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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2595/82**of 28 September 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 27 September 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 29 September 1982.

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

Done at Brussels, 28 September 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 28 September 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	111.61
10.01 B II	Durum wheat	155.15 ⁽¹⁾ ⁽²⁾
10.02	Rye	85.33 ⁽⁶⁾
10.03	Barley	104.51
10.04	Oats	74.21
10.05 B	Maize, other than hybrid maize for sowing	104.16 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	9.74 ⁽⁴⁾
10.07 C	Grain sorghum	103.69 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	169.51
11.01 B	Rye flour	132.75
11.02 A I a)	Durum wheat groats and meal	253.56
11.02 A I b)	Common wheat groats and meal	182.78

⁽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 2596/82**of 28 September 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 27 September 1982;

Whereas on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 September 1982.

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

Done at Brussels, 28 September 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 28 September 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 9	1st period 10	2nd period 11	3rd period 12
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	6.44	6.44	7.51
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 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2597/82
of 27 September 1982
on the supply of common wheat to Sri Lanka as food aid

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 28 thereof,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid⁽³⁾, and in particular Article 6 thereof,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 21 June 1982 the Council of the European Communities expressed its intention to grant, under a Community measure, 37 000 tonnes of common wheat to Sri Lanka under its food-aid programme for 1982;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice⁽⁶⁾, as last amended by Regulation (EEC) No 3323/81⁽⁷⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions which are set out in the Annex to this Regulation;

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 French intervention agency shall be charged with implementing the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

This Regulation shall enter into force on the 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, 27 September 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. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁶⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁷⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1982
 2. **Recipient :** Sri Lanka
 3. **Place or country of destination :** Sri Lanka
 4. **Product to be mobilized :** common wheat
 5. **Total quantity :** 37 000 tonnes
 6. **Number of lots :** one
 7. **Intervention agency responsible for conducting the procedure :**
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-Paris 7ème (telex 270 807)
 8. **Method of mobilizing the product :** the Community market
 9. **Characteristics of the goods :**
the common wheat must be of fair and sound merchantable quality and correspond at least to the minimum bread-making quality required for intervention (moisture : maximum 14.5 %)
 10. **Packaging :** in bulk
 11. **Port of shipment :** Community port having regular links with the receiving country
 12. **Delivery stage :** fob
 13. **Port of landing :** —
 14. **Procedure to be applied in order to determine supply costs :** tendering
 15. **Deadline for the submission of tenders :** 12 noon on 12 October 1982
 16. **Shipment period :** 1 to 30 November 1982
 17. **Security :** 6 ECU per tonne
-

COMMISSION REGULATION (EEC) No 2598/82

of 28 September 1982

re-establishing the levying of customs duties on vitamins B₆ and H, falling within subheading 29.38 B ex II and originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3601/81 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas, in the case of vitamins B₆ and H falling within subheading 29.38 B ex II, the individual ceiling was fixed at 131 250 ECU; whereas, on 20 September 1982, imports of these products into the Community

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 2 October 1982, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3601/81, shall be re-established on imports into the Community of the following products originating in China:

CCT heading No	Description
29.38 B ex II (NIMEXE code : 29.38-35)	Vitamins B ₆ and H

Article 2

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

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

Done at Brussels, 28 September 1982.

For the Commission

Antonio GIOLITTI

Member of the Commission

⁽¹⁾ OJ No L 365, 21. 12. 1981, p. 1.

COMMISSION REGULATION (EEC) No 2599/82

28 September 1982

re-establishing the levying of customs duties on tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china, falling within heading No 69.11 and originating in Chile, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3601/81 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas, in the case of tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china, falling within heading No 69.11, the individual ceiling was fixed at 451 500 ECU; whereas, on 21 September 1982, imports of these

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 2 October 1982, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3601/81, shall be re-established on imports into the Community of the following products originating in Chile:

CCT heading No	Description
69.11	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian)

Article 2

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

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

Done at Brussels, 28 September 1982.

For the Commission

Antonio GIOLITTI

Member of the Commission

⁽¹⁾ OJ No L 365, 21. 12. 1981, p. 1.

COMMISSION REGULATION (EEC) No 2600/82
of 28 September 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 2576/82⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1716/82 to the information known to the Commission that the levies

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 September 1982.

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

Done at Brussels, 28 September 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 274, 24. 9. 1982, p. 32.

