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Legislation

Contents

I *Acts whose publication is obligatory*

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II *Acts whose publication is not obligatory*

Commission

82/927/EEC :

- * Commission Decision of 20 December 1982 establishing that the apparatus described as 'Spectraphonics — Speech Spectrographic Display Unit, model SSD 11' may be imported free of Common Customs Tariff duties . . . 1

82/928/EEC :

- * Commission Decision of 20 December 1982 establishing that the apparatus described as 'Waters — High Pressure Liquid Chromatograph, consisting of : Solvent Delivery System, model 6000 A, Universal Injector, model U6K, Absorbance Detector, model 440, Solvent Programmer Accessory, model 660' may be imported free of Common Customs Tariff duties 2

82/929/EEC :

- * Commission Decision of 20 December 1982 establishing that the apparatus described as 'Tektronix — Waveform Viewing Transient Digitizer System, model WP 2010' may be imported free of Common Customs Tariff duties . . 3

82/930/EEC :

- * Commission Decision of 20 December 1982 establishing that the apparatus described as 'Alpha — Concrete Moisture Content Measurement System' may be imported free of Common Customs Tariff duties 4

82/931/EEC :

- * Commission Decision of 20 December 1982 establishing that the apparatus described as 'Barringer — SO₂/NO₂ Remote Sensor Correlation Spectrometer, model Cospec V' may not be imported free of Common Customs Tariff duties 5

82/932/EEC :	
* Commission Decision of 20 December 1982 establishing that the apparatus described as 'Hewlett Packard — Digital Signal Analyzer, model 5420 A' may not be imported free of Common Customs Tariff duties	6
82/933/EEC :	
* Commission Decision of 20 December 1982 establishing that the apparatus described as 'Delco — Inertial Navigation System, model Carousel IV-A-III' may not be imported free of Common Customs Tariff duties	7
82/934/EEC :	
* Commission Decision of 20 December 1982 establishing that the apparatus described as 'PMS — Forward Scattering Spectrometer Probe, model FSSP-100 with Optical Array Cloud Droplet Spectrometer Probe, model OAP-230X and Data Acquisition System, model DAS-64' may not be imported free of Common Customs Tariff duties	8
82/935/EEC :	
Commission Decision of 20 December 1982 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3135/82 the maximum amounts for the costs of delivery of butteroil as food aid	9
82/936/EEC :	
Commission Decision of 20 December 1982 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3136/82 the maximum amounts for the costs of delivery of skimmed-milk powder as food aid	10
82/937/EEC :	
* Third Commission Directive of 21 December 1982 amending the Annex to Council Directive 77/101/EEC on the marketing of straight feedingsuffs	11
82/938/EEC :	
* Commission Decision of 22 December 1982 amending the list of establishments in the Eastern Republic of Uruguay approved for the purpose of importing fresh meat into the Community	13
82/939/EEC :	
* Commission Decision of 22 December 1982 authorizing the United Kingdom to apply intra-Community surveillance in respect of imports of bananas originating in certain third countries and put into free circulation in the other Member States	15
82/940/EEC :	
Commission Decision of 22 December 1982 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1508/82	16
82/941/EEC :	
Commission Decision of 22 December 1982 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1509/82	17
82/942/EEC :	
Commission Decision of 22 December 1982 to take no action on the tenders submitted by 22 December 1982 in response to the invitation to tender for the export of barley issued in Regulation (EEC) No 1520/82	18

Contents (continued)

82/943/EEC :

Commission Decision of 22 December 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 19

82/944/EEC :

Commission Decision of 23 December 1982 cancelling an individual invitation to tender for butter pursuant to Regulation (EEC) No 3280/82 20

82/945/EEC :

Commission Decision of 23 December 1982 fixing the minimum selling prices for olive oil put up for sale under the invitation to tender opened by Regulation (EEC) No 3263/82 21

82/946/EEC :

Commission Decision of 23 December 1982 fixing the minimum selling price for olive oil put up for sale for exportation under the second partial invitation to tender opened by Regulation (EEC) No 2983/82 22

82/947/EEC :

*** Commission Decision of 30 December 1982 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species 23**

82/948/EEC :

*** Commission Decision of 30 December 1982 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species 25**

82/949/EEC :

*** Commission Decision of 30 December 1982 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species 27**

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 December 1982

establishing that the apparatus described as 'Spectraphonics — Speech Spectrographic Display Unit, model SSD II' may be imported free of Common Customs Tariff duties

