

Official Journal

of the European Communities

ISSN 0378-6978

L 290

Volume 25

14 October 1982

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2733/82 of 13 October 1982 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2734/82 of 13 October 1982 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2735/82 of 13 October 1982 fixing the import levies on rice and broken rice	5
Commission Regulation (EEC) No 2736/82 of 13 October 1982 fixing the premiums to be added to the import levies on rice and broken rice	7
Commission Regulation (EEC) No 2737/82 of 13 October 1982 fixing the export refunds on white sugar and raw sugar exported in the natural state	9
*Commission Regulation (EEC) No 2738/82 of 11 October 1982 on the classification of goods falling within subheading 48.01 C II of the Common Customs Tariff	11
Commission Regulation (EEC) No 2739/82 of 12 October 1982 on delivery of common wheat and maize flour as food aid to the Upper Volta	12
Commission Regulation (EEC) No 2740/82 of 12 October 1982 on delivery of milled long-grain rice as food aid to Upper Volta	19
Commission Regulation (EEC) No 2741/82 of 13 October 1982 on the supply of fully milled long grain rice to Nepal as food aid under Regulation (EEC) No 3723/81	25
*Commission Regulation (EEC) No 2742/82 of 13 October 1982 on protective measures applicable to imports of dried grapes	28

(Continued overleaf)

Contents (continued)

*Commission Regulation (EEC) No 2743/82 of 13 October 1982 on the issuing of import licences for products falling within subheading 07.06 A of the Common Customs Tariff in accordance with Regulation (EEC) No 2655/82	31
--	-----------

Commission Regulation (EEC) No 2744/82 of 13 October 1982 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving that region	32
--	----

Commission Regulation (EEC) No 2745/82 of 13 October 1982 fixing the maximum export refund for raw sugar for the seventh partial invitation to tender issued within the framework of the principal standing invitation to tender referred to in Regulation (EEC) No 2013/82	35
---	----

Commission Regulation (EEC) No 2746/82 of 13 October 1982 fixing the maximum export refund for the 12th partial invitation to tender for white sugar issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2014/82	36
---	----

Commission Regulation (EEC) No 2747/82 of 13 October 1982 altering the import levies on products processed from cereals and rice	37
--	----

II *Acts whose publication is not obligatory*

Commission

82/691/EEC :

*Commission Decision of 22 July 1982 on the designation of areas eligible for regional aid in Denmark from 1 January 1982	39
--	-----------

82/692/EEC :

Commission Decision of 30 September 1982 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1508/82	45
---	----

82/693/EEC :

Commission Decision of 30 September 1982 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1509/82	46
---	----

Contents (continued)

82/694/EEC :

Commission Decision of 30 September 1982 fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EEC) No 1520/82 47

82/695/EEC :

Commission Decision of 30 September 1982 fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EEC) No 1959/82, as amended by Regulation (EEC) No 2407/82 . . 48

82/696/EEC :

Commission Decision of 30 September 1982 to take no action on the tenders submitted on 30 September 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 2416/82 49

82/697/EEC :

Commission Decision of 30 September 1982 fixing the maximum export refund on durum wheat in connection with the invitation to tender issued in Regulation (EEC) No 1960/82 50

Corrigenda

Corrigendum to Commission Regulation (EEC) No 2583/82 of 24 September 1982 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat (OJ No L 275, 25. 9. 1982) 51

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2733/82**of 13 October 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 12 October 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 14 October 1982.

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

Done at Brussels, 13 October 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 13 October 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	122.76
10.01 B II	Durum wheat	157.87 ⁽¹⁾ ⁽²⁾
10.02	Rye	100.46 ⁽⁶⁾
10.03	Barley	107.92
10.04	Oats	78.04
10.05 B	Maize, other than hybrid maize for sowing	117.42 ⁽³⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	15.33 ⁽⁴⁾
10.07 C	Grain sorghum	106.31 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	185.39
11.01 B	Rye flour	154.19
11.02 A I a)	Durum wheat groats and meal	258.74
11.02 A I b)	Common wheat groats and meal	199.63

⁽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 2734/82**of 13 October 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 12 October 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 14 October 1982.

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

Done at Brussels, 13 October 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 13 October 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 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 2735/82
of 13 October 1982
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2371/82 ⁽³⁾, as last
amended by Regulation (EEC) No 2677/82 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2371/82 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 the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 October
1982.

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

Done at Brussels, 13 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 255, 1. 9. 1982, p. 5.

⁽⁴⁾ OJ No L 284, 7. 10. 1982, p. 8.

ANNEX

to the Commission Regulation of 13 October 1982 fixing the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)	
		Third countries ⁽¹⁾	ACP or OCT ⁽¹⁾ ⁽²⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	125.91	59.35
	2. Long grain	160.57	76.68
	b) Husked rice :		
	1. Round grain	157.39	75.09
	2. Long grain	200.71	96.75
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	250.39	113.27
	2. Long grain	396.28	186.26
	b) Wholly milled rice :		
	1. Round grain	266.67	120.98
	2. Long grain	424.81	200.05
	III. Broken rice	44.03	19.01

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

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

**COMMISSION REGULATION (EEC) No 2736/82
of 13 October 1982**

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2372/82 ⁽³⁾, as last amended by Regulation (EEC)
No 2678/82 ⁽⁴⁾;

Whereas on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in

force, which are to be added to the levies, should be
altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 14 October
1982.

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

Done at Brussels, 13 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 255, 1. 9. 1982, p. 8.

⁽⁴⁾ OJ No L 284, 7. 10. 1982, p. 10.

ANNEX

to the Commission Regulation of 13 October 1982 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU / tonne)			
		Current 10	1st period 11	2nd period 12	3rd period 1
ex 10.06	Rice :				
	B. Other				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 2737/82

of 13 October 1982

fixing the export refunds on white sugar and raw sugar exported in the natural state

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 point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on

sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 October 1982.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

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

Done at Brussels, 13 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 13 October 1982 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	37.17	
	(b) Other	35.24	
	(II) Flavoured or coloured sugar		0.3717
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	34.20 ⁽¹⁾	
	(b) Other raw sugar	32.42 ⁽¹⁾	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 2738/82

of 11 October 1982

on the classification of goods falling within subheading 48.01 C II of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 3 thereof,

Whereas in order to ensure uniform application of the nomenclature of the Common Customs Tariff, provisions must be laid down concerning the tariff classification of paper and paperboard in rolls, made from pulp of coniferous wood obtained by the 'high yield' process;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68⁽²⁾, as last amended by Regulation (EEC) No 2655/82⁽³⁾, refers under subheading 48.01 C II to other kraft paper and kraft board, and under subheading 48.01 F to other paper and paperboard not mentioned in the preceding subheadings of heading No 48.01; whereas for the classification of the goods in question the abovementioned subheadings merit consideration;

Whereas the abovementioned process involves earlier interruption of the chemical cooking process, in consequence of which a considerable part of the lignin remains in the fibres; whereas, therefore, a microscopic examination carried out by the colour-change method would give results which, pursuant to the explanatory notes to subheading 48.01 C of the Common Customs Tariff, would lead to the exclusion of such goods from subheading 48.01 C II and their classification under subheading 48.01 F;

Whereas, however, a microscopic examination solely of the structure of the fibres reveals the product to be chemical sulphate pulp, since the fibres are long and intact and therefore exhibit no traces of mechanical wood-pulping, which would have caused them to be shredded during pulping in the pulping machines;

Whereas, therefore, it must be recognized that the said paper and paperboard, manufactured by the abovementioned process, fulfil the requirements for inclusion in subheading 48.01 C II of the Common Customs Tariff, since the remaining quantity of lignin is not of great importance; whereas, consequently, the goods in question must be classified under that subheading;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Paper and paperboard in rolls, made from chemical pulp of coniferous wood obtained by the 'high yield' process, shall be classified in the Common Customs Tariff under subheading:

48.01 Paper and paperboard (including cellulose wadding), in rolls or sheets:

C. Kraft paper and kraft board:

II. Other

Article 2

This Regulation shall enter into force on the 21st 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 October 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 280, 2. 10. 1982, p. 14.

COMMISSION REGULATION (EEC) No 2739/82

of 12 October 1982

on delivery of common wheat and maize flour as food aid to the Upper Volta

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 laying down the conditions for the mobilization of cereals 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 26 April 1982 the Council of the European Communities declared that by way of Community action it proposed to grant Upper Volta 6 000 tonnes of cereals under its 1982 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market ;

Whereas an invitation to tender should be issued for supply of the products delivered unloaded at Banfora and Ouagadougou via Abidjan, in view of the final use to be made of the goods delivered ;

Whereas the provisions of 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⁾, should be applied as far as possible, particularly in respect of the procedure for submission of tenders, since the manner in which the security is lodged must guarantee that the successful tenderer complies with his obligations ;

Whereas, however, the specific provisions concerning delivery to destination must be set out ; whereas the successful tenderer must thus bear all risk in the goods up to unloading at the stipulated destination ; whereas payment can be made only when proof of delivery to the destination is provided ;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the period stipulated ;

Whereas the British and Italian intervention agencies should be made responsible for the tendering procedure in question ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The intervention agencies mentioned in Annexes Ia and Ib hereto are hereby required to implement the mobilization and supply of the product stated in the said Annexes as food aid, subject to the provisions of this Regulation.
2. Supply of the products shall be organized under the tender procedure.
3. Annexes Ia and Ib shall take the place of a notice of invitation to tender. The intervention agency responsible shall make further publications as necessary.