ANNEX

to the Commission Regulation of 28 September 1982 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (ECU/100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	43.02 39.34 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 2601/82

of 28 September 1982

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, and in particular Article 14 (4) thereof,

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

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

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 2341/82⁽⁷⁾, as last amended by Regulation (EEC) No 2586/82⁽⁸⁾;

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

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

Done at Brussels, 28 September 1982.

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

Whereas these exchange rates being those recorded on 27 September 1982;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽¹⁰⁾, as last amended by Regulation (EEC) No 1459/82⁽¹¹⁾, as fixed in the Annex to amended Regulation (EEC) No 2341/82, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 September 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 251, 27. 8. 1982, p. 8.

⁽⁸⁾ OJ No L 275, 25. 9. 1982, p. 22.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 164, 14. 6. 1982, p. 22.

ANNEX

to the Commission Regulation of 28 September 1982 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 D ⁽²⁾	140.79	134.75
11.02 A IV ⁽²⁾	140.79	134.75
11.02 B I a) 2 aa)	79.38	76.36
11.02 B I a) 2 bb) ⁽²⁾	137.77	134.75
11.02 B I b) 2 ⁽²⁾	137.77	134.75
11.02 C IV ⁽²⁾	122.80	119.78
11.02 D IV ⁽²⁾	79.38	76.36
11.02 E I a) 2 ⁽²⁾	79.38	76.36
11.02 E I b) 2 ⁽²⁾	155.76	149.72
11.02 F IV ⁽²⁾	140.79	134.75

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

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

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

COMMISSION REGULATION (EEC) No 2602/82

of 28 September 1982

increasing for part of the 1982/83 marketing year the minimum size of apples
allowed to be marketed

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1738/82⁽²⁾, and in
particular Articles 2(3) and 5(3) thereof,

Whereas under Article 2(3) of Regulation (EEC) No
1035/72 quality standards are to apply to products
listed in Annex I thereto to be delivered fresh to the
consumer; whereas the said quality standards are laid
down in Commission Regulation (EEC) No
1641/71⁽³⁾, as last amended by Regulation (EEC) No
2439/82⁽⁴⁾;

Whereas apple production is in substantial surplus;
whereas the quantities which may be marketed within
the Community and in non-member countries should
be restricted to those products which are most likely to
find a normal market, and storage of products which
do not fully meet the requirements of consumers
should be avoided;

Whereas, to this end, it is appropriate not to market
smaller-sized apples as from 1 January 1983; whereas,
therefore, a derogation should be made to the quality
standards;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Notwithstanding the common quality standards
laid down by Regulation (EEC) No 1641/71, apples
from the 1982 crop of large-fruit varieties, less than
60 mm in size, may not be marketed as from 1
January 1983 for delivery fresh to the consumer.

2. Paragraph 1 shall not apply to apples of the
'Morgenduft' and 'Gravensteiner' varieties.

3. Paragraphs 1 and 2 shall apply both to products
marketed within the Community and to those
exported to non-member countries.

Article 2

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

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

Done at Brussels, 28 September 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 190, 1. 7. 1982, p. 7.

⁽³⁾ OJ No L 172, 31. 7. 1971, p. 1.

⁽⁴⁾ OJ No L 261, 9. 9. 1982, p. 14.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 21 September 1982

with regard to a contribution to the European Coal and Steel Community out of
the general budget of the Communities

(82/652/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 235
thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parli-
ament ⁽¹⁾,

Whereas the difficulties currently facing the Commu-
nity's iron and steel industry have made it necessary to
adopt a restructuring programme under the ECSC
Treaty;

Whereas this programme consists of a series of
measures to rationalize production and raise the level
of productivity of the industry to the level where it can
compete on the world market, in accordance with the
general objectives for steel within the meaning of
Article 46 of the ECSC Treaty;

Whereas this series of restructuring measures necess-
arily includes social policy measures in the form of an
intervention programme, in order to alleviate the
effects of such measures on employment; whereas, in
this connection, it is advisable to have recourse to the

full range of readaptation aids provided for workers in
the industry by Article 56 (2) of the ECSC Treaty;

Whereas, in its resolution of 26 and 27 March 1981 on
steel recovery policy, the Council re-emphasized the
desirability of taking such measures;

Whereas, in the present circumstances, the financial
means provided for by the ECSC Treaty do not
provide adequate cover for financing these measures;

