

Official Journal

of the European Communities

ISSN 0378-6978

L 253

Volume 26

14 September 1983

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2556/83**of 13 September 1983****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 2157/83⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2,25 %, a rate of exchange based on their central rate,

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

Whereas these exchange rates being those recorded on 12 September 1983;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2157/83 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 September 1983.

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

Done at Brussels, 13 September 1983.

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 206, 30. 7. 1983, p. 47.

ANNEX

to the Commission Regulation of 13 September 1983 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	81,31
10.01 B II	Durum wheat	107,77 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	62,93 ⁽⁶⁾
10.03	Barley	50,42
10.04	Oats	71,81
10.05 B	Maize, other than hybrid maize for sowing	40,29 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	53,53 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	127,11
11.01 B	Rye flour	101,35
11.02 A I a)	Durum wheat groats and meal	180,21
11.02 A I b)	Common wheat groats and meal	136,96

⁽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 2557/83

of 13 September 1983

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 organ-
ization 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 agricul-
tural 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
2158/83 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 % a rate of exchange based on their
central rate,

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

Whereas these exchange rates being those recorded on
12 September 1983;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14
September 1983.

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

Done at Brussels, 13 September 1983.

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 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 30. 7. 1983, p. 50.

ANNEX

to the Commission Regulation of 13 September 1983 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 9	1st period 10	2nd period 11	3rd period 12
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	6,47	6,47	5,53
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2558/83

of 12 September 1983

opening a new invitation to tender for the supply of durum wheat to the United Nations High Commissioner for Refugees (UNHCR) 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⁾, as amended by Regulation (EEC) No 3331/82⁽⁴⁾, 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⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 29 July 1983 the Commission of the European Communities expressed its intention to grant, under a Community measure, 5 000 tonnes of cereals to the United Nations High Commissioner for Refugees under its food-aid programme for 1983;

Whereas the invitation to tender opened in the Community under Commission Regulation (EEC) No 2365/83 of 19 August 1983 on the supply of durum wheat to the United Nations High Commissioner for

Refugees (UNHCR) as food aid⁽⁷⁾ was not carried out; whereas a new invitation to tender should therefore be opened;

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⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81⁽⁹⁾; 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 hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Italian intervention agency shall be charged with implementing the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the 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, 12 September 1983.

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. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 228, 20. 8. 1983, p. 12.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX I

1. **Programme :** 1983
2. **Recipient :** UNHCR — the refugees of Somalia
3. **Place or country of destination :** Somalia
4. **Product to be mobilized :** durum wheat
5. **Total quantity :** 5 000 tonnes
6. **Number of lots :** two
Lot 1 : 2 000 tonnes — Mogadishu / Lot 2 : 3 000 tonnes — Berbera
7. **Intervention agency responsible for conducting the procedure :**
Azienda di Stato per gli interventi sui mercati agricoli (AIMA), via Palestro 81, I-Roma (telex 613 003)
8. **Method of mobilizing the product :** intervention
9. **Characteristics of the goods :**
the durum wheat must be of fair and sound merchantable quality, be free from odour, and correspond at least to the conditions laid down in Regulation (EEC) No 1569/77 (OJ No L 174, 14. 7. 1977, p. 15), as last amended by Regulation (EEC) No 1912/82 (OJ No L 208, 16. 7. 1982, p. 50).
The varieties referred to in Article 4 (6) of Regulation (EEC) No 1570/77 (OJ No L 174, 14. 7. 1977, p. 18) are excluded
10. **Packaging :**
 - in new bags⁽¹⁾ :
 - jute sacks of a minimum weight of 600 g, or
 - composite sacks jute/polypropylene of a minimum weight of 335 g
 - net weight of the bags : 50 kg
 - marking on the bags in letters at least 5 cm high :
Lot 1 :
'DURUM WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR ASSISTANCE TO REFUGEES IN SOMALIA / FOR FREE DISTRIBUTION / MOGADISHU'
Lot 2 :
'DURUM WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR ASSISTANCE TO REFUGEES IN SOMALIA / FOR FREE DISTRIBUTION / BERBERA'
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Lot 1 — Mogadishu / Lot 2 — Berbera
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** at 12 noon on 27 September 1983
16. **Shipment period :** 10 to 31 October 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'.