Article 2

1. For the purposes of the invitation to tender, the following provisions of Regulation (EEC) No 1974/80 shall apply :
 - Article 4, except the provisions of paragraph 3 (e) and paragraph 4 (d) and (e), in respect of submission of tenders,
 - Article 5 in respect of provision of security,
 - Article 6 in respect of opening and reading tenders,
 - Article 8 in respect of comparing tenders.

⁽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.

2. The tender shall indicate the amount of the tender expressed per tonne of product, in the currency of the Member State where the tendering procedure is taking place. The tender must include the cost of fumigation, unloading and warehousing at the final destination stated in the Annexes Ia and Ib.

The tender shall state separately the amount of cost in respect of sea and land transport to the stipulated final destination.

The tender shall indicate the Member State in which the tenderer, in the event of his being declared successful, undertakes to complete the customs export formalities.

3. The tenderer shall carry out his obligations pursuant to this Regulation and the undertakings referred to in Article 4 (4) of Regulation (EEC) No 1974/80, with the exception of subparagraphs (d) and (e) thereof.

4. The tenderer shall undertake to ship in vessels listed in the larger classes in recognized classification registers, not more than 15 years old, and attested by a competent body as meeting hygiene requirements.

Article 3

1. Without prejudice to paragraphs 2 and 3, the contract shall be awarded within 48 hours to the tenderer who has submitted the most favourable tender.

2. Where the most favourable tender is submitted by more than one tenderer, the intervention agency shall award the contract to one of those tenderers by drawing lots.

3. If the tenders do not appear to be in line with the prices normally prevailing on the market, the intervention agency may, with the agreement of the Commission, decide not to award the contract.

4. The intervention agency shall communicate the results of the tendering procedure to all the tenderers by letter or telex sent not later than the first working day following the award decision.

Article 4

1. The successful tenderer shall contract as necessary, at his own expense, for carriage of the goods to the final destination and shall bear all the costs involved, including those of unloading and warehousing at the destination. He shall take out suitable insurance.

2. The successful tenderer shall bear all the risks relating to the goods, in particular of loss or deteriora-

tion to which the goods are subject, until they have effectively been unloaded and delivered to the final destination.

3. The successful tenderer shall communicate as soon as possible to the recipient's representative the date of loading, the means of transport used to consign the goods to the final destination, and the probable date of arrival. He shall immediately send this information to the intervention agency responsible for payment, which shall forward it without delay to the Commission.

The tenderer shall advise the recipient's representative, at least three days in advance, of the probable date of arrival of the goods at the final destination.

Article 5

1. The intervention agency of the country of shipment shall arrange for a check at the port before loading on the quantity, quality and packaging of the goods. Following inspection an attestation shall be issued by the intervention agency. The costs relating thereto shall be borne by the successful tenderer.

The successful tenderer shall provide that intervention agency with a certificate from the organization which undertook fumigation, showing that that operation has been carried out.

2. Samples intended for analysis shall be taken and the inspection shall be carried out in accordance with the trade practices in force in the country of shipment. The successful tenderer and the recipient's representative shall be invited to take part in the operation.

Two sealed samples shall be kept by the intervention agency until issue by the recipient of the taking-over certificate or until issue of the certificate referred to in Article 6 (2).

3. If the inspection referred to in paragraph 1 gives rise to a dispute, the intervention agency shall arrange for a second inspection by a service different from that mentioned in paragraph 1, the findings of which shall be final. The costs relating thereto shall be borne by the losing party.

4. Where the inspection provided for in the preceding paragraphs reveals that the goods do not satisfy the requirements stipulated, they must be refused and replaced. Where some quantities are missing the successful tenderer must make up the cargo.

Article 6

1. A taking-over certificate shall be issued by the recipient immediately following unloading at the final destination. It shall state the place and date of taking

over and give a description of the goods taken over in the form given in Annex II and any comments by the recipient.

2. Where the taking-over certificate is not issued for reasons other than a dispute about the goods, proof of delivery may be provided by means of a certificate of the form given in Annex II endorsed by the Community representative in the country of destination.

Article 7

1. Payment to the successful tenderer shall be made by the intervention agency of the Member State in which the customs export formalities are completed.

2. The amount to be paid shall be that of the tender plus, where appropriate, the costs referred to in Article 9. It shall be paid in the currency of the Member State which is responsible for payment. For this purpose this amount shall be converted by using,

- where the currencies in question are maintained within a maximum spread at any one time of 2.25 %, the conversion rate resulting from their central rate,
- in other cases, the relationship between the two currencies concerned established by using the latest statement of their spot exchange rates made immediately prior to the closing date for the submission of tenders as published in the 'C' series of the *Official Journal of the European Communities*.

3. The amount referred to in paragraph 2 shall be paid to the successful tenderer on presentation of the original of the taking-over certificate or a certified copy thereof, or, if this is not available, of the certificate referred to in Article 6 (2).

4. The intervention agency is hereby authorized to make without delay an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of a copy of that document, of the attestation referred to in Article 5 (1) and of the fumigation certificate, and subject to the provision of a security for an amount equal to the initial payment.

The said security shall be provided as laid down in Article 5 (2) of Regulation (EEC) No 1974/80.

Article 8

1. The security referred to in Article 2 shall be immediately released to:

- every tenderer whose tender was not successful or was not accepted,
- the successful tenderer in respect of quantities not delivered on account of *force majeure*,
- the successful tenderer in respect of the quantities delivered in accordance with this Regulation and on presentation of the original of the taking-over certificate or a certified true copy thereof or, where appropriate, the certificate referred to in Article 6 (2).

2. The security referred to in Article 7 (4) shall be released immediately when the successful tenderer furnishes the proof in accordance with Article 6 that at least 80 % of the quantity provided for has been delivered in conformity with the conditions laid down in this Regulation.

Article 9

If the successful tenderer, for reasons of *force majeure*, has to bear exceptional costs in respect of the delivery made under this Regulation which cannot be covered by insurance, he may receive compensation therefor on production of supporting documents and with the prior agreement of the Commission.

Article 10

Except in case of *force majeure* the successful tenderer shall bear all the financial consequences of the non-delivery of the goods under the conditions laid down in this Regulation if the recipient had made delivery possible under such conditions.

The costs resulting from the non-delivery of the goods following a case of *force majeure* shall be borne by the intervention agency responsible for payment.

Article 11

Articles 21 and 22 (1) and (2) of Regulation (EEC) No 1974/80 shall apply in the context of this Regulation.

The intervention agency responsible for payment shall, on receipt, send the information referred to in Article 4 (3) to the Commission.

The intervention agency in the country of shipment shall send the Commission, without delay, the results of the inspection referred to in Article 5.

Article 12

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, 12 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX Ia

1. **Programme** : 1982
2. **Recipient** : Upper Volta
3. **Place or country of destination** : Upper Volta
4. **Products to be mobilized** : common wheat
5. **Total quantity** : 4 000 tonnes
6. **Number of lots** : one
7. **Intervention agency responsible for conducting the procedure** :
Intervention Board for Agricultural Produce, Fountain House, 2 West Mall, Reading RG1 7QW,
Berks, UK (telex 848 302)
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 bags ⁽¹⁾
 - quality of the bags : new jute sacks, 600 g
 - net weight of the bags : 50 kg
 - marking on the bags in letters at least 5 cm high :
'FROMENT / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA
RÉPUBLIQUE DE HAUTE-VOLTA'
11. **Port of shipment** : a Community port
12. **Delivery stage** : delivered destination — Grands Moulins Voltaïques (GMV), Banfora, BP 64,
telex 8212 UV, via Abidjan
13. **Procedure to be applied in order to determine supply costs** : tendering
14. **Deadline for the submission of tenders** : 12 noon on 27 October 1982
15. **Shipment period** : 10 to 30 November 1982
16. **Security** : 6 ECU per tonne

⁽¹⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

ANNEX Ib

1. **Programme** : 1982
2. **Recipient** : Upper Volta
3. **Place or country of destination** : Upper Volta
4. **Product to be mobilized** : maize flour
5. **Total quantity** : 1 180 tonnes (2 000 tonnes of cereals)
6. **Number of lots** : one
7. **Intervention agency responsible for conducting the procedure** :
AIMA — Azienda di Stato per gli Interventi sui Mercati Agricoli, via Palestro 81, I-Roma (telex 613 003)
8. **Method of mobilizing the product** : on the Community market
9. **Characteristics of the goods** :
 - maize flour (11.01 E I) for human consumption, of sound merchantable quality, free of odour and pests
 - moisture content : maximum 13 %
 - acidity : 0.6 % maximum
10. **Packaging** :
 - in new bags⁽¹⁾
 - jute sacks of a minimum weight of 600 g or
 - composite sacks jute/polypropylene of a minimum weight of 335 g
 - net weight of the bags : 50 kg
 - marking of the bags (in letters at least 5 cm high) :
'FARINE DE MAÏS / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE DE HAUTE-VOLTA'
11. **Port of shipment** : a Community port
12. **Delivery stage** : delivered destination — Centre national de Stockage et d'Approvisionnement de Ouagadougou (CNSAO) — BP 1032, Ouagadougou via Abidjan
13. **Procedure to be applied in order to determine supply costs** : tendering
14. **Deadline for the submission of tenders** : 12 noon on 26 October 1982
15. **Shipment period** : 10 to 30 November 1982
16. **Security** : 12 ECU per tonne

⁽¹⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

*ANNEX II***TAKING-OVER CERTIFICATE**

Recipient :

I the undersigned :

(Name, forename, business name)

acting on behalf of

certify that delivery has been taken of the goods listed below :

— Cereals or products :

— Net tonnage accepted :

— Packaging :

in bulk :

in bags :

— Number of bags : at kg net

marking :

number of marked empty bags :

— Place of taking over :

— Date of taking over :

This quality of the goods delivered is in accordance with that fixed.