Whereas, in particular, the secondary effects of the
situation, if not remedied, would be liable to aggravate
considerably the Community's general employment
situation and to impair the harmonious development
of economic activities; whereas this would undermine
the achievement of one of the Community's main
objectives;

Whereas the Commission has submitted a request for
an exceptional temporary contribution from the
general budget of the Communities to allow the
Commission to implement successfully the social
measures under the restructuring programme for the
steel industry and to cope with the consequences of
the introduction of a system of production quotas;

Whereas a first contribution of 62 million ECU was
approved by Decision 82/164/EEC ⁽²⁾; whereas the
ECSC should receive a further contribution from the
general budget of the Communities to carry out the
1981 to 1984 programme of special temporary aid
drawn up by the Commission and approved by the
Council on 24 June 1981,

⁽¹⁾ OJ No C 182, 19. 7. 1982, p. 126.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 27.

HAS DECIDED AS FOLLOWS:

Sole Article

A further contribution for the 1981 to 1984 programme of special temporary aid is hereby granted to the European Coal and Steel Community for the financial years 1982 and 1983 out of the general budget of the Communities to cover Community financing of special temporary allowances in favour of workers in iron and steel undertakings and iron-ore mines in the Community whose jobs are directly or

indirectly abolished or threatened in consequence of a restructuring plan adopted by the undertaking, the group of undertakings, or the public authorities in accordance with the general objectives for steel.

The amount estimated necessary for this contribution is 100 million ECU.

Done at Brussels, 21 September 1982.

For the Council

The President

U. ELLEMANN-JENSEN

COMMISSION

COMMISSION DECISION

of 22 July 1982

on aid granted by the Netherlands Government to a paperboard-processing firm

(Only the Dutch text is authentic)

(82/653/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having given notice to the parties concerned to submit their comments as provided for in Article 93, and having regard to these comments,

Whereas :

The Netherlands Government has decided to assist a paperboard-processing firm located in Leeuwarden. The aid is in the form of the acquisition of a Fl 4 000 000 holding in the firm's capital by a public regional holding company, the Noordelijke Ontwikkelingsmaatschappij (NOM).

By telex dated 20 October 1980 the Commission reminded the Netherlands Government of its obligations under Article 93 (3), which requires prior notification of aid measures.

The Netherlands Government replied to the Commission on 5 December 1980, supplying some information concerning the measure in question, and emphasizing that in its view the measure did not constitute State aid within the meaning of Article 92 (1).

The Commission did not agree, and on 22 July 1981 it decided to initiate the procedure provided for in Article 93 (2) in respect of the aid. It gave the Netherlands Government notice to submit its comments by 11 September 1981. This deadline was subsequently extended for two weeks, to 25 September 1981. The Netherlands Government sent the Commission its comments on 26 October, after the deadline had expired.

In the course of the consultation of the parties concerned the Governments of two Member States told the Commission that they shared its concern over the effect of the aids on competition within the Community.

Two trade associations in the paperboard-processing industry, one Belgian and the other Netherlands, have filed complaints with the Commission. Those complaints reveal distortions of competition resulting from the measure taken by the Netherlands Government.

The assistance in this case is such as to affect trade between Member States and to distort or threaten to distort competition within the meaning of Article 92 (1) of the EEC Treaty by favouring the undertaking concerned or the production of its goods.

The prohibition on State aids laid down in Article 92 (1) applies to injections of capital both by the central Government itself and by regional or local authorities or other public agencies under the central Government's authority.

The financial structure of the firm, which urgently needed to carry out replacement investments, and the overcapacity in the paperboard-processing industry, constituted handicaps indicating that the firm would probably have been unable to raise on the private capital markets the funds essential to its survival.

The situation on the market in question provides no reasonable grounds for hope that a firm urgently needing large-scale restructuring could generate sufficient cash flow to finance the replacement investment necessary, even if it received the proposed assistance.

Article 92 (1) states that aids fulfilling the criteria set out therein are incompatible with the common

market. Exemptions from this incompatibility are permitted by Article 92 (3), which specifies objectives to be pursued in the Community interest, and not that of the individual recipient. The exemption clauses must be strictly construed in the examination both of regional or industry schemes and of individual cases of application of general aid systems; in particular, exemptions may be granted only when the Commission can establish that this will contribute to the attainment of one of the objectives specified, which the recipients would not secure by their own actions under normal market conditions alone.

