licences were issued between December 1981 and May 1982 by the German authorities corresponds to 37 % of average monthly consumption in the Federal Republic of Germany and to approximately 17 % of average monthly consumption in the Community in 1981;

Whereas in respect of prices the information available to the Commission shows that the price at which the product concerned, originating in Spain, was sold to Community customers substantially undercut the list prices of the Community producers; whereas in some instances this undercutting was more than 20 %; whereas these prices are forcing the Community industry either to lose sales or to align its prices downwards and to sell the like products at price levels insufficient to cover its costs;

Whereas the Community steel industry is in a crisis situation characterized by a fall in production, very low capacity utilization and reduced profits or increased losses; whereas the numbers employed fell by 244 780 or 30.8 % between 1974 and 1981; whereas in respect of broad-flanged beams in particular the quantity of new orders obtained by German producers in the first quarter of 1982 was 30 % less than orders in the fourth quarter of 1981 and 48 % less than orders obtained in the first quarter of 1981; whereas this significant fall coincides with a sharp increase in the

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 15.

⁽²⁾ OJ No L 215, 23. 7. 1982, p. 28.

⁽³⁾ OJ No C 207, 10. 8. 1982, p. 4.

⁽⁴⁾ OJ No L 372, 29. 12. 1981, p. 1.

number of import licences issued for the products concerned originating in Spain; whereas the importation of the quantities licensed and their resale at low prices seriously jeopardizes the attempt being made at present by Community authorities and producers to reduce output and increase prices to profitable levels;

Whereas the Commission has also considered the injury caused by other factors which, individually or in combination, are also affecting the Community industry; whereas it has found in this context, using the information available, that between 1978 and 1980 the level of consumption had declined by approximately 10%; whereas, since 1978, the volume of imports from other sources into the Federal Republic of Germany has remained relatively stable at a low level and in 1981 did not exceed one quarter of the deliveries of the like products originating in Spain; whereas the influence of the dumped imports has been isolated from the other factors adversely affecting the industry, taking into consideration in particular the sharp increase of Spanish imports since the third quarter of 1981; whereas having regard to the restructuring efforts being undertaken at present by the Community steel industry the Commission has reached the preliminary conclusion that the dumped imports are causing or threatening to cause material injury to the Community industry;

Whereas a Bilateral Arrangement between the Community and Spain concerning Spanish exports of certain iron and steel products to the Community was concluded in 1978 and extended until 31 December 1982; whereas the Commission is of the opinion that the normal functioning of this Arrangement is no longer assured due to persistent and unjustified under-quotation of Arrangement prices for broad-flanged beams by imports of these products originating in Spain; whereas, after consultations with the Spanish authorities, the Commission has, therefore, as of 1 July 1982, suspended the application of the price rules fixed in the Arrangement for broad-flanged beams;

Whereas, in addition, imports into the Community of broad-flanged beams originating in Spain have exceeded by more than 50% the quantities provided for in the Arrangement;

Whereas, in these circumstances and in order to prevent further injury being caused during the proceeding, the interests of the Community call for immediate intervention consisting in the imposition of a provisional anti-dumping duty; whereas having regard to the extent of injury caused the rate of this duty should be equal to:

- the difference between the basic prices published by the Commission for these products and their price on importation into the Community, or
- the weighted average amount by which imports into the Federal Republic of Germany between 1 January and 11 June 1982, the latest period for

which information is available to the Commission, undercut these basic prices,

whichever amount is the higher;

Whereas, in order to prevent possible evasion of anti-dumping duty, it is necessary to establish another basis for calculating such duty where the products in question are not put into free circulation by the first purchaser in the Community; whereas the method used should take account of a reasonable margin between import prices and resale prices charged by Community importers for these products originating in Spain; whereas the Commission considers a margin of 15% to be appropriate;

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

Whereas it is appropriate to repeal the definitive anti-dumping duty on broad-flanged beams originating in Spain but imported from some other non-member country, which was imposed by Commission recommendation No 935/79/ECSC⁽¹⁾,

MAKES THE FOLLOWING RECOMMENDATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on broad-flanged beams falling within Common Customs Tariff subheading 73.11 A ex I and corresponding to NIMEXE code 73.11-12, originating in Spain.

2. (a) The amount of the duty shall be equal to:

- the amount by which the effective price (basic price plus extras) established by contract, free-at-frontier, duty-paid, is lower than the most recent effective price (basic price plus extras) published by the Commission for these products, or
 - 8.63 ECU per 1 000 kg net,
- whichever amount is higher.

(b) 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 equal to:

- the amount by which the effective price (basic price plus extras) established by contract, free-at-frontier, duty-paid is lower than the most recent effective price (basic price plus extras), published by the Commission for these products and increased by 15%, or
 - 8.63 ECU per 1 000 kg net,
- whichever amount is higher.

⁽¹⁾ OJ No L 117, 12. 5. 1979, p. 16.

- (c) However, where the declarant is able to give proof to the satisfaction of the customs authorities of the price paid by the first purchaser, subparagraph (a) shall apply.

3. The provisions in force concerning customs duties shall apply for the application of this duty.

4. The release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to the provision of a security equivalent to the amount of the provisional duty.

Article 2

1. Without prejudice to Article 7 (4) (b) and (c) of recommendation No 3018/79/ECSC, the parties concerned may make known their views and apply to be heard orally by the Commission within one month of the entry into force of this recommendation.