COMMISSION REGULATION (EEC) No 2740/82

of 12 October 1982

on delivery of milled long-grain rice as food aid to Upper Volta

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, and in particular Article 25 thereof,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid ⁽²⁾, 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 ⁽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 on 26 April 1982 the Council of the European Communities declared that by way of Community action it proposed to grant Upper Volta 690 tonnes of milled long-grain rice under its 1982 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market ;

Whereas an invitation to tender should be issued for supply of the products delivered unloaded at Ouagadougou, via Abidjan in view of the final use to be made of the goods delivered ;

Whereas the provisions of 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 3323/81 ⁽⁶⁾, should be applied as far as possible, particularly in respect of

the procedure for submission of tenders, since the manner in which the security is lodged must guarantee that the successful tenderer complies with his obligations ;

Whereas, however, the specific provisions concerning delivery to destination must be set out ; whereas the successful tenderer must thus bear all risk in the goods up to unloading at the stipulated destination ; whereas payment can be made only when proof of delivery to the destination is provided ;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the period stipulated ;

Whereas the Italian intervention agency should be made responsible for the tendering procedure in question ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The intervention agency mentioned in Annex I hereto is hereby required to implement the mobilization and supply of the product stated in the said Annex as food aid, subject to the provisions of this Regulation.
2. Supply of the products shall be organized under the tender procedure.
3. Annex I shall take the place of a notice of invitation to tender. The intervention agency responsible shall make further publications as necessary.

Article 2

1. For the purposes of the invitation to tender, the following provisions of Regulation (EEC) No 1974/80 shall apply :

- Article 4, except the provisions of paragraph 3 (e) and paragraph 4 (d) and (e) in respect of submission of tenders,
- Article 5 in respect of provision of security,
- Article 6 in respect of opening and reading tenders.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁶⁾ OJ No L 334, 21. 11. 1981, p. 27.

2. The tender shall indicate the amount of the tender expressed per tonne of product, in the currency of the Member State where the tendering procedure is taking place. The tender must include the cost of fumigation, unloading and warehousing at the final destination stated in Annex I.

The tender shall state separately the amount of cost in respect of sea and land transport to the stipulated final destination.

The tender shall indicate the Member State in which the tenderer, in the event of his being declared successful, undertakes to complete the customs export formalities.

3. The tenderer shall carry out his obligations pursuant to this Regulation and the undertakings referred to in Article 4 (4) of Regulation (EEC) No 1974/80, with the exception of subparagraphs (d) and (e) thereof.

4. The tenderer shall undertake to ship in vessels listed in the larger classes in recognized classification registers, not more than 15 years old, and attested by a competent body as meeting hygiene requirements.

Article 3

1. Without prejudice to paragraphs 2 and 3, the contract shall be awarded within 48 hours to the tenderer who has submitted the most favourable tender.

2. Where the most favourable tender is submitted by more than one tenderer, the intervention agency shall award the contract to one of those tenderers by drawing lots.

3. If the tenders do not appear to be in line with the prices normally prevailing on the market, the intervention agency may, with the agreement of the Commission, decide not to award the contract.

4. The intervention agency shall communicate the results of the tendering procedure to all the tenderers by letter or telex sent not later than the first working day following the award decision.

Article 4

1. The successful tenderer shall contract as necessary, at his own expense, for carriage of the goods to the final destination and shall bear all the costs involved, including those of unloading and warehousing at the destination. He shall take out suitable insurance.

2. The successful tenderer shall bear all the risks relating to the goods, in particular of loss or deteriora-

tion to which the goods are subject, until they have effectively been unloaded and delivered to the final destination.

3. The successful tenderer shall communicate as soon as possible to the recipient's representative the date of loading, the means of transport used to consign the goods to the final destination, and the probable date of arrival. He shall immediately send this information to the intervention agency responsible for payment, which shall forward it without delay to the Commission.

The tenderer shall advise the recipient's representative, at least three days in advance, of the probable date of arrival of the goods at the final destination.

Article 5

1. The intervention agency of the country of shipment shall arrange for a check at the port before loading on the quantity, quality and packaging of the goods. Following inspection an attestation shall be issued by the intervention agency. The costs relating thereto shall be borne by the successful tenderer.

The successful tenderer shall provide that intervention agency with a certificate from the organization which undertook fumigation, showing that that operation has been carried out.

2. Samples intended for analysis shall be taken and the inspection shall be carried out in accordance with the trade practices in force in the country of shipment. The successful tenderer and the recipient's representative shall be invited to take part in the operation.

Two sealed samples shall be kept by the intervention agency until issue by the recipient of the taking-over certificate or until issue of the certificate referred to in Article 6 (2).

3. If the inspection referred to in paragraph 1 gives rise to a dispute, the intervention agency shall arrange for a second inspection by a service different from that mentioned in paragraph 1, the findings of which shall be final. The costs relating thereto shall be borne by the losing party.

4. Where the inspection provided for in the preceding paragraphs reveals that the goods do not satisfy the requirements stipulated, they must be refused and replaced. Where some quantities are missing the successful tenderer must make up the cargo.

Article 6

1. A taking-over certificate shall be issued by the recipient immediately following unloading at the final destination. It shall state the place and date of taking

over and give a description of the goods taken over in the form given in Annex II and any comments by the recipient.

2. Where the taking-over certificate is not issued for reasons other than a dispute about the goods, proof of delivery may be provided by means of a certificate of the form given in Annex II endorsed by the Community representative in the country of destination.

Article 7

1. Payment to the successful tenderer shall be made by the intervention agency of the Member State in which the customs export formalities are completed.

2. The amount to be paid shall be that of the tender plus, where appropriate, the costs referred to in Article 9. It shall be paid in the currency of the Member State which is responsible for payment. For this purpose this amount shall be converted by using,

- where the currencies in question are maintained within a maximum spread at any one time of 2.25 %, the conversion rate resulting from their central rate,
- in other cases, the relationship between the two currencies concerned established by using the latest statement of their spot exchange rates made immediately prior to the closing date for the submission of tenders as published in the 'C' series of the *Official Journal of the European Communities*.

3. The amount referred to in paragraph 2 shall be paid to the successful tenderer on presentation of the original of the taking-over certificate or a certified copy thereof, or, if this is not available, of the certificate referred to in Article 6 (2).

4. The intervention agency is hereby authorized to make without delay an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of a copy of that document, of the attestation referred to in Article 5 (1) and of the fumigation certificate, and subject to the provision of a security for an amount equal to the initial payment.

The said security shall be provided as laid down in Article 5 (2) of Regulation (EEC) No 1974/80.

Article 8

1. The security referred to in Article 2 shall be immediately released to:

- every tenderer whose tender was not successful or was not accepted,
- the successful tenderer in respect of quantities not delivered on account of *force majeure*,
- the successful tenderer in respect of the quantities delivered in accordance with this Regulation and on presentation of the original of the taking-over certificate or a certified true copy thereof or, where appropriate, the certificate referred to in Article 6 (2).

2. The security referred to in Article 7 (4) shall be released immediately when the successful tenderer furnishes the proof in accordance with Article 6 that at least 80 % of the quantity provided for has been delivered in conformity with the conditions laid down in this Regulation.

Article 9

If the successful tenderer, for reasons of *force majeure*, has to bear exceptional costs in respect of the delivery made under this Regulation which cannot be covered by insurance, he may receive compensation therefor on production of supporting documents and with the prior agreement of the Commission.

Article 10

Except in case of *force majeure* the successful tenderer shall bear all the financial consequences of the non-delivery of the goods under the conditions laid down in this Regulation if the recipient had made delivery possible under such conditions.

The costs resulting from the non-delivery of the goods following a case of *force majeure* shall be borne by the intervention agency responsible for payment.

Article 11

Articles 21 and 22 (1) and (2) of Regulation (EEC) No 1974/80 shall apply in the context of this Regulation.

The intervention agency responsible for payment shall, on receipt, send the information referred to in Article 4 (3) to the Commission.

