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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1073/84**of 18 April 1984****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 17 April 1984;

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 19 April 1984.

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

Done at Brussels, 18 April 1984.

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. 47.

ANNEX

to the Commission Regulation of 18 April 1984 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	87,83
10.01 B II	Durum wheat	147,77 ⁽¹⁾ ⁽²⁾
10.02	Rye	103,33 ⁽⁶⁾
10.03	Barley	84,61
10.04	Oats	90,81
10.05 B	Maize, other than hybrid maize for sowing	62,64 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	90,91 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	138,22
11.01 B	Rye flour	159,00
11.02 A I a)	Durum wheat groats and meal	242,78
11.02 A I b)	Common wheat groats and meal	146,78

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

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

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 1074/84

of 18 April 1984

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 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 17 April 1984;

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 19 April 1984.

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

Done at Brussels, 18 April 1984.

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. 50.

ANNEX

to the Commission Regulation of 18 April 1984 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	19,85
10.01 B II	Durum wheat	0	2,37	2,37	2,37
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	1,18	1,18	2,36
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	27,79

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	35,33	35,33
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	26,40	26,40
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 1075/84**of 18 April 1984****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by Regulation
(EEC) No 174/84 ⁽²⁾, and in particular Article 11 (2)
thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2454/83 ⁽³⁾, as last
amended by Regulation (EEC) No 994/84 ⁽⁴⁾;

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 it follows from applying the detailed rules
contained in Regulation (EEC) No 2454/83 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 the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 April
1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 21, 26. 1. 1984, p. 1.

⁽³⁾ OJ No L 243, 1. 9. 1983, p. 5.

⁽⁴⁾ OJ No L 100, 12. 4. 1984, p. 5.

ANNEX

to the Commission Regulation of 18 April 1984 fixing the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)	
		Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	137,86	65,33
	2. Long grain	193,58	93,19
	b) Husked rice :		
	1. Round grain	172,32	82,56
	2. Long grain	241,98	117,39
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	282,26	129,20
	2. Long grain	459,92	218,07
	b) Wholly milled rice :		
	1. Round grain	300,61	137,95
	2. Long grain	493,04	234,17
	III. Broken rice	53,13	23,56

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

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

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

COMMISSION REGULATION (EEC) No 1076/84**of 18 April 1984****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by Regulation
(EEC) No 174/84 ⁽²⁾, and in particular Article 13 (6)
thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2455/83 ⁽³⁾, as last amended by Regulation (EEC)
No 995/84 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 April
1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 21, 26. 1. 1984, p. 1.

⁽³⁾ OJ No L 243, 1. 9. 1983, p. 8.

⁽⁴⁾ OJ No L 100, 12. 4. 1984, p. 7.

ANNEX

to the Commission Regulation of 18 April 1984 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 4	1st period 5	2nd period 6	3rd period 7
ex 10.06	Rice :				
	B. Other				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1077/84**of 17 April 1984****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods⁽¹⁾, as last amended by Regulation (EEC) No 3063/82⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of that Regulation provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in Regulation (EEC) No 1577/81 to the elements communicated to the Commission in accor-

dance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 April 1984.

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

Done at Brussels, 17 April 1984.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 323, 19. 11. 1982, p. 8.

ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net							
				Bfrs/Lfrs	Dkr	DM	FF	£ Irl	Lit	Fl	£
1.10	07.01-13 07.01-15	07.01 A II	New potatoes	1 683	301,76	82,12	252,73	26,81	50 822	92,65	21,91
1.12	07.01-21 07.01-22	07.01 B I	Cauliflowers	6 057	1 085,95	295,15	909,18	96,41	183 239	332,73	79,02
1.14	07.01-23	07.01 B II	White cabbages and red cabbages	659	116,72	32,15	98,74	10,41	19 741	36,26	8,20
1.16	ex 07.01-27	ex 07.01 B III	Chinese cabbage	3 090	554,11	150,81	464,09	49,24	93 323	170,14	40,24
1.20	07.01-31 07.01-33	07.01 D I	Cabbage lettuce	7 522	1 348,68	367,06	1 129,57	119,84	227 142	414,12	97,95
1.22	ex 07.01-36	ex 07.01 D II	Endives	1 469	263,40	71,68	220,61	23,40	44 361	80,88	19,13
1.28	07.01-41 07.01-43	07.01 F I	Peas	6 033	1 081,63	294,38	905,90	96,11	182 166	332,12	78,55
1.30	07.01-45 07.01-47	07.01 F II	Beans (of the species Phaseolus)	6 821	1 222,93	332,83	1 024,25	108,67	205 963	375,51	88,82
1.32	ex 07.01-49	ex 07.01 F III	Broad beans	1 281	229,82	62,55	192,49	20,42	38 707	70,57	16,69
1.40	ex 07.01-54	ex 07.01 G II	Carrots	926	166,16	45,22	139,17	14,76	27 985	51,02	12,06
1.50	ex 07.01-59	ex 07.01 G IV	Radishes	3 505	628,52	171,06	526,41	55,85	105 855	192,99	45,65
1.60	07.01-63	ex 07.01 H	Onions (other than sets)	1 889	338,80	92,20	283,75	30,10	57 060	104,03	24,60
1.70	07.01-67	ex 07.01 H	Garlic	6 405	1 148,43	312,56	961,85	102,05	193 416	352,63	83,41
1.74	ex 07.01-68	ex 07.01 IJ	Leeks	897	159,65	43,71	134,75	14,19	27 018	49,30	11,27
1.80		07.01 K	Asparagus :								
1.80.1	ex 07.01-71		— green	21 747	3 898,79	1 061,11	3 265,38	346,46	656 626	1 197,15	283,17
1.80.2	ex 07.01-71		— other	21 654	3 882,07	1 056,56	3 251,38	344,97	653 811	1 192,01	281,95
1.90	07.01-73	07.01 L	Artichokes	2 921	523,69	142,52	438,61	46,53	88 198	160,80	38,03
1.100	07.01-75 07.01-77	07.01 M	Tomatoes	3 764	674,81	183,65	565,18	59,96	113 650	207,20	49,01
1.110	07.01-81 07.01-82	07.01 P I	Cucumbers	2 532	453,93	123,37	380,04	40,30	76 595	139,08	33,03
1.112	07.01-85	07.01 Q II	Chantarelles	44 408	7 965,69	2 210,49	6 651,74	700,33	1 317 180	2 474,71	549,40
1.118	07.01-91	07.01 R	Fennel	1 423	255,23	69,46	213,77	22,68	42 986	78,37	18,53
1.120	07.01-93	07.01 S	Sweet peppers	5 744	1 029,80	280,27	862,49	91,51	173 437	316,20	74,79
1.130	07.01-97	07.01 T II	Aubergines (Solanum melongena L.)	3 103	556,33	151,41	465,95	49,43	93 697	170,82	40,40
1.140	07.01-96	07.01 T I	Vegetable marrows (including courgettes) (Cucurbita pepo L. var. medullosa Alef.)	2 901	520,21	141,58	435,69	46,22	87 612	159,73	37,78
1.150	ex 07.01-99	ex 07.01 T III	Celery stalks and leaves	2 930	525,34	142,97	439,99	46,68	88 477	161,31	38,15
1.160	ex 07.06-90	ex 07.06 B	Sweet potatoes, fresh, whole	4 101	735,33	199,85	615,64	65,28	124 078	225,30	53,51
2.10	08.01-31	ex 08.01 B	Bananas, fresh	2 565	459,90	125,16	385,18	40,86	77 455	141,21	33,40
2.20	ex 08.01-50	ex 08.01 C	Pineapples, fresh	3 014	533,71	147,70	450,27	47,65	89 453	165,59	37,38
2.30	ex 08.01-60	ex 08.01 D	Avocados, fresh	6 118	1 096,88	298,53	918,68	97,47	184 734	336,80	79,66
2.40	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	9 169	1 643,84	447,39	1 376,77	146,07	276 852	504,75	119,39
2.50		08.02 A I	Sweet oranges, fresh :								
2.50.1	08.02-02 08.02-06 08.02-12 08.02-16		— Sanguines and semi-sanguines	1 697	304,35	82,83	254,90	27,04	51 258	93,45	22,10

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net							
				Bfrs/Lfrs	Dkr	DM	FF	£ Irl	Lit	Fl	£
2.50.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	1 302	233,42	63,53	195,50	20,74	39 313	71,67	16,95
2.50.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	847	151,84	41,32	127,17	13,49	25 573	46,62	11,02
2.60		ex 08.02 B	Mandarins including tangerines and satsumas, fresh, clementines, wilkings and other similar citrus hybrids, fresh :								
2.60.1	08.02-29	ex 08.02 B II	— Monreales and satsumas	1 948	349,28	95,06	292,53	31,03	58 825	107,24	25,36
2.60.2	08.02-31	ex 08.02 B II	— Mandarins and wilkings	3 045	545,94	148,58	457,24	48,51	91 946	167,63	39,65
2.60.3	08.02-28	ex 08.02 B I	— Clementines	2 301	412,63	112,30	345,59	36,66	69 494	126,70	29,96
2.60.4	08.02-34 08.02-37	ex 08.02 B II	— Tangerines and others	3 286	589,22	160,36	493,49	52,36	99 235	180,92	42,79
2.70	ex 08.02-50	ex 08.02 C	Lemons, fresh	1 408	252,44	68,70	211,43	22,43	42 516	77,51	18,33
2.80		ex 08.02 D	Grapefruit, fresh :								
2.80.1	ex 08.02-70		— white	1 567	281,09	76,50	235,42	24,97	47 340	86,31	20,41
2.80.2	ex 08.02-70		— pink	2 962	531,06	144,53	444,78	47,19	89 440	163,06	38,57
2.90	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	6 738	1 208,02	328,77	1 011,76	107,34	203 452	370,93	87,73
2.95	08.05-50	08.05 C	Chestnuts	3 193	566,65	156,35	477,79	50,45	94 722	175,75	39,56
2.100	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	2 742	491,68	133,81	411,80	43,69	82 808	150,97	35,71
2.110	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	3 569	639,91	174,16	535,95	56,86	107 773	196,49	46,47
2.115	08.06-50	08.06 C	Quinces	2 490	446,25	125,14	374,16	39,60	74 342	140,86	34,77
2.120	08.07-10	08.07 A	Apricots	7 081	1 254,09	345,42	1 060,93	111,92	212 107	389,66	88,10
2.130	ex 08.07-32	ex 08.07 B	Peaches	11 502	2 056,09	560,47	1 726,63	182,43	348 887	632,37	146,30
2.140	ex 08.07-32	ex 08.07 B	Nectarines	14 496	2 598,86	706,34	2 175,83	230,74	438 522	796,29	189,13
2.150	08.07-51 08.07-55	08.07 C	Cherries	4 080	732,78	203,58	612,17	64,66	120 536	227,85	52,11
2.160	08.07-71 08.07-75	08.07 D	Plums	9 049	1 622,29	441,53	1 358,73	144,16	273 223	498,13	117,82
2.170	08.08-11 08.08-15	08.08 A	Strawberries	9 814	1 759,55	478,88	1 473,68	156,36	296 339	540,28	127,79
2.175	08.08-35	08.08 C	Fruit of the species Vaccinium myrtillus	7 285	1 306,73	362,62	1 091,18	114,88	216 076	405,96	90,12
2.180	08.09-11	ex 08.09	Water melons	3 426	614,23	166,94	514,24	54,53	103 643	188,20	44,70
2.190	08.09-19	ex 08.09	Melons (other than water melons)	5 970	1 070,39	291,32	896,49	95,11	180 273	328,67	77,74
2.195	ex 08.09-90	ex 08.09	Pomegranates	6 004	1 076,52	292,99	901,62	95,66	181 305	330,55	78,18
2.200	ex 08.09-90	ex 08.09	Kiwis	15 810	2 834,50	771,45	2 374,00	251,88	477 381	870,35	205,87
2.205	ex 08.09-90	ex 08.09	Medlars	3 040	544,55	151,99	455,95	48,11	89 991	170,83	37,77