2. Subject to Articles 11, 12 and 14 of recommendation No 3018/79/ECSC, this recommendation shall be

applicable for four months or until the adoption by the Commission of definitive measures.

Article 3

The definitive anti-dumping duty established by recommendation No 935/79/ECSC in relation to imports of broad-flanged beams falling within Common Customs Tariff subheading 73.11 A ex I and corresponding to NIMEXE code 73.11-12, originating in Spain but imported from some other non-member country, is hereby repealed.

Article 4

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

Done at Brussels, 10 August 1982.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION REGULATION (EEC) No 2243/82
of 12 August 1982

imposing a provisional anti-dumping duty on imports of methylamine, dimethylamine and trimethylamine originating in the German Democratic Republic and accepting an undertaking and terminating the procedure in respect of imports of methylamine, dimethylamine and trimethylamine originating in Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as amended by Council Regulation (EEC) No 1580/82⁽²⁾, and in particular Article 11 thereof,

After consultations within the Advisory Committee set up under Article 6 of that Regulation,

Whereas in December 1981 the Commission received a complaint lodged by the European Council of Chemical Manufacturers' Federations (CEFIC) on behalf of all Community manufacturers of methylamine, dimethylamine and trimethylamine against imports from Romania and on behalf of the major part of Community manufacturers against imports from the German Democratic Republic;

Whereas, since the complaint provided sufficient evidence of dumping in respect of the like products originating in the German Democratic Republic and Romania and of material injury resulting therefrom, the Commission accordingly announced by a notice published in the *Official Journal of the European Communities*⁽³⁾ the initiation of a procedure concerning imports of methylamine (MMA), dimethylamine (DMA) and trimethylamine (TMA), collectively known as methylamines, originating in the German Democratic Republic and Romania and commenced an investigation of the matter at Community level;

Whereas the Commission officially so advised the exporters and importers known to be concerned, as well as the representatives of the exporting countries and the complainants;

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

Whereas the majority of the parties concerned have taken this opportunity;

Whereas, in order to arrive at a preliminary determination of dumping and injury, the Commission sought to obtain and verify all information which it deemed to be necessary and carried out inspections at the premises of all Community producers represented by the complainant namely: UCB SA, Belgium, Industria Chimica del Ticino SpA, Italy, AKZO Zout Chemie Nederland BV, the Netherlands, Imperial Chemical Industries Ltd, UK and BASF AG, Federal Republic of Germany;

Whereas in order to establish whether imports of methylamines from the German Democratic Republic and Romania were dumped, the Commission had to take into account the fact that both countries are not market economy countries;

Whereas, for that reason, the Commission had to base its calculations on the normal value in a market economy country; whereas, in that connection, the complaint had cited the United States of America domestic market;

Whereas, on the basis of contacts with the US producers and an inspection carried out at the premises of US producers representing the major part of the free US market, a comparison with the normal value of methylamines manufactured in the US would appear reasonable for the purposes of a preliminary finding of dumping, since the manufacturing processes technical standards and technology are similar and the US is not a protected market;

Whereas the German Democratic Republic and Romanian exporters replied to the Commission's questionnaire; whereas the Commission carried out inspections at the premises of the major importers into the Community, namely Farmoplant, SpA in Italy, and Rhône-Poulenc, SA, Nitrochemie, SA, and Produits Chimiques Ugine Kuhlmann, SA in France, to verify the prices given by the exporters and receive information concerning other costs such as transport, stocking, terms of payment and rebates affecting price comparability; whereas other Community importers made known their views in writing;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 14. 6. 1982, p. 9.

⁽³⁾ OJ No C 79, 31. 3. 1982, p. 2.

Whereas the Romanian export prices at the ex-works level and the German Democratic Republic export prices at the cif EEC border duty unpaid level were compared to the normal value for the year 1981 taking into account differences in transport cost and associated costs to the Community frontier and differences in payment terms affecting price comparability;

Whereas account was taken of the fact that methylamines can be found in an anhydrous form (100 % basis) or in solution with water (on a 60 % or 40 % basis); whereas all the calculations and figures given below are on 100 % basis;

Whereas the preliminary results of this exercise, using the prices given by the two exporters and using a method of calculation as favourable to the exporters as possible, showed a weighted average dumping margin of 71.7 % for the German Democratic Republic and 68.7 % for Romania;

Whereas, with regard to injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of methylamines originating in the German Democratic Republic and Romania rose from 3 520.5 tonnes in 1979 to 4 975.5 tonnes in 1981 and the exports already made by these two countries for the first quarter of 1982 amount to 3 566 tonnes;

Whereas the market share held by these imports in the Community was 17 % in 1979, 26 % in 1981 and initial estimates show a further increase is likely in 1982; whereas the German Democratic Republic and Romania's market shares in the Community in 1981 were 24.2 % and 1.8 % respectively;

Whereas with regard to prices the evidence available suggests that initial attempts by the Community producers to increase prices to cover costs led to a considerable loss of sales and they were, therefore, forced to align their prices downwards in an attempt to keep market share;

Whereas this decrease in prices has resulted in considerable losses for the Community producers;