(82/927/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 23 April 1982, Belgium has 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 'Spectraphonics — Speech Spectrographic Display Unit, model SSD II', ordered on 5 May 1980 and to be used for experimental phonetic research and in particular for the measurement of the physical properties of speech sound, 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 an acoustic measuring device; whereas

its objective technical characteristics, such as the sensibility of the spectrum analysis, 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, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Spectraphonics — Speech Spectrographic Display Unit, model SSD II', which is the subject of an application by Belgium of 23 April 1982, may be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSGER

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 20 December 1982

establishing that the apparatus described as 'Waters — High Pressure Liquid Chromatograph, consisting of: Solvent Delivery System, model 6000 A, Universal Injector, model U6K, Absorbance Detector, model 440, Solvent Programmer Accessory, model 660' may be imported free of Common Customs Tariff duties

(82/928/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 28 April 1982, the Federal Republic of Germany has 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 'Waters — High Pressure Liquid Chromatograph, consisting of: Solvent Delivery System, model 6000 A, Universal Injector, model U6K, Absorbance Detector, model 440, Solvent Programmer Accessory, model 660', ordered on 20 December 1977 and to be used for the analysis of antibody structures and in particular for the identification of phenylthiohydantoin, 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 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 a liquid chromatograph; whereas its

objective technical characteristics, such as the sensibility and the reproducibility of the analysis 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, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Waters — High Pressure Liquid Chromatograph, consisting of: Solvent Delivery System, model 6000 A, Universal Injector, model U6K, Absorbance Detector, model 440, Solvent Programmer Accessory, model 660', which is the subject of an application by the Federal Republic of Germany of 28 April 1982, may be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSGER

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 20 December 1982

establishing that the apparatus described as 'Tektronix — Waveform Viewing Transient Digitizer System, model WP 2010' may be imported free of Common Customs Tariff duties

(82/929/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 has 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 'Tektronix — Waveform Viewing Transient Digitizer System, model WP 2010', ordered on 13 November 1978 and to be used for the measurement of short phase-transformation times in metal alloys and in particular for recording the development of the phase-transformation in time, 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 signal acquisition system; whereas its objective technical characteristics, such as the sensibility in the field of the temporal measurement, 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, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Tektronix — Waveform Viewing Transient Digitizer System, model WP 2010', which is the subject of an application by the Federal Republic of Germany of 3 May 1982, may be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSGER

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 20 December 1982

establishing that the apparatus described as 'Alpha — Concrete Moisture Content Measurement System' may be imported free of Common Customs Tariff duties

(82/930/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 4 May 1982, the Federal Republic of Germany has 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 'Alpha — Concrete Moisture Content Measurement System', ordered on 20 February 1981 and to be used for the study of the effect of changing microclimates on structural surfaces and ensuing moisture transport in inorganic, porous and, in particular, inhomogeneous materials with a view to corrosion, 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 measurement and calibration system; whereas its objective technical characteristics, such as the sensibility and the precision, 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, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Alpha — Concrete Moisture Content Measurement System', which is the subject of an application by the Federal Republic of Germany of 4 May 1982, may be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSGER

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 20 December 1982

establishing that the apparatus described as 'Barringer — SO₂/NO₂ Remote Sensor Correlation Spectrometer, model Cospec V' may not be imported free of Common Customs Tariff duties

(82/931/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 16 June 1982, the Federal Republic of Germany has 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 'Barringer — SO₂/NO₂ Remote Sensor Correlation Spectrometer, model Cospec V', ordered on 10 July 1981 and to be used in an environmental research project to determine the dispersion parameters of flue gas plumes from super-power stations, 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 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 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 'Barringer — SO₂/NO₂ Remote, Sensor Correlation Spectrometer, model Cospec V, which is the subject of an application by the Federal Republic of Germany of 16 June 1982, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSGER

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 20 December 1982

establishing that the apparatus described as 'Hewlett-Packard — Digital Signal Analyzer, model 5420 A' may not be imported free of Common Customs Tariff duties

(82/932/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 18 June 1982, the Federal Republic of Germany has 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 'Hewlett Packard — Digital Signal Analyzer, model 5420A', ordered on 30 October 1978 and to be used for the noise reduction in drop forging during abrasive cutting and machining and in particular for the analysis of noise and vibration in the various processes, 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 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 signal analyzer; 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 'Hewlett Packard — Digital Signal Analyzer, model 5420A', which is the subject of an application by the Federal Republic of Germany of 18 June 1982, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSAER

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 20 December 1982

establishing that the apparatus described as 'Delco — Inertial Navigation System, model Carousel IV-A-III' may not be imported free of Common Customs Tariff duties