ANNEX II

Number of lot	Tonnage	Address of store	Town at which stored
1 and 2	5 000	Consorzio agrario provinciale, I-88100 Catanzaro	Crotone (Catanzaro)

COMMISSION DECISION No 2559/83/ECSC

of 13 September 1983

repealing Decision No 1159/82/ECSC on certain information to be supplied by steel undertakings

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 47 thereof,

Whereas, under Council Regulation (EEC) No 2870/82 of 21 October 1982⁽¹⁾ and Commission Decision 2872/82/ECSC of 28 October 1982⁽²⁾, a system for restricting exports of certain steel products to the United States of America was introduced; whereas the said Acts stipulate that the Member States shall fix for each quarter the tonnages for which they anticipate issuing licences;

Whereas, under Commission Decision No 2873/82/ECSC of 28 October 1982⁽³⁾ and Commission Regulation (EEC) No 2874/82⁽⁴⁾, monitoring by the Community of exports of certain steel products to the United States of America was introduced; whereas, to that end, the Member States must notify the Commission of the tonnages in respect of which licences were issued during the preceding month and the tonnages exported in the month before that;

Whereas Commission Decision No 1159/82/ECSC of 14 May 1982 on certain information to be supplied by

steel undertakings⁽⁵⁾ had already laid down certain obligations in this respect; whereas experience has shown that information received by the Commission pursuant to the said Decision duplicates the information received pursuant to Regulation (EEC) No 2870/82, Decision No 2872/82/ECSC, Decision No 2873/82/ECSC and Regulation (EEC) No 2874/82 or no longer meets the Community's requirements, in view of the existence of the arrangement concluded with the United States of America; whereas Decision No 1159/82/ECSC should therefore be repealed,

HAS ADOPTED THIS DECISION:

Article 1

Decision No 1159/82/ECSC is hereby repealed.

Article 2

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

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

Done at Brussels, 13 September 1983.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ No L 307, 1. 11. 1982, p. 3.

⁽²⁾ OJ No L 307, 1. 11. 1982, p. 27.

⁽³⁾ OJ No L 307, 1. 11. 1982, p. 36.

⁽⁴⁾ OJ No L 307, 1. 11. 1982, p. 56.

⁽⁵⁾ OJ No L 134, 15. 5. 1982, p. 20.

COMMISSION REGULATION (EEC) No 2560/83**of 13 September 1983****fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving that region**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Commission Regulation (EEC) No
2661/80 of 17 October 1980 laying down detailed
rules for applying the variable slaughter premium for
sheep⁽³⁾, as last amended by Regulation (EEC) No
1689/83⁽⁴⁾, and in particular Articles 3 (1) and 4 (1)
thereof,

Whereas the United Kingdom is the only country
paying the variable slaughter premium; whereas the
United Kingdom has decided to pay it only in Region
5 (Great Britain), within the meaning of Article 3 (1) of
Regulation (EEC) No 1837/80; whereas it is necessary
therefore for the Commission to fix, for the period 22
to 28 August 1983, the level of the premium and the
amount to be charged on products leaving that region;

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

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

Whereas it follows from the application of the rules
laid down in Article 9 (1) of Regulation (EEC) No
1837/80 and in Article 4 (1) and (3) of Regulation
(EEC) No 2661/80 that the variable slaughter premium
for sheep certified as eligible in the United Kingdom,
and the amounts to be charged on products leaving
Great Britain during the period 22 to 28 August 1983,
shall be as set out in the Annexes hereto;

Whereas it should be recalled that Commission Regu-
lation (EEC) No 3191/80 of 9 December 1980⁽⁵⁾, as
last amended by Regulation (EEC) No 1267/83⁽⁶⁾,
fixed transitional measures concerning non-recovery of
the variable slaughter premium for sheepmeat and
goatmeat products exported from the Community,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified in Great Britain as
eligible for the variable slaughter premium during the
period 22 to 28 August 1983, the level of the premium
shall be as set out in Annex I hereto.

Article 2

Without prejudice to the provisions of Regulation
(EEC) No 3191/80, for products referred to in Article 1
(a) of Regulation (EEC) No 1837/80 which left Great
Britain during the period 22 to 28 August 1983, the
amounts to be charged shall be as set out in Annex II
hereto.