Whereas the Commission's investigation also showed that the prices to the first independent buyer of the products imported from the German Democratic Republic and Romania were up to 30.3 % and 22.2 % respectively lower than those required by Community producers to enable them cover costs; whereas for all price comparisons account has been taken of the fact that users incur extra costs in importing from the countries concerned; whereas these costs are estimated

at 1.5 % of the value of the products delivered to the first independent buyer;

Whereas no significant differences exist in the production process or the quality of the imported products when compared to those sold by Community producers;

Whereas production of methylamines in the Community has fallen from 91 518 tonnes in 1979 to 82 449 tonnes in 1981; whereas capacity utilization has fallen from 59.5 % in 1979 to 52.4 % in 1981;

Whereas sales on the free market by Community producers have been reduced by more than 20 % from 1979 to 1981; whereas Community producers' free market share has been decreased from 87.6 % in 1979 to 80.9 % in 1981;

Whereas the Commission has considered the injury caused by other factors which individually or in combination may also be affecting the Community industry; whereas, although the apparent consumption of methylamines fell in the Community from 29 500 tonnes in 1979 to 26 600 tonnes in 1981 the dumped German Democratic Republic and Romanian products increased their market share, from 17 % to 26 % in the same period, thus increasing the difficulties in the European industry; whereas imports of methylamines originating in other third countries have been insignificant;

Whereas, in addition to the already existing injury, a considerable threat of injury from imports from the German Democratic Republic and Romania exists due to the high rate of increase of the dumped exports in the last few months into the Community, the high production capacity in the countries of origin and the likelihood that the resulting exports will be to the Community countries because of the difficulties in transporting methylamines by sea;

Whereas in view of the foregoing, the Commission has provisionally concluded that, viewed in isolation, the adverse effects of the dumped imports are such as to cause material injury;

Whereas users of methylamines in the Community have indicated that anti-dumping measures may increase the price of the products, and, thus, decrease their competitiveness in the processing industry; whereas the Commission has given full consideration to this argument; whereas, nevertheless, the degree of injury caused by the dumped imports is such that protective measures are considered to be in the Community interest;

Whereas, in these circumstances, and in order to prevent further injury being caused during the procedure, the interests of the Community call for immediate intervention by the imposition of a provisional anti-dumping duty on imports of methylamines originating in the German Democratic Republic and Romania; whereas the Commission considers that a duty lower than the margins of dumping established would be sufficient to eliminate the injury caused to the Community industry by the dumped imports, as measured by the price necessary for the most efficient Community producer to reestablish profitability;

Whereas the Romanian exporter, after being informed of the results of the Commission's investigation, voluntarily undertook to increase its price to a level sufficient to eliminate the injury margin provisionally established; whereas the Commission, after consultation, considers the undertaking offered by the Romanian exporter to be acceptable; whereas the proceeding should consequently be terminated in respect of exports originating in Romania, thereby excluding them from the application of the duty,

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on methylamine, dimethylamine and trimethylamine falling within Common Customs Tariff subheading ex 29.22 A I and corresponding to NIMEXE code ex 29.22-11 originating in the German Democratic Republic.

2. The rate of the duty shall be 28.8 % on the basis of the customs value determined in accordance with

Council Regulation (EEC) No 1224/80 of 28 May 1980 on the valuation of goods for customs purposes⁽¹⁾.

3. The provisions in force concerning customs duties shall apply for the application of this duty.

4. The release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to the provision of a security equivalent to the amount of the provisional duty.

Article 2

Without prejudice to Article 7 (4) (b) and (c) of Regulation (EEC) No 3017/79, as amended, the parties concerned may make known their views and apply to be heard orally by the Commission within a month of the entry into force of this Regulation.

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

Article 3

The undertaking offered by Chimimportexport, Bucharest, Romania is hereby accepted.

Article 4

The anti-dumping procedure concerning imports of methylamine, dimethylamine and trimethylamine originating in Romania is hereby terminated.

Article 5

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, 12 August 1982.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ No L 134, 31. 5. 1980, p. 1.

COMMISSION REGULATION (EEC) No 2244/82
of 12 August 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,

Having regard to the formal request submitted by France 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 France of cotton cloth originating in Turkey in the first six months of 1982 have already reached 145 % of imports in 1981, which represents an increase of 216 % compared with the same period in 1981;

Whereas the extremely rapid increase in recent months of imports into France of cotton cloth 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 French producers and a serious

deterioration in the economic situation of that region of the Community; 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 France of the category 2 textile products listed in the Annex, originating in Turkey, shall be suspended until 31 December 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.
3. The entry into free circulation in the other Member States of the textile products referred to in paragraph 1 remains subject to the presentation of the import document provided for in Commission Regulation (EEC) No 2819/79 ⁽²⁾.

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 31 December 1982.

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

Done at Brussels, 12 August 1982.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 192, 26. 8. 1971, p. 14.

⁽²⁾ OJ No L 320, 15. 12. 1979, p. 9.

ANNEX

Category	CCT heading No	NIMEXE code (1982)	Description	Third countries	Member States	Units
2	55.09	55.09-03; 04; 05; 06; 07; 08; 09; 10; 12; 13; 14; 15; 16; 17; 19; 21; 29; 32; 34; 35; 37; 38; 39; 41; 49; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; 82; 83; 84; 86; 90; 91; 92; 93; 98; 99	Other woven fabrics of cotton : Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	Turkey	F	Tonnes

COMMISSION REGULATION (EEC) No 2245/82
of 12 August 1982
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and fats ⁽¹⁾,
as last amended by Regulation (EEC) No 1413/82 ⁽²⁾,
and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in
Article 27 of Regulation No 136/66/EEC was fixed by
Regulation (EEC) No 2120/82 ⁽³⁾, as amended by
Regulation (EEC) No 2184/82 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2120/82 to the

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 13 August
1982.