COMMISSION REGULATION (EEC) No 1078/84
of 18 April 1984

**fixing the minimum levies on the importation of olive oil and levies on the
importation of other olive oil sector products**

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 16 (2) thereof,

Having regard to Council Regulation (EEC) No
1514/76 of 24 June 1976 on imports of olive oil origi-
nating in Algeria ⁽³⁾, as last amended by Regulation
(EEC) No 663/84 ⁽⁴⁾, and in particular Article 5
thereof,

Having regard to Council Regulation (EEC) No
1521/76 of 24 June 1976 on imports of olive oil origi-
nating in Morocco ⁽⁵⁾, as last amended by Regulation
(EEC) No 663/84 and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No
1508/76 of 24 June 1976 on imports of olive oil origi-
nating in Tunisia ⁽⁶⁾, as last amended by Regulation
(EEC) No 3488/82 ⁽⁷⁾, and in particular Article 5
thereof,

Having regard to Council Regulation (EEC) No
1180/77 of 17 May 1977 on imports into the Commu-
nity of certain agricultural products originating in
Turkey ⁽⁸⁾, as last amended by Regulation (EEC) No
664/84 ⁽⁹⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No
1620/77 of 18 July 1977 laying down detailed rules for
the importation of olive oil from Lebanon ⁽¹⁰⁾

Whereas by Regulation (EEC) No 3131/78 of 28
December 1978 ⁽¹¹⁾ the Commission decided to use
the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Regulation (EEC) No 2751/78 of
23 November 1978 laying down general rules for
fixing the import levy on olive oil by tender ⁽¹²⁾ speci-
fies that the minimum levy rate shall be fixed for each
of the products concerned on the basis of the situation
on the world market and the Community market and
of the levy rates indicated by tenderers;

Whereas in the collection of the levy account should
be taken of the provisions in the Agreements between
the Community and certain third countries; whereas
in particular the levy applicable for those countries
must be fixed taking as a basis for calculation the levy
to be collected on imports from the other third coun-
tries;

Whereas, with regard to Tunisia, the provisions of this
Regulation should be without prejudice to the addi-
tional amount to be determined in accordance with
the agreement between the Community and that third
country;

Whereas application of the rules recalled above to the
levy rates indicated by tenderers on 16 and 17 April
1984 leads to the minimum levies being fixed as indi-
cated in Annex I to this Regulation;

Whereas the import levy on olives falling within
subheadings 07.01 N II and 07.03 A II of the
Common Customs Tariff and on products falling
within subheadings 15.17 B I and 23.04 A II of the
Common Customs Tariff must be calculated from the
minimum levy applicable on the olive oil contained in
these products; whereas, however, the levy charged for
olive oil may not be less than an amount equal to 8 %
of the value of the imported product, such amount to
be fixed at a standard rate; whereas application of
these provisions leads to the levies being fixed as indi-
cated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in
Annex I.

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

⁽²⁾ OJ No L 162, 12. 6. 1982, p. 6.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 73, 16. 3. 1984, p. 10.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 372, 30. 12. 1982, p. 13.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 73, 16. 3. 1984, p. 11.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹¹⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 19 April 1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	61,00 ⁽¹⁾
15.07 A I b)	60,50 ⁽¹⁾
15.07 A I c)	57,00 ⁽¹⁾
15.07 A II a)	69,00 ⁽²⁾
15.07 A II b)	92,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Spain and Lebanon: 0,60 ECU/100 kg;
- (b) Turkey: 22,36 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Algeria and Morocco: 24,78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries; however, the repayment may not exceed the amount of the tax in force.
- (d) Tunisia: 12,69 ECU/100 kg ^(*), provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

^(*) This amount may be increased by an additional amount to be determined by the Community and the third country in question.

⁽²⁾ For imports of oil falling within this tariff subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	13,31
07.03 A II	13,31
15.17 B I a)	30,25
15.17 B I b)	48,40
23.04 A II	4,56

COMMISSION REGULATION (EEC) No 1079/84
of 18 April 1984
fixing the amount of the subsidy on oil seeds

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 27 (4) thereof,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1013/84 ⁽³⁾;

Whereas, in the absence of the target price for the 1984/85 marketing year for colza, rape and sunflower seed and in the absence of the amount of the monthly increase for September 1984 for colza and rape seed, the amount of the subsidy in the case of advance fixing for July, August and September 1984 for colza and rape seed and August 1984 for sunflower seed has been obtainable only provisionally on the basis of the target price and the monthly increase proposed by the Commission to the Council for the marketing year 1984/85; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1984/85 marketing year is known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1013/84 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC shall be as set out in the Annex hereto.
2. The amount of the subsidy in the case of advance fixing for July, August and September 1984 for colza and rape seed and August 1984 for sunflower seed will, however, be confirmed or replaced as from 19 April 1984 to take into account the indicative price which is fixed for these products for the 1984/85 marketing year, and the amount of the monthly increase for September 1984 colza and rape seed.

Article 2

This Regulation shall enter into force on 19 April 1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSGER

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 101, 13. 4. 1984, p. 30.

ANNEX

to the Commission Regulation of 18 April 1984 fixing the amount of the subsidy
on oil seeds

(ECU/100 kg)

CCT heading No	Description	Subsidy
ex 12.01	Colza and rape seed	7,501
ex 12.01	Sunflower seed	15,796

(ECU/100 kg)

CCT heading No	Description	Subsidy in the case of advance fixing for the month of					
		April 1984	May 1984	June 1984	July 1984	August 1984	September 1984
ex 12.01	Colza and rape seed	7,501	7,501	7,619	2,438 ⁽¹⁾	2,401 ⁽¹⁾	2,921 ⁽¹⁾
ex 12.01	Sunflower seed	15,796	15,936	15,818	15,701	12,158 ⁽¹⁾	—

⁽¹⁾ On the basis of the Commission's proposal concerning the indicative price and subject to confirmation by the Council's decision.

COMMISSION REGULATION (EEC) No 1080/84

of 18 April 1984

fixing the world market price for colza, rape and sunflower seed

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 markets in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
1413/82⁽²⁾,

Having regard to Council Regulation (EEC) No
1569/72 of 20 July 1972 laying down special measures
for colza, rape and sunflower seed⁽³⁾, as last amended
by Regulation (EEC) No 2027/83⁽⁴⁾,

Having regard to Commission Regulation (EEC) No
2300/73 of 23 August 1973 laying down detailed rules
for applying differential amounts for colza, rape and
sunflower seed and repealing Regulation (EEC) No
1464/73⁽⁵⁾, as last amended by Regulation (EEC) No
699/84⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC)
No 2300/73, the Commission must determine the
world market price for colza, rape and sunflower seed ;

Whereas the world market price should be determined
in accordance with the rules and the criteria set out in
Commission Regulation (EEC) No 1013/84 of 12

April 1984 fixing the amount of the subsidy on oil
seeds⁽⁷⁾ ;

Whereas, if the price system is to operate normally,
the world market price 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 provisions that
the world market price for colza, rape and sunflower
seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The world market price referred to in Article 9 (4) of
Regulation (EEC) No 2300/73 shall be as set out in
the Annex hereto.

Article 2

This Regulation shall enter into force on 19 April
1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSAER

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 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 199, 22. 7. 1983, p. 14.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 74, 17. 3. 1984, p. 32.

⁽⁷⁾ OJ No L 101, 13. 4. 1984, p. 30.

ANNEX

to the Commission Regulation of 18 April 1984 fixing the world market price for colza, rape and sunflower seed

(ECU/100 kg) ⁽¹⁾

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	44,879
ex 12.01	Sunflower seed	45,604

(ECU/100 kg) ⁽¹⁾

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		April 1984	May 1984	June 1984	July 1984	August 1984	September 1984
ex 12.01	Colza and rape seed	44,879	44,879	44,761	44,822	44,859	44,859
ex 12.01	Sunflower seed	45,604	45,464	45,582	45,699	46,062	—

⁽¹⁾ The conversion rates from ECU into currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 ECU = DM	2,24184
1 ECU = Fl	2,52595
1 ECU = Bfr/Lfr	44,9008
1 ECU = FF	6,87456
1 ECU = Dkr	8,14104
1 ECU = £ Irl	0,725690
1 ECU = £	0,589807
1 ECU = Lit	1 381,39
1 ECU = Dr	88,3759

COMMISSION REGULATION (EEC) No 1081/84

of 17 April 1984

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 3531/83⁽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 26 March to 1 April 1984, 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 26 March to 1 April 1984, shall be as set out in the Annexes hereto;

Whereas it should be recalled that Commission Regulation (EEC) No 3191/80 of 9 December 1980⁽⁵⁾, as last amended by Regulation (EEC) No 1054/84⁽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 26 March to 1 April 1984 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 26 March to 1 April 1984, 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 26 March 1984.

⁽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 352, 15. 12. 1983, p. 37.

⁽⁵⁾ OJ No L 332, 10. 12. 1980, p. 14.

⁽⁶⁾ OJ No L 104, 17. 4. 1984, p. 5.

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

Done at Brussels, 17 April 1984.

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 26 March 1984

Description	Premium
Certified sheep or sheepmeat	79,465 ECU per 100 kilograms of estimated or actual dressed carcase weight (!)

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

ANNEX II

Amount to be charged for products leaving Great Britain during the week commencing 26 March 1984

(ECU/100 kg)		
CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		37,349
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	79,465
	2. Short forequarters	55,626
	3. Chines and/or best ends	87,412
	4. Legs	103,305
	5. Other :	
	aa) Unboned (bone-in)	103,305
	bb) Boned or boneless	144,626
02.01 A IV b)	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	59,599
	2. Short forequarters	41,719
	3. Chines and/or best ends	65,559
	4. Legs	77,479
	5. Other :	
	aa) Unboned (bone-in)	77,479
	bb) Boned or boneless	108,470
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	103,305
	2. Boned or boneless	144,626

COMMISSION REGULATION (EEC) No 1082/84**of 17 April 1984****on the supply of wholly milled long grain rice to Dominica 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 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 174/84 ⁽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 (EEC) No 1992/83 of 11 July 1983 laying down the implementing rules for 1983 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management ⁽⁵⁾,

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 ⁽⁶⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁷⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 20 December 1983 the Commission of the European Communities decided to grant, under Community measures, various quantities of cereals to

certain non-member countries and beneficiary organizations ;

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 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 17 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 21, 26. 1. 1984, p. 2.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 196, 20. 7. 1983, p. 1.

⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1983
2. **Recipient :** Dominica
3. **Place or country of destination :** Dominica
4. **Product to be mobilized :** wholly milled long grain rice
5. **Total quantity :** 518 tonnes (1 500 tonnes of cereals)
6. **Number of lots :** one (in two parts, each of 259 tonnes)
7. **Intervention agency responsible for conducting the procedure :**
Ente nazionale Risi, piazza Pio XI, 1, I-Milano (telex 334 032)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
 - rice of fair and sound merchantable quality, free from abnormal smell and pests
 - moisture : 15 %
 - broken rice : 5 % maximum
 - chalky grains : 5 % maximum
 - grains striated with red : 3 % maximum
 - spotted grains : 1,5 % maximum
 - stained grains : 1 % maximum
 - yellow grains : 0,050 % maximum
 - amber grains : 0,20 % maximum
10. **Packaging :**
 - in bags :
 - quality of the bags : new jute sacks, minimum weight 600 g
 - net weight of the bags : 50 kg
 - marking on the bags in letters at least 5 cm high :
'RICE/GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO DOMINICA'
11. **Port of shipment :**

Any Community port accessible to ocean-going vessels with a shipping service to the recipient country during the period for shipment laid down in point 16. The tender must be accompanied by a statement from the port authorities attesting the existence of the service during the said period
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 30 April 1984
16. **Shipment period :**
 - part 1 : 15 May to 15 June 1984
 - part 2 : 1 to 31 July 1984
17. **Security :** 12 ECU per tonne

Note :

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'.

COMMISSION REGULATION (EEC) No 1083/84

of 17 April 1984

on the supply of maize to the People's Republic of Mozambique 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 organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽²⁾,

Having regard to Council Regulation (EEC) No
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 (EEC) No
1992/83 of 11 July 1983 laying down the implemen-
ting rules for 1983 for Regulation (EEC) No 3331/82
concerning food-aid policy and food-aid manage-
ment ⁽⁵⁾,

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 ⁽⁶⁾, as last amended by
Regulation (EEC) No 2543/73 ⁽⁷⁾, 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 decided to grant, under

Community measures, various quantities of cereals to
certain non-member countries and beneficiary organi-
zations ;

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 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The intervention agency specified in the Annex hereto
shall implement the mobilization and supply
procedures in accordance with the provisions of Regu-
lation (EEC) No 1974/80 and with the conditions laid
down in the Annex hereto.

Article 2

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

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

Done at Brussels, 17 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 196, 20. 7. 1983, p. 1.

⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1983
2. **Recipient :** Mozambique
3. **Place or country of destination :** Maputo (Mozambique)
4. **Product to be mobilized :** maize
5. **Total quantity :** 5 000 tonnes
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, Paris 7^e (telex 270 807)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
 - (a) maize for human consumption, of sound merchantable quality, free of odour and pests
 - (b) moisture content : 15 %
 - (c) total percentage of matter other than basic cereals of unimpaired quality : 5 %, of which :
 - percentage of broken grains : 2 % ('broken grains' means pieces of grain or grains which pass through a sieve with a circular mesh 4,5 mm in diameter)
 - percentage of grain impurities : 2 % ('grain impurities' means grains of other cereals, grains damaged by pests and grains of abnormal coloration, the latter being grains which have acquired through heating a darkish brown colour on a fairly substantial part of the tegument and of the kernel and are not damaged grains)
 - percentage of sprouted grains : 0,5 %
 - percentage of miscellaneous impurities : 0,5 % ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects)
10. **Packaging :**
 - in new bags :
 - 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 :
'MILHO / DOM DA COMUNIDADE ECONOMICA EUROPEIA'
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Maputo
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 2 May 1984
16. **Shipment period :** 15 May to 15 June 1984
17. **Security :** 6 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
2. The successful tenderer shall contact the recipient in order to ascertain which shipping documents are required.

COMMISSION REGULATION (EEC) No 1084/84**of 18 April 1984****repealing Regulation (EEC) No 926/80 on exemption from the application of
monetary compensatory amounts in certain cases**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 974/71
of 12 May 1971 on certain measures of conjunctural
policy to be taken in agriculture following the tempo-
rary widening of the margins of fluctuation for the
currencies of certain Member States ⁽¹⁾, as last amended
by Regulation (EEC) No 1004/84 ⁽²⁾, and in particular
Article 6 thereof,

Whereas Commission Regulation (EEC) No 926/80 ⁽³⁾,
as amended by Regulation (EEC) 2899/81 ⁽⁴⁾ and
known as 'the equity Regulation', introduced a special
system of exemption, subject to certain conditions,
from monetary compensatory amounts on imports or
exports, as the case may be, covered by contracts
concluded prior to the increase or introduction of
those amounts; whereas the said Regulation estab-
lished a Community framework within which the
Member States could, however, by virtue of Article 14
(1) thereof, lay down stricter criteria in order to prevent
excessive application of the provisions in question;

Whereas this rule was introduced in order to deal with
the practical problems of application arising from any
requirement that contracts be produced in evidence;
whereas partial or total exemption from monetary
compensatory amounts could be granted, pursuant to
Article 5 (1) of Regulation (EEC) No 926/80, only for
quantities of products covered by a contract firmly
concluded on a specified date;

Whereas, despite the efforts made by the Member
States in applying the system, difficulties have been
encountered in checking whether contracts were actu-
ally concluded on the date in question and whether
contracts were firmly concluded; whereas it emerged

in some specific cases that it was not possible to
demonstrate that one or other of the conditions had
not been met, although the total quantities for which
exemption was requested gave rise to serious doubts as
to the accuracy of the information supplied; whereas
it has therefore been necessary to have recourse to the
abovementioned Article 14;

Whereas it does not appear possible to avoid the diffi-
culties described except by requiring the registration
of contracts and the provision of large securities as a
guarantee that contracts will be executed; whereas this
solution would, however, involve an extremely heavy
administrative burden, a relatively high cost to the
trade and disclosure of all the contracts concerned;
whereas these consequences render the procedure
impractical;

Whereas, under these conditions, the only solution is
to repeal the arrangements which are too open to
abuse; whereas such repeal will deprive the interested
parties of the advantages resulting from Regulation
(EEC) No 926/80 in respect of contracts concluded
after the entry into force of this Regulation; whereas,
in order to avoid the additional burden which may
result from an increase in monetary compensatory
amounts, the interested parties will in future have to
take the necessary measures, in particular by inserting
appropriate clauses in contracts;

Whereas certain transitional measures should be laid
down; whereas these measures must take account of
the maximum period for the execution of contracts
eligible for exemption under Regulation (EEC) No
926/80;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of all the relevant
management committees,

HAS ADOPTED THIS REGULATION:

Article 1

1. Regulation (EEC) No 926/80 is hereby repealed.

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 101, 13. 4. 1984, p. 2.

⁽³⁾ OJ No L 99, 17. 4. 1980, p. 15.

⁽⁴⁾ OJ No L 287, 8. 10. 1981, p. 3.

2. The provisions of Regulation (EEC) No 926/80 shall continue to be applicable to contracts concluded before the entry into force of this Regulation and under which imports or exports are undertaken within six months of the date of entry into force of this Regulation.

However, where for an operation an import or export licence is used which was issued before the date on

which this Regulation entered into force, the time limit of six months shall be replaced by the remaining period of validity of the licence.

Article 2

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

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1085/84

of 18 April 1984

fixing for the 1984 marketing year the reference prices for courgettes

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 985/84⁽²⁾, and in
particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation
(EEC) No 1035/72, reference prices valid for the whole
Community are to be fixed at the beginning of the
marketing year;

Whereas courgettes are produced in such quantities in
the Community that reference prices should be fixed
for them;

Whereas courgettes harvested during a given crop year
are marketed from January to December; whereas the
quantities harvested from 1 January to 20 April and in
October, November and December are so small that
there is no need to fix reference prices for these
periods; whereas reference prices should be fixed only
for the period 21 April up to and including 30
September;

Whereas, pursuant to Article 23 (2) of Regulation
(EEC) No 1035/72, the reference prices are to be fixed
on the basis of the arithmetic mean of producer prices
in each Member State plus an amount representing the
costs of transporting Community products from the
production areas to Community marketing centres;
whereas the trend of production costs in the fruit and
vegetables sector must also be taken into account;

Whereas, to take seasonal price variations into account,
the marketing year should be divided into several

periods and a reference price fixed for each of these
periods;

Whereas producer prices are to correspond to the
average of the prices recorded on the representative
market or markets situated in the production areas
where prices are lowest, during the three years prior to
the date on which the reference price is fixed, for a
home-grown product with defined commercial charac-
teristics, being a product or variety representing a
substantial proportion of the production marketed over
the year or over part thereof and satisfying specified
requirements as regards market preparation; whereas,
when the average of prices recorded on each represen-
tative market is being calculated, prices which could
be considered excessively high or excessively low in
relation to normal price fluctuations on that market
are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1984 marketing year, the reference prices for
courgettes falling within subheading 07.01 T I of the
Common Customs Tariff, expressed in ECU per 100
kilograms net of packed products of class I, of all sizes,
shall be as follows:

April (21 to 30)	64,61
May	57,62
June	38,37
July	36,10
August	40,66
September	44,86

Article 2

This Regulation shall enter into force on 21 April
1984.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 103, 16. 4. 1984, p. 1.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1086/84**of 18 April 1984****concerning the stopping of fishing for cod by vessels flying the flag of the
Federal Republic of Germany**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2057/82 of 29 June 1982 establishing certain control
measures for fishing activities by vessels of the
Member States ⁽¹⁾, as amended by Regulation (EEC) No
1729/83 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 320/84 of 31
January 1984 fixing, for certain fish stocks and groups
of fish stocks occurring in the Community's fishing
zone, provisional total allowable catches for 1984, the
provisional share of these catches available to the
Community, the allocation of that share between the
Member States and the conditions under which the
total allowable catches may be fished ⁽³⁾, as amended
by Regulation (EEC) No 599/84 ⁽⁴⁾, provides for cod
quotas for 1984;

Whereas, in order to ensure compliance with the
provisions relating to the quantitative limitations on
catches of stocks subject to quotas, it is necessary for
the Commission to fix by Regulation the date by
which catches made by vessels flying the flag of a
Member State are deemed to have exhausted the quota
allocated;

Whereas, according to the information communicated
by the Federal Republic of Germany to the Commis-
sion, catches of cod in waters of ICES division III a

(Kattegat) by vessels flying the flag of the Federal
Republic of Germany are deemed to have exhausted
the quota allocated for 1984 by 20 April 1984;

Whereas, as from the date, fishing for that stock shall
be prohibited,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in waters of ICES division III a
(Kattegat) by vessels flying the flag of the Federal
Republic of Germany or registered in the Federal
Republic of Germany are deemed to have exhausted
the quota allocated to the Federal Republic of
Germany for 1984.

Fishing for cod in waters of ICES division III a
(Kattegat) by vessels flying the flag of the Federal
Republic of Germany is prohibited, as well as the
retention on board, the transshipment and the landing
of cod fished in this division by the abovementioned
vessels, after the date of entry into force of this Regula-
tion.