Article 3

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

It shall apply with effect from 22 August 1983.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 22.

⁽³⁾ OJ No L 276, 20. 10. 1980, p. 19.

⁽⁴⁾ OJ No L 165, 24. 6. 1983, p. 23.

⁽⁵⁾ OJ No L 332, 10. 12. 1980, p. 14.

⁽⁶⁾ OJ No L 133, 21. 5. 1983, p. 59.

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

Done at Brussels, 13 September 1983.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

Level of variable slaughter premium for certified sheep in Great Britain for the week commencing 22 August 1983

Description	Premium
Certified sheep or sheepmeat	160,077 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

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

ANNEX II

Amount to be charged for products leaving Great Britain during the week commencing 22 August 1983

(ECU/100 kg)		
CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		75,236
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	160,077
	2. Short forequarters	112,054
	3. Chines and/or best ends	176,085
	4. Legs	208,100
	5. Other :	
	aa) Unboned (bone-in)	208,100
02.01 A IV b)	bb) Boned or boneless	291,340
	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	120,058
	2. Short forequarters	84,041
	3. Chines and/or best ends	132,064
	4. Legs	156,075
	5. Other :	
02.06 C II a)	aa) Unboned (bone-in)	156,075
	bb) Boned or boneless	218,506
	Meat of sheep or goats, salted in brine, dried or smoked :	
02.06 C II a)	1. Unboned (bone-in)	208,100
	2. Boned or boneless	291,340

COMMISSION REGULATION (EEC) No 2561/83
of 13 September 1983
fixing the export refunds on eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by Regulation (EEC) No 3643/81 ⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 ⁽²⁾ thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund ;

Whereas Council Regulation (EEC) No 2774/75 of 29 October 1975 ⁽³⁾ lays down general rules for granting export refunds and criteria for fixing the amount of such refunds ;

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

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

these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent ;

Whereas it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The list of products on which, when they are exported in the natural state, the export refund referred to in Article 9 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 September 1983.

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

Done at Brussels, 13 September 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 364, 29. 12. 1981, p. 1.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 68.

ANNEX

to the Commission Regulation of 13 September 1983 fixing the export refunds on eggs

CCT heading No	Description	Refund
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : A. Eggs in shell, fresh or preserved : I. Poultry eggs For all exports except to the United States of America : a) Eggs for hatching (a) : 1. Of turkeys or geese 2. Other For all exports : b) Other B. Eggs, not in shell, egg yolks : For all exports : I. Suitable for human consumption : a) Eggs, not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid 2. Frozen 3. Dried	ECU/100 units
		2,80
		1,20
		ECU/100 kg
		16,00
		72,00
		19,00
		33,00
		36,00
		73,00

(a) Only poultry eggs which fulfil the conditions stipulated by the competent authorities of the European Communities are eligible for entry under this subheading.

COMMISSION REGULATION (EEC) No 2562/83

of 13 September 1983

fixing the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2779/75 of 29 October 1975⁽³⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature

of these exports and their importance at the present time;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund referred to in Article 9 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 September 1983.

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

Done at Brussels, 13 September 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 90.

to the Commission Regulation of 13 September 1983 fixing the export refunds on poultrymeat

CCT heading No	Description	Refund
		ECU/100 units
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls : For all exports except to the United States of America : A. Of a weight not exceeding 185 g, known as 'chicks' : I. Turkeys and geese II. Other	4,00 2,00
		ECU/100 kg
02.02	Dead poultry (that is to say fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : For all exports except to the United States of America : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' II. Ducks : a) Plucked, bled, not drawn or gutted with heads and feet, known as '85 % ducks' b) Plucked and drawn without heads and feet, with hearts, livers and gizzards known as '70 % ducks' c) Plucked and drawn without heads and feet, without hearts, livers and gizzards, known as '63 % ducks' IV. Turkeys : a) Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as '80 % turkeys' b) Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as '73 % turkeys'	20,00 20,00 20,00 22,00 22,00 22,00 14,00 14,00