(82/933/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 18 June 1982, the Federal Republic of Germany has 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 'Delco — Inertial Navigation System, model Carousel IV-A-III', ordered on 15 March 1980 and to be used for the development of methods and procedures of increasing flight safety on landing and in particular for the supply of precise position data on board of an aircraft for wind speed and thermal wind warning, 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 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 navigation system; 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 the duty-free admission of the apparatus in question is therefore not justified,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Delco — Inertial Navigation System, model Carousel IV-A-III', which is the subject of an application by the Federal Republic of Germany of 18 June 1982, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSAER

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 20 December 1982

establishing that the apparatus described as 'PMS — Forward Scattering Spectrometer Probe, model FSSP-100 with Optical Array Cloud Droplet Spectrometer Probe, model OAP-230X and Data Acquisition System, model DAS-64' may not be imported free of Common Customs Tariff duties

(82/934/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 18 June 1982, the Federal Republic of Germany has 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 'PMS — Forward Scattering Spectrometer Probe, model FSSP-100 with Optical Array Cloud Droplet Spectrometer Probe, model OAP-230X and Data Acquisition System, model DAS-64', ordered on 8 October 1980 and to be used for the measurement of cloud droplets with diameters ranging from 2 to 600 µm, on which to base a simulation of the physical processes occurring in clouds with computer models, 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 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 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 'PMS — Forward Scattering Spectrometer Probe, model FSSP-100 with Optical Array Cloud Droplet Spectrometer Probe, model OAP-230X and Data Acquisition System, model DAS-64', which is the subject of an application by the Federal Republic of Germany of 18 June 1982, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSAER

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 20 December 1982

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3135/82 the maximum amounts for the costs of delivery of butteroil as food aid

(82/935/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1183/82 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 3135/82 of 23 November 1982 on the delivery of various consignments of butteroil as food aid ⁽³⁾, the intervention agencies of the Member States have invited tenders for the manufacture and the costs of delivery as food aid of 1 309 tonnes of butteroil for certain third countries and beneficiary organizations ;

Whereas Article 16 of Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid ⁽⁴⁾, as last amended by Regulation (EEC) No 3474/80 ⁽⁵⁾, provides that in the light of tenders received, a maximum amount shall be fixed for each lot put up for tender or it shall be decided not to proceed with the tender ;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below ;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 3135/82 shall be fixed as follows :

- Lot D : 447 666 ECU (UK)
- Lot E : 1 114 253 ECU (F)
- Lot H : 1 523 154 ECU (IRL)
- Lot I : 2 641 362 ECU (D)

As concerning lot C, the tender shall not be proceeded with.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 334, 29. 11. 1982, p. 1.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.

COMMISSION DECISION

of 20 December 1982

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3136/82 the maximum amounts for the costs of delivery of skimmed-milk powder as food aid

(82/936/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1183/82⁽²⁾, and in particular Article 7 (5) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 3136/82 of 23 November 1982 on the delivery of various consignments of skimmed-milk powder as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of delivery as food aid of 2 980 tonnes of skimmed-milk powder for certain third countries and beneficiary organizations ;

Whereas under Article 14 (2) of Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, as last amended by Regulation (EEC) No 3474/80⁽⁵⁾, tenders in respect of lot A could be made for quantities of 500 tonnes or a multiple of 500 tonnes ;

Whereas Article 16 of the abovementioned Regulation provides that in the light of tenders received a maximum amount shall be fixed for each lot put up for tender or it shall be decided not to proceed with the tender ;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below ;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 3136/82 shall be fixed as follows :

- Lot A : 8 819 ECU (D)⁽⁶⁾
 - 6 366 ECU (D)
 - 9 526 ECU (D)
 - 13 399 ECU (D)
- Lot D : 3 296 ECU (F)
- Lot E : 8 102 ECU (F)
- Lot F : 168 927 ECU (B)
- Lot G : 813 905 ECU (D)

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 334, 29. 11. 1982, p. 11.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.

⁽⁶⁾ For a part quantity of 500 tonnes.

THIRD COMMISSION DIRECTIVE

of 21 December 1982

amending the Annex to Council Directive 77/101/EEC on the marketing of straight feedingstuffs

(82/937/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/101/EEC of 23 November 1976 on the marketing of straight feedingstuffs⁽¹⁾, as last amended by Commission Directive 80/510/EEC⁽²⁾, and in particular Article 10 thereof,

Whereas, in view of progress made in science and technology, the Annex to Directive 77/101/EEC must be amended;

Whereas a number of adjustments to the special provisions laid down in respect of certain straight feedingstuffs are required, in particular as regards their names, description and composition requirements; whereas the list of mineral substances must also be supplemented;

Whereas, moreover, it appears necessary to indicate for certain feedingstuffs of animal origin which have been defatted that the product must be technically free of organic solvents; whereas it should be considered whether this requirement should be extended to other feeds of animal or vegetable origin and whether it is appropriate to set residue limits for the said organic solvents;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Part B, 'Special provisions', of the Annex to Directive 77/101/EEC is hereby amended as follows:

1. In items 1.2, 1.5, 1.7, 1.9, 1.11, 1.13, 1.15, 1.16, 1.18, 1.20, 1.23, 1.25, 1.27, 1.30, 1.32, 1.33 and 1.39, the moisture requirement of 'max. 12 %' given in column 6 (Composition requirements) is replaced by 'max. 12.5 %'.

