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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 3073/82 of 16 November 1982 amending Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural products are processed and marketed and Regulation (EEC) No 1820/80 for the stimulation of agricultural development in the less-favoured areas of the west of Ireland 1**
- ★ **Council Regulation (EEC) No 3074/82 of 15 November 1982 temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products 3**
- Commission Regulation (EEC) No 3075/82 of 19 November 1982 fixing the import levies on cereals and on wheat or rye flour, groats and meal 6
- Commission Regulation (EEC) No 3076/82 of 19 November 1982 fixing the premiums to be added to the import levies on cereals, flour and malt 8
- Commission Regulation (EEC) No 3077/82 of 17 November 1982 derogating from Regulation (EEC) No 486/80 as regards the calculation of the amount of the reduction of import duties for beef and veal products from the African, Caribbean and Pacific States for the period beginning 6 December 1982 10
- Commission Regulation (EEC) No 3078/82 of 19 November 1982 temporarily suspending intervention buying in of certain qualities of meat in certain Member States 11
- ★ **Commission Regulation (EEC) No 3079/82 of 19 November 1982 amending Regulation (EEC) No 2328/82 fixing for the period 1982/83 a coefficient applicable to cereals exported in the form of certain spirituous beverages . . 12**
- Commission Regulation (EEC) No 3080/82 of 19 November 1982 on the supply of common wheat and common wheat flour to the World Food Programme as food aid 13

Commission

82/777/EEC :

- ★ **Commission Decision of 4 November 1982 amending Decision 82/371/EEC relating to a proceeding under Article 85 of the EEC Treaty (IV/29.995 — NAVEWA-ANSEAU 20**

82/778/EEC :

- ★ **Commission Decision of 4 November 1982 establishing that the apparatus described as 'FPS — Array Processor, model AP-120 B' may not be imported free of Common Customs Tariff duties 22**

82/779/EEC :

- ★ **Commission Decision of 4 November 1982 establishing that the apparatus described as 'Spex — Ramalog Double Spectrometer, model 1403' may not be imported free of Common Customs Tariff duties 23**

82/780/EEC :

- ★ **Commission Decision of 4 November 1982 establishing that the apparatus described as 'Jasco — Spectropolarimeter, model J-500C' may not be imported free of Common Customs Tariff duties 24**

82/781/EEC :

- ★ **Commission Decision of 4 November 1982 establishing that the apparatus described as 'Varian — Automated Auger Microprobe, model 981-2850', 'PHI — Vacuum Console, model 60', 'PHI — Transfer Probe, model 160/661' and 'PHI — Specimen Fracture Attachment, model 10-520' may not be imported free of Common Customs Tariff duties 25**

82/782/EEC :

- Commission Decision of 4 November 1982 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1509/82 26**

82/783/EEC :

- Commission Decision of 4 November 1982 fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EEC) No 1520/82 27**

82/784/EEC :

- Commission Decision of 4 November 1982 to take no action on the tenders submitted by 4 November 1982 in response to the invitation to tender for the export to certain third countries of wholly milled long grain rice issued in Regulation (EEC) No 1959/82, as amended by Regulation (EEC) No 2853/82 28**

82/785/EEC :

- Commission Decision of 5 November 1982 fixing the minimum selling price for olive oil put up for sale for exportation under the sixth partial invitation to tender opened by Regulation (EEC) No 1079/82 29**

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 3073/82
of 16 November 1982**

amending Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural products are processed and marketed and Regulation (EEC) No 1820/80 for the stimulation of agricultural development in the less-favoured areas of the west of Ireland

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas Article 16 of Regulation (EEC) No 355/77⁽²⁾, as last amended by Regulation (EEC) No 3509/80⁽³⁾, states that the estimated time required for carrying out the common measures covered by Regulation (EEC) No 355/77 is five years from 1 January 1978;

Whereas, in order to achieve the objective of these common measures, pursuant to Article 6 (2) (a) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 3509/80, steps should be taken to extend, in accordance with Article 6 (2) (c) of Regulation (EEC) No 729/70, the estimated time for carrying out this measure;

Whereas Regulation (EEC) No 1820/80⁽⁵⁾ should therefore also be adopted,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 355/77 is hereby amended as follows:

1. Article 16 (1) shall be replaced by the following:

'1. The estimated time required for carrying out the common measures shall be seven years from 1 January 1978.';

2. the following subparagraph shall be added to Article 16 (3):

'The estimated cost for 1983 shall be 140 million ECU and for 1984, 140 million ECU.';

3. the following paragraph shall be added to Article 24:

'4. Applications for aid from the Fund under this Regulation may be submitted until 30 April 1984 at the latest.'