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

Done at Brussels, 12 August 1982.

For the Commission

Poul DALSGER

Member of the Commission

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

⁽²⁾ OJ No L 162, 12. 6. 1982, p. 6.

⁽³⁾ OJ No L 223, 31. 7. 1982, p. 50.

⁽⁴⁾ OJ No L 231, 6. 8. 1982, p. 16.

ANNEX

to the Commission Regulation of 12 August 1982 fixing the amount of the subsidy
on oil seeds

(ECU/100 kg)

CCT heading No	Description	Subsidy
ex 12.01	Colza and rape seed	22·875
ex 12.01	Sunflower seed	25·785

(ECU/100 kg)

CCT heading No	Description	Subsidy in the case of advance fixing for the month of					
		August 1982	September 1982	October 1982	November 1982	December 1982	January 1983
ex 12.01	Colza and rape seed	22·875	23·368	23·832	23·950	24·477	24·970
ex 12.01	Sunflower seed	25·785	25·697	26·949	27·532	27·904	—

COMMISSION REGULATION (EEC) No 2246/82
of 12 August 1982
fixing the world market price for colza, rape and sunflower seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽³⁾, as last amended by Regulation (EEC) No 1986/82⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza, rape and sunflower seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 2136/82⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 2120/82 of 30 July

1982 fixing the amount of the subsidy on oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 2245/82⁽⁸⁾ ;

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 13 August 1982.

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

Done at Brussels, 12 August 1982.

For the Commission

Poul DALSAGER

Member of the Commission

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

⁽²⁾ OJ No L 162, 12. 6. 1982, p. 6.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 215, 23. 7. 1982, p. 10.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 223, 31. 7. 1982, p. 88.

⁽⁷⁾ OJ No L 223, 31. 7. 1982, p. 50.

⁽⁸⁾ See page 40 of this Official Journal.

ANNEX

to the Commission Regulation of 12 August 1982 fixing the world market price for colza,
rape and sunflower seed

(ECU/100 kg) ⁽¹⁾

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	23.515
ex 12.01	Sunflower seed	28.655

(ECU/100 kg) ⁽¹⁾

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		August 1982	September 1982	October 1982	November 1982	December 1982	January 1983
ex 12.01	Colza and rape seed	23.515	23.515	23.544	23.919	23.885	23.885
ex 12.01	Sunflower seed	28.655	28.743	28.074	28.074	28.285	—

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

1 ECU = DM	2.33379
1 ECU = Fl	2.57971
1 ECU = Bfr/Lfr	44.9704
1 ECU = FF	6.61387
1 ECU = Dkr	8.23400
1 ECU = £ Irl	0.691011
1 ECU = £	0.553333
1 ECU = Lit	1 326.30
1 ECU = Dr	66.5070

COMMISSION REGULATION (EEC) No 2247/82

of 12 August 1982

fixing the export refunds 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
Council Regulation (EEC) No 1451/82⁽²⁾,

Having regard to the opinion of the Monetary
Committee,

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

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

Whereas Article 3 of Regulation (EEC) No 2746/75
defines the specific criteria to be taken into account
when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as
wheat and rye flour, groats and meal are concerned, in
Article 4 of Regulation (EEC) No 2746/75; whereas
furthermore, when the refund on these products is
being calculated, account must be taken of the quanti-
ties of cereals required for their manufacture; whereas
these quantities were fixed in Regulation No 162/

67/EEC⁽⁴⁾, as amended by Regulation (EEC) No
1607/71⁽⁵⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1
(a), (b) and (c) of Regulation (EEC) No 2727/75,
exported in the natural state, shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 13 August
1982.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

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

Done at Brussels, 12 August 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 12 August 1982 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne) Refund
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — other third countries	57.00 60.00 15.00
10.01 B II	Durum wheat	0
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — other third countries	25.00 35.00 0
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — Japan — other third countries	49.00 52.00 — 15.00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — Zone I — other third countries	20.00 30.00 —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour (1) : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	95.00 90.00 84.00 77.50 72.00 64.50

CCT heading No	Description	Refund (ECU / tonne)
ex 11.01 B	Rye flour ⁽¹⁾ : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	0 0 0 0
11.02 A I a)	Durum wheat groats and meal ⁽¹⁾ : — of an ash content of 0 to 950 — of an ash content of 951 to 1 300 — of an ash content of 1 301 to 1 500	130-00 130-00 130-00
11.02 A I b)	Common wheat groats and meal ⁽¹⁾ : — of an ash content of 0 to 520	95-00

⁽¹⁾ Destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1).

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

COMMISSION REGULATION (EEC) No 2248/82
of 12 August 1982
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1459/82⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

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

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

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

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

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

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

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 164, 14. 6. 1982, p. 22.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

HAS ADOPTED THIS REGULATION :

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

Article 1

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

Article 2

This Regulation shall enter into force on 13 August 1982.