The intervention agency in the country of shipment shall send the Commission, without delay, the results of the inspection referred to in Article 5.

Article 12

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, 12 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

1. **Programme** : 1982
2. **Recipient** : Republic of Upper Volta
3. **Place or country of destination** : Republic of Upper Volta
4. **Product to be mobilized** : milled long-grain rice
5. **Total quantity** : 690 tonnes (2 000 tonnes cereals)
6. **Number of lots** : one
7. **Intervention agency responsible for conducting the procedure** :
Ente Nazionale Risi, piazza Pio XI, 1, I-Milano (telex 334032)
8. **Method of mobilizing the product** : the Community market
9. **Characteristics of the goods** :
 - rice of fair and sound merchantable quality, free from abnormal smell and pests
 - moisture : 15 %
 - broken rice : 5 % maximum
 - chalky grains : 5 % maximum
 - grains striated with red : 3 % maximum
 - spotted grains : 2.5 % maximum
 - stained grains : 1.5 % maximum
 - yellow grains : 0.050 % maximum
 - amber grains : 0.20 % maximum
10. **Packaging** :
 - in bags⁽¹⁾
 - quality of the bags : new jute sacks, 600 g
 - net weight of the bags : 50 kg
 - marking on the bags : in letters at least 5 cm high :
'RIZ / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE DE HAUTE-VOLTA'
11. **Port of shipment** : a Community port
12. **Delivery stage** : delivered destination — Centre national de stockage et d'approvisionnement de Ouagadougou (CNSAO), BP 1032, Ouagadougou via Abidjan
13. **Procedure to be applied in order to determine supply costs** : tendering
14. **Deadline for the submission of tenders** : 12 noon on 25 October 1982
15. **Shipment period** : 1 to 30 November 1982
16. **Security** : 12 ECU per tonne

⁽¹⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

ANNEX II

TAKING-OVER CERTIFICATE

Recipient :

I the undersigned :
(Name, forename, business name)

acting on behalf of

certify that delivery has been taken of the goods listed below:

— Cereals or products :

— Net tonnage accepted :

— Packaging :

in bulk :

in bags :

— Number of bags : at kg net

marking :

number of marked empty bags :

— Place of taking over :

— Date of taking over :

This quality of the goods delivered is in accordance with that fixed.

**COMMISSION REGULATION (EEC) No 2741/82
of 13 October 1982**

**on the supply of fully milled long grain rice to Nepal as food aid under
Regulation (EEC) No 3723/81**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽²⁾, and in particular
Article 28 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, and in particular Article 25
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 ⁽⁴⁾;

Having regard to Council Regulation (EEC) No 696/76
of 25 March 1976 derogating from Regulation (EEC)
No 2750/75 in respect of mobilization procedures for
cereals to be supplied as food aid ⁽⁵⁾,

Whereas Council Regulation (EEC) No 3723/81 ⁽⁶⁾
provided for exceptional food aid totalling 40 million
ECU to be granted to the least-developed countries;
whereas various sums have been allocated for the deli-
very of cereals and rice to certain non-member coun-
tries and beneficiary organizations;

Whereas this amount should be increased by the costs
borne by the Guarantee Section of the European Agri-
cultural Guidance and Guarantee Fund in accordance
with Council Regulation (EEC) No 2681/74 ⁽⁷⁾;

Whereas by reason of the urgency of this operation a
procedure other than that of an invitation to tender
should be implemented;

Whereas it is necessary to provide for these measures
to be carried out in accordance with the rules laid
down in Commission Regulation (EEC) No 1974/80 of
22 July 1980 laying down general rules for the imple-
mentation of certain food-aid operations involving
cereal and rice products ⁽⁸⁾, as last amended by Regula-

tion (EEC) No 3323/81 ⁽⁹⁾; whereas it is necessary, for
the purposes of the Community measure envisaged, to
lay down special conditions for the submission of
tenders, the award of contracts and the payment, as
well as 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 intervention agency listed in the Annex hereto
shall be responsible for implementing the procedures
for mobilizing and supplying the product indicated
therein under the terms of this Regulation.

The general rules laid down in Regulation (EEC) No
1974/80 shall apply without prejudice to the special
provisions set out below.

Article 2

The detailed rules laid down in the first subparagraph
of Article 4 (3) (e), Article 7 (3), Article 8, the second
subparagraph of Article 15 (2) and Article 17 of Regu-
lation (EEC) No 1974/80 shall not apply.

Article 3

1. The procedure opened by this Regulation shall
cover contracts for the supply of a maximum quantity
of the product referred to in the Annex for the amount
in ECU set out therein.

2. Under this procedure, tenders shall indicate the
quantity tendered for at the amount fixed. They shall
be valid only if they relate to the whole of this
amount.

3. The intervention agency shall award the contract
to the tenderer offering the largest quantities.

However, in the light of the quantities offered for
the amount fixed, the tenders received do not appear
to match the conditions normally practised on the
market, the intervention agency may decide not to
award the contract.

⁽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 281, 8. 11. 1975, p. 89.

⁽⁵⁾ OJ No L 83, 23. 3. 1976, p. 8.

⁽⁶⁾ OJ No L 373, 29. 12. 1981, p. 11.

⁽⁷⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

Article 4

1. The sum to be paid to the co-contractor shall be the amount referred to in Article 3 (1). It shall be paid by the intervention agency in the Member State in which the customs export formalities are completed and in the currency of that Member State.

2. The amount referred to in paragraph 1 shall be paid only on presentation of the original of the taking-over certificate or a certified true copy thereof and the supporting documents referred to in Article 16 (2) of Regulation (EEC) No 1974/80.

However, if the said taking-over certificate is not issued by the recipient, the intervention agency shall make payments on the basis of the certificate and the

supporting documents referred to in Article 16 (2) of the abovementioned Regulation.

Article 5

For the purposes of implementing the procedure provided for in this Regulation on the one hand and payment on the other, the amount referred to in Article 3 (1) shall be converted into the relevant national currency using the last spot exchange rate recorded immediately before the final date for the submission of tenders, as published in the 'C' series of the *Official Journal of the European Communities*.

Article 6

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, 13 October 1982.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

1. **Programme** : 1981 (Regulation (EEC) No 3723/81)
2. **Recipient** : Nepal
3. **Place or country of destination** : Nepal
4. **Product to be mobilized** : fully milled long grain rice
5. **Amount** : 190 000 ECU, increased by 210 ECU per tonne of product offered
6. **Number of lots** : one
7. **Intervention agency responsible for conducting the procedure** :
Ente Nazionale Risi, Piazza Pio XI, 1, Milano (telex 334 032)
8. **Method of mobilizing the product** : on the Community market
9. **Characteristics of the goods** :
 - rice of fair and sound merchantable quality, free from abnormal smell and pests
 - moisture : 15 %
 - broken rice : 5 % maximum
 - chalky grains : 5 % maximum
 - grains striated with red : 3 % maximum
 - spotted grains : 2.5 % maximum
 - stained grains : 1.5 % maximum
 - yellow grains : 0.050 % maximum
 - amber grains : 0.20 % maximum
10. **Packaging** :
 - in bags ⁽¹⁾
 - quality of the bags : new jute sacks, 600 g, lined with cotton sacks
 - net weight of the bags : 50 kg
 - marking of the bags in letters at least 5 cm high :
‘RICE — GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO NEPAL’
11. **Port of shipment** : a Community port
12. **Delivery stage** : cif
13. **Port of landing** : Calcutta
14. **Procedure to be applied in order to determine supply costs** : mutual agreement
15. **Deadline for the conclusion of the contract** : 12 noon on 15 October 1982
16. **Shipment period** : 25 October to 5 November 1982
17. **Security** : 12 ECU per tonne

⁽¹⁾ Since the goods may be rebagged, the co-contractor must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital ‘R’.