Article 2

Regulation (EEC) No 1820/80 is hereby amended as follows:

1. Article 19 (2) shall be replaced by the following:

'2. The estimated cost of this aspect of the common measure financed by the Fund from 1 January 1980 to 31 December 1984 under the provisions of paragraph 1 shall be 40 million ECU.';

2. Article 20 (2) shall be replaced by the following:

'2. The total contribution by the fund to the cost of the common measure, including that envisaged under Title VII, shall be estimated at 240 million ECU.'

Article 3

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

⁽¹⁾ Opinion delivered on 29 October 1982 (not yet published in the Official Journal).

⁽²⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽³⁾ OJ No L 367, 31. 12. 1980, p. 87.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 180, 14. 7. 1980, p. 1.

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

Done at Brussels, 16 November 1982.

For the Council

The President

N. A. KOFOED

**COUNCIL REGULATION (EEC) No 3074/82
of 15 November 1982**

**temporarily suspending the autonomous Common Customs Tariff duties on a
number of agricultural products**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 28
thereof,

Having regard to the draft Regulation submitted by
the Commission,

Whereas production in the Community of the
products specified in this Regulation is currently
inadequate or non-existent; whereas producers thus
cannot meet the needs of user industries in the
Community;

Whereas in certain cases it is in the interest of the
Community to suspend the autonomous Common
Customs Tariff duties only partially, particularly since
the goods in question are produced in the Community
and in the other cases to suspend them totally;

Whereas, in view of the difficulty of assessing accu-
rately short-term trends in the economic situation in
the relevant sectors, suspension measures should be
taken only temporarily by fixing their period of vali-

dity by reference to the interests of Community
production,

HAS ADOPTED THIS REGULATION:

Article 1

The autonomous Common Customs Tariff duties for
the products listed in the tables annexed hereto shall
be suspended at the level indicated against each of
them.

These suspensions shall be applicable:

- from 1 January to 30 June 1983 for the products
listed in Table I,
- from 1 April to 30 June 1983 for the products
listed in Table II.

Article 2

This Regulation shall enter into force on 1 January
1983.

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

Done at Brussels, 15 November 1982.

For the Council

The President

N. A. KOFOED

ANNEX

TABLE I

CCT heading No	Description	Rate of autonomous duty (%)
ex 03.01 A I b)	Salmon, frozen and headless, for the processing industry for manufacture into pastes or spreads (a)	0
ex 03.01 B I e) 1	Piked dog-fish (<i>Squalus acanthias</i>), fresh, chilled or frozen whole, headless or in pieces	6
ex 03.01 B I e) 1	Flaps of piked dog-fish (<i>Squalus acanthias</i>), fresh, chilled or frozen	0
03.02 A I e)	Salmon, salted or in brine, whole, headless or in pieces	4
ex 07.04 B	Sweet red or green peppers, dried, dehydrated or evaporated, in pieces, with a moisture content not exceeding 9.5 % but not further prepared	10
ex 07.05 B I	Beans, white, dried, of the species ' <i>Phaseolus vulgaris</i> '	0
ex 15.07 D I b) 2	Purified soya-bean oil in glass bottles. Each bottle holds 10 litres of purified soya-bean oil containing by weight : — a minimum of 8.5 % and a maximum of 12 % of palmitic acid esters, — a minimum of 2.5 % and a maximum of 4.7 % of stearic acid esters, — a minimum of 22.4 % and a maximum of 29 % of oleic acid esters, — a minimum of 46.6 % and a maximum of 53.7 % of linoleic acid esters, — a minimum of 7.4 % and a maximum of 11 % of linoleic acid esters, and containing : — not more than 5 millimoles of free fatty acid per kg of oil, — phospholipids corresponding to a nitrogen content not exceeding 0.04 mg per gram of oil. The soya-bean oil covered by this description is destined for the preparation of emulsions for injections (a)	8 with a maximum duty of 125 ECU per 100 kg net weight, plus a compensatory amount in certain conditions
ex 16.04 B I	Salmon for the processing industry for manufacture into pastes or spreads (a)	0
ex 16.05 A	Crabs of the species 'King' (<i>Paralithodes camtchaticus</i>), 'Hanasaki' (<i>Paralithodes brevipes</i>), 'Kegani' (<i>Erimacrus isenbecki</i>), and 'Queen' (<i>Chionocetes spp</i>), 'Red' (<i>Geryon quinque-dens</i>) and 'Rough stone' (<i>Neolithodes asperimus</i>), simply boiled in water and shelled, whether or not frozen, in immediate packings of a net capacity of 2 kg or more	0
ex 16.05 B	Lobster flesh, cooked, to be used by the processing industry for the manufacture of butters based on lobster, pastes, pâtés, soups or sauces (a) (b)	10
ex 16.05 B	Shrimps and prawns of the species ' <i>Pandalus borealis</i> ' boiled in water and shelled, whether or not frozen or dried, intended for the industrial processing of products falling within heading No 16.05 (a)	15