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

Done at Brussels, 12 August 1982.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

to the Commission Regulation of 12 August 1982 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
10.01 B I	Common wheat, and meslin	0	0	— 5-00	— 10-00	— 14-00	— 14-00	— 14-00
10.01 B II	Durum wheat	0	0	0	—	—	—	—
10.02	Rye	0	0	0	—	—	—	—
10.03	Barley	0	0	0	0	0	—	—
10.04	Oats	0	0	0	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	— 10-00	— 10-00	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	—	—
11.02 A I b)	Common wheat groats and meal	0	0	0	— 10-00	— 10-00	—	—

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

COMMISSION REGULATION (EEC) No 2249/82
of 12 August 1982
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽²⁾,

Having regard to the opinion of the Monetary
Committee,

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

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

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice ⁽⁴⁾, as
last amended by Regulation (EEC) No 1459/82 ⁽⁵⁾,
defines the specific criteria to be taken into account

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 August
1982.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 164, 14. 6. 1982, p. 22.

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

Done at Brussels, 12 August 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 12 August 1982 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
CCT heading No	Refund
11.07 A I b)	75.81
11.07 A II b)	90.00
11.07 B	104.88

COMMISSION REGULATION (EEC) No 2250/82
of 12 August 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 2229/82⁽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 Regu-
lation (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 13 August
1982.

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

Done at Brussels, 12 August 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 189, 1. 7. 1982, p. 42.

⁽⁴⁾ OJ No L 237, 12. 8. 1982, p. 23.

ANNEX

to the Commission Regulation of 12 August 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	41.55
	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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 July 1982

**approving the extended plan for the eradication of enzootic bovine leucosis
submitted by the Federal Republic of Germany**

(Only the German text is authentic)

(82/554/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 77/391/EEC of 17
May 1977 introducing Community measures for the
eradication of brucellosis, tuberculosis and leucosis in
cattle ⁽¹⁾, and in particular Article 9 (2) thereof,

Having regard to Council Directive 78/52/EEC of 13
December 1977 establishing the Community criteria
for national plans for the accelerated eradication of
brucellosis, tuberculosis and enzootic leucosis in
cattle ⁽²⁾, and in particular Chapter IV thereof,

Having regard to Commission Decision 79/48/EEC of
8 December 1978 approving the plan for the eradica-
tion of leucosis submitted by the Federal Republic of
Germany ⁽³⁾,

Having regard to Council Directive 82/400/EEC of 14
June 1982 amending Directive 77/391/EEC and intro-
ducing a supplementary Community measure for the
eradication of brucellosis, tuberculosis and leucosis in
cattle ⁽⁴⁾,

Whereas by letter dated 23 November 1981 the
Federal Republic of Germany notified the Commis-
sion of an extended plan to eradicate leucosis ;

Whereas, after examination and taking into account
the success of the initial plan, the extended plan was
found to comply with Directives 77/391/EEC,
78/52/EEC and 82/400/EEC ;

Whereas the extended plan ensures continuity with
the measures put in hand under the initial plan ;
whereas the initial plan expired on 1 June 1981 ;

Whereas the measures under the extended plan have
been applied since 1 June 1981 ; whereas, conse-
quently, the conditions for financial participation by
the Community have been met ;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Veterinary Committee ; whereas the Fund Committee
has been consulted,

HAS ADOPTED THIS DECISION :

Article 1

The extended plan for the eradication of leucosis as
applied by the Federal Republic of Germany from 1
June 1981 is hereby approved.

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 44.

⁽²⁾ OJ No L 15, 19. 1. 1978, p. 34.

⁽³⁾ OJ No L 13, 19. 1. 1979, p. 63.

⁽⁴⁾ OJ No L 173, 19. 6. 1982, p. 18.

Article 2

Done at Brussels, 28 July 1982.

Financial participation by the Community shall be in respect of eligible expenditure on account of slaughterings taking place on or after 1 June 1981.

Article 3

This Decision is addressed to the Federal Republic of Germany.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION**of 28 July 1982****approving the extended plan for the eradication of enzootic bovine leucosis
submitted by the Kingdom of Denmark****(Only the Danish text is authentic)****(82/555/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 77/391/EEC of 17
May 1977 introducing Community measures for the
eradication of brucellosis, tuberculosis and leucosis in
cattle⁽¹⁾, and in particular Article 9 (2) thereof,

Having regard to Council Directive 78/52/EEC of 13
December 1977 establishing the Community criteria
for national plans for the accelerated eradication of
brucellosis, tuberculosis and enzootic leucosis in
cattle⁽²⁾, and in particular Chapter IV thereof,

Having regard to Commission Decision 78/481/EEC
of 11 May 1978 approving the plan for the eradication
of leucosis put forward by the Kingdom of
Denmark⁽³⁾,

Having regard to Council Directive 82/400/EEC of 14
June 1982 amending Directive 77/391/EEC and intro-
ducing a supplementary Community measure for the
eradication of brucellosis, tuberculosis and leucosis in
cattle⁽⁴⁾,

Whereas by letter dated 18 December 1981 the
Kingdom of Denmark notified the Commission of an
extended plan to eradicate leucosis;

Whereas, after examination and taking into account
the success of the initial plan, the extended plan was
found to comply with Directives 77/391/EEC,
78/52/EEC and 82/400/EEC;

Whereas the extended plan ensures continuity with
the measures put in hand under the initial plan;
whereas the initial plan expired on 15 May 1981;

Whereas the measures under the extended plan have
been applied since 15 May 1981; whereas, conse-

quently, the conditions for financial participation by
by the Community have been met;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Veterinary Committee; whereas the Fund Committee
has been consulted,

HAS ADOPTED THIS DECISION:

Article 1

The extended plan for the eradication of leucosis as
applied by the Kingdom of Denmark from 15 May
1981 is hereby approved.