To grant an exemption where there is no compensatory justification of this kind would be to allow trade between Member States to be affected and competition to be distorted without any benefit in terms of the Community interest, while accepting that undue advantages accrue to some Member States.

When applying the principles set out above in its examination of cases of aid, the Commission must be satisfied that there is a specific compensatory justification forthcoming from the particular recipient: the grant of aid must be required to promote the attainment of one of the objectives set out in Article 92 (3). Where this cannot be shown it is clear that the aid does not contribute to the attainment of the objectives specified in the exemption clauses but serves to increase the financial strength of the undertaking in question.

In the present case there is no such compensatory justification forthcoming from the undertaking receiving the aid.

The Netherlands Government has not been able to show, nor has the Commission found any evidence to establish that the proposed aid satisfies one of the tests for exemption in Article 92 (3).

As regards the exemptions permitted by Article 92 (3) (a) and (c), for aid to promote or facilitate the development of certain areas, the Leeuwarden area is not one 'where the standard of living is abnormally low or where there is serious underemployment' within the meaning of subparagraph (a); the rate of unemploy-

ment in the Leeuwarden area is roughly equal to the Community average. As regards the exemption permitted by subparagraph (c), the aid would not 'facilitate the development of ... certain economic areas' within the meaning of that provision.

As regards the exemptions permitted by Article 92 (3) (b), there is nothing in the measure to qualify it as a 'project of common European interest' or as one designed 'to remedy a serious disturbance in the economy of a Member State', the furtherance of which justifies exemption under Article 92 (3) (b) from the prohibition of aids laid down by Article 92 (1). The Netherlands belong to the central regions of the Community, whose social and economic problems are not the most serious in the Community, yet where the danger of an escalation of State aids is most immediate and where any State aid is most likely to affect trade between Member States. Available social and economic data on the Netherlands do not suggest that there is a serious disturbance in the economy of the kind referred to by the Treaty. The measure was not intended to remedy such a disturbance.

Lastly, as regards the exemptions permitted by Article 92 (3) (c), for 'aid to facilitate the development of certain economic activities', developments in the paperboard-processing industry show that to maintain production capacity through the grant of State aid would not be in the common interest. Furthermore, the paperboard-processing industry's future prospects rule out the conclusion that the aid envisaged would not adversely affect trading conditions to an extent contrary to the common interest.

The Netherlands Government aid described does not therefore qualify for any of the exemptions permitted by Article 92 (3) of the EEC Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The aid granted by the Netherlands Government to a paperboard-processing firm, which was notified to the Commission by telex dated 5 December 1980, is

incompatible with the common market under Article 92 of the EEC Treaty.

Article 2

The Kingdom of the Netherlands shall inform the Commission within three months of the date of notification of this Decision of the measures it has taken to ensure that the aid granted does not continue to distort competition in future, notably competition with undertakings in other Member States.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 22 July 1982.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION DECISION**of 10 September 1982****granting authorization to the Grand Duchy of Luxembourg to alter the number
of pig places pursuant to Council Regulation (EEC) No 1945/81****(Only the French text is authentic)****(82/654/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1945/81 of 30 June 1981 restricting investment aids
for pig production ⁽¹⁾, and in particular Article 1
thereof,

Having regard to Council Directive 72/159/EEC of 17
April 1972 on the modernization of farms ⁽²⁾, as last
amended by Directive 81/528/EEC ⁽³⁾, and in parti-
cular Article 18 (3) thereof,

Whereas the Government of Luxembourg has applied
for the authorization provided for in Article 1 (1) of
Regulation (EEC) No 1945/81 ;

Whereas the application contains all the information
specified in Article 3 of Commission Regulation (EEC)
No 2180/81 of 30 July 1981 laying down rules imple-
menting restrictions on investment aids for pig
production ⁽⁴⁾, showing that the conditions for authori-
zation pursuant to Article 1 of Regulation (EEC) No
1945/81 are met ;

Whereas such authorization does not affect the deci-
sion to be adopted by the Commission pursuant to
Article 18 of Directive 72/159/EEC concerning the

provisions adopted by Luxembourg in applying the
authorization ;

Whereas the EAGGF Committee has been consulted
on the financial aspects ;

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

HAS ADOPTED THIS DECISION :

Article 1

The Grand Duchy of Luxembourg is hereby autho-
rized to alter the number of pig places laid down in
Article 1 (1) of Regulation (EEC) No 1945/81, subject
to the limits and conditions laid down in that Article
and in Regulation (EEC) No 2180/81.