2. In item 2.8.1:

- (a) the description in column 3 is replaced by the following:

'Product obtained by artificially drying and possibly pre-drying young forage plants, the enzymes which activate oxidation being rendered virtually inactive by the drying';

- (b) the crude protein requirement of 'min. 16 %' given in column 6 (Composition requirements) is replaced by 'min. 15.5 %'.

3. In item 2.8.2:

- (a) the description in column 3 is replaced by the following:

'Product obtained by artificially drying and possibly pre-drying lucerne *Medicago sativa* L. and *Medicago varia* Martyn, the enzymes which activate oxidation being rendered virtually inactive by the drying.

This product may contain approximately 20 % of grass or clover artificially dried and possibly pre-dried at the same time as the lucerne';

- (b) the crude protein requirement of 'min. 18 %' given in column 6 (Composition requirements) is replaced by 'min. 17 %'.

4. In item 2.8.3:

- (a) the description in column 3 is replaced by the following:

'Product obtained by artificially drying and possibly pre-drying young clover *Trifolium* spp the enzymes which activate oxidation being rendered virtually inactive by the drying.

This product may contain approximately 20 % of grass or lucerne artificially dried and possibly pre-dried at the same time as the clover';

- (b) the crude protein requirement of 'min. 18 %' given in column 6 (Composition requirements) is replaced by 'min. 17 %'.

5. In items 3.2.2 and 3.2.3 the following is added to the description in column 3:

'It must be technically free from organic solvents'.

⁽¹⁾ OJ No L 32, 3. 2. 1977, p. 1.

⁽²⁾ OJ No L 126, 21. 5. 1980, p. 12.

6. In item 3.2.4 the description in column 3 is amended as follows:
- (a) the text of the first sentence is replaced by the following:
- ‘Product obtained by drying and grinding carcasses and parts of carcasses of warm-blooded land animals, if need be with the fat removed by an appropriate process.’;
- (b) the following sentence is added after the word ‘viscera’:
- ‘It shall be technically free of organic solvents’.
7. In items 3.2.5 and 3.2.8 the following is added to the description in column 3:
- ‘It shall be technically free of organic solvents’.
8. In item 4.6:
- (a) the name ‘Dicalcium phosphate’ in column 2 is replaced by the following:
- ‘Calcium monohydrogen phosphate (dicalcium phosphate)’;
- (b) the description in column 3 is replaced by the following:
- ‘Technically pure calcium monohydrogen phosphate (dicalcium phosphate)’.
9. In item 4.9:
- (a) the name ‘Monocalcium phosphate’ in column 2 is replaced by the following:
- ‘Calcium bis-(dihydrogen phosphate) (monocalcium phosphate)’;
- (b) the description in column 3 is replaced by the following:
- ‘Product consisting principally of technically pure calcium bis-(dihydrogen phosphate) (monocalcium phosphate)’.
10. The following item 4.10 is added:

1	2	3	4	5	6	7
‘4.10	Ammonium dihydrogen phosphate (monoammonium phosphate)	Product consisting mainly of technically pure ammonium dihydrogen phosphate	Total phosphorus nitrogen	—	Total phosphorous min. 25 %	x’

Article 2

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with:

- Article 1, items 5, 6 (b) and 7 on 1 July 1983,
- the other provisions of this Directive on 1 January 1985.

They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 21 December 1982.

For the Commission

Poul DALSAER

Member of the Commission

COMMISSION DECISION

of 22 December 1982

amending the list of establishments in the Eastern Republic of Uruguay
approved for the purpose of importing fresh meat into the Community

(82/938/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries⁽¹⁾, and in
particular Articles 4 (1) and 18 (1) (a) and (b) thereof,

Whereas a list of establishments in Uruguay, approved
for the purposes of the importation of fresh meat into
the Community, was drawn up initially by the
Commission Decision of 25 November 1980, and was
amended and published by Decision 81/92/EEC⁽²⁾, as
last amended by Council Decision 82/533/EEC⁽³⁾;