(a) Checks on their use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(b) However, the suspension is not allowed where the treatment is carried out by retail sale or catering undertakings.

TABLE II

CCT heading No	Description	Rate of autonomous duty (%)
ex 03.02 A I f)	Saithe (<i>Pollachius virens</i> or <i>Gadus virens</i>), salted or in brine, whole, headless or in pieces, intended for smoking or drying (a)	8
ex 03.02 A II d)	Fillets of saithe (<i>Pollachius virens</i> or <i>Gadus virens</i>), salted or in brine, intended for smoking or drying (a)	9

(a) Checks on their use for this special purpose shall be carried out pursuant to the relevant Community provisions.

COMMISSION REGULATION (EEC) No 3075/82**of 19 November 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 18 November 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 20 November 1982.

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

Done at Brussels, 19 November 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 19 November 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	99.30
10.01 B II	Durum wheat	148.48 ⁽¹⁾ ⁽²⁾
10.02	Rye	102.15 ⁽³⁾
10.03	Barley	111.99
10.04	Oats	77.44
10.05 B	Maize, other than hybrid maize for sowing	101.33 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	94.78 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	152.81
11.01 B	Rye flour	156.47
11.02 A I a)	Durum wheat groats and meal	242.59
11.02 A I b)	Common wheat groats and meal	164.15

⁽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 3076/82

of 19 November 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 18 November 1982;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 November 1982.

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

Done at Brussels, 19 November 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 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 19 November 1982 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2
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	3-31
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 3077/82

of 17 November 1982

derogating from Regulation (EEC) No 486/80 as regards the calculation of the amount of the reduction of import duties for beef and veal products from the African, Caribbean and Pacific States for the period beginning 6 December 1982

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as amended by Regulation (EEC) No 3019/81⁽²⁾, and in particular Article 23 thereof,

Whereas Article 4 (1) of Commission Regulation (EEC) No 486/80⁽³⁾, as amended by Regulation (EEC) No 2377/80⁽⁴⁾, stipulates that the amount of the reduction of the import duties referred to in Article 4 (1) of Regulation (EEC) No 435/80 shall be calculated taking into account the levies and the monetary compensatory amounts that are valid during the week preceding that in which the quarter for which the amount of the reduction is calculated commences;

Whereas it is appropriate to derogate from the rules concerning the quarterly fixing and the reference period for the calculation of that amount, especially in occasion of a change of the orientation price; whereas it is important to take into account the levies and monetary compensatory amounts calculated on the basis of the new price;

Whereas the orientation price is modified from 6 December 1982 in accordance with Council Regulation (EEC) No 1197/82⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 4 (1) of Regulation (EEC) No 486/80, the amount of the reduction of import duties for beef and veal products originating in the African, Caribbean and Pacific States, as referred to in Article 4 (1) of Regulation (EEC) No 435/80, shall be fixed for the period beginning 6 December 1982 and calculated on the basis of the levies and monetary compensatory amounts applicable from that date.

Article 2

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

It shall apply as from 6 December 1982.

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

Done at Brussels, 17 November 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 302, 23. 10. 1981, p. 4.

⁽³⁾ OJ No L 56, 29. 2. 1980, p. 22.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 140, 20. 5. 1982, p. 26.