Article 2

This Regulation shall enter into force on 20 April
1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Giorgios CONTOGEORGIS

Member of the Commission

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 169, 28. 6. 1983, p. 14.

⁽³⁾ OJ No L 37, 8. 2. 1984, p. 1.

⁽⁴⁾ OJ No L 67, 9. 3. 1984, p. 10.

COMMISSION REGULATION (EEC) No 1087/84

of 18 April 1984

introducing protective measures in respect of certain electronic piezo-electric quartz watches with digital display

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾, and in particular Article 15 (1) thereof,

After consultation within the Advisory Committee established by the abovementioned Regulation,

Whereas :

A. Procedure

(1) On 6 September 1983 the Commission was informed by the French authorities that piezo-electric quartz watches originating in non-Community countries were being imported in such quantities and/or on such conditions as to cause, or threaten to cause, substantial injury to a Community industry. The French authorities asked that measures be taken to limit these imports as soon as possible.

(2) The French request was backed by evidence concerning the trend of imports of the products in question and the terms on which the products are imported.

Information was also provided on the repercussions of these imports on Community producers of like or directly competing products.

(3) Having decided, after consultation, that the evidence in its possession was sufficient to justify an investigation, the Commission consequently announced, in a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of a Community procedure for investigating imports into the Community of the products in question and opened the investigation.

(4) The Commission officially informed the importers known to be concerned and gave all the

parties involved the opportunity of making their views known in writing and of requesting an oral hearing.

Various importers took this opportunity of making their views known in writing and, in addition, the Federation of European Wholesalers and International Trade Association (FEWITA) and the Foreign Trade Association of European Retailers (FTA), further to the written submission of their positions, requested and were granted an oral hearing.

No submissions have been received on behalf of the Community consumers of the articles in question.

(5) Countries exporting quartz watches to the Community were also offered the chance of making their views known in writing and of asking for an oral hearing. Accordingly, the representatives of Japan, Hong Kong and South Korea requested and were granted an oral hearing. Furthermore, the non-confidential parts of the investigation report have been notified to the authorities of the exporting countries that asked for them.

(6) In the course of its investigation the Commission endeavoured to gather and check all the information it deemed to be necessary and undertook on-the-spot checks in France and Germany where almost all the watches produced in the Community are made. The following companies were thus visited by Commission staff :

— *Community producers of assembled watches :*

- Établissements Claude Bouhelier, Villers-le-Lac,
- Cattin-Mortima, Morteau,
- Fralsen, Besançon,
- Michel Herbelin, Charquemont,
- Matra-horlogerie, Paris,
- Arctos/Philipp Weber GmbH, Pforzheim,
- Erich Lacher GmbH, Pforzheim,
- Paul Raff GmbH, Pforzheim,
- Gebrüder Junghans GmbH, Schramberg,
- Kienzle GmbH, Villingen-Schwenningen ;

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No C 285, 22. 10. 1983, p. 5.

— *Community producers of movements (without case):*

- France-Ebauches, Besançon,
- PUW, Pforzheim;

— *importers:*

- 'Les 3 Suisses', Croix (Lille),
- Éts Climpex, Paris,
- Éts UTI, Paris,
- Icam-France, Paris,
- Piranha Marketing GmbH, Hanau,
- Neckermann Versand AG, Frankfurt.

As regards producers, the Commission obtained detailed replies to its questionnaires from a total of 12 French undertakings and received information from six German undertakings.

A certain number of importers did not reply to the questionnaires, notably French importers selling directly to the public and not using the traditional distribution networks. Information on these parties, which was needed for the analysis, was thus collected on the basis of available data.

B. Imports concerned

- (7) The products which are the subject of the investigation are pocket-watches, wrist-watches and other watches, electronic, with piezo-electric quartz crystal regulating device.

These articles fall within heading No ex 91.01 of the Common Customs Tariff, corresponding to NIMEXE codes 91.01-15 (electronic quartz watches with case of precious metal and mainly analogue display), 91.01-21 (electronic quartz watches with cases of other materials and analogue display) and 91.01-25 (electronic quartz watches with case in other materials and without hands — mainly liquid crystal digital display (LCD)).

C. Like or directly competing products

- (8) Since the aim is to determine which Community industry is likely to suffer substantial injury or is threatened with substantial injury from the imports in question, that is the Community industry producing like products or products competing directly with the imported quartz watches, both analogue and digital, it should be noted that the watches produced in the Commu-

nity are either mechanical, or quartz with analogue display.

- (9) While the Community analogue quartz watch and the imported analogue quartz watch are obviously like products, the question arises, however, as to whether the imported digital watch and Community watches, namely the mechanical watch and the analogue quartz watch, are directly competing products.

- (10) 'Directly competing products' are products which can essentially be substituted one for the other, that is to say, which are suitable for the same purposes and accordingly are basically interchangeable.

In addition to the movement which, from the point of view of technology, is the heart of the watch, all watches comprise external components, these being mainly a case with a rim and glass and possibly a strap to allow the watch to be worn on the wrist.

- As regards the general aspect, all watches, whether mechanical, quartz with digital display or quartz with analogue display, look, if not identical, at least very similar.
- As for the technology, while the analogue quartz watch is a product of the synthesis between traditional, i.e. mechanical, watch-making techniques, and electronic technology by the addition of the quartz crystal regulating device, the digital quartz watch is an essentially electronic product.

Given these initial observations, it should be noted, however, that the digital watch, while quite often displaying several functions, none the less systematically possesses one main function without which it would not, by definition, be a watch, namely that of giving the time (digital display of hours, minutes and possibly seconds).

Thus, once a consumer has bought a digital quartz watch which tells him the time in a satisfactory manner, in the current Community context of stagnating purchasing power he will very likely not be concerned with buying another watch regardless of its type of display or technology (quartz or mechanical).

Finally, because of their high degree of commercial interchangeability for the user digital quartz watches, mechanical watches and analogue quartz watches must be considered as directly competing products.

D. Production industries concerned

- (11) The Community industry manufacturing like products or products directly competing with the imported quartz watches thus comprises all Community producers of assembled watches, whether mechanical or quartz (with analogue display).

In each of the producer Member States, undertakings producing assembled watches, both mechanical and analogue quartz, form one and the same industry, since almost all the firms in question produce the two types of watch and the basic reason for the consumer to buy a watch is to have on his or her wrist (or, more rarely, elsewhere on his or her person) a device showing the time at any given moment.

The fact that to meet this need the consumer is presented with a range of watches which is virtually endless in terms of style and design reflects the very high degree of commercial interchangeability of these articles and shows that there exists in each of the producer Member States one and the same regional industry producing assembled watches.

- (12) Within the Community three Member States, namely France, the Federal Republic of Germany and the United Kingdom, have a small-scale watchmaking industry, whereas the Italian industry is craft-based rather than industrial (small-scale watchmaking is the branch of watchmaking geared to the manufacture of watches and their parts while large-scale watchmaking involves the manufacture of clocks).

The information the Commission has on the United Kingdom shows that there is only one producer in that Member State and that that producer manufactures only certain parts of mechanical watches and sub-assemblies of quartz watches.

The German industry, located in the main in Baden-Württemberg (Schwarzwald) is engaged, just like the French industry, in both small- and large-scale watchmaking but, unlike the French, the German industry is geared mainly to large-scale production, which accounts for about 73 % in terms of value of the German industry's total output (estimate for 1982). The overall production of German watches in 1983 was 3 100 000 units, including all types, and accounted for about 28 % of total Community watch output (11 100 000 watches).

In contrast with the German industry, the French industry, which is located in and around Besançon, is predominantly engaged in small-

scale watchmaking activity — 79 % of the value of the industry's total output (estimate for 1982). Producing 2,6 times as many watches as the Germans — 8 000 000 watches of all kinds in 1983 as against 3 100 000 in Germany — French manufacturers account for some 70 % of the Community's total watch output.

In the light of the above, it is necessary to assess the injury caused by imports of quartz watches to the French industry producing assembled watches, on the one hand, and to the German industry, on the other.

E. Trend of imports

Community market

- (13) As for determining the volume of imports and, in particular, whether they have increased significantly, either in absolute terms or in relation to Community production or consumption, Community figures show that the number of quartz watches imported into the Community increased from 42 000 000 in 1980 to 52 900 000 in 1982 and came to 26 800 000 in the first six months of 1983.

The bulk of these imports (more than 80 %) are digital quartz watches, which increased from 36 700 000 units in 1980 to 45 100 000 units in 1982 and accounted for 22 300 000 units in the first three months of 1983 alone.

Imports of analogue quartz watches rose from 5 400 000 units in 1980 to 7 800 000 units in 1982 and stood at 4 500 000 units for the first six months of 1983.

- (14) The average annual rate of increase of these imports into the Community for all quartz watches therefore amounts to 12,2 % for the period 1980 to 1982 and 14,8 % for the period 1981 to 1983.

Within this total the rise in imports of analogue quartz watches, which still account for only 17 % of imports, has been more rapid than the average, their average annual rate of increase being 20,5 % over the period 1980 to 1982 while the rate for digital watches increased by 11 % over the same period.

- (15) In relation to consumption of like or directly competing products, that is Community consumption which has stabilized at around 63 000 000 to 65 000 000 since the late 1970s of all kinds of watches, the market share of imports of quartz watches from outside the Community has increased substantially, from 64,3 % in 1980, to 83,3 % in 1982 and to 88,6 % in 1983 (estimate).

Most of this increase is due to the greater penetration of digital quartz watches, the market share of which rose from 56,1 % in 1980 to 73,6 % in 1983, that is a gain of 17,5 points in three years (estimate).

Imports of analogue quartz watches have also increased their market share from 8,2 % in 1980 to 15,0 % in 1983 (estimate), but in view of their still relatively moderate volume their market share gain was only 6,8 points over the period in question.

- (16) In addition to the above analysis, which was made over the entire Community market, the trend of imports on the regional markets of the French and German watch producers should also be assessed.

French market

- (17) Since a large and indeed increasing proportion of the quartz watches imported into France from outside the Community are in free circulation, not only direct imports but all imports originating outside the Community should be taken into account for the French market.

These imports have practically doubled each year since 1975 — when they amounted to no more than 480 000 — to attain 10 200 000 in 1980.

Following the re-imposition at the end of 1981 in respect of imports originating in Hong Kong of an annual national quota of 4 400 000 watches that had previously been suspended, imports temporarily slowed down in 1982. In 1983, however, imports other than those from Hong Kong (Japan, China, Macao, Taiwan, South Korea, etc.) increased considerably, mainly on account of growing free circulation imports (3 800 000 units in 1983 compared with 780 000 units in 1980, that is 40 % of the imports originating outside the Community), which brought the total number of watches imported from outside the Community to 9 600 000.

From 1979 to 1983 total imports of quartz watches originating outside the Community therefore rose from 4 500 000 units to 9 600 000 units, making an average annual rate of increase of 20,6 %.

Of this total, imports of digital quartz watches rose from 3 600 000 units in 1979 to 7 800 000 units in 1983, which gives an average annual progression of 21,5 %. Imports of analogue quartz watches rose from 955 000 units in 1979 to 1 800 000 units in 1983, thus giving an average annual increase of 17,5 %.