Whereas a routine inspection made in application of
Article 5 of Directive 72/462/EEC and Article 3 (1) of
Commission Decision 80/15/EEC of 21 November
1979 concerning the on-the-spot inspections to be
carried out in respect of the importation of bovine
animals, swine and fresh meat from non-member
countries⁽⁴⁾, has revealed that the level of hygiene of
certain establishments may be considered to be satis-
factory; whereas these establishments may therefore
be kept or entered on the Community list;

Whereas this inspection has, however, revealed in
other approved establishments, some of which had
been approved until 31 December 1982 by Council
Decision 82/533/EEC, that in some cases insufficient
effort has been made to improve hygiene standards,

and in other cases those standards have fallen;
whereas approval of these plants cannot therefore be
maintained or extended; whereas, in addition, some
plants have not been presented again by the
Uruguayan authorities for Community inspection;

Whereas it is therefore necessary to modify the list of
establishments;

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 81/92/EEC is hereby replaced
by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 58, 5. 3. 1981, p. 43.

⁽³⁾ OJ No L 234, 9. 8. 1982, p. 14.

⁽⁴⁾ OJ No L 8, 12. 1. 1980, p. 26.

ANNEX

LIST OF ESTABLISHMENTS

Establishment No	Address
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I. BOVINE MEAT

A. Slaughterhouses and cutting premises

2	Frigorífico Colonia, Tarariras, Colonia
3	Frigorífico Carrasco, Paso Carrasco, Canelones
7	Frigorífico Infrinsa, Cerro Largo
12	Frigorífico Tacuarembó, Tacuarembó
14	Frigorífico Efcsa — Planta Durazno, Durazno
20	Frigorífico Comargen, Las Piedras, Canelones
106	Frigorífico Inprogan, La Paz, Canelones
344	Frigorífico San Jacinto, San Jacinto, Canelones
394	Frigorífico Cybaran, Salto

B. Slaughterhouses

55	Frigorífico Elbio Pérez Rodríguez, San José
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II. SHEEP MEAT

Slaughterhouses and cutting premises

7	Frigorífico Infrinsa, Cerro Largo
14	Frigorífico Efcsa — Planta Durazno, Durazno
106	Frigorífico Inprogan, La Paz, Canelones
344	Frigorífico San Jacinto, San Jacinto, Canelones

III. HORSE MEAT

Slaughterhouses and cutting premises

303	Frigorífico Clay, Pando, Canelones
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IV. COLD STORES

10	Frigorífico Modelo — Planta Propios, Montevideo
87	Frigorífico Santos Arbiza, Montevideo
175	Frigorífico Corfrisa, Las Piedras, Canelones
903	Frigorífico Acer, Montevideo

COMMISSION DECISION

of 22 December 1982

authorizing the United Kingdom to apply intra-Community surveillance in respect of imports of bananas originating in certain third countries and put into free circulation in the other Member States

(Only the English text is authentic)

(82/939/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Whereas the Commission, by Decision 80/776/EEC ⁽¹⁾, as amended by Decision 80/920/EEC ⁽²⁾, authorized the United Kingdom to introduce intra-Community surveillance in respect of imports of bananas falling within subheading 08.01 B of the Common Customs Tariff, originating in certain third countries other than ACP States ⁽³⁾ and put into free circulation in the other Member States;

Whereas the Commission, by Decision of 18 December 1981, extended the abovementioned surveillance to 31 December 1982;

Whereas on 8 December 1982 the Government of the United Kingdom submitted a request to the Commission for authorization to maintain such surveillance until 31 December 1983;

Whereas the circumstances which led the Commission to adopt Decision 80/776/EEC persist, namely: the need to ensure the effectiveness of the commercial policy measures which the United Kingdom has to

implement in respect of imports of bananas originating in certain third countries other than ACP States in order to fulfil the requirements of Protocol 4 to the Lomé Convention;

Whereas, in these circumstances, authorization should be given to the United Kingdom to extend the intra-Community surveillance to imports of the products in question,

HAS ADOPTED THIS DECISION:

Article 1

The period of validity of the Decision 80/776/EEC, as amended by Decision 80/920/EEC, is hereby extended to 31 December 1983.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 22 December 1982.

For the Commission

Wilhelm HAERKAMP

Vice-President

⁽¹⁾ OJ No L 224, 27. 8. 1980, p. 15.

⁽²⁾ OJ No L 261, 4. 10. 1980, p. 19.

⁽³⁾ Bolivia, Canada, Colombia, Costa Rica, Cuba, El Salvador, Ecuador, United States, Guatemala, Nicaragua, Panama, Philippines, Dominican Republic, Venezuela, Honduras, Haiti, Mexico.