Article 2

Financial participation by the Community shall be in
respect of eligible expenditure on account of slaugh-
terings taking place on or after 15 May 1981.

Article 3

This Decision is addressed to the Kingdom of
Denmark.

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 44.

⁽²⁾ OJ No L 15, 19. 1. 1978, p. 34.

⁽³⁾ OJ No L 152, 8. 6. 1978, p. 23.

⁽⁴⁾ OJ No L 173, 19. 6. 1982, p. 18.

COMMISSION DECISION**of 29 July 1982****approving the extended plan for the eradication of brucellosis submitted by the French Republic****(Only the French text is authentic)****(82/556/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle ⁽¹⁾, and in particular Article 9 (2) thereof,

Having regard to Council Directive 78/52/EEC of 13 December 1977 establishing the Community criteria for national plans for the accelerated eradication of brucellosis, tuberculosis and enzootic leucosis in cattle ⁽²⁾, and in particular Chapter II thereof,

Having regard to Commission Decision 78/539/EEC of 6 June 1978 approving the plans for the accelerated eradication of brucellosis and tuberculosis put forward by the French Republic ⁽³⁾,

Having regard to Council Directive 82/400/EEC of 14 June 1982 amending Directive 77/391/EEC and introducing a supplementary Community measure for the eradication of brucellosis, tuberculosis and leucosis in cattle ⁽⁴⁾,

Whereas by letter dated 27 January 1982 the French Republic notified the Commission of an extended plan to eradicate brucellosis;

Whereas, after examination and taking into account the success of the initial plan, the extended plan was found to comply with Directives 77/391/EEC, 78/52/EEC and 82/400/EEC;

Whereas the extended plan ensures continuity with the measures put in hand under the initial plan; whereas the initial plan expired on 1 July 1981;

Whereas the measures under the extended plan have been applied since 1 July 1981; whereas, conse-

quently, the conditions for financial participation by the Community have been met;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee; whereas the Fund Committee has been consulted,

HAS ADOPTED THIS DECISION:

Article 1

The extended plan for the eradication of brucellosis as applied by the French Republic from 1 July 1981 is hereby approved.

Article 2

Financial participation by the Community shall be in respect of eligible expenditure on account of slaughtering taking place on or after 1 July 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 29 July 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 44.

⁽²⁾ OJ No L 15, 19. 1. 1978, p. 34.

⁽³⁾ OJ No L 164, 21. 6. 1978, p. 22.

⁽⁴⁾ OJ No L 173, 19. 6. 1982, p. 18.

COMMISSION DECISION

of 29 July 1982

on the issuing of export licences without a security for food-aid operations for Poland

(82/557/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, and in particular Article 12 (2) thereof, as well as the corresponding provisions in other regulations on the common organization of the markets in agricultural products,

Whereas the application for an export licence is subject to the lodging of a security; whereas in respect of small quantities, Article 13 (4) of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽³⁾, as last amended by Regulation (EEC) No 49/82⁽⁴⁾, provides that Member States may issue licences or certificates without security where the amount of security involved is 25 ECU or less;

Whereas experience has shown that the quantities exported to Poland by humanitarian organizations are greater than this limit; whereas several of these organizations have been set up expressly for this purpose and do not have the funds needed in order to lodge the security; whereas this condition is an obstacle to certain operations of a humanitarian nature; whereas these operations are not commercial; whereas, therefore, the Member States should be authorized to issue licences without a security provided that no application is made for the advance fixing of the refund and the licence is applied for by a humanitarian organization for the purposes of food-aid operations for Poland;

Whereas to prevent abuse, entry of the destination 'Poland' on the licence should be obligatory and it

should be required that the rights deriving from these export licences be non-transferable;

Whereas in Article 21 (2) of Commission Regulation (EEC) No 1371/81 of 19 May 1981 laying down detailed rules for the administrative application of monetary compensatory amounts⁽⁵⁾, as amended by Regulation (EEC) No 2898/81⁽⁶⁾, which provides that no monetary compensatory amount shall be levied in respect of exports to non-member countries for purposes of food-aid programmes carried out by approved humanitarian organizations, the Commission has also provided for a derogation to facilitate the operations referred to above;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Where no application is made for advance fixing of the refund, a Member State may issue export licences without a security provided that the licences are applied for by a humanitarian organization in order to carry out food-aid operations to Poland.
2. 'Poland' shall be entered in section 13 of the application for an export licence and of the licence; the licence shall render export to Poland obligatory.
3. The rights deriving from these export licences shall be non-transferable.
4. The application for a licence must be made to the competent organization in the Member State where the applicant is established. Such licences must be returned to the issuing agency as soon as possible, and at the latest on expiry of the period of validity.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽⁴⁾ OJ No L 7, 12. 1. 1982, p. 7.

⁽⁵⁾ OJ No L 138, 25. 5. 1981, p. 1.

⁽⁶⁾ OJ No L 287, 8. 10. 1981, p. 1.