COMMISSION REGULATION (EEC) No 2742/82
of 13 October 1982
on protective measures applicable to imports of dried grapes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the conditions for marketing dried grapes during the marketing year 1981/82 have been characterized by competition from certain non-member countries at prices significantly under-cutting the prices ruling in the Community; whereas such imports have considerably embarrassed the marketing of Community products; whereas stocks in the Community of sultanas constitute now 60 % of the harvest of that marketing year; whereas low price levels continue to be applied by certain non-member countries; whereas the risk exist that other non-member countries are going to align export prices in order to maintain their market share in the Community; whereas that risk is accentuated by the fact that the amount of dried grapes available in supplying non-member countries is increasing;

Whereas in these circumstances the Community market is exposed to serious disturbances which might endanger the objectives set out in Article 39 of the Treaty; whereas it is therefore necessary to apply protective measures;

Whereas the aim of the protective measures should be to exclude that imported dried grapes are marketed at abnormal low prices;

Whereas this objective can be achieved by introducing a minimum price to be respected on import into the Community and by applying a countervailing charge on products which do not respect that price; whereas the countervailing tax should be calculated on the

basis of the prices applied by the main non-member supplier countries;

Whereas the protective measures must be applied by all customs offices; whereas the measures can be effective only when a certain period has elapsed after the publication of the measures and to avoid them being jeopardized the release for free circulation should be suspended during that period;

Whereas the present monetary situation leads to the result that the minimum price fixed in ECU and converted into national currency will not represent an identical price level; whereas that fact could lead to distortion of trade; whereas that could be avoided by applying a coefficient when converting the ECU into national currency by using the representative rate; whereas such a coefficient should be fixed taking into consideration the difference between the representative conversion rate and the central rate for Member States maintaining their currencies within a maximum spread at any given moment of 2.25 %, and for the other Member States the average rate used for the calculation of the monetary compensatory amounts; whereas the coefficient shall be reviewed in cases where, during the period where the present measures are applicable, the level of the coefficient is not considered sufficient to avoid serious distortion of trade;

Whereas the countervailing charge should not be levied in respect of products coming from non-member countries which are prepared and in a position to guarantee the prices of products exported by them and that any deflections of trade will be avoided;

Whereas it is necessary to follow the trends of import of dried grapes; whereas an appropriate measure to this end is the application of the system of import licences; whereas for this purpose the provisions of Regulation (EEC) No 3183/80⁽⁵⁾, as last amended by Regulation (EEC) No 2666/82⁽⁶⁾, should be applied;

Whereas imports to low prices are at present not made in respect of currants; whereas currants should not be subject to any restrictive measures; whereas trade in currants cannot always easily be distinguished from trade in other dried grapes; whereas the system of import licences should therefore apply to all dried grapes during the period where the protective measures remain applicable;

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 10.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽⁶⁾ OJ No L 283, 6. 10. 1982, p. 7.

Whereas account should be taken of the special situation of products which have already left the exporting country at the time this Regulation is published,

HAS ADOPTED THIS REGULATION :

Article 1

The release for free circulation of dried grapes, other than currants, falling within subheading 08.04 B I and II of the Common Customs Tariff is suspended until 27 October 1982.

Article 2

1. On import into the Community of dried grapes, other than currants, falling within subheading 08.04 B I and B II of the Common Customs Tariff, a minimum price of 106.7 ECU per 100 kilograms net shall be respected.

2. If the minimum price is not respected a countervailing charge of 16.0 ECU per 100 kilograms net shall be applied.

3. After having converted the minimum price and the countervailing charge into national currency, by applying the representation rate, the resulting amount shall be multiplied by the following coefficient :

for DM :	0.906
for Fl :	0.936
for £ :	0.883
for Bfr/Lfr :	1.046
for FF :	1.068
for Lit :	1.025
for Dkr, £ Irl and Dr :	1.00

4. The countervailing charge referred to in paragraph 2 shall not be levied on imports from non-member countries which are prepared and in a position to guarantee that the import of products originating and coming from their territory will not be lower than the minimum price and that any deflections of trade will be avoided.

Non-member countries to which this paragraph applies shall be indicated on a list drawn up by the Commission.

Article 3

1. The Member State shall for each consignment at the time of completion of customs import formalities for free circulation compare the import price with the corresponding minimum price applicable on the day of completion of the said formalities.

2. The minimum price is respected when the comparison referred to in paragraph 1 shows that the import price expressed in the currency of the importing Member State is not less than the minimum price.

3. The import price shall be declared on the declaration of release for free circulation and such declaration shall be accompanied by all the documents required to verify this price.

Article 4

1. In establishing the import price the following factors shall be taken into consideration :

- (a) the fob price in the country of export ;
- (b) transportation and insurance cost up to the place of entry into the customs territory of the Community.

2. Where the factors referred to in paragraph 1 are expressed in a currency other than that of the importing Member State the provisions on the valuation of goods for customs purposes shall be applied when converting such currency into the currency of the importing Member State.

3. If the invoice presented to the customs authorities does not reflect the fob price in the country of export, the competent authorities in the Member States shall take the necessary measures to determine that price.

Article 5

1. Any import into the Community of the product falling within subheading 08.04 B I and B II of the Common Customs Tariff shall be subject to the production of an import licence which shall be issued by Member States to any applicant who applies for such certificate irrespective of his place of establishment within the Community.

The licence shall be valid throughout the Community.

2. The issue of an import licence shall be conditional upon the lodging of a security of 2 ECU per 100 kg net. The security shall be forfeit in whole or in part if the imports are not effected or are effected only in part within the period of validity of the licence.

3. The provisions of Regulation (EEC) No 3183/80, shall apply to the licences under this Article.

4. Import licences shall be valid for 75 days from their issue.

5. The application for the import licence and the import licence itself shall show :

- (a) in box 7 : the designation of the products by using either the term 'currants' or the term 'dried grapes, other than currants' ;
- (b) in box 8 : the Common Customs Tariff subheading preceded by 'ex' ;
- (c) in box 14 : the country of origin.

The import licence is valid only in respect of products originating in the country shown in box 14.

Article 6

Member States shall each Friday in respect of the preceding week inform the Commission by telex about the quantities of

— currants, and

— dried grapes, other than currants,

for which import licences have been delivered, broken down according to the country of origin.

Article 7

Articles 1 and 2 shall not apply when it is proved to the satisfaction of the customs authorities that the

products declared for release for free circulation have left the exporting country before the day of publication of this Regulation and the import declaration is accepted by the customs authorities not later than 31 December 1982.

Article 8

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities* and it shall apply until 31 August 1983.

Articles 2 to 5 shall apply from 28 October 1982.

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

Done at Strasbourg, 13 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2743/82**of 13 October 1982****on the issuing of import licences for products falling within subheading 07.06 A
of the Common Customs Tariff in accordance with Regulation (EEC) No 2655/82**

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
2646/82 of 30 September 1982 on the import system
applicable in 1982 to products falling within sub-
heading 07.06 A of the Common Customs Tariff⁽³⁾,

Having regard to Commission Regulation (EEC) No
2655/82 of 1 October 1982 laying down rules for
implementing the import arrangements for 1982 for
products falling within subheading 07.06 A of the
Common Customs Tariff originating in third countries
other than Thailand and amending Regulation (EEC)
No 950/68 on the Common Customs Tariff⁽⁴⁾, and in
particular Article 2 (2) thereof,

Whereas, pursuant to the abovementioned provision,
the quantities for which import licences are to be
issued are to be laid down proportionally by country or
group of countries concerned;

Whereas, under Article 3 of the same Regulation,
import licences may be issued only where quantities

remain and only within certain limits; whereas quan-
tities remain for Indonesia and the other GATT
member countries only,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences, as referred to in the
first indent of Article 2 (1) of Regulation (EEC) No
2655/82, shall be honoured within the following
limits:

- (a) Indonesia: 48 685 tonnes, i.e. 100 % of the appli-
cations;
- (b) other GATT member countries: 435 tonnes, i.e.
100 % of the applications;
- (c) third countries other than Thailand and those
referred to in (a) and (b): 0.

Article 2

This Regulation shall enter into force on 14 October
1982.

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

Done at Brussels, 13 October 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 279, 1. 10. 1982, p. 41.

⁽⁴⁾ OJ No L 280, 2. 10. 1982, p. 14.

COMMISSION REGULATION (EEC) No 2744/82**of 13 October 1982****fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving that region**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organization
of the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 1195/82⁽²⁾,

Having regard to Commission Regulation (EEC) No
2661/80 of 17 October 1980 laying down detailed
rules for applying the variable slaughter premium for
sheep⁽³⁾, as amended by Regulation (EEC) No
1238/82⁽⁴⁾, and in particular Articles 3 (1) and 4 (1)
thereof,

Whereas the United Kingdom is the only country
paying the variable slaughter premium; whereas the
United Kingdom has decided to pay it only in Region
5 (Great Britain), within the meaning of Article 3 (1) of
Regulation (EEC) No 1837/80; whereas it is necessary
therefore for the Commission to fix, for the period 20
to 26 September 1982, the level of the premium and
the amount to be charged on products leaving that
region;

Whereas Article 3 (1) of Regulation (EEC) No 2661/80
stipulates that the level of the variable slaughter
premium is to be fixed each week by the Commission
for each Member State concerned or, in the case of the
United Kingdom, for Great Britain;

Whereas Article 4 (1) of Regulation (EEC) No 2661/80
lays down that the amount to be charged on products
leaving the Member States concerned or, in the case of
the United Kingdom, Great Britain shall be fixed
weekly by the Commission for each Member State
concerned and in the case of the United Kingdom for
Great Britain;

Whereas it follows from the application of the rules
laid down in Article 9 (1) of Regulation (EEC) No

1837/80 and in Article 4 (1) and (3) of Regulation
(EEC) No 2661/80 that the variable slaughter premium
for sheep certified as eligible in the United Kingdom,
and the amounts to be charged on products leaving
Great Britain, during the period 20 to 26 September
1982, shall be as set out in the Annexes hereto;

Whereas it should be recalled that Commission Regu-
lation (EEC) No 3191/80 of 9 December 1980⁽⁵⁾, as
last amended by Regulation (EEC) No 1558/82⁽⁶⁾,
fixed transitional measures concerning non-recovery of
the variable slaughter premium for sheepmeat and
goatmeat products exported from the Community,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified in Great Britain as
eligible for the variable slaughter premium during the
period 20 to 26 September 1982, the level of the
premium shall be as set out in Annex I hereto.