COMMISSION REGULATION (EEC) No 3078/82**of 19 November 1982****temporarily suspending intervention buying in of certain qualities of meat in certain Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 6 (5) (b) thereof,

Whereas Article 3 (1) of Council Regulation (EEC) No 1197/82 ⁽²⁾ provides the possibility of suspending, in accordance with the procedure provided for in Article 27 of Regulation (EEC) No 805/68, the buying in by intervention agencies of one or more qualities of fresh or chilled meat in Member States or regions of Member States when the market price of the quality or qualities in question remains, during a period of three consecutive weeks, between 100 and 102 % of the maximum buying-in price fixed for that or those qualities;

Whereas in Belgium the market price for certain qualities is between 100 and 102 % of the maximum

buying-in price; whereas, therefore, intervention buying in should be temporarily suspended for the qualities in question;

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

HAS ADOPTED THIS REGULATION:

Article 1

In application of Article 3 (1) (a) of Regulation (EEC) No 1197/82, intervention buying in shall be suspended from 22 November 1982 in the following Member State for the quality specified:

in Belgium: Taureaux 55 % — Stieren 55 %.

Article 2

This Regulation shall enter into force on 22 November 1982.

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

Done at Brussels, 19 November 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 26.

COMMISSION REGULATION (EEC) No 3079/82
of 19 November 1982

amending Regulation (EEC) No 2328/82 fixing for the period 1982/83 a coefficient applicable to cereals exported in the form of certain spirituous beverages

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 16 (6) thereof,

Having regard to Council Regulation (EEC) No 1188/81 of 28 April 1981 laying down general rules for granting refunds adjusted in the case of cereals exported in the form of certain spirituous beverages and the criteria for fixing the amount of such refunds and amending Regulation (EEC) No 3035/80 concerning certain products not covered by Annex II to the Treaty⁽³⁾, and in particular Article 12 thereof,

Whereas by Regulation (EEC) No 2328/82⁽⁴⁾ the Commission fixed the coefficient applicable to cereals exported in the form of malt whisky for the period 1 August 1982 to 31 July 1983;

Whereas there was an error in the determination by the United Kingdom authorities of the quantities of malt whisky exported; whereas that error led to an error in the determination, by the Commission, of the coefficient; whereas the coefficient should be redeter-

mined on the basis of the corrected figures; whereas Regulation (EEC) No 2328/82 should therefore be amended;

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

Article 1 of Regulation (EEC) No 2328/82 is hereby replaced by the following:

'Article 1

For the period 1 August 1982 to 31 July 1983 the coefficient referred to in Article 3 of Regulation (EEC) No 1188/81 and applicable to barley processed into malt used in the United Kingdom for the manufacture of malt whisky shall be 0.642.'

Article 2

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

It shall apply with effect from 1 August 1982.

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

Done at Brussels, 19 November 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 121, 5. 5. 1981, p. 3.

⁽⁴⁾ OJ No L 250, 26. 8. 1982, p. 13.

COMMISSION REGULATION (EEC) No 3080/82

of 19 November 1982

on the supply of common wheat and common wheat flour to the World Food Programme as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

Whereas on 26 April 1982 the Council of the European Communities has expressed its intention to grant, under a Community measure, 12 365 tonnes of cereals to the World Food Programme under its food-aid programme for 1982;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down

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

Article 2

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

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

Done at Brussels, 19 November 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁶⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁷⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX Ia

1. **Programme :** 1982
2. **Recipient :** World Food Programme (WFP)
3. **Place or country of destination :** Ethiopia
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 11 200 tonnes
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Bundesanstalt für landwirtschaftliche Marktordnung (BALM), Adickesallee 40, D-6000 Frankfurt/
Main, Telex 411 475
8. **Method of mobilizing the product :** intervention
9. **Characteristics of the goods :** the common wheat must be of fair and sound merchantable quality and correspond at least to the bread-making quality required for intervention (moisture : maximum 14.5 %)
10. **Packaging :** in bulk plus 228 500 empty new jute sacks of a capacity of 50 kilograms, 150 needles and sufficient twine
— marking on the bags (in letters at least 5 cm high):
24 500 bags :
'ETHIOPIA 4257 / WHEAT / ASSAB / GIFT OF THE EUROPEAN ECONOMIC
COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME'
204 000 bags :
'ETHIOPIA 2488 EXP / WHEAT / ASSAB / GIFT OF THE EUROPEAN ECONOMIC
COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME'
11. **Port of shipment :**
Copenhagen, Aarhus, Hamburg, Bremen, Rotterdam, Antwerp, London, Liverpool, Belfast, Le Havre, Rouen, Marseille, Dunkerque, Genoa, Trieste or another Community port with regular shipping connections with the recipient country⁽¹⁾
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 2 December 1982
16. **Shipment period :** 15 December 1982 to 20 January 1983
17. **Security :** 6 ECU per tonne