Article 2

This Decision is addressed to the Grand Duchy of
Luxembourg.

Done at Brussels, 10 September 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 197, 20. 7. 1981, p. 31.

⁽²⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽³⁾ OJ No L 197, 20. 7. 1981, p. 41.

⁽⁴⁾ OJ No L 211, 31. 7. 1981, p. 28.

COMMISSION DECISION**of 10 September 1982****on the implementation of the reform of agricultural structures in the Grand Duchy of Luxembourg pursuant to Council Directive 72/159/EEC and Titles III and IV of Council Directive 75/268/EEC****(Only the French text is authentic)****(82/655/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾, as last amended by Directive 81/528/EEC⁽²⁾, and in particular Article 18 (3) thereof,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽³⁾, as last amended by Directive 80/666/EEC⁽⁴⁾, and in particular Article 13 (3) thereof,

Whereas on 10 June 1982 the Government of Luxembourg notified the following provisions :

- the Grand-Ducal Regulation of 19 February 1982 amending the Grand-Ducal Regulation, as amended, of 30 March 1979 implementing the Law of 30 November 1978 to encourage the modernization of farming,
- the Grand-Ducal Regulation of 6 May 1982 adapting to the new Community structural measures the Law of 30 November 1978 to encourage the modernization of farming,
- the Grand-Ducal Regulation of 28 May 1982 laying down certain detailed rules for the implementation of the Grand-Ducal Regulation of 6 May 1982 adapting to the new Community structural measures the Law of 30 November 1978 to encourage the modernization of farming ;

Whereas, under Article 18 (3) of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC, the Commission has to determine whether, having regard to the objectives of those Directives and to the need for a proper connection between the various measures, the draft provisions so notified comply with those Direc-

tives and thus satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC ;

Whereas the abovementioned Grand-Ducal Regulations of 19 February 1982, 6 May 1982 and 28 May 1982 are consistent with the aims and requirements of Directive 72/159/EEC ;

Whereas the EAGGF Committee has been consulted on the financial aspects ;

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

HAS ACCORDED THIS DECISION :

Article 1

The provisions set out in the recitals hereto concerning the implementation in the Grand Duchy of Luxembourg of Directives 72/159/EEC and 75/268/EEC satisfy the conditions for financial contribution by the Community to common measures as referred to in Article 15 of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 10 September 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 197, 20. 7. 1981, p. 41.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁴⁾ OJ No L 180, 14. 7. 1980, p. 34.

COMMISSION DECISION**of 10 September 1982****adjusting the boundaries of less-favoured areas within the meaning of Council Directive 75/268/EEC (United Kingdom)****(Only the English text is authentic)****(82/656/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽¹⁾, as last amended by Directive 80/666/EEC ⁽²⁾, and in particular Article 2 (3) thereof,

Whereas Council Directive 75/276/EEC of 28 April 1975 concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (United Kingdom) ⁽³⁾, as amended by Commission Decision 76/685/EEC ⁽⁴⁾, identifies the areas in the United Kingdom included in the Community list of less-favoured areas within the meaning of Article 3 (4) of Directive 75/268/EEC;

Whereas the Government of the United Kingdom has applied under Article 2 (1) of Directive 75/268/EEC for the inclusion of the Scilly Isles with a total area of 1 796 hectares and a utilized agricultural area of 700 hectares as a less-favoured area within the meaning of Article 3 (5) of Directive 75/268/EEC in the Community list of less-favoured areas in the United Kingdom;

Whereas the new region applied for is characterized by specific handicaps, especially unfavourable natural conditions for farming (strong winds, steep gradients, boulders, windblown sands) as well as water-supply limitations, permitting it to be classified as an area within the meaning of Article 3 (5) of Directive 75/268/EEC which may be ranked with the less-favoured areas within the meaning of Article 3 (4) of the Directive; whereas the area in question is less than

2.5 % of the total surface area of the United Kingdom;

Whereas farming must be continued to conserve the countryside in these islands; whereas the adjustments applied for by the United Kingdom Government do not have the combined effect of increasing the utilized agricultural area of all the listed areas by more than 1.5 % of the total utilized agricultural area of the United Kingdom;

Whereas the EAGGF Committee has been consulted on the financial aspects;

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

HAS ADOPTED THIS DECISION:

Article 1

The list of less-favoured areas in the United Kingdom contained in the Annex to Directive 75/276/EEC is hereby amended as shown in the Annex hereto.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 10 September 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 180, 14. 7. 1980, p. 34.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 231.