Article 2

Without prejudice to the provisions of Regulation
(EEC) No 3191/80, for products referred to in Article 1
(a) of Regulation (EEC) No 1837/80 which left Great
Britain during the period 20 to 26 September 1982,
the amounts to be charged shall be as set out in
Annex II hereto.

Article 3

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

It shall apply with effect from 20 September 1982.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 22.

⁽³⁾ OJ No L 276, 20. 10. 1980, p. 19.

⁽⁴⁾ OJ No L 143, 20. 5. 1982, p. 10.

⁽⁵⁾ OJ No L 332, 10. 12. 1980, p. 14.

⁽⁶⁾ OJ No L 172, 18. 6. 1982, p. 21.

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

Done at Brussels, 13 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

Level of variable slaughter premium for certified sheep in Great Britain for the week commencing 20 September 1982

Description	Premium
Certified sheep or sheepmeat	121·924 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

⁽¹⁾ Within the weight limits laid down by Great Britain.

ANNEX II

Amount to be charged for products leaving Great Britain during the week commencing 20 September 1982

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		57·304
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	121·924
	2. Short forequarters	85·347
	3. Chines and/or best ends	134·116
	4. Legs	158·501
	5. Other :	
	aa) Unboned (bone-in)	158·501
02.01 A IV b)	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	91·443
	2. Short forequarters	64·010
	3. Chines and/or best ends	100·587
	4. Legs	118·876
	5. Other :	
	aa) Unboned (bone-in)	118·876
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	158·501
	2. Boned or boneless	221·902

COMMISSION REGULATION (EEC) No 2745/82**of 13 October 1982****fixing the maximum export refund for raw sugar for the seventh partial invitation to tender issued within the framework of the principal standing invitation to tender referred to in Regulation (EEC) No 2013/82**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 2013/82 of 20 July 1982 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of raw sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2013/82, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the seventh partial invitation

to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the seventh partial invitation to tender for raw sugar issued under Regulation (EEC) No 2013/82 is hereby fixed at 34.343 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 14 October 1982.

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

Done at Brussels, 13 October 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 216, 24. 7. 1982, p. 10.

**COMMISSION REGULATION (EEC) No 2746/82
of 13 October 1982**

**fixing the maximum export refund for the 12th partial invitation to tender for
white sugar issued within the framework of the principal standing invitation to
tender provided for in Regulation (EEC) No 2014/82**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1785/81 of 30 June 1981 on the common organization
of the markets in the sugar sector⁽¹⁾, as last amended
by Regulation (EEC) No 606/82⁽²⁾, and in particular
the first subparagraph of Article 19 (4) (b) thereof,

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

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

Whereas, following an examination of the tenders
submitted in response to the 12th partial invitation to

tender, the provisions set out in Article 1 should be
adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 12th partial invitation to tender for white sugar issued under Regulation (EEC) No 2014/82 is hereby fixed at 37.329 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 14 October 1982.

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

Done at Brussels, 13 October 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 216, 24. 7. 1982, p. 15.

COMMISSION REGULATION (EEC) No 2747/82

of 13 October 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 2593/82⁽⁷⁾, as last amended by Regulation (EEC) No 2732/82⁽⁸⁾;

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

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

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

Whereas these exchange rates being those recorded on 12 October 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 2593/82 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 October 1982.

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

Done at Brussels, 13 October 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 276, 28. 9. 1982, p. 18.

⁽⁸⁾ OJ No L 289, 13. 10. 1982, p. 26.

⁽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 13 October 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 E I ⁽²⁾	216.96	210.92
11.01 E II ⁽²⁾	122.54	119.52
11.01 F ⁽²⁾	51.12	48.10
11.02 A II ⁽²⁾	185.55	179.51
11.02 A V a) 1 ⁽²⁾	183.47	177.43
11.02 A V a) 2 ⁽²⁾	216.96	210.92
11.02 A V b) ⁽²⁾	122.54	119.52
11.02 A VI ⁽²⁾	51.12	48.10
11.02 B II b) ⁽²⁾	135.66	132.64
11.02 B II c) ⁽²⁾	190.51	187.49
11.02 C II ⁽²⁾	162.59	159.57
11.02 C V ⁽²⁾	190.51	187.49
11.02 D II ⁽²⁾	104.74	101.72
11.02 D V ⁽²⁾	122.54	119.52
11.02 E II b) ⁽²⁾	185.55	179.51
11.02 E II c) ⁽²⁾	216.96	210.92
11.02 E II d) I ⁽²⁾	87.72	81.68
11.02 F II ⁽²⁾	185.55	179.51
11.02 F V ⁽²⁾	216.96	210.92
11.02 F VI ⁽²⁾	51.12	48.10
11.02 G II	93.93	87.89
11.04 C II a)	179.25	155.07 ⁽³⁾
11.04 C II b)	209.21	185.03 ⁽³⁾
11.08 A I	179.25	158.70
11.08 A II	64.97	34.14
11.08 A IV	179.25	158.70
11.08 A V	179.25	79.35 ⁽³⁾
17.02 B II a) ⁽³⁾	303.72	207.00
17.02 B II b) ⁽³⁾	225.19	158.70
17.02 F II a)	313.57	216.85
17.02 F II b)	217.30	150.81
21.07 F II	225.19	158.70
23.03 A I	378.48	197.14

⁽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.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁴⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrowroot falling within subheading 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading 11.08 A V.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 July 1982

on the designation of areas eligible for regional aid in Denmark from 1 January 1982

(Only the Danish text is authentic)

(82/691/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⁽¹⁾ to the parties concerned to submit their comments in accordance with Article 93, and having regard to those comments,

Whereas :

I

By letter dated 27 October 1981 the Danish Government notified the Commission, in accordance with Article 93 (3) of the EEC Treaty, of changes which it proposes to make with effect from 1 January 1982 to the list which has been in force since 1977 of designated areas eligible for assistance under the Law of 7 June 1972⁽²⁾ on regional development aid.

The new list of designated areas is intended to apply for five years. However, a temporary measure is envi-

saged whereby regions which are to lose the status of assisted area or be downgraded from special to ordinary assisted area will be allowed to apply for aid from the Danish authorities on the basis of their former status for one year up to 31 December 1982.

The Danish Law of 7 June 1972 provides for three categories of aid : grants, loans at concessionary rates, and State guarantees. It makes a distinction between two types of region eligible for assistance : special assisted areas, where all three categories of aid may be applied, and ordinary assisted areas, where grants are excluded. This distinction means that the maximum level of aid differs from one type of region to another.

The Danish Government based the new list of assisted areas on a recent study by the Danish Regional Development Council of all areas in Denmark. This showed that since the list of assisted areas was last revised in 1977, progress had been made in several of the assisted areas, while a decline had been recorded in some of the non-assisted areas. Changes in designation were therefore called for.

To select the areas eligible for assistance, the Danish Government used a composite indicator comprising six criteria : age distribution, employment, income, activity rate, activity in the services sector, and activity in the manufacturing sector (excluding building and

⁽¹⁾ OJ No C 25, 2. 2. 1982, p. 3.

⁽²⁾ Law No 219 of 7 June 1972.

construction, extraction of raw materials and public works; double weighting was given to the income and employment figures for 1979 and 1980. Before aggregating the points attributed for each criterion in order to obtain the value of the composite indicator, a correction was made for the standard deviation applicable to each criterion.

For the application of this method of analysis to the whole of Denmark, the country was divided into 57 groups of municipalities, each group containing between two and 20 municipalities, which were ranked in decreasing order of prosperity on the basis of an index calculated from the composite indicator. With few exceptions, the Danish Government then classified the 29 groups which were worst off according to this ranking as either ordinary or special assisted areas.

The net result was that the population of assisted areas was reduced by 2.3 percentage points to 25.2 % of the Danish population. Allowing for changes in the status of some of the assisted areas and the abolition of assisted status in some areas, ordinary assisted areas and special assisted areas would account for 8.5 % and 16.7 % respectively of the Danish population, as against 9.6 % and 17.9 % respectively under the 1977 list.

II

Upon scrutinizing the Danish Government's proposal, the Commission found that the grouping of municipalities as carried out by the Danish authorities resulted in many groups with such a small population that to rule them as eligible for aid would be tantamount to approving regional aid to resolve local problems. As this would conflict with point 9 (iii) of the Principles of Coordination of Regional Aid Systems⁽¹⁾, which states that regional aids must not be granted in a pinpoint manner, the Commission combined these municipalities into larger groups for the purposes of scrutiny.

To assess compatibility of the aid proposed by the Danish Government with the common market under Article 92 of the EEC Treaty, the Commission first compared the regions concerned in a Community context, and secondly examined whether serious disparities existed between the regions at national level which might justify regional aid.