⁽¹⁾ In all cases where a port other than those listed above is chosen, the tender must be accompanied by a declaration by the competent port authorities certifying that the port has regular connections with the recipient country during the period of shipment provided for in point 16.

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

Partiets nummer Nummer der Partie Ἀριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Mængde til levering (fob) (t) Nach fob zu bringende Menge (t) Τόνοι fob Tonnage fob Tonnage à mettre en fob Tonnellaggio da mettere in fob Fob aan te leveren hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση έναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder	Lagerplads Ort der Lagerhaltung Τόπος άποθηκεύσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	11 200	Hansa Lagerhaus Stroen und Co Aversween 11 2102 Hamburg 93	Hamburg, Nr. 110 401

ANNEX IIa

1. **Programme :** 1982
2. **Recipient :** World Food Programme (WFP)
3. **Place or country of destination :** Republic of Niger
4. **Product to be mobilized :** common wheat flour
5. **Total quantity :** 250 tonnes (343 tonnes of cereals)
6. **Number of lots :** one in four parts
 1. 110 tonnes (LOME / NIAMEY)
 2. 20 tonnes (APAPA / AGADEZ)
 3. 90 tonnes (APAPA / MARADI)
 4. 30 tonnes (APAPA / ZINDER)
7. **Intervention agency responsible for conducting the procedure :**
Intervention Board for Agricultural Produce, Fountain House, 2 West Mall, UK-Reading RG1 7QW, Berks (telex 848 302)
8. **Method of mobilizing the product :** intervention
9. **Characteristics of the goods :**
 - flour of fair and sound merchantable quality, free from abnormal smell and pests
 - moisture : 14 % maximum
 - protein content : 10.5 % minimum (N $\times$ 6.25 on dry matter)
 - ash content : 0.62 % maximum referred to dry matter
10. **Packaging :**
 - in new bags⁽¹⁾ :
 - double 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 on the bags (in letters at least 5 cm high) :
 1. 'NIGER 2445 EXP / FARINE DE FROMENT / LOME EN TRANSIT POUR NIAMEY / DON DE LA COMMUNAUTE ÉCONOMIQUE EUROPÉENNE / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL'
 2. 'NIGER 2445 EXP / FARINE DE FROMENT / APAPA EN TRANSIT POUR AGADEZ / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL'
 3. 'NIGER 2445 EXP / FARINE DE FROMENT / APAPA EN TRANSIT POUR MARADI / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL'
 4. 'NIGER 2445 EXP / FARINE DE FROMENT / APAPA EN TRANSIT POUR ZINDER / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL'
11. **Port of shipment :**
Copenhagen, Aarhus, Hamburg, Bremen, Rotterdam, Antwerp, London, Liverpool, Belfast, Dublin, Le Havre, Rouen, Marseille, Dunkerque, Genoa, Trieste or another Community port with regular shipping connections with the recipient country⁽²⁾
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 2 December 1982
16. **Shipment period :** 15 December 1982 to 20 January 1983
17. **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'.

⁽²⁾ In all cases where a port other than those listed above is chosen, the tender must be accompanied by a declaration by the competent port authorities certifying that the port has regular connections with the recipient country during the period of shipment provided for in point 16.