- (18) Overall, the market share of quartz watches imported into France thus rose from 33,9 % in 1979 to 67,7 % in 1983, an increase of 33,8 points. Most of this increase (28,1 points) is due to digital quartz watches, whose market share rose from 26,8 to 54,9 %. Imported analogue quartz watches advanced from a penetration of level of 7,1 % in 1979 to 12,8 % in 1983, that is a gain of only 5,7 points.

German market

- (19) Since direct imports into the Federal Republic of Germany of quartz watches from outside the Community give rise to a considerable amount of re-exporting within the Community, for the German market the figures which should be taken into account are imports minus (estimated) re-exports due to the free circulation trade between Germany and the other Member States, that is to say net direct imports.

Over the period 1979 to 1983 net direct imports into the Federal Republic of Germany of quartz watches from outside the Community rose from 8 600 000 to 20 300 000 units, which corresponds to an annual average rate of increase of 25 %.

Imports of digital quartz watches rose from 7 300 000 units in 1979 to 17 400 000 units in 1983 while, over the same period, imports of analogue quartz watches increased from 1 300 000 to 2 900 000 units.

- (20) Overall, the market share of quartz watches imported into Germany thus increased from 47,6 % in 1979 to about 84 % in 1983. Of this, digital quartz watches rose from 40,4 to 71,9 %; whereas the penetration of imported analogue quartz watches climbed from 7,2 to 12,1 % over the same period.

F. Import prices

- (21) As for determining import prices and, in particular, whether there has been significant undercutting of the price of a like product in the Community, the prices of imported analogue quartz watches, which can be compared with those of like Community products, and the prices of imported digital quartz watches, which can be compared with those of directly competing Community products, namely analogue mechanical and quartz watches, should be examined separately.

This examination should be conducted in respect of French products, on the one hand, and German products, on the other.

- (22) As for the average import prices for the whole of the Community, the price trend for analogue quartz watches has so far shown relative stability; the average price per watch of watches with cases other than in precious metals was 26,12 ECU in 1980, 29,48 ECU in 1981, 28,97 ECU in 1982, and 27,92 ECU during the first six months of 1983.

In contrast, the uninterrupted fall in the world price of digital watches that has been observed year after year is reflected in a rapid drop in the average prices for LCD watches imported into the Community: 8,40 ECU per watch in 1980, 7,96 ECU in 1981, 5,84 ECU in 1982, and an average of 5,16 ECU during the first six months of 1983. Between 1978 and 1983 the price of LCD watches imported into the Community therefore dropped by more than 60 %.

French market

- (23) A comparison between the average prices of imported analogue quartz watches and the prices of like French products has not revealed any significant undercutting for products originating in Japan and Switzerland, which, in 1983, accounted for some 81 % of French imports of analogue quartz watches.

Significant undercutting was found in the case of watches originating in other countries, especially Taiwan, but the quantities in question at any event only involve less than 20 % of French imports of analogue quartz watches.

- (24) For imported digital watches considerable price differences were discovered between the average ex-importer prices and the average ex-works prices of directly competing French products, namely mechanical and analogue quartz watches.

Depending on the products and the countries of origin, these price differences are between 12,1 and 77,4 % of the average ex-works price.

For some places of origin (Hong Kong, Taiwan, China, Macao, etc.) significant price differences were found not only in relation to the average prices of directly competing French products, but also in relation to the most competitive French prices for these products.

German market

- (25) Since the sample of German producers who gave satisfactory replies to the Commission's questionnaires was not very representative, the average ex-works prices of German watches, both mecha-

nical and analogue quartz, could not be determined with sufficient accuracy. In fact, the German small-scale watchmaking industry has a far less concentrated structure than the French industry, and the five undertakings visited in Germany account for only 3 % of the production of mechanical watches and 38 % of the production of analogue quartz watches in Germany. Consequently, the comparison of prices of like products and the evaluation of price differences between directly competing products were made on the basis of the most competitive products, both German and imported.

- (26) A comparison of prices between analogue quartz watches imported into Germany and like German products did not show any significant undercutting, regardless of origin.

- (27) With regard to digital watches imported into Germany considerable price differences were found between the lowest ex-importer prices and the most competitive ex-works prices for analogue quartz watches, these differences being as much as 75 %.

In contrast, no significant difference was found between the prices of imported digital watches and those of mechanical watches since the German producers use mechanical movements imported from the German Democratic Republic.

G. Impact on French and German producers of assembled watches

- (28) In the matter of determining the impact of imports of quartz watches on Community producers of like or directly competing products, the injury suffered by the industries producing assembled watches in France and Germany should first be evaluated before, in a second phase, examining the causal link between the substantial injury established and the imports in question.

Injury to the French industry producing assembled watches

- (29) The French industry producing assembled watches has been engaged since the mid-seventies in a process of switching to the production of analogue quartz watches and has seen its total watch output drop considerably while at the same time imports of quartz watches on the French and Community markets have risen sharply.

Thus during the period 1979 to 1983 alone, production of assembled watches dropped by about a third, from 12 000 000 to 8 000 000 units.

Alongside the rapidly declining production of mechanical watches — about 11 700 000 units in 1979, 8 700 000 units in 1980 and 4 500 000 units in 1983 — switching to the production of analogue quartz watches — 1 300 000 units in 1980, 3 500 000 units in 1983 — has by no means enabled the level of overall output to be maintained.

Overall, French production of all types of watches was about 7 900 000 units in 1983, well below the yearly output levels (around 14 000 000 to 15 000 000 units) 1975 to 1980.

According to data obtained from the sample of firms visited, total watch sales dropped by 27,4 % between 1980 and 1983 while the French market remained stable over the same period (at about 13 000 000 watches).

By the same token the market share held by French producers — for all types of watch — fell steadily, from 55,7 % in 1979 to 22,9 % in 1983.

Between 1979 and 1982 the number of manufacturers of assembled watches also slipped from 82 to 65, the work force in the industry dropping from 4 900 to 4 000, i.e. a decrease of 18,1 %. This phenomenon was even more marked in the sample of firms visited, where the number of staff had been cut by 20 % between 1980 and 1983.

The most revealing sign of injury to French producers of assembled watches is without doubt the fact that almost all the main producers are suffering losses and that these losses grew over the period 1980 to 1983.

As a percentage of net turnover, operating losses amounted, again according to the sample data, to 3,8 % in 1980, 10,2 % in 1981, 8,2 % in 1982 and about 11,4 % in 1983.

- (30) It appears from the results of the investigation set out above that the French industry producing assembled watches is suffering substantial injury. Its sales and production levels have been falling considerably while the market has remained stable, its share of the domestic market in 1983 was only 23 % and its operating losses have reached 11,4 % of turnover.

Injury to the German industry producing assembled watches

- (31) Although it embarked upon the process of switching to the manufacture of analogue quartz

watches before the French industry, the German industry producing assembled watches has also seen its total production of watches drop considerably as imports from outside the Community increased.

Between 1980 and 1983 German watch production decreased by 46,6 %, from 5 900 000 to 3 100 000 units. Furthermore, of this total the production of analogue quartz watches, which began between 1975 and 1978, levelled off in 1980 at 1 400 000 units and fell back to 1 200 000 units in 1983.

Total watch sales by German producers dropped, according to the sample data, by about 18,7 % between 1980 and 1983 while the Community market remained stable at around 65 000 000 watches and the German market apparently increased in volume to some extent over the same period, from 20 600 000 watches in 1980 to 24 100 000 in 1983.

At the same time the market share held by German producers (all types of watches), which in 1980 was already only 20 %, dropped below 10 % in 1983.

As regards employment, it is estimated that at the end of 1982 the number of staff employed by assembled watch producers amounted to about 2 000 to 2 600 persons only, following considerable job losses. Between 1980 and 1983 52,1 % of jobs were lost in the sample of German firms visited.

Finally, as in the case of the French producers, the data from firms to which the Commission had access showed a considerable deterioration in the financial results of German producers, especially in 1982 (losses of 4,5 %).

- (32) The results of the investigation thus lead to the conclusion that the German industry producing assembled watches is also suffering substantial injury.

H. Causal link

- (33) With regard to determining whether there is a causal link between the substantial injury sustained by the French and German producers of assembled watches and the imports in question, it should be examined whether — and to what extent — the injury is the result of imports of digital watches, of imports of analogue quartz watches, or of other causes yet to be defined.

Causal link with imports of digital quartz watches

- (34) It is clear that since the late seventies, that is since watch consumption stabilized in the Community, imports of digital quartz watches have been increasing both on the Community market as a whole and on each of the regional markets, especially the French and German markets, to by far the greatest degree in terms of volume and market share while at the same time total sales of assembled watches made by Community producers have slumped and these producers are now running at a considerable loss.

As has been seen above, the penetration of the Community market by digital quartz watches jumped, despite the remarkable stability of that market, from 56,1 % in 1980 to 73,6 % in 1983, representing a gain in the market share of 17,5 points. On the French regional market the progression between 1979 and 1983 was 28,1 points (from 26,8 to 54,9 %) whereas the increase in penetration of the German market was 20,3 points (from 51,6 % in 1980 to 71,9 % in 1983).

Regardless of the effect of any other imports, therefore, the reduction in Community outlets for Community watch manufacturers due solely to imports of digital quartz watches has been considerable since the late 1970s: outlets for these producers have been reduced from 43,9 to 26,4 % of the market for the Community as a whole, from 73,2 to 45,1 % of the French market, and from 59,6 to 28,1 % of the German market.

It is clear to the Commission that a reduction in outlets of this magnitude coupled, as has been the case for imports of digital watches, with significant price differences between the imported products and directly competing Community products, must to a very large degree be responsible for the substantial injury suffered by the French and German industries producing assembled watches.

Causal link with imports of analogue quartz watches

- (35) No category of imported watches has increased both its volume and market share over the same period to an extent which bears comparison with digital quartz watches.

Imports of analogue quartz watches, although they too have progressed, had a market share in 1983 of only 15 % in the Community as a whole,

on account of their still relatively moderate volume, and an even lower market share in France (12,8 %) and Germany (12,1 %).

Furthermore, given the relative stability of the prices at which analogue quartz watches are imported into the Community and the fairly generally observed lack of significant undercutting of the prices of like French and German products — which doubtless facilitated the switch to analogue quartz watch production, particularly in the French industry — it would seem that imports of analogue quartz watches have contributed to only a minor degree to the substantial injury suffered by the French and German watch assembly industries.

Other possible causes of injury

- (36) With regard to determining the effect of causes of injury other than imports of quartz watches, it appeared that two questions had to be considered; first, the role played by imports of mechanical watches, and secondly, the effect of structural changes in demand over the range of different types of watch.

Imports of mechanical watches

With regard to imports of mechanical watches, there can be no question of concluding that these have been the cause, since the late 1970s, of substantial injury to the Community industries producing assembled watches.

In so far as determining the volume of these imports is concerned, and in particular whether they have increased significantly, either in absolute terms or in relation to Community production or consumption, it emerges from Community statistics that imports of mechanical watches into the Community fell from 16 500 000 units in 1980 to 7 700 000 units in 1983, i.e. a drop of 53,4 % in four years.