On completing its scrutiny the Commission decided to initiate the procedure laid down in Article 93 (2) of the EEC Treaty with regard to the Danish Government's proposals to grant regional aid in the following

municipalities: Møn, Højreby, Nakskov, Ravnsborg, Rudbjerg, Holeby, Maribo, Nysted, Rødby and Sakskøbing in the County of Storstrøm, Blåbjerg, Blåvandshuk, Ølgod and Varde in the County of Ribe, and Egvad, Holmsland, Ringkøbing, Skjern, Trehøje, Videbæk, Åskov and Brande in the County of Ringkøbing; and with regard to the proposals to classify as special assisted areas the following municipalities: Bredebro, Højer, Løgumkloster, Skærbæk, Tønder, Tinglev, and Bov in the County of Sønderjylland. On 23 December 1981 the Commission accordingly sent written notice to the Danish Government asking it to submit its comments.

III

By letter dated 19 February 1982 the Danish Government submitted its comments, which were subsequently expanded and discussed at bilateral meetings between the Danish authorities and the Commission.

The Danish Government advanced a number of general arguments: that the Commission's analysis did not take account of Danish town and country planning; that the Commission considered only two of the six socio-economic indicators used by the Danish Government, one of which — unemployment — was so highly cyclical that it could not of itself bring to light individual areas' structural problems; that in assessing national designated areas, the Commission should consider national disparities rather than any disparities with other regions in the Community; and finally, that special consideration should be given to the fact that Denmark, unlike other Member States, had no industry aid scheme which might be used in combination with regional aid.

As to the areas in respect of which the Commission initiated the procedure of Article 93 (2) of the EEC Treaty, the Danish Government put forward a number of specific arguments: in the case of the municipalities on Lolland and Møn, while the socio-economic situation of that area may appear favourable at present, serious job losses can be expected in the coming year, because of the worsening situation of the Nakskov shipyard, on which the whole economic future of the region depends. In the case of the municipalities in the County of Ringkøbing, this area contains two groups of municipalities which, if analyzed separately rather than in conjunction with the area formed by the County of Ribe, which is what the Commission has done, come out fairly low in the ranking. According to the latest figures this area has seen unemployment rising, particularly in the east, at a rate considerably above the national average. In the case of municipalities in the County of Ribe, it is inaccurate to claim, as the Commission does, that the shipping of North Sea

⁽¹⁾ OJ No C 31, 3. 2. 1979, p. 11.

oil and gas to the southern part of the region will significantly assist the development of the northern part of that region within the next five years. Finally, in the case of the municipalities in the County of Sønderjylland, a distinction should be made between the eastern and western parts of the County. In the west, the high level of employment in agriculture, the poor soil and the low population density all warrant the granting of aid; in addition, that area borders on assisted areas in Germany, and the ceiling of aid intensity should be the same on both sides of the frontier, i.e. 20 % net grant equivalent of investment.

Two other Member States have submitted comments in the course of the procedure under Article 93 (2) of the EEC Treaty. One considers that when evaluating regional imbalances at national level, the Commission should also take into account the corresponding problems confronting the less developed countries, whereas the other Member State is of the opinion that the Commission does not do justice to the national situation of a region if it takes Community indicators as the starting point for its analysis and considers national disparities only at a later stage.

IV

The assistance proposed by the Danish Government for certain regions is likely to affect trade between Member States and distorts or threatens to distort competition within the meaning of Article 92 (1) of the EEC Treaty by favouring certain undertakings or the production of certain goods.

Article 92 (1) provides that aid answering the criteria it contains is in principle incompatible with the common market. The derogations provided for in Article 92 (3) (a) and (c) — the only ones which might be applicable to the regional aid case in question — specify the pursuit of objectives which are in the interests of the Community rather than in the interests of recipients. These derogations must be strictly interpreted when any regional or industry aid scheme or any individual case of application of a general aid scheme is scrutinized. In particular, they must be allowed only in cases where the Commission can establish that, without the aid, market forces alone would be insufficient to guide the recipients towards patterns of behaviour that would serve one of the aims of the derogations.

To grant a derogation in respect of aid where no such aim can be served would be tantamount to agreeing to a distortion of intra-Community trade and competition with no justification on grounds of the Community interest, while granting certain Member States undue advantages.

In applying the principles set out above to the scrutiny of regional aid schemes, the Commission must satisfy itself that the regions concerned are experiencing difficulties which are serious enough, in a Community-wide comparison, to warrant the grant of aid, at the level proposed, in other words that the aid is necessary to ensure attainment of the objectives set out in Article 92 (3) (a) or (c). Where this cannot be demonstrated, it is evident that the aid does not contribute to the attainment of the objectives of the derogations, but is essentially designed to favour the undertakings in question.

Following a communication from the Commission on the coordination of general systems of regional aid, the representatives of the Governments of the Member States meeting in the Council recognized in their first resolution of 20 October 1971⁽¹⁾ that regional aid, when it is adequate and judiciously applied, forms one of the essential instruments of regional development and enables the Member States to follow regional policies aimed at a more balanced growth of the various regions of the same country and of the Community. Accordingly, and on the basis of the principles of coordination of regional aid systems in force, which aim to limit the risks of outbidding, the Commission must, when assessing the compatibility of regional aid with Article 92 (3) (a) and (c), take account both of the socio-economic situation in the regions concerned in comparison with the rest of the Community, and of any serious disparities between regions in the same country.

When it scrutinized the Danish regional aid scheme in 1977, the Commission found that because of the prosperous situation of Denmark as a whole compared with the rest of the Community, only the derogation provided for in Article 92 (3) (c) could apply. As the situation has not altered since then, this was the only derogation which the Commission could consider when assessing the Danish proposal for a new list of designated assisted areas.

The Commission applied the principles outlined above in order to determine whether the aid which the Danish Government proposed to grant to certain regions was compatible with the common market. Accordingly, after considering the Danish regions in question in a Community context, by comparing *per capita* gross domestic product and the unemployment situation in those regions with the relevant Commu-

⁽¹⁾ OJ No C 111, 4. 11. 1971, p. 1 (English version: OJ Special Edition, Second Series, IX: resolutions of the Council and of the representatives of the Member States, January 1974).

nity averages, the Commission sought to establish whether disparities existed between the regions at national level which might justify the grant of regional aid. For this purpose the Commission used a number of indicators, viz. taxable income, unemployment, employment in the services sector, employment in the manufacturing sector, employment in the primary sector, population density, and net migration.

On the basis of the socio-economic analysis of the regions, carried out as stated above, the Commission found that the aid which the Danish Government proposed to grant to the following special assisted areas could be considered compatible with the common market: the County of Nordjylland and the County of Bornholm and the municipalities of Hanstholm, Sydthy, Thisted, Morsø, Sallingsund, Sundsøre, Møldrup and Ålestrup in the County of Viborg, the municipalities of Lemvig, Thyborøn-Harboør, Thyholm and Ulfborg-Vemb in the County of Ringkøbing, the municipalities of Mariager and Samsø in the County of Århus, the islands of Langeland and Ærø in the County of Fyn, and all small inhabited islands which do not constitute municipalities and each of which has a population of less than 1 000. Similarly, the Commission has raised no objections to the Danish Government's proposal to grant aid to the following ordinary assisted areas: the municipalities of Fjends, Skive and Spøttrup in the County of Viborg, the municipalities of Bramming, Ribe and Holsten in the County of Ribe, the municipalities of Gram, Nørre-Rangstrup, Rødding, Lundtoft, Rødekro and Åbenrå in the County of Sønderjylland, the municipalities of Langå, Nørhald, Purhus, Randers, Rougsø, Sønderhald, Ebeltøft, Grenå, Midtdjurs and Nørre-Djurs in the County of Århus, and the municipalities of Struer and Vinderup in the County of Ringkøbing.

Following the comments submitted by the Danish Government, the Commission found that the southern part of the County of Ringkøbing could be analyzed in conjunction with the assisted area in the north and east of that County. The analysis shows that the socio-economic situation in that region warrants maintenance of its assisted area status. The Commission is therefore able to consider the aid which the Danish Government proposes to grant to the municipalities of Trehøje, Videbæk, Åskov and Brande, with the status of ordinary assisted area, as compatible with the common market. However, it is unable to consider aid to the municipalities of Egvad, Holmsland, Ringkøbing and Skjern as compatible with the common market, unless these are classified as ordinary assisted areas, given the more favourable situation of that part

of the County in comparison with the north of the region, which is classed as a special assisted area.

On the basis of additional information supplied by the Danish Government concerning Lolland, the Commission recognizes that this region does indeed have a specific regional problem in the difficulties affecting its major industrial employer, and that the Danish authorities' forecasts are well-founded. It therefore seems justified to retain the municipalities in Lolland as assisted areas, as envisaged in the notification from the Danish Government. However, as this decision is based on forecasts and it remains to be seen whether these are proved correct, the Commission is able to consider aid to the municipalities in Lolland as compatible with the common market only until 31 December 1983, and reserves the right to review the status of the area after that date.

The attraction to investors of the assisted areas in Germany bordering on the south-western part of the County of Sønderjylland as an alternative location for their investment justifies maintenance of the same ceiling on aid levels on either side of the frontier.