COMMISSION DECISION**of 22 December 1982****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1508/82****(82/940/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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 22 December 1982 at 77.97 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 December 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 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 22 December 1982****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1509/82**

(82/941/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 22 December 1982 at 80.76 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 December 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 22 December 1982

to take no action on the tenders submitted by 22 December 1982 in response to the invitation to tender for the export of barley issued in Regulation (EEC) No 1520/82

(82/942/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,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed⁽⁴⁾, as last amended by Regulation (EEC) No 2560/77⁽⁵⁾, and in particular Article 2 (1) thereof,

Whereas an invitation to tender for the levy and/or refund for the export of barley was issued in Commission Regulation (EEC) No 1520/82⁽⁶⁾;

Whereas Article 5 of Commission Regulation (EEC) No 279/75⁽⁷⁾, as amended by Regulation (EEC) No 2944/78⁽⁸⁾, and Article 5 of Commission Regulation (EEC) No 3130/73⁽⁹⁾, as amended by Regulations (EEC) No 278/75⁽¹⁰⁾ and (EEC) No 771/75⁽¹¹⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 26 of Regulation (EEC)

No 2727/75 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 2746/75 and in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75 a maximum refund or a minimum levy 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 22 December 1982 in response to the invitation to tender for the levy and/or refund for the export of barley issued in Regulation (EEC) No 1520/82.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 December 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 281, 1. 11. 1975, p. 82.

⁽⁵⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁶⁾ OJ No L 169, 16. 6. 1982, p. 9.

⁽⁷⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁸⁾ OJ No L 351, 15. 12. 1978, p. 16.

⁽⁹⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽¹⁰⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽¹¹⁾ OJ No L 77, 26. 3. 1975, p. 13.

COMMISSION DECISION

of 22 December 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

(82/943/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 last amended by Regulation (EEC) No 3421/82 ⁽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 is hereby fixed on the basis of the tenders submitted by 22 December 1982 at 211.80 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 December 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 360, 21. 12. 1982, p. 27.

⁽⁵⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁶⁾ OJ No L 365, 31. 12. 1980, p. 15.

COMMISSION DECISION**of 23 December 1982****cancelling an individual invitation to tender for butter pursuant to Regulation (EEC) No 3280/82**

(82/944/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1183/82 ⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention of the market in butter and cream ⁽³⁾, as last amended by the Act of Accession of Greece, and in particular Articles 7a and 9 (2) thereof,

Whereas pursuant to Commission Regulation (EEC) No 3280/82 of 6 December 1982 on the granting by standing invitation to tender of special aid for butter from private storage for export to non-member countries ⁽⁴⁾ intervention agencies have opened a standing invitation to tender for a special aid;

Whereas Article 6 of that Regulation specifies that a maximum aid amount shall be fixed or that a decision may also be taken not to make any award;

Whereas in view of the tenders received in response to the individual invitation to tender under the above-mentioned Regulation no award should be made;

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

HAS ADOPTED THIS DECISION :

Article 1

No award is made in connection with the individual invitation to tender, the time limit for submission of tenders in response to which expired on 20 December 1982, opened under the standing invitation to tender provided for in Regulation (EEC) No 3280/82.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 December 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 348, 8. 12. 1982, p. 12.

COMMISSION DECISION

of 23 December 1982

fixing the minimum selling prices for olive oil put up for sale under the invitation to tender opened by Regulation (EEC) No 3263/82

(Only the Greek text is authentic)

(82/945/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

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,

The minimum selling price referred to in Article 6 of Regulation (EEC) No 3263/82 shall be fixed as follows for olive oil put up for sale :

virgin lampante olive oil 5° : Dr 13 425 per 100 kg.

Whereas, in accordance with Article 1 of Commission Regulation (EEC) No 3263/82 on the putting up for sale by tender of olive oil held by the Greek intervention agency ⁽³⁾, that agency is putting up for sale a total quantity of some 14 000 tonnes of olive oil from intervention purchases from the 1980/81 and 1981/82 marketing years ;

Article 2

This Decision is addressed to the Hellenic Republic.

Whereas Article 6 of the Regulation cited above lays down that a minimum selling price shall be fixed on the basis of the tenders received ;

Done at Brussels, 23 December 1982.

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

For the Commission

Poul DALSAER

Member of the Commission

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

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

⁽²⁾ OJ No L 162, 12. 6. 1982, p. 6.

⁽³⁾ OJ No L 343, 4. 12. 1982, p. 9.