As far as the French and German markets are concerned, the absolute levels of these imports have never been such as to be able to contribute significantly to the creation of the substantial injury suffered by the French and German industries producing assembled watches.

Thus the market share of imported mechanical watches fell in France from 10,4 % in 1979 to 9,4 % in 1983, and in Germany from 19 % in 1980 to 6,6 % in 1983.

Structural changes in watch demand

It has been argued by certain interested parties first that the main cause of the economic difficulties facing French and German watch producers was the drop in demand for mechanical watches in favour of quartz watches for reasons of consumer taste and secondly that, accordingly, there was no causal link between the fall in demand for mechanical watches and imports of digital watches, since the LCD watch had created its own market without reducing the outlets for Community producers.

- (37) These two arguments, which are in fact connected, are not borne out by the results of the Commission's investigation.

If there were consumer preference for digital quartz watches and if that consequently caused injury in itself, regardless of the traditional reasons such as price and quality differences, this consumer preference ought to be reflected uniformly throughout the entire watchmaking industry.

It is clear that digital watches do not sell above a certain price threshold despite the fact that their precision, thanks to the technology involved, is superior to that of mechanical watches. This indicates that price is a key factor for the 'average' watch buyer and what is referred to as 'consumer preference' for digital quartz watches is in fact no more than the expression of natural consumer attraction to a cheap product.

In other words, the basic explanation for the marked increase in sales of digital quartz watches on the Community (and world) market is, typically, the low price level at which these watches are offered. At the very most, in certain quite specific areas of the market, such as among young children and sportsmen, it is the fashion aspect which may have promoted their development, over and above the influence of the price factor.

As regards the alleged lack of a causal link between the fall in demand for mechanical watches and imports of digital watches by virtue of the creation of a new demand not affecting outlets for Community producers, it is obvious that on a market with stable consumption, which has been the case of the Community watch market since the late seventies, any influx of

imports on such a marked scale as that of digital quartz watches will inevitably lead to a corresponding reduction in outlets for domestic producers (compare points 13, 15 and 34).

- (38) It follows from the above points with regard to the causes involved that, taken in isolation, imports of digital quartz watches are responsible for the substantial injury suffered by the French and German industries producing assembled watches, at a time when adaptation of their industries is in full swing, by reason of the decline in overall production and sales levels and the resultant deterioration in financial results.

The other factors that, individually or in combination, might affect these industries — be they imports of analogue quartz watches, imports of mechanical watches or even structural changes in demand — have played only a minor part in the substantial injury caused to the two industries in question.

I. Community interests

- (39) Having established that digital quartz watches are being imported into the Community, and in particular on to the German and French regional markets, in such greatly increased quantities and on such terms as to cause substantial injury to the French and German industries producing assembled watches, the question arises as to whether regional protective measures for each of the two Member States in question are necessary to safeguard Community interests. In other words, it must be determined whether it is appropriate to extend to the German market the regional protective measure requested by the French authorities on behalf of their watch manufacturers.

- (40) The German authorities have not asked for protection for the German market. Furthermore, the parties primarily concerned by a measure of this kind, namely the producers themselves, proved, at the time of the investigation, to be very much divided as to the usefulness of any protection, although their federation, the Verband der Deutschen Uhren Industrie eV, was in favour of the measure.

The attitude of German firms to the Commission investigation was, at all events, indecisive and the information needed to analyze the situation on the German regional market was collected with a certain amount of difficulty.

At the same time, it should be borne in mind that the German industry is geared above all to large-scale watchmaking, since the manufacture of assembled watches accounts for only 27 % of the total turnover of the German watch- and clock-making industry. In contrast, the French industry is predominantly concerned with watches, which account for 79 % in value terms of the overall output of the French industry (clocks and watches).

In other respects, contrary to what has been seen in the French industry, the restructuring of the German industry is virtually complete but not necessarily apparent in view of the lack of any sign of concentration. In fact, while 90 % of French production is now in the hands of about 15 companies, German production is spread between some 60 firms.

In addition, on account of the extent of French watch production and the fact that the corresponding labour force is relatively much higher than that of the German industry, any social consequences are likely to be quite different in the two areas of production. In 1983 the French small-scale watchmaking industry comprising 7 500 employees produced 8 000 000 watches while the German industry with 3 200 employees produced 3 100 000 watches.

Lastly, the two producing industries are situated in areas which are very different in terms of their economic position in particular as regards possible diversification and consequent redeployment of labour.

- (41) Given all these differences between the watch-producing industries in France and Germany it would appear that the German companies have already themselves to mitigate the substantial injury caused to them by imports of digital quartz watches.

Accordingly, immediate regional protective measures for watchmakers in the Federal Republic of Germany are not necessary to safeguard Community interests.

In contrast, the substantial injury suffered by the French industry producing assembled watches, seen against the background of the poor general economic situation in Franch-Comté, where watchmaking is the main source of employment, makes immediate regional protective measures for the French market indispensable in the interest

of the Community, in order to enable the current switch in production to be achieved under optimum conditions.

J. Community protective measures

- (42) Regional protective measures for the French market should be adopted in conformity with the Community's international obligations and consequently these measures should be applied to imports originating in third countries covered by Regulation (EEC) No 288/82, with the exception of those imports covered by an agreement establishing a system of free trade with the Community. Also, traditional patterns of trade should, where possible, be maintained.
- (43) It therefore seems appropriate to make, within an overall quota for imports of digital watches, an allocation of quantities among the main supplier countries, to take into consideration the existence, since the last quarter of 1981, of a national quota for imports of quartz watches originating in Hong Kong and, lastly, to take account of the level of free circulation trade between the Member State in question and the rest of the Community.
- (44) In view of these factors, annual quotas could reasonably be fixed for 1984 at the level of average total imports into France, either direct or in free circulation, originating in the countries in question over the past three years.

As regards Hong Kong, however, the quota should be fixed at a level reflecting trade flow over a longer period and hence imports originating in that country should be restricted to a figure of 4 400 000 units, which corresponds to the national quota previously allocated for all imports of quartz watches originating in Hong Kong.

- (45) Furthermore, in order to impede as little as possible the harmonious development of world trade, the regional protective measures for the French market should be adopted only for the period strictly necessary for eliminating the substantial injury.
- (46) To allow the Community firms in question to plan their modernization or conversion measures, the date on which these protective measures will expire should be fixed immediately and the level of protection should be progressively reduced by means of an annual increase of 5 % in the quotas in question,

HAS ADOPTED THIS REGULATION :

Article 1

1. Imports into France of pocket-watches, wrist-watches and other watches, electronic, with cases other than of precious metals, piezo-electric quartz crystal regulating device and display other than with hands, falling within heading No ex 91.01 of the Common Customs Tariff, corresponding to NIMEXE code 91.01-25, are hereby subject to production of an import authorization issued by the French authorities.

2. The measures introduced in paragraph 1 shall be applicable to imports originating in third countries covered by Regulation (EEC) No 288/82, with the exception of imports covered by an agreement establishing a system of free trade with the Community.

3. The authorization referred to in paragraph 1 shall be granted by the French authorities for total annual quotas of 6 793 000, 7 133 000 and 7 489 000 watches in 1984, 1985 and 1986 respectively.

It shall be granted for the places and countries of origin indicated below, in accordance with traditional patterns of trade and within the limits of the following quotas :

('000 units)

Origin	Annual quotas		
	1984	1985	1986
Hong Kong	4 400	4 620	4 851
Japan	815	856	899
South Korea	497	522	548
Macao	496	521	547
Taiwan	425	446	469
Other	160	168	175

4. Import licences issued by the French authorities between 1 January 1984 and the day on which this Regulation enters into force shall be set off, for each place or country of origin concerned, against the quotas opened, in accordance with paragraph 3, for 1984.

Article 2

The Community investigation procedure concerning imports of pocket-watches, wrist-watches and other watches, electronic, with piezo-electric quartz crystal regulating device, is hereby terminated.

Article 3

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

Subject to the possibility of review in accordance with Article 18 of Regulation (EEC) No 288/82, it shall apply until 31 December 1986.

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

Done at Brussels, 18 April 1984.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION REGULATION (EEC) No 1088/84**of 18 April 1984**

laying down to what extent applications for issue of export licences submitted during April 1984 for beef and veal products which may benefit from special import treatment in a third country may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for export of agricultural products which may benefit from a special import treatment in a third country⁽¹⁾, and in particular Article 1 (2) thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by the Act of Accession of Greece,

Whereas Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3578/82⁽⁴⁾, lays down, in Articles 14 and 15, detailed rules for export licence applications for the products referred to in Article 1 of Regulation (EEC) No 2973/79⁽⁵⁾; whereas Article 15 (6) (c) of Regulation (EEC) No 2377/80 requires the Commission, where the quantities in respect of which licences are applied for exceed the quantities available,

to reduce the quantities requested by a fixed percentage;

Whereas Regulation (EEC) No 3582/81⁽⁶⁾ fixed the quantities of meat which might be exported on special terms for the second quarter of 1984;

Whereas the quantities for which licence applications have been lodged for the second quarter of 1984 are equal to those available; whereas these applications can, therefore, be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

The applications for export licences lodged for the beef and veal referred to in Regulation (EEC) No 2973/79 for the second quarter of 1984 shall be met in full.

Article 2

This Regulation shall enter into force on 19 April 1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 334, 28. 12. 1979, p. 8.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 373, 31. 12. 1982, p. 59.

⁽⁵⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁶⁾ OJ No L 359, 15. 12. 1981, p. 14.

COMMISSION REGULATION (EEC) No 1089/84**of 18 April 1984****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2693/83 of 26 September 1983 opening a Community tariff quota for high-quality fresh, chilled or frozen beef and veal falling within subheadings 02.01 A II a) and 02.01 A II b) of the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3660/83 of 23 December 1983 laying down detailed rules for the application of import arrangements provided for by Regulations (EEC) No 2693/83 and (EEC) No 2694/83 in the beef and veal sector⁽²⁾ provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3578/82⁽⁴⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 3660/83 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which

may be imported on special terms in 1984 at 10 000 tonnes;

Whereas the applications received by the beginning of April 1984 cover quantities less than the quota available; whereas, therefore, these applications can be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences in respect of April 1984 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3660/83 are hereby met in full.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be entered in accordance with Articles 12 and 15 of Regulation (EEC) No 2377/80 during the first 10 days of May 1984, the total quantity available being 9 697 tonnes.

Article 3

This Regulation shall enter into force on 19 April 1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 267, 29. 9. 1983, p. 3.

⁽²⁾ OJ No L 361, 24. 12. 1983, p. 38.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 373, 31. 12. 1982, p. 59.