CCT heading No	Description	Refund
		ECU/100 kg
02.02 (cont'd)	B. Poultry cuts (excluding offals):	
	I. Boned or boneless:	
	b) Of turkeys	29,00
	c) Of other poultry	29,00
	II. Unboned (bone-in):	
	a) Halves or quarters:	
	1. Of fowls	21,00
	2. Of ducks	23,00
	4. Of turkeys	15,00
	b) Whole wings, with or without tips	14,00
	d) Breasts and cuts of breasts:	
	2. Of turkeys	23,00
	3. Of other poultry	27,00
	e) Legs and cuts of legs:	
	2. Of turkeys	
	aa) Drumsticks and cuts of drumsticks	12,00
	bb) Other	21,00
	3. Of other poultry	26,00

COMMISSION REGULATION (EEC) No 2563/83
of 13 September 1983
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1785/81 of 30 June 1981 on the common
organization of the markets in the sugar sector⁽¹⁾, as
last amended by Regulation (EEC) No 606/82⁽²⁾, and
in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1789/83⁽³⁾,
as last amended by Regulation (EEC) No 2555/83⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1789/83 to the
information known to the Commission that the levies

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14
September 1983.

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

Done at Brussels, 13 September 1983.

For the Commission

Poul DALSAGER

Member of the Commission

- (¹) OJ No L 177, 1. 7. 1981, p. 4.
 (²) OJ No L 74, 18. 3. 1982, p. 1.
 (³) OJ No L 176, 1. 7. 1983, p. 48.
 (⁴) OJ No L 252, 13. 9. 1983, p. 12.

ANNEX

to the Commission Regulation of 13 September 1983 fixing the import levies on white
sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	33,45
	B. Raw sugar	28,50 (¹)

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 April 1983

under Article 93 (2) of the EEC Treaty, on a proposal to grant aid to an undertaking in the textile and clothing sector (undertaking No 111)

(Only the Dutch and French texts are authentic)

(83/468/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having invited comments from interested parties as required by that Article,

Whereas :

I

By letter dated 17 September 1982 the Belgian Government notified the Commission of its intention to award aid to an undertaking in the carpet industry, a sector considered to be 'highly competitive' in Belgium.

The undertaking, which employs 256 people, would use the aid, from the Belgian textile and clothing sector aid scheme, to raise its output by 4,3 %. Some 57,8 % of its output was exported to other Member States in 1982 and 14,6 % to countries outside the Community.

The aid, totalling Bfrs 158,7 million, would mainly be spent on investment in replacement machinery and the purchase of new plant, expenditure which under normal circumstances the firm would have to meet itself.

On 20 December 1982 the Commission initiated the procedure provided for under the first subparagraph of Article 93 (2) of the EEC Treaty in respect of the

proposed aid, on the ground that it would affect trade between Member States to an extent contrary to the common interest and would therefore be incompatible with the common market.

The Commission also believed that the aid did not satisfy the conditions laid down in the Belgian textile and clothing industry aid scheme, which the Commission had approved on 18 November 1981 and which had been in effect in Belgium since 1 January 1982.

II

Replying to the opening of the Article 93 procedure for the first time on 28 January 1983, the Belgian Government failed to adduce any new evidence or arguments which might have led the Commission to revise its initial finding.

In a further letter dated 23 March 1983, the Government said it was prepared to reduce the aid by about Bfrs 40 million and the undertaking to cut its production capacity by 18 % over 18 months.

This proposal would still have left the undertaking with the bulk of the aid, some Bfrs 118 million, and would not have altered the fact that it was to be used for investment, such as building alterations, purchase of boilers and materials handling systems, and improvements in production processes, which is normally paid for by the firm concerned and cannot be described as restructuring expenditure.

Furthermore, the proposed 18 % reduction in capacity over 18 months would not have involved any cut in actual output and the obsolete machinery taken out of service would have been replaced by new machinery capable of maintaining output and indeed slightly increasing it, by 4,3 %.

The three Member States, two trade associations and one individual firm from the sector that submitted comments under the procedure laid down in Article 93 (2) of the EEC Treaty pointed out that Belgian exports of carpets to other EEC countries were steadily rising and that any further aid to firms in the sector, which was very competitive as it was, would have an immediate effect on competition.