Article 2

Done at Brussels, 29 July 1982.

The Member States shall lay down the conditions of application of this Decision.

Article 3

This Decision is addressed to the Member States.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION**of 29 July 1982****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1508/82****(82/558/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,

Whereas an invitation to tender for the levy and/or refund for the export of common wheat was issued in Commission Regulation (EEC) No 1508/82⁽⁴⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75⁽⁵⁾, as amended by Regulation (EEC) No 2944/78⁽⁶⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas, in fixing this maximum, the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1508/82 is hereby fixed on the basis of the tenders submitted by 29 July 1982 at 69.92 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 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 L 281, 1. 11. 1975, p. 78.
⁽⁴⁾ OJ No L 168, 15. 6. 1982, p. 10.
⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.
⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 29 July 1982

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1509/82

(82/559/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,

Whereas an invitation to tender for the levy and/or refund for the export of common wheat was issued in Commission Regulation (EEC) No 1509/82⁽⁴⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75⁽⁵⁾, as amended by Regulation (EEC) No 2944/78⁽⁶⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas, in fixing this maximum, the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1509/82 is hereby fixed on the basis of the tenders submitted by 29 July 1982 at 69.92 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 168, 15. 6. 1982, p. 13.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 29 July 1982****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 1520/82****(82/560/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽²⁾,

Having regard to Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general rules
for granting export refunds on cereals and criteria for
fixing the amount of such refunds ⁽³⁾, and in particular
Article 5 thereof,

Whereas an invitation to tender for the export refund
on barley was issued in Commission Regulation (EEC)
No 1520/82 ⁽⁴⁾;

Whereas, pursuant to Article 5 of Commission Regula-
tion (EEC) No 279/75 ⁽⁵⁾, as amended by Regulation
(EEC) No 2944/78 ⁽⁶⁾, the Commission, acting under
the procedure laid down in Article 26 of Regulation
(EEC) No 2727/75, may decide to fix a maximum
export refund; whereas, in fixing this maximum, the
criteria provided for in Articles 2 and 3 of Regulation
(EEC) No 2746/75 must be taken into account;
whereas a contract is awarded to any tenderer whose
tender is equal to or less than the maximum export
refund;

Whereas the application of the abovementioned
criteria to the current market situation for the cereal in
question results in the maximum export refund being
fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 1520/82 is
hereby fixed on the basis of the tenders submitted by
29 July 1982 at 56.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 169, 16. 6. 1982, p. 9.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 30 July 1982****to take no action on the tenders submitted on 29 July 1982 in response to the invitation to tender for the export to certain third countries of wholly milled round grain rice issued in Regulation (EEC) No 1521/82**

(82/561/EEC)

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,

Having regard to Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽²⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the export refund on rice was issued in Commission Regulation (EEC) No 1521/82 ⁽³⁾,

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as amended by Regulation (EEC) No 3491/80 ⁽⁵⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76 and on the basis of the tenders submitted, to make no award;

Whereas on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 1431/76 a maximum refund should not be fixed;

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

HAS ADOPTED THIS DECISION:

Article 1

No action shall be taken on the tenders submitted on 29 July 1982 in response to the invitation to tender for the export refund on wholly milled round grain rice to certain third countries issued in Regulation (EEC) No 1521/82.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 July 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽³⁾ OJ No L 169, 16. 6. 1982, p. 12.

⁽⁴⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ No L 365, 31. 12. 1980, p. 15.

COMMISSION DECISION**of 30 July 1982****determining the world market price for peas and field beans used for human consumption****(82/562/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2036/82 of 19 July 1982 adopting general rules concerning special measures for peas and field beans⁽¹⁾, and in particular Article 2 (1) thereof,

Whereas in accordance with Regulation (EEC) No 2036/82 of 19 July 1982, the world market price for peas and field beans used for human consumption is to be determined on the basis of offers made on the world market, disregarding those which cannot be considered representative of actual market trends; whereas in cases where no offer can be used for determining the world market price, this price is determined from prices recorded on the markets of the principal exporting countries; whereas in cases where no offer can be used for determining the world market price, this price is fixed at a level equal to the guide price for the products in question;

Whereas in accordance with Article 4 (1) of Commission Regulation (EEC) No 2049/82 of 20 July 1982 on the detailed rules for determining the world market price for peas and field beans⁽²⁾, the average world market price should be established per 100 kilograms of products in bulk, delivered at Rotterdam, of sound quality as defined in Article 2 (2) of Council Regulation (EEC) No 1432/82⁽³⁾; whereas only the most favourable offers should be used for establishing this price which concerns the deliveries closest in distance,

excluding those relating to products being transported by ship;

Whereas for the offers and prices which do not comply with the conditions laid down above, the necessary adjustments should be made and in particular those referred to in Article 5 of Regulation (EEC) No 2036/82;

Whereas the world market price may be different for peas and for field beans;

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

HAS ADOPTED THIS DECISION:

Article 1

The world market price referred to in Article 2 of Regulation (EEC) No 2036/82 shall be 25.40 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 July 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽²⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽³⁾ OJ No L 162, 12. 6. 1982, p. 31.