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

Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Mængde til levering (fob) (t) Nach fob zu bringende Menge (t) Τόνοι fob Tonnage fob Tonnage à mettre en fob Tonnellaggio da mettere in fob Fob aan te leveren hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder	Lagerplads Ort der Lagerhaltung Τόπος αποθηκεύσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	343	WM Gleadell and Sons Ltd Morton Gainsborough Lincolnshire	Hemswell

ANNEX IIIa

1. **Programme :** 1982
2. **Recipient :** World Food Programme (WFP)
3. **Place or country of destination :** Jordan
4. **Product to be mobilized :** common wheat flour
5. **Total quantity :** 600 tonnes (822 tonnes of cereals)
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Intervention Board for Agricultural Produce, Fountain House, 2 West Mall, UK-Reading RG1 7QW, Berks (telex 848 302)
8. **Method of mobilizing the product :** intervention
9. **Characteristics of the goods :**
 - flour of fair and sound merchantable quality, free from abnormal smell and pests
 - moisture : 14 % maximum
 - protein content : 10.5 % minimum (N × 6.25 on dry matter)
 - ash content : 0.62 % maximum referred to dry matter
10. **Packaging :**
 - in new bags⁽¹⁾:
 - double 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 on the bags (in letters at least 5 cm high):
'JORDAN 2301 EXP / WHEAT FLOUR / AQABA / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF WORLD FOOD PROGRAMME'
11. **Port of shipment :**
Copenhagen, Aarhus, Hamburg, Bremen, Rotterdam, Antwerp, London, Liverpool, Belfast, Le Havre, Rouen, Marseille, Dunkerque, Genoa, Trieste or another Community port with regular shipping connections with the recipient country⁽²⁾
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 2 December 1982
16. **Shipment period :** 15 December 1982 to 20 January 1983
17. **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'.

⁽²⁾ In all cases where a port other than those listed above is chosen, the tender must be accompanied by a declaration by the competent port authorities certifying that the port has regular connections with the recipient country during the period of shipment provided for in point 16.

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

Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Mængde til levering (fob) (t) Nach fob zu bringende Menge (t) Τόνοι fob Tonnage fob Tonnage à mettre en fob Tonnellaggio da mettere in fob Fob aan te leveren hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder	Lagerplads Ort der Lagerhaltung Τόπος άποθηκεύσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	822	WM Gleadell and Sons Ltd Morton Gainsborough Lincolnshire	Hemswell

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 November 1982

amending Decision 82/371/EEC relating to a proceeding under Article 85 of the EEC Treaty

(IV/29.995 — NAVEWA-ANSEAU)

(Only the Dutch and French texts are authentic)

(82/777/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation No 17 of 6 February 1962⁽¹⁾, and in particular Articles 3 and 15 thereof,

Having regard to the request for amendment of Commission Decision 82/371/EEC of 17 December 1981 (IV/29.995 — NAVEWA-ANSEAU)⁽²⁾ (hereinafter referred to as 'the Decision'), filed on 23 March 1982 by SA Robert Bosch NV (Brussels) (hereinafter referred to as 'Bosch'),

Having regard to the opinion of the Advisory Committee on Restrictive Practices and Dominant Positions, delivered pursuant to Article 10 of the said Regulation No 17 on 7 September 1982;

Whereas :

The Decision found that certain provisions of the 'Agreement concerning the use of the NAVEWA-ANSEAU conformity label for washing-machines and dishwashers', signed in Brussels on 13 December 1978 (hereinafter referred to as 'the NAVEWA-ANSEAU

agreement'), constituted infringements of Article 85 (1) of the Treaty and imposed fines on the undertakings which participated in the preparation of that agreement.

In the documents used by the Commission to establish the list of the companies involved in that preparation, the name Allumalux appeared, and, in the later documents received from the Communauté de l'Electricité (CEG), the name 'Bosch, Ex-Allumalux' was mentioned.

All correspondence and the statement of objections as well as the final Decision were therefore sent not to Allumalux but to Bosch, which was fined 76 500 ECU because of its participation in the preparation of the NAVEWA-ANSEAU agreement; this company has neither in its answer to the statement of objections, nor during the hearing, nor in correspondence after the hearing raised the issue of its legal relationship with Allumalux.

It appears from the request for amendment filed by Bosch that Allumalux was the commercial name of IPTC Belgium SA (hereinafter referred to as 'IPTC'). Bosch, created on 19 May 1980, made on 22 May 1980 an agreement with IPTC by which it bought part of IPTC's assets, in particular those concerning distribution of washing machines and dishwashers. IPTC, although having the same address as Bosch, carries on independently other activities. The Bosch group, to which Bosch belongs, did not have and did not then acquire any share of IPTC's capital.

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽²⁾ OJ No L 167, 15. 6. 1982, p. 39.