⁽⁴⁾ OJ No L 231, 21. 8. 1976, p. 30.

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

Less-favoured areas within the meaning of Article 3 (5) of Directive 75/268/EEC

The Scilly Isles

COMMISSION DECISION

of 10 September 1982

granting authorization to the Kingdom of Belgium to alter the number of pig places pursuant to Council Regulation (EEC) No 1945/81

(Only the Dutch and French texts are authentic)

(82/657/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1945/81 of 30 June 1981 restricting investment aids for pig production⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽²⁾, as last amended by Directive 81/528/EEC⁽³⁾, and in particular Article 18 (3) thereof,

Whereas the Belgian Government has applied for the authorization provided for in Article 1 (1) of Regulation (EEC) No 1945/81;

Whereas the application contains all the information specified in Article 3 of Commission Regulation (EEC) No 2180/81 of 30 July 1981 laying down rules implementing restrictions on investment aids for pig production⁽⁴⁾, showing that the conditions for authorization pursuant to Article 1 of Regulation (EEC) No 1945/81 are met;

Whereas such authorization does not affect the decision to be adopted by the Commission pursuant to Article 18 of Directive 72/159/EEC concerning the

provisions adopted by Belgium in applying the authorization;

Whereas the EAGGF Committee has been consulted on the financial aspects;

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

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium is hereby authorized to alter the number of pig places laid down in Article 1 (1) of Regulation (EEC) No 1945/81, subject to the limits and conditions laid down in that Article and in Regulation (EEC) No 2180/81.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 10 September 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 197, 20. 7. 1981, p. 31.

⁽²⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽³⁾ OJ No L 197, 20. 7. 1981, p. 41.

⁽⁴⁾ OJ No L 211, 31. 7. 1981, p. 28.

COMMISSION DECISION

of 10 September 1982

on the implementation of the reform of agricultural structures in Greece
pursuant to Title II of Council Directive 75/268/EEC

(Only the Greek text is authentic)

(82/658/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 75/268/EEC of 28
April 1975 on mountain and hill farming and farming
in certain less-favoured areas⁽¹⁾, as last amended by
Directive 80/666/EEC⁽²⁾, and in particular Article 13
thereof,

Having regard to Council Directive 72/159/EEC of 17
April 1972 on the modernization of farms⁽³⁾, as last
amended by Directive 81/528/EEC⁽⁴⁾, and in parti-
cular Article 18 (3) thereof,

Whereas the Greek Government notified the following
regulations :

- Presidential Decree No 841/81 on mountain and
hill farming and farming in certain less-favoured
areas (Article 1 to 5 and Annex),
- Decision No 1633/81 of the Economic Committee
on the adoption of the programme of financial aid
for mountain, hill and less-favoured areas,
- the Ministerial Decree of 28 July 1981 concerning
the application forms and the method of payment
of compensatory allowances ;

Whereas, under Article 13 of Directive 75/268/EEC in
conjunction with Article 18 (3) of Directive
72/159/EEC, the Commission must decide whether
the abovementioned legislation satisfies the conditions
for financial contribution by the Community to
common measures as referred to in Article 13 of
Directive 75/268/EEC ;

Whereas the aids provided for in the abovementioned
legislation for 1981 are consistent with the aims and
requirements of Directive 75/268/EEC, in so far as it

constitutes the introduction of a permanent system of
compensatory allowances in the less-favoured areas of
Greece ;

Whereas the EAGGF Committee has been consulted
on the financial aspects ;

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

HAS ADOPTED THIS DECISION :

Article 1

Presidential Decree No 841/81 on mountain and hill
farming and farming in certain less-favoured areas,
Decision No 1633/81 of the Economic Committee on
the adoption of the programme of financial aid for
mountain, hill and less-favoured areas, and the Minis-
terial Decree of 28 July 1981 concerning the applica-
tion forms and the method of payment of compensa-
tory allowances notified by the Greek Government on
28 September and 19 November 1981 satisfy the
conditions for financial contribution by the Commu-
nity towards common measures as referred to in
Article 13 of Directive 75/268/EEC.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 10 September 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 180, 14. 7. 1980, p. 34.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁴⁾ OJ No L 197, 20. 7. 1981, p. 41.

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