COMMISSION DECISION**of 30 July 1982****repealing Decision 82/259/EEC concerning certain protective measures against foot-and-mouth disease**

(82/563/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as last amended by Directive 81/476/EEC⁽²⁾, and in particular Article 9 thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat⁽³⁾, as last amended by Directive 81/476/EEC, and in particular Article 8 thereof,

Having regard to Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products⁽⁴⁾, as last amended by Directive 81/476/EEC, and in particular Article 7 thereof,

Whereas Commission Decision 82/259/EEC⁽⁵⁾, as amended by Council Decision 82/370/EEC⁽⁶⁾, established certain protective measures against foot-and-mouth disease because of an outbreak of foot-and-mouth disease in Denmark;

Whereas foot-and-mouth disease has been eliminated in Denmark, and the Danish authorities have lifted all national protective measures;

Whereas it is advisable to re-establish, without ambiguity, the free movement of live animals of the bovine

and porcine species, of fresh meat and meat products, other than products which have been submitted to one of the forms of treatment referred to in Article 4 of Directive 80/215/EEC, between the entire Danish territory and the other Member States;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 82/259/EEC is hereby repealed.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 July 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁵⁾ OJ No L 111, 24. 4. 1982, p. 28.

⁽⁶⁾ OJ No L 167, 16. 6. 1982, p. 37.

COMMISSION DECISION

of 2 August 1982

authorizing Greece to apply intra-Community surveillance to imports of hazelnuts originating in Turkey, which have been put into free circulation in the Community

(Only the Greek text is authentic)

(82/564/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State⁽¹⁾, and in particular Articles 1 and 2 thereof,

Whereas Decision 80/47/EEC requires Member States to have prior authorization from the Commission before introducing intra-Community surveillance of the imports concerned;

Whereas by Decision 82/205/EEC of 22 December 1982⁽²⁾ and other relevant Decisions, the Commission authorized certain Member States and also Greece by its Decision 82/396/EEC of 14 June 1982⁽³⁾, to introduce intra-Community surveillance of certain imports until 30 June 1983;

Whereas, on 12 July 1982, a further request was made under Article 2 of Decision 80/47/EEC by the Greek Government to the Commission of the European Communities for authorization to apply intra-Community surveillance to imports of hazelnuts falling within subheading ex 08.05 G of the Common Customs Tariff originating in Turkey and in free circulation in the other Member States;

Whereas by virtue of Article 115 of the Act of Accession of Greece to the European Communities the importation into Greece of the product in question is limited to an annual quota, which amounts to 9.6 tonnes in 1982;

Whereas the information given by the Greek authorities in support of this application has been subjected to close examination by the Commission in accor-

dance with the criteria laid down by Decisions 80/47/EEC and 82/205/EEC;

Whereas the Commission examined in particular whether the imports could be made subject to intra-Community surveillance measures under Article 2 of Decision 80/47/EEC, whether information was given as regards the economic difficulties alleged, whether during the reference years set out in Decision 80/47/EEC there had been deflection of trade and whether intra-Community licence applications had been submitted;

Whereas this examination has shown that there is a risk that the imports set out in the Annex hereto are worsening or prolonging the existing economic difficulties; whereas, therefore, Greece should be authorized to make these imports subject to intra-Community surveillance until 30 June 1983,

HAS ADOPTED THIS DECISION:

Article 1

Greece is authorized to introduce, until 30 June 1983 and in accordance with Decision 80/47/EEC, intra-Community surveillance of the products set out in the Annex hereto.

Article 2

This Decision is addressed to Greece.

Done at Brussels, 2 August 1982.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 97, 10. 4. 1982, p. 1.

⁽³⁾ OJ No L 172, 18. 6. 1982, p. 42.

ANNEX

Other products

CCT heading No	NIMEXE code	Description	Country of origin
ex 08.05 G	08.05-91, 93	Hazelnuts	Turkey

COMMISSION DECISION

of 2 August 1982

fixing the maximum aid levels for butter and concentrated butter for the 24th individual invitation to tender under the standing invitation to tender provided for in Regulation (EEC) No 1932/81

(82/565/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Economic Community,

Whereas, in the light of the tenders received in response to the 24th individual invitation to tender, the maximum aid should be fixed at the level specified below and the processing security for concentrated butter determined accordingly ;

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1183/82 ⁽²⁾, and in particular Article 12 (3) thereof,

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

Whereas, pursuant to Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the grant of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food-stuffs ⁽³⁾, as last amended by Regulation (EEC) No 48/82 ⁽⁴⁾, intervention agencies are to undertake a standing invitation to tender for aid for butter and concentrated butter ;

HAS ADOPTED THIS DECISION :

Article 1

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

For the 24th individual invitation to tender issued in Regulation (EEC) No 1932/81, in respect of which the time limit for submission of tenders expired on 27 July 1982, the maximum aid and processing securities are hereby fixed as follows :

(a) *for butter :*

(ECU/100 kg butter)		
Use to which the butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Fat content of the butter	Maximum aid level
Formula A	82 % or more	175.00
	80 % or more, but not exceeding 82 %	170.70
Formula B	82 % or more	110.00
	80 % or more, but not exceeding 82 %	107.30

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽⁴⁾ OJ No L 7, 12. 1. 1982, p. 5.

(b) *for concentrated butter:*

<i>(ECU/100 kg pure concentrated butter)</i>		
Use to which the concentrated butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Maximum aid level	Processing security
Formula A and/or C	230.50	253.00
Formula B	151.00	166.00

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 August 1982.

For the Commission
Poul DALSAGER
Member of the Commission