The figures the Commission has on recent trade flows in the carpet and floor coverings sector also point to a steady and quite large increase in the volume of Belgian exports to other EEC countries — of the order of 10 % in 1982 — and show that about 90 % of Belgian output is exported, two-thirds of it to other EEC countries.

III

The proposed aid is likely to affect trade between Member States and to distort competition by favouring the undertaking in question or production of the goods in question. It therefore falls within Article 92 (1) of the EEC Treaty.

The Treaty declares aid as set out in Article 92 (1) of the Treaty to be incompatible with the common market. The exceptions provided for by Article 92 (3) are intended for cases in which the aid is pursuing objectives which are in the general Community interest and not just that of the beneficiary. The conditions attached to the exceptions must be applied strictly when the Commission scrutinizes schemes of regional or sectoral aid or particular cases of the application of general aid schemes. In particular, a case may not be deemed to fall within the scope of one of the exceptions unless the Commission is sure that it will genuinely advance the objectives stated in the exception clause and that the aid recipient would be unable to achieve the same result by his own efforts under normal market conditions.

To exempt an aid proposal without insisting on adequate redeeming features of this nature would be to allow trade between the Member States to be affected

and competition to be distorted without the Community receiving any benefit in return whilst certain Member States derive undue advantages.

In applying the above principles in its scrutiny of individual aid cases the Commission must be satisfied that the case does have specific redeeming features such that grant of the aid is necessary to achieve one of the objectives listed in Article 92 (3). When there is no evidence of this, and especially where the investment would go ahead in an unchanged form in any case, it is clear that the aid would not advance any of the objectives set out in the exception clauses but would merely serve to boost the financial position of the undertaking in question.

In the present case there do not appear to be any such redeeming features in the proposal to aid this particular undertaking. The firm has already gone ahead with part of the investment on its own.

The Belgian textile and clothing industry aid scheme was approved by the Commission on 18 November 1981 on condition that, as soon as it entered into force, the firms in the industry would no longer be granted aid under any other selective, regional or general scheme.

For individual cases of aid under this scheme to be regarded as falling within the exception provided for by Article 92 (3) (c), they would first of all have to meet all the conditions laid down by the scheme as it was approved by the Commission. The most important of these requirements are the undertaking of restructuring to restore the firm to viability and changes in capacity and output which the aid is to help finance and they apply particularly where the firm in question belongs to a sector of the industry that is sensitive or is quite competitive already.

In a modernization programme such as that concerned in the present case in the carpet industry, all the investment involved, be it building alterations or purchase of new cutting machinery or materials handling equipment, is directly or indirectly intended to improve the firm's production capacity and would normally be paid for by the firm itself.

The channelling of aid to a restructuring operation of this nature does not therefore appear to accord with the conditions of the Belgian textile and clothing sector aid scheme, especially as the sector concerned, the carpet and floor coverings industry, is highly competitive.

The aid would also help to raise by 4,3 % the output of an undertaking which sells the bulk of its output within the Community (57,8 % in other Member States and 27,6 % in Belgium) and would therefore affect trading conditions to an extent contrary to the common interest.

The Belgian Government has accordingly failed to show — and the Commission to confirm — that the proposal would meet all the conditions that would need to be satisfied, in the context of the national textile and clothing industry aid scheme, for an aid proposal to be regarded as falling within the exception provided for in Article 92 (3) (c) of the EEC Treaty.

Nor is it possible to regard the proposed aid as falling within the scope of the exceptions provided for by subparagraphs (a) and (b) of Article 92 (3), because the standard of living in the area concerned is not abnormally low and there is no serious underemployment, and because the aid would not promote the execution of an important project of common European interest or remedy a serious disturbance in the Belgian economy,

HAS ADOPTED THIS DECISION:

Article 1

The aid which the Belgian Government has proposed to grant to an undertaking in the carpet and floor coverings sector is incompatible with the common market within the meaning of Article 92 of the EEC Treaty. The Belgian Government shall therefore refrain from granting the aid.

Article 2

Belgium shall inform the Commission, within two months of the date of notification of this Decision, of the steps it has taken to comply therewith.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 27 April 1983.

For the Commission

Frans ANDRIESEN

Member of the Commission