COMMISSION REGULATION (EEC) No 1090/84**of 18 April 1984****on the monetary compensatory amounts applicable in the wine sector**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 974/71
of 12 May 1971 on certain measures of conjunctural
policy to be taken in agriculture following the tempo-
rary widening of the margins of fluctuation for the
currencies of certain Member States ⁽¹⁾, as last amended
by Regulation (EEC) No 855/84 ⁽²⁾, and in particular
Article 6 thereof,

Whereas Article 2 (3) (b) of Regulation (EEC) No
974/71 made it possible for the neutral margin for
monetary compensatory amounts for the wine sector
to be widened to a maximum of five points;

Whereas Commission Regulation (EEC) No 900/84 of
31 March 1984 fixing the monetary compensatory
amounts and certain coefficients and rates required for
their application ⁽³⁾ retained the old rules of calculation
on a temporary basis pending careful study of the
economic factors in the sector;

Whereas it is apparent from examination of the opera-
tion of the common organization of the market that in
the present situation the neutral margin can be set at
five points for both positive and negative monetary
compensatory amounts without causing any distur-
bance to trade;

Whereas the monetary compensatory amount is at
present calculated on the basis of the activating price;
whereas the situation as regards prices in the wine
sector necessitates an adjustment of the basis of calcu-
lation; whereas in the future the basis should be the

minimum guaranteed price, which is 82 % of the
guide price and is closer to the level that the common
organization of the market tends to maintain;

Whereas the monetary compensatory amounts intro-
duced by Regulation (EEC) No 974/71 were fixed by
Commission Regulation (EEC) No 900/84, as last
amended by Regulation (EEC) No 1050/84 ⁽⁴⁾, and
corrected by Regulation (EEC) No 1071/84 ⁽⁵⁾, should
be adjusted to take account of the new situation;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of calculation of the monetary
compensatory amounts applicable in the wine sector,
the real negative and positive monetary gaps shall be
reduced by a neutral margin of five points.

Article 2

1. Part 6 of Annex I to Regulation (EEC) No
900/84 is replaced by the contents of Annex I to this
Regulation.

2. Annex II to Regulation (EEC) No 900/84 is
replaced by Annex II to this Regulation.

Article 3

This Regulation shall enter into force on 23 April
1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 11.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽³⁾ OJ No L 92, 2. 4. 1984, p. 2.

⁽⁴⁾ OJ No L 102, 14. 4. 1984, p. 38.

⁽⁵⁾ OJ No L 105, 18. 4. 1984, p. 14.

ANNEX I

PART 6

WINE

Monetary compensatory amounts

CCT heading No	Description		Amounts to be charged on imports and granted on exports				Amounts to be granted on imports and charged on exports				
			Germany DM	Netherlands Fl	Denmark Dkr	United Kingdom £	Belgium/Luxembourg Bfrs/Lfrs	Ireland £ Ir£	Italy Lit	France FF	Greece Dr
ex 22.05 B	Wine put up in containers of more than three litres	% vol/hl	—								17,9
ex 22.05 C I	(a) Table wine ⁽¹⁾ :										
	(1) Type R III ⁽²⁾	hl	6,44								286,5
	(2) Types A II and A III ⁽²⁾	hl	9,19								408,8
	(3) Other	% vol/hl	—								17,9
ex 22.05 C II	(b) Red, rosé and white wine from third countries:										
	(1) Presented in the document V.I or V.A under the name Portugieser	hl	6,44								286,5
	(2) Presented in the document V.I or V.A under the name Riesling or Sylvaner	hl	9,19								408,8
	(3) Other	% vol/hl	—								17,9
	(a) Table wine ⁽¹⁾	% vol/hl	—								17,9
	(b) Red, rosé and white wine from third countries	% vol/hl	—								17,9

⁽¹⁾ As defined under No 11 of Annex II to Regulation (EEC) No 337/79.

⁽²⁾ As defined in Regulation (EEC) No 340/79.

ANNEX II

Monetary coefficients

[illegible]

COMMISSION REGULATION (EEC) No 1091/84
of 18 April 1984

fixing the maximum export refund for white sugar for the 39th partial invitation to tender issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 1880/83

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 1880/83 of 8 July 1983 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 938/84⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1880/83, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 39th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 39th partial invitation to tender for white sugar issued under Regulation (EEC) No 1880/83 is hereby fixed at 41,536 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 19 April 1984.

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

Done at Brussels, 18 April 1984.

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 187, 12. 7. 1983, p. 5.

⁽⁴⁾ OJ No L 96, 6. 4. 1984, p. 18.

COMMISSION REGULATION (EEC) No 1092/84
of 18 April 1984
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 1072/84⁽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 Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 April 1984.

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

Done at Brussels, 18 April 1984.

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 105, 18. 4. 1984, p. 15.

ANNEX

to the Commission Regulation of 18 April 1984 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	45,18
	B. Raw sugar	38,03 (¹)

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

COMMISSION REGULATION (EEC) No 1093/84**of 18 April 1984****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 996/84⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 996/84 to the information known to the Commission that the export

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 996/84 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 April 1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 100, 12. 4. 1984, p. 9.

ANNEX

to the Commission Regulation of 18 April 1984 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	37,85	
	(b) Other	39,34	
	(II) Flavoured or coloured sugar		0,3785
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	34,82 ⁽¹⁾	
	(b) Other raw sugar	34,67 ⁽¹⁾	

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

COMMISSION REGULATION (EEC) No 1094/84
of 18 April 1984
altering the export refunds on 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 organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽²⁾, and in particular the
fifth subparagraph of Article 16 (2) thereof,

Whereas the export refunds on malt were fixed by
Regulation (EEC) No 1017/84 ⁽³⁾;

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice ⁽⁴⁾, as
last amended by Regulation (EEC) No 414/83 ⁽⁵⁾,
defines the specific criteria to be taken into account
when the refund on these products is being calcu-
lated;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)

No 1017/84 to the information at present available to
the Commission that the export refunds at present in
force should be altered to the amounts set out in the
Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on malt listed in Article 1 (d) of
Regulation (EEC) No 2727/75, subject to Regulation
(EEC) No 2744/75, as fixed in the Annex to Regula-
tion (EEC) No 1017/84 are hereby altered to the
amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 April
1984.

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

Done at Brussels, 18 April 1984.

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 101, 13. 4. 1984, p. 38.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 51, 24. 2. 1983, p. 1.

ANNEX

to the Commission Regulation of 18 April 1984 altering the export refunds on malt

<i>(ECU/tonne)</i>	
CCT heading No	Refund
11.07 A I b)	34,58
11.07 A II b)	76,98
11.07 B	89,72

COMMISSION REGULATION (EEC) No 1095/84**of 18 April 1984****prolonging for the third time the temporary suspension of the advance fixing of
the import levy for maize and common wheat**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽²⁾, and in particular the
first subparagraph of Article 15 (7) thereof,

Whereas Article 15 (7) of Regulation (EEC) No
2727/75 provides that the provisions concerning
advance fixing of the levy may be suspended if the
market situation shows that the application of such
provisions will or is likely to cause difficulties;

Whereas there is a danger, having regard to the situa-
tion on the world cereals market, that, if existing
arrangements are adhered to, levies could be fixed in
advance in the short term for quantities considerably
greater than the quantities which might be expected
under more normal conditions;

Whereas Commission Regulation (EEC) No 958/84 of
6 April 1984 ⁽³⁾, as last amended by Regulation (EEC)

No 1016/84 ⁽⁴⁾, temporarily suspended advance fixing
of the import levy for maize and common wheat;
whereas the reasons which led to that suspension still
exist; whereas it is important, therefore, to continue
that measure for a limited period, which will make it
possible to monitor the situation;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 958/84 '18 April
1984' is hereby replaced by '26 April 1984'.

Article 2

This Regulation shall enter into force on 19 April
1984.

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

Done at Brussels, 18 April 1984.

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 97, 7. 4. 1984, p. 25.

⁽⁴⁾ OJ No L 101, 13. 4. 1984, p. 37.

COMMISSION REGULATION (EEC) No 1096/84
of 18 April 1984
altering the export refunds on oil seeds

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⁾,

Having regard to Council Regulation No 142/67/EEC
of 21 June 1967 on export refunds on colza, rape and
sunflower seeds ⁽³⁾, as last amended by Regulation
(EEC) No 2429/72 ⁽⁴⁾, and in particular the second
sentence of Article 2 (3) thereof,

Whereas the export refunds on oil seeds were fixed by
Regulation (EEC) No 825/84 ⁽⁵⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 825/84 to the infor-
mation at present known to the Commission that the
export refunds at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products referred to in Article 21
of Regulation No 136/66/EEC, as fixed in the Annex
to Regulation (EEC) No 825/84 are hereby altered to
the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 April
1984.

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

Done at Brussels, 18 April 1984.

For the Commission

Poul DALSGER

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 125, 26. 6. 1967, p. 2461/67.
⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.
⁽⁵⁾ OJ No L 88, 31. 3. 1984, p. 28.

*ANNEX***to the Commission Regulation of 18 April 1984 altering the export refunds on oil seeds**

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Refund
ex 12.01	Colza and rape seed, other than for sowing	6,50
ex 12.01	Sunflower seed, other than for sowing	—

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 April 1984

accepting undertakings given in connection with the anti-dumping proceeding concerning imports of propan-1-ol (propyl alcohol) originating in the United States of America, and terminating that proceeding

(84/229/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 1580/82⁽²⁾, and in particular Article 10 thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

(1) In September 1983 the Commission received a complaint lodged by the European Council of Chemical Manufacturers' Federations (CEFIC) on behalf of producers representing all Community production of the product in question. The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽³⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of propan-

1-ol (propyl alcohol) falling within subheading ex 29.04 A II of the Common Customs Tariff, corresponding to NIMEXE code ex 29.04-12 and originating in the United States of America, and commenced an investigation.

- (2) The Commission officially so advised the exporters and importers known to be concerned and the representatives of the exporting country and the complainants and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (3) Shortly after the opening of the proceeding, one of the exporting companies requested the Commission that it be excluded from the dumping investigation, since it was of the opinion that it had not caused any injury to the Community industry. However, the Commission considered it inappropriate to grant such a request at the initial stage of a proceeding, since a decision concerning the exclusion of a company cannot be taken as long as the prima facie evidence submitted by the complainants has not been verified.
- (4) All of the known exporters and some of the importers made their views known in writing. Furthermore, one exporter and one of the main importers requested and were granted a hearing.
- (5) A submission was made by one of the main Community purchasers of the product concerned.

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No C 275, 14. 10. 1983, p. 3.

- (6) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination and carried out investigations at the premises of the following companies:

(a) *Community producers:*

BASF AG, D-Ludwigshafen,
Höchst AG, D-Frankfurt am Main, which distributes the product manufactured by Ruhr Chemie AG, D-Oberhausen;

(b) *US exporters:*

Celanese Chemical Company, Texas,
Eastman Chemical International Company, Tennessee,
Union Carbide, Connecticut;

(c) *Importer:*

Celanese SA, B-Brussels;

(d) *User:*

Virchem SA, B-Brussels.

- (7) The investigation of dumping covered the period 1 October 1982 to 30 September 1983.

B. Normal value

- (8) Normal value was provisionally determined on the basis of domestic prices to independent customers of those producers who exported to the EEC.
- (9) Although Eastman Chemical International Company was not in a position to submit evidence showing that the prices at which the product concerned was sold for consumption in the country of origin were not less than all costs in the ordinary course of trade, both fixed and variable, of material and manufacture, plus a reasonable amount for selling, administrative and other general expenses as well as a reasonable margin of profit, the Commission has in view of the information available no reasonable grounds for believing or suspecting that such sales were not made at profitable prices. Therefore, the prices of this exporter for sales on the domestic market are considered as constituting the appropriate basis for determining normal value.