Bosch must therefore be included among the companies which became parties to the NAVEWA-ANSEAU agreement after its signature (Annex II to the Decision) and not among those which took part in the drawing up of the NAVEWA-ANSEAU agreement (Annex I to the Decision); the fine mentioned in Article 3 of the Decision should accordingly not be imposed on it,

HAS ADOPTED THIS DECISION:

Article 1

Decision 82/371/EEC is hereby amended as follows:

- (a) in paragraph 3 of Article 3, the name and address of Bosch are deleted;

- (b) in Annex I, the name and address of Bosch are deleted;

- (c) in Annex II, the following words are added: 'Bosch, Chaussée de Mons 128-130, B-1070 Bruxelles'.

Article 2

This Decision is addressed to SA Robert Bosch NV, Chaussée de Mons 128-130, B-1070 Bruxelles.

Done at Brussels 4 November 1982.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION DECISION

of 4 November 1982

establishing that the apparatus described as 'FPS — Array Processor, model AP-120B' may not be imported free of Common Customs Tariff duties

(82/778/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as last amended by Regulation (EEC) No 608/82⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 29 April 1982, the Federal Republic of Germany requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'FPS — Array Processor, model AP-120B', ordered in March 1980 and to be used for the determination of the properties of atomic voids in thermal equilibrium by measurement of the resistance fluctuation of metals and in particular for rapid signal analysis and processing of measurement spectra, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 21 September 1982 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is an array processor;

Whereas it does not have the requisite objective characteristics making it specifically suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for non-scientific activities; whereas its use in the case in question could not alone confer upon it the character of a scientific apparatus; whereas it therefore cannot be regarded as a scientific apparatus; whereas the duty-free admission of the apparatus in question is therefore not justified,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'FPS — Array Processor, model AP-120B', which is the subject of an application by the Federal Republic of Germany of 29 April 1982, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 November 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 4.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 4 November 1982

establishing that the apparatus described as 'Spex — Ramalog Double Spectrometer, model 1403' may not be imported free of Common Customs Tariff duties

(82/779/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as last amended by Regulation (EEC) No 608/82⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 26 April 1982, the Netherlands requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Spex — Ramalog Double Spectrometer, model 1403', ordered on 19 January 1981 and to be used for the study into the enzymatic effects at the molecular level and in particular for the measurement of the vibration frequencies in biological molecules, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 22 October 1982 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a spectrometer;

Whereas its objective technical characteristics, such as the resolution power, and the use to which it is put

make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'HG.2S' manufactured by Jobin Yvon, 16-18, rue du Canal, F-91160 Longjumeau and to the apparatus '34' and '36' manufactured by Anaspec Ltd, Pearl House, Bartholomew Street, UK-Newbury, Berkshire RG14 5LL,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Spex — Ramalog Double Spectrometer, model 1403', which is subject of an application by the Netherlands of 26 April 1982, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 November 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 4.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 4 November 1982

establishing that the apparatus described as 'Jasco — Spectropolarimeter, model J-500C' may not be imported free of Common Customs Tariff duties

(82/780/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as last amended by Regulation (EEC) No 608/82⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 3 May 1982, the Federal Republic of Germany requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Jasco — Spectropolarimeter, model J-500C', ordered on 27 October 1980 and to be used for the study of the electronic properties of preferred element compounds by means of MCD and CD methods and in particular for the measurement of the circular dichroism of materials in the presence and absence of an external magnetic field with variation in temperature, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 20 October 1982 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a spectrometer;

Whereas its objective technical characteristics, such as the precision and the stability, and the use to which it

is put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'DC4' and 'DC5' manufactured by Jobin Yvon, 16-18, rue du Canal, F-91160 Longjumeau,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Jasco — Spectropolarimeter, model J-500C', which is subject of an application by the Federal Republic of Germany of 3 May 1982, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 November 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 4.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 4 November 1982

establishing that the apparatus described as 'Varian — Automated Auger Microprobe, model 981-2850', 'PHI — Vacuum Console, model 60', 'PHI — Transfer Probe, model 160/661' and 'PHI — Specimen Fracture Attachment, model 10-520' may not be imported free of Common Customs Tariff duties