COMMISSION DECISION

of 23 December 1982

**fixing the minimum selling price for olive oil put up for sale for exportation
under the second partial invitation to tender opened by Regulation (EEC) No
2983/82**

(Only the Italian text is authentic)

(82/946/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 2983/82 of 9 November 1982
opening a standing invitation to tender for the sale for
export of olive oil held by the Italian intervention
agency ⁽³⁾, that agency is putting up for sale, as from
December 1982, a total quantity of some 10 000
tonnes of fine virgin olive oil from intervention
purchases made during the 1980/81 and 1981/82
marketing years and about 7 500 tonnes of olive
residue oil out of intervention purchases made during
the 1980/81 and 1981/82 marketing years;

Whereas Article 6 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 second 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 second partial invitation to tender, the
minimum selling price referred to in Article 6 of
Regulation (EEC) No 2983/82 shall be fixed as follows
for olive oil put up for sale:

fine virgin olive oil : Lit 154 251 per 100 kilograms,
residue olive oil 5° : Lit 80 660 per 100 kilograms.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 23 December 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 314, 10. 12. 1982, p. 13.

COMMISSION DECISION

of 30 December 1982

authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species

(Only the English text is authentic)

(82/947/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Directive 80/1141/EEC⁽²⁾, and in particular Article 15 (2), (3) and (7) thereof,

Having regard to the application lodged by the United Kingdom,

Whereas under Article 15 (1) of the said Directive, seed or propagating material of varieties of agricultural plant species which have been officially accepted during 1980 in one or more Member States and which also meet the conditions laid down in the said Directive are, with effect from 31 December 1982, no longer subject to any marketing restrictions relating to variety in the Community;

Whereas, however, Article 15 (2) of the said Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the United Kingdom has applied for such authorization for a certain number of varieties of different species;

Whereas the varieties listed in this Decision have been the subject of official growing trials in the United Kingdom; whereas the results of these trials have led the United Kingdom to decide that these varieties are not sufficiently distinct there;

Whereas in respect of the varieties Sally (red clover) and Pepite (barley), the results of the trials show that in the United Kingdom, when compared with the national rules governing the acceptance of varieties there, which apply as part of current Community provisions, they are not distinct from other varieties accepted therein (first subparagraph of Article 15 (3) (a) thereof);

Whereas in respect of the variety Campremy (common wheat), the results of the trials show that in the United Kingdom, when compared with the national rules governing the acceptance of varieties there, which apply as part of current Community provisions, this is not sufficiently homogeneous with regard to a certain number of characteristics therein (Article 15 (3) (a) third case, of the said Directive);

Whereas, therefore, the application of the United Kingdom in respect of these varieties should be granted in full;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is hereby authorized to prohibit the marketing in its territory of seed of the following varieties listed in the 1983 common catalogue of varieties of agricultural plant species:

I. Fodder plants:

Trifolium pratense L.
Sally

II. Cereals:

1. Hordeum vulgare L.
Pepite
2. Triticum aestivum L.
Campremy

Article 2

The authorization under Article 1 shall be withdrawn as soon as it is established that the conditions thereof are no longer satisfied.

Article 3

The United Kingdom shall notify the Commission of the date from which it makes use of the authorization

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 341, 16. 12. 1980, p. 27.

under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Done at Brussels, 30 December 1982.

Article 4

This Decision is addressed to the United Kingdom.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION DECISION**of 30 December 1982****authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species****(Only the French text is authentic)****(82/948/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Directive 80/1141/EEC⁽²⁾, and in particular Article 15 (2), (3) and (7) thereof,

Having regard to the application lodged by the French Republic,

Whereas under Article 15 (1) of the said Directive, seed or propagating material of varieties of agricultural plant species which have been officially accepted during 1980 in one or more Member States and which also meet the conditions laid down in the said Directive are, with effect from 31 December 1982, no longer subject to any marketing restrictions relating to variety in the Community;

Whereas, however, Article 15 (2) of the said Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the French Republic has applied for such authorization for a certain number of varieties of different species;

Whereas the variety of maize concerned have not been the subject of official growing trials in the French Republic in view of the French application;

Whereas these varieties of maize concerned have a FAO maturity class index of 700 or over; whereas it is well known that the varieties of maize which have a FAO maturity class index of 700 or over are not yet suitable for cultivation in the French Republic (second subparagraph of Article 15 (3) (c) of the above Directive);

Whereas the varieties Sally and Trifomo (red clover), have not been the subject of growing trials in the French Republic in view of the French application;

Whereas it is well known that in reason of their form (rhythm of developments), the concerned varieties are not yet suitable for cultivation in the French Republic (Article 15 (3) (c), second case, of the said Directive);

Whereas, therefore, the application of the French Republic in respect of these varieties should be granted in full;

Whereas other varieties are not longer included in the French application;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is hereby authorized to prohibit the marketing in its territory of seed of the following varieties listed in the 1983 common catalogue of varieties of agricultural plant species:

I. Fodder plants:

Trifolium pratense L.
Sally
Trifomo

II. Cereals:

Zea mays L.	
Atlante	Nickerson 702
Augusto 6666	Orfeo
Banat	Padano
Frank	Ribot
Ilona	Splendit 7951
Mark	Traiano 74

Article 2

The authorization given in Article 1 shall be withdrawn as soon as it is established that the conditions under which it was granted are no longer met.