C. Export price

- (10) With regard to the exports of the product concerned made by Celanese Chemical Company to the Community, the great majority of the sales

were made for the purpose of inward processing under cover of customs document T 1 to a related company which processes the product into propylamine. The derived product is afterwards mainly sold to another company within the Community which uses it for the manufacture of herbicides destined for export outside the EEC. Although Celanese's sales are made to a related company, the prices actually paid for these exports may be considered as reasonable, since they were almost identical to those charged during the period of investigation by the main competitor of the same company.

Celanese contested the fact that the Commission took account of the sales made to a related company under the inward-processing regime. However, neither the GATT anti-dumping code nor Regulation (EEC) No 3017/79 provide for the exclusion of goods exported in such circumstances to the EEC. Furthermore, the exclusion of T 1 imports from the basis of calculation of export prices would offer considerable scope for abuse in anti-dumping proceedings, since the subsequent release of such goods for consumption within the EEC could easily be decided on by the companies concerned and would be difficult for the Commission or the Member States to substantiate. In this respect account has to be taken of the fact that this company related to Celanese has put part of the T 1 goods purchased for inward processing into consumption within the Community, as well as of the fact that the bulk of the processed goods are resold to another company within the EEC.

- (11) With regard to the other exports of the product concerned made by Celanese to the Community, the export price was calculated on the basis of the prices at which the imported product was first resold to an independent buyer, suitably adjusted to take account of all costs incurred between importation and resale and a reasonable profit margin.
- (12) With regard to the exports of the product concerned made by Eastman to the Community, the export price was calculated on the basis of the prices actually paid.
- (13) Since the exports of the product concerned made by Union Carbide to the Community were made to a related company, the export price was calculated on the basis of the price at which the imported product was first resold to an independent buyer, duly adjusted to take account of all costs incurred between importation and resale and a reasonable profit margin.

D. Comparison

- (14) In comparing normal value with export prices the Commission took account, where appropriate, of differences affecting price comparability resulting from differences in conditions and terms of sale, i.e. transport, insurance, handling, loading and ancillary costs.
- (15) All comparisons were made at ex-works level.

E. Margin

- (16) The above preliminary determination of the facts shows the existence of dumping in respect of the US exporters, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.
- (17) The weighted average margins with regard to each of the exporters are as follows:
- Celanese 24,7 %,
 - Eastman 23,3 %,
 - Union Carbide 18,5 %.

F. Injury

- (18) With regard to the injury caused by the dumped imports, the evidence available to the Commission shows that total imports into the Community from the United States of America of propan-1-ol increased from 3 992 tonnes in 1979 to 8 489 tonnes in 1980 and to 9 723 tonnes in 1981, which represents an increase of 113 % between 1979 and 1980 and of 15 % between 1980 and 1981; in 1982 these imports showed a slight decrease to 9 527 tonnes, but they amounted to 8 738 tonnes during the first nine months of 1983, which on an annual basis represents an increase of 22 %. The figures concerning the imports of the product concerned relate not only to goods which were released for free circulation under cover of customs document T 2 but also to the transactions which were carried out for the purposes of inward processing under cover of customs document T 1. The latter constituted a reduction in outlets available to the Community industry and had a downward effect on the prices charged by the Community producers.
- (19) The market share held by US imports increased from 44 % in 1979 to 67 % in 1980, which represents an increase of 52 %. It remained stable in 1981 and increased further to 70 % in 1982 and to 72 % during the first nine months of 1983.

- (20) The resale prices of these imports undercut the prices of the Community producers during the investigation period by up to 25 %.
- (21) The consequent impact on the Community producers concerned has been a significant reduction of their production, which decreased by 52 % between 1981 and 1982. Although the level of production of the Community industry increased during the first months of 1983, it is still below the level of 1980.
- (22) The capacity utilization of the Community producers dropped from 46 % in 1980 to 45 % in 1981 and decreased further to 21 % in 1982, which represents a decrease of 53 % between 1981 and 1982. Although the capacity utilization of Community producers increased during the first nine months of 1983, it is still significantly below the level in 1980.
- (23) Sales by Community producers concerned in the EEC dropped by 18 % between 1979 and 1980; between 1981 and 1982, their sales dropped by 16 %. Although sales by Community producers increased during the first nine months of 1983, they were still significantly below their earlier levels.
- (24) The market share of the imported product increased continuously between 1979 and 1983 (see recital 19), whilst the market share of the Community producers decreased over the same period by 50 % despite an increase of 35 % in the size of the market.
- (25) With regard to the prices charged by the Community producers concerned to their customers, a significant price depression occurred in the period 1982/83, particularly in the Federal Republic of Germany, Belgium and Luxembourg.
- (26) During the period from 1979 to 1983, the profits of the main Community producer dropped substantially and losses were even incurred. The improvement which took place during the first nine months of 1983 does not make up for the reduced profits and the losses, which occurred following a significant increase of the dumped imports from the United States of America, in 1980 and 1981.
- (27) The substantial increase in dumped imports, the substantial loss of market share of the Community producers, particularly in view of the increase of the size of the market in the EEC, and the prices at which the dumped imports are offered for sale in the Community led the Commission to determine that the effect of the dumped imports originating in the United States of America have to be considered as constituting material injury to the Community industry concerned.

- (28) With regard to the request from Union Carbide to be excluded from any measure on the basis that the exports to the EEC by this company would not have caused any injury to the Community industry, the Commission is of the opinion that such request cannot be granted since these exports, although they did not constitute the main cause of injury, have at least contributed to the injury suffered by the Community industry as determined in recitals 18 to 26.

Furthermore, the Commission is of the opinion that it is appropriate to cumulate the factors of injury caused by several exporters from one particular exporting country, since a possible exclusion from an anti-dumping measure would grant the other exporters of the same country a competitive disadvantage for the future, which is not the object of an anti-dumping proceeding. In addition, the practice of cumulating injury to which several exporters of the same exporting country contributed is not contrary to GATT rules nor to the provisions of Regulation (EEC) No 3017/79. It is also in line with the practice of the Community's major trading partners, such as the United States of America.

G. Community interest

- (29) Some users and processors of the product concerned have argued that the introduction of protective measures would not be in the Community interest because it would deprive them of an external source of supply and make them dependent on one Community supplier. However, the introduction of protective measures is not intended to eliminate the imported product from the Community market but its object is to increase export prices to such extent that the dumping margin or the injury, if this is lower than the dumping margin, be eliminated

Furthermore, the argument according to which users would become dependent on one Community supplier should be rejected, since another supplier established in the Community with a large production capacity is operational and started selling on the EEC market in 1983.

- (30) In view of the significant reduction of profits and the fact that the main Community producer incurred losses because of the dumped imports, the Commission has come to the conclusion that

it is in the Community's interest that action be taken.

H. Undertakings

- (31) The exporters concerned were informed of the main findings of the preliminary investigation and commented on them. Undertakings were subsequently offered by Celanese Chemical Company (Texas), Eastman Chemical International Company (Tennessee) and Union Carbide (Connecticut) concerning their exports of propan-1-ol (propyl alcohol) to the Community, originating in the United States of America.
- (32) The effect of the said undertakings will be to increase the export prices to the Community to the level necessary to eliminate the dumping margin or, depending on the exporter concerned, the injury.
- (33) In these circumstances, the undertakings offered are considered acceptable and the proceeding may, therefore, be terminated without the imposition of an anti-dumping duty.
- (34) No objection to this course was raised in the Advisory Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The undertakings given by Celanese Chemical Company (Texas), Eastman Chemical International Company (Tennessee) and Union Carbide (Connecticut) in connection with the anti-dumping proceeding concerning propan-1-ol (propyl alcohol) falling within subheading ex 29.04 A II of the Common Customs Tariff and corresponding to NIMEXE code ex 29.04-12, originating in the United States of America, are hereby accepted.

Article 2

The anti-dumping proceeding referred to in Article 1 is hereby terminated.

Done at Brussels, 13 April 1984.

For the Commission
 Wilhelm HAFERKAMP
Vice-President

THE PROFESSIONS IN THE EUROPEAN COMMUNITY

Towards freedom of movement and mutual recognition of qualifications

J.-P. de CRAYENCOUR

Aside from establishing a common market, one of the tasks of the European Community is to promote closer relations between the States belonging to it (Article 2 of the Treaty of Rome). One of the means of achieving this end is the free movement of persons.

This freedom of movement concerns *inter alia*, the professions. Members of the professions will be able to play their part in European integration and put their independent and responsible services at the disposal of a wider clientele in the Community only if obstacles standing in the way of freedom of the professions, whether it takes the form of the right of establishment or the freedom to provide services, are removed.

As the professions are generally highly regulated, this freedom of movement can only be satisfactorily achieved if certain of the regulations governing them, such as those relating to training requirements and professional ethics, are harmonized to some degree.

Existing rules and regulations in the various Member States could be reviewed in the light of any such harmonization and of changes in society, while paying due attention to the values of independence and responsibility which are a feature of the professions, with a view to promoting European integration.

The aim of this booklet on 'The professions in the European Community — Towards freedom of movement and mutual recognition of qualifications' is to highlight the benefits to be derived from free movement and the manner in which it can be properly implemented. It describes the legal process involved, suggests how harmonization might be realized and underlines the steps to be taken to achieve the most urgent objective, namely mutual recognition of diplomas. Finally, it outlines what has been achieved thus far and what remains to be done.

J.-P. de CRAYENCOUR — Born in London on 16 July 1915. Belgian — Studied law at Louvain. Pupil lawyer at the Brussels bar, then Director of the Study Centre of the National Federation of Small Firms. Administrator and General Secretary of the International Study Institute of Small Firms (classes moyennes). Worked in the Office of the Minister for Small Firms and Traders in 1958. Joined the Commission of the European Communities on 1 March 1959 and worked in the Directorate for the Right of Establishment. Head of Division on 1 June 1959. Retired on 1 May 1973. Founded the Secrétariat européen des professions libérales, intellectuelles et sociales (SEPLIC — headquarters in Brussels). Married with seven children. Chairman/founder of the Confédération nationale des associations de parents, 1956. Capitaine-commandant de réserve honoraire in the First Regiment of the 'Guides', prisoner of war, war volunteer, resistance movement participant.

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L-2985 Luxembourg

OPENING OF THE HISTORICAL ARCHIVES OF THE EUROPEAN COMMUNITIES

Rarely can it have been so easy to trace the origins of such a momentous and deep-rooted phenomenon as the construction of Europe. The Community's birth certificate was made out on a particular day and entered in a completely new register. Many of the witnesses to it are still alive and some 30 years on, the great debate that surrounded the Community's birth is firmly entrenched in our memories. The event is not so recent that we cannot call it to mind with the objectivity that comes with time, nor so remote that there is no living memory of it. In fact, the time is just right. The opening of the archives will allow historians to take over from the newswriters, and researchers will be able to certify the evidence.

The Communities intend to record this event with the publication of this guide: its purpose is to inform of the historical context of the European Communities and of the documentary sources in the Communities' archives.

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