(82/781/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as last amended by Regulation (EEC) No 608/82⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 29 April 1982, the Federal Republic of Germany requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Varian — Automated Auger Microprobe, model 981-2850', 'PHI — Vacuum Console, model 60', 'PHI — Transfer Probe, model 160/661' and 'PHI — Specimen Fracture Attachment, model 10-520' ordered respectively on 2 November 1978, 5 November 1978, 21 September 1979 and 15 November 1978 and to be used for the study on the effects on the intercrystalline brittleness, intercrystalline corrosion phenomena and structure of steel due to the segregation of extraneous atoms at the grain boundaries, should be considered to be scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 22 October 1982 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question form an analysis system;

Whereas its objective technical characteristics, such as the resolution and the sensibility, and the use to which the system is put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific system;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said system, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'Escalab 500' manufactured by VG Scientific Ltd, The Birches, Industrial Estate, Imberhorne Lane, UK-East Grinstead, Sussex,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Varian — Automated Auger Microprobe, model 981-2850', 'PHI — Vacuum Console, model 60', 'PHI — Transfer Probe, model 160/661' and 'PHI — Specimen Fracture Attachment, model 10-520', which is subject of an application by the Federal Republic of Germany of 29 April 1982, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 November 1982.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 4.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 4 November 1982****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1509/82****(82/782/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1509/82 is hereby fixed on the basis of the tenders submitted by 4 November 1982 at 77.75 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 November 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 168, 15. 6. 1982, p. 13.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 4 November 1982****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 1520/82**

(82/783/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 1520/82 is
hereby fixed on the basis of the tenders submitted by
4 November 1982 at 78.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 November 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 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 4 November 1982

to take no action on the tenders submitted by 4 November 1982 in response to the invitation to tender for the export to certain third countries of wholly milled long grain rice issued in Regulation (EEC) No 1959/82, as amended by Regulation (EEC) No 2853/82

(82/784/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 1959/82⁽³⁾, as amended by Regulation (EEC) No 2853/82⁽⁴⁾,

Whereas Article 5 of Commission Regulation (EEC) No 584/75⁽⁵⁾, as amended by Regulation (EEC) No 3491/80⁽⁶⁾, 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 by 4 November 1982, in response to the invitation to tender for the export refund on wholly milled long grain rice to certain third countries issued in Regulation (EEC) No 1959/82, as amended by Regulation (EEC) No 2853/82.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 November 1982.

For the Commission

Poul DALSAER

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 299, 27. 10. 1982, p. 28.

⁽⁵⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁶⁾ OJ No L 365, 31. 12. 1980, p. 15.

COMMISSION DECISION**of 5 November 1982****fixing the minimum selling price for olive oil put up for sale for exportation
under the sixth partial invitation to tender opened by Regulation (EEC) No
1079/82****(Only the Italian text is authentic)****(82/785/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and fats ⁽¹⁾,
as last amended by Regulation (EEC) No 1413/82 ⁽²⁾,
and in particular Article 12 (4) thereof,

Whereas, in accordance with Article 1 of Commission
Regulation (EEC) No 1079/82 of 6 May 1982 opening
a standing invitation to tender for the sale for export
of olive oil held by the Italian intervention agency ⁽³⁾,
as amended by Regulation (EEC) No 1810/82 ⁽⁴⁾, that
agency is putting up for sale, as from May 1982, a total
quantity of some 9 000 tonnes of extra virgin olive oil
from intervention purchases made during the 1979/80
and 1980/81 marketing years and about 4 000 tonnes
of olive residue oil out of intervention purchases made
during the 1981/82 marketing year;

Whereas Article 5 of the Regulation cited above lays
down that a minimum selling price shall be fixed on
the basis of the tenders received;

Whereas, on the basis of the tenders submitted under
the sixth partial invitation to tender, the minimum
price should be fixed at the level hereinafter given;

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

HAS ADOPTED THIS DECISION:

Article 1

For the sixth partial invitation to tender, the minimum
selling price referred to in Article 5 of Regulation
(EEC) No 1079/82 shall be fixed as follows for olive
oil put up for sale:

extra virgin olive oil : Lit 171 000 per 100 kilograms,
residue olive oil 5° : Lit 75 520 per 100 kilograms.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 5 November 1982.

For the Commission

Poul DALSAGER

Member of the Commission

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

⁽²⁾ OJ No L 162, 12. 6. 1982, p. 6.

⁽³⁾ OJ No L 125, 7. 5. 1982, p. 19.

⁽⁴⁾ OJ No L 201, 8. 7. 1982, p. 21.

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