For that reason, and given that the advantages will attract new, footloose investment rather than investment in existing firms, and that few new firms have been set up in the western part of the region over the last 10 years, the Commission is able to regard as compatible with the common market maintenance of the status of special assisted area for the municipalities of Bredebro, Højer, Løgumkloster, Skærbæk, Tønder, Tinglev and Bov in the County of Sønderjylland for the purpose of setting up firms, on condition that the ceiling of aid is reduced to 15 % net grant equivalent of investment for other purposes.

On the other hand, the Commission regards as incompatible with the common market the aid which the Danish Government proposes to grant to the municipality of Møn in the County of Storstrøm, and to the municipalities Blåbjerg, Blåvandshuk, Ølgod and Varde in the County of Ribe; Møn is connected by a bridge to the municipalities in the southern part of Sjælland and must therefore be grouped with them for the purposes of the socio-economic analysis, which shows that the situation in the region is satisfactory compared with Denmark as a whole. In the case of the municipalities in the north of the County of Ribe, the Commission considers that the oil and gas finds in the North Sea are bound to have a favourable influence on investment in the area, given the proximity of the port of Esbjerg, the main centre for operations in the North Sea, and the existing road and rail network. Accordingly, these municipalities may no longer be classified as assisted areas.

However, regions which in the new list will lose the status of assisted area or be downgraded from special to normal assisted areas should be allowed a period of adjustment expiring on 31 December 1983 or 31 December 1982 respectively, during which they may apply for aid from the Danish authorities on the basis of their former status.

To enable the Commission to keep the Danish regional aid system under constant review, in accordance with Article 93 (1) of the EEC Treaty, the Danish Government will submit an annual report to the Commission, in particular specifying the total amount of aid granted, the amount of aided investment, and the number of cases involved. The Commission reserves the right to examine a certain number of individual cases.

This Decision is without prejudice to any specific rules on aid to certain industries applicable either at present or in the future,

HAS ADOPTED THIS DECISION :

Article 1

The regional aid which the Danish Government proposes to grant to the municipalities of Møn in the County of Storstrøm, and Blåbjerg, Blåvandshuk, Ølgod and Varde in the County of Ribe are hereby found to be incompatible with the common market within the meaning of Article 92 of the EEC Treaty.

Consequently, those municipalities may no longer be classified as assisted areas.

Nonetheless, as a temporary measure, those municipalities may retain until 31 December 1983 the status of assisted area accorded to them in the list of designated assisted areas in force since 1977.

Article 2

The regional aid which the Danish Government proposes to grant for a five-year period to the municipalities of Trehøje, Videbæk, Åskov and Brande in the County of Ringkøbing as ordinary assisted areas, may be regarded as compatible with the common market within the meaning of Article 92 of the EEC Treaty.

Article 3

The regional aid which the Danish Government proposes to grant for a five-year period to the municipalities of Egvad, Holmsland, Ringkøbing and Skjern may be considered compatible with the common market within the meaning of Article 92 of the EEC Treaty only if they are classified as ordinary assisted areas.

Accordingly, these municipalities may neither retain nor acquire the status of special assisted area.

However, as a temporary measure, those municipalities which in the list of designated assisted areas in force since 1977 were classified as special assisted areas may continue to be so classified until 31 December 1982.

Article 4

The regional aid which the Danish Government proposes to grant to the municipalities of Højreby, Nakskov, Ravnsborg, Rudbjerg, Holeby, Maribo, Nysted, Rødby and Sakskøbing in the County of Storstrøm may be considered compatible with the common market within the meaning of Article 92 of the EEC Treaty only until 31 December 1983. Before that date the Commission shall re-examine the socio-economic situation in the region and decide on its future status.

For this purpose Denmark shall submit annual reports to the Commission, the first of which shall be provided one year from the date of this Decision, on the economic development of Lolland and more particularly on the employment situation at the Nakskov shipyard. This report shall specify the net number of jobs lost at the shipyard, and forecasts for the future, together with the number of jobs created in other industries.

Article 5

The regional aid which the Danish Government proposes to grant for a five-year period to the municipalities of Bredebro, Højer, Løgumkloster, Skærbæk, Tønder, Tinglev and Bov in the County of Sønderjylland may be considered compatible with the common market within the meaning of Article 92 of the EEC Treaty only if the aggregate regional aids granted to these municipalities does not exceed 20 % net grant equivalent of the investment for the purpose of setting up firms, and 15 % net grant equivalent of the investment for other purposes.

Nevertheless, as a temporary measure, the above municipalities may retain until 31 December 1982 the status of special assisted area accorded to them in the list of designated assisted areas in force since 1977.

Article 6

Before the end of June each year Denmark shall submit a report to the Commission specifying the amount of regional aid granted, the amount of aided investment, and the number of cases involved. The regional breakdown of this information shall be based on the level III regions of the Nomenclature of Territorial Statistical Units of the Statistical Office of the European Communities, and the Sectoral Breakdown on the two-digit classes of the General Industrial Classification of Economic Activities within the European Communities, also produced by the Statistical Office.

In addition, Denmark shall provide the Commission, on request, with such information as it needs to examine a certain number of individual cases.

Article 7

The provision of aid pursuant to this Decision shall be without prejudice to compliance with any specific rules on aid to certain industries applicable either at present or in the future.

Article 8

Denmark shall inform the Commission within two months of the date of notification of this Decision of the measures it has taken to comply herewith.

Article 9

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 22 July 1982.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION DECISION**of 30 September 1982****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1508/82**

(82/692/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 under 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 30 September 1982 at 77.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 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. 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 30 September 1982****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1509/82**

(82/693/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 under 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 30 September 1982 at 77.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 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. 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 30 September 1982****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 1520/82**

(82/694/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 under 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
30 September 1982 at 67.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 September 1982.

For the Commission

Poul DALSAER

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 September 1982****fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EEC) No 1959/82, as amended by Regulation (EEC) No 2407/82**

(82/695/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 cereals 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 1959/82 ⁽³⁾, as amended by Regulation (EEC) No 2407/82 ⁽⁴⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁵⁾, as amended by Regulation (EEC) No 3491/80 ⁽⁶⁾, the Commission, acting under the procedure laid down in Article 27 of Regulation (EEC) No 1418/76, 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 1431/76 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 rice 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 wholly milled long grain rice to be exported to certain third countries pursuant to the invitation to tender for the export of rice issued in Regulation (EEC) No 1959/82, as amended by Regulation (EEC) No 2407/82, is hereby fixed on the basis of the tenders submitted by 30 September 1982 at 201.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 September 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 212, 21. 7. 1982, p. 36.

⁽⁴⁾ OJ No L 257, 3. 9. 1982, p. 8.

⁽⁵⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁶⁾ OJ No L 365, 31. 12. 1980, p. 15.

COMMISSION DECISION**of 30 September 1982**

to take no action on the tenders submitted on 30 September 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 2416/82

(82/696/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 2416/82 ⁽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 30 September 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 2416/82.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 September 1982.

For the Commission

Poul DALSGER

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 258, 4. 9. 1982, p. 6.

⁽⁴⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ No L 365, 31. 12. 1980, p. 15.

COMMISSION DECISION**of 30 September 1982****fixing the maximum export refund on durum wheat in connection with the invitation to tender issued in Regulation (EEC) No 1960/82**

(82/697/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 refund for the export of durum wheat was issued in Commission Regulation (EEC) No 1960/82⁽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 durum wheat to be exported pursuant to the invitation to tender for the export of durum wheat issued in Regulation (EEC) No 1960/82 is hereby fixed on the basis of the tenders submitted by 30 September 1982 at 145.00 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 September 1982.

For the Commission

Poul DALSAER

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 212, 21. 7. 1982, p. 38.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2583/82 of 24 September 1982 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(Official Journal of the European Communities No L 275 of 25 September 1982)

Page 18, Annex :

In the column 'Week No 28 from 11 to 17 October 1982' the figure '218·832' shall be replaced by '213·832'.

CLASSIFICATION OF CHEMICALS IN THE COMMON CUSTOMS TARIFF OF THE EUROPEAN COMMUNITIES

IN SIX LANGUAGES

- Twenty thousand chemical names (internationally accepted common names, systematic names and synonyms).
- Six languages: Danish (Vol. I), German (Vol. II), English (Vol. III), French (Vol. IV), Italian (Vol. V) and Dutch (Vol. VI).
- Index of equivalent names in all six languages (Vol. VII — six languages).

Features of this publication are:

- the classification (heading and subheading) of a chemical in the Common Customs Tariff of the European Communities can be ascertained immediately from its name in any one of the six languages;
- the equivalent names are listed in all six languages (multilingual glossary).

The chemical names listed may be used to gain access to the European Communities Data and Information Network (ECDIN).

Each volume (except Vol. VII) may be ordered separately.

Price per single-language volume: ECU 9·60, Bfrs 400, £ Irl 6·70, £ 5·25, US \$ 11·50.

Price of a single-language volume plus the six-language volume: ECU 36·30, Bfrs 1 500, £ Irl 25·20, £ 19·50, US \$ 41.

Price of the complete publication: ECU 72, Bfrs 3 000, £ Irl 50, £ 39·20, US \$ 85·25.

Orders should be sent to:

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES
L-2985 Luxembourg