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 341, 16. 12. 1980, p. 27.

Article 3

The French Republic shall notify the Commission of the date from which it makes use of the authorization under Article 1 and the detailed methods to be followed.

The Commission shall transmit this information to the other Member States.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 30 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION DECISION**of 30 December 1982****authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species****(Only the German text is authentic)****(82/949/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Council Directive 80/1141/EEC of 8 December 1980⁽²⁾, and in particular Article 15 (2), (3) and (7) thereof,

Having regard to the application lodged by the Federal Republic of Germany,

Whereas under Article 15 (1) of the said Directive, seed or propagating material of varieties of agricultural plant species which have been officially accepted during 1980 in one or more Member States and which also meet the conditions laid down in the said Directive are, with effect from 31 December 1982, no longer subject to any marketing restrictions relating to variety in the Community;

Whereas, however, Article 15 (2) thereof provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the Federal Republic of Germany has applied for such authorization for a certain number of varieties of different species;

Whereas the variety Kawetanya (sugar beet) and the concerned varieties of oats and of maize have not been the subject of official growing trials in the Federal Republic of Germany in view of the German application;

Whereas the said variety of sugar beet has been the subject in the Federal Republic of Germany of an application for official acceptance in so far as their seed is to be marketed in another country (Article 4 (2) (b) thereof); whereas, therefore, even the applicant has

not claimed that this variety has any satisfactory value for cultivation or use in the Federal Republic of Germany; whereas, therefore, this variety can be treated as not producing results in the Federal Republic of Germany, which, with respect to their qualities taken as a whole as regards their value for cultivation or use, correspond to those obtained from a comparable variety accepted there (first subparagraph of Article 15 (3) (c) thereof);

Whereas the varieties of oats concerned are of the winter type; whereas the varieties of maize concerned have an FAO maturity class index over 350; whereas it is well known that the varieties of winter oats and the varieties of maize which have an FAO maturity class over 350 are at present not yet suitable for cultivation in view of all the kinds of utilization in the Federal Republic of Germany (second subparagraph of Article 15 (3) (c) of the said Directive);

Whereas, in respect of the variety Checker (red fescue), the results of the trials show that in the Federal Republic of Germany, when compared with the national rules governing the acceptance of varieties there, which apply within the framework of current Community provisions, it is not sufficiently uniform in certain characteristics (Article 15 (3) (a), third case, of the said Directive);

Whereas, therefore, the application of the Federal Republic of Germany in respect of all these varieties should be granted in full;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. The Federal Republic of Germany is hereby authorized to prohibit the marketing in its territory of seed of the following varieties listed in the 1983 common catalogue of varieties of agricultural plant species:

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 341, 16. 12. 1980, p. 27.

I. Sugar beet
Kawetanya

II. Fodder plants
Festuca rubra L.
Checker

III. Cereals

1. Avena sativa L.
Fringante
Joker
Kalott
Oyster
Rosette

2. Zea mays L.

Aga	Maestrale
Albret	Marechal
Argo	Mark
Arlon	Monson
Atlante	Monsur
Augusto 6666	Montot
Antares	Nickerson 601
Baio	Nickerson 702
Banat	Oreas
Barn 394	Orfeo
Cesare 606	Padano
Cheyenne	Picco
Cobra	Pivot
Dekalb XL365	Pratile
Dendor	Radar
Erik	Ribot
Ermes G 4449	Scipio
Fany	Sirio
Frank	Splendid 7951
Galba	Texas
Illini	Titan
Ilona	Traiano 74
Imperator	Vulcano
Isar	Wonder Kelly 3002
Lipari	

2. In respect of the variety Kawetanya (sugar beet), this authorization shall be valid only to the extent that its seed is not to be marketed in another country.

Article 2

The authorization under Article 1 shall be withdrawn as soon as it is established that the conditions thereof are no longer satisfied.

Article 3

The Federal Republic of Germany shall notify the Commission of the date from which it makes use of the authorization under Article 1 and the detailed methods to be followed. The Commission shall inform the Member States thereof.

Article 4

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 30 December 1982.

For the Commission

Poul DALSGER

Member of the Commission