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Commission

84/404/EEC :

- ★ **Commission Decision of 25 July 1984 accepting undertakings given in connection with the anti-dumping proceeding concerning imports of copper sulphate originating in Yugoslavia and terminating the proceeding . 16**

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2333/84

of 9 August 1984

repealing Regulation (EEC) No 486/83 imposing a definitive anti-dumping duty on imports of copper sulphate originating in Yugoslavia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community ⁽¹⁾, and in particular Article 14 thereof,

Having regard to the proposal submitted by the Commission after consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

(1) By Regulation (EEC) No 486/83⁽²⁾ the Council imposed a definitive anti-dumping duty of 19,5 % on imports of copper sulphate originating in Yugoslavia falling within subheading ex 28.38 A II of the Common Customs Tariff and corresponding to NIMEXE code 28.38-27.

(2) Following a request by a Member State, namely Italy, for a review of that Regulation the Commission published a notice in the *Official Journal of the European Communities* reopening the proceeding ⁽³⁾ and commenced an investigation.

(3) The investigation established the existence of renewed dumping and injury to the Community industry concerned resulting therefrom.

(4) The Yugoslav authorities, having been informed of the results of the investigation, requested that the

matter be discussed in the Cooperation Council as provided for by the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽⁴⁾.

(5) The Yugoslav exporters, subsequent to discussions within the Cooperation Council, offered undertakings which, after consultation within the Advisory Committee, the Commission has considered acceptable. The Commission considers that these undertakings eliminate the injury to the Community industry from imports of copper sulphate originating in Yugoslavia.

(6) The Commission Decision ⁽⁵⁾ setting out its findings, accepting the undertakings and terminating the proceeding, is published in the *Official Journal of the European Communities* of even date with the publication hereof.

(7) Regulation (EEC) No 486/83 should be repealed,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 486/83 is hereby repealed.

Article 2

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

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 55, 2. 3. 1983, p. 4.

⁽³⁾ OJ No C 301, 8. 11. 1983, p. 2.

⁽⁴⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽⁵⁾ See page 16 of this Official Journal.

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

Done at Brussels, 9 August 1984.

For the Council

The President

J. O'KEEFFE

COMMISSION REGULATION (EEC) No 2334/84

of 10 August 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 organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84⁽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 agricul-
tural policy⁽³⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2221/84⁽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, multiplied by the coefficient
provided for in Article 2b (2) of Regulation (EEC)

No 974/71, as last amended by Regulation (EEC)
No 855/84,

- 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 and the aforesaid coeffi-
cient ;

Whereas these exchange rates being those recorded on
9 August 1984 ;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2221/84 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 11 August
1984.

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

Done at Brussels, 10 August 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, 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 205, 1. 8. 1984, p. 1.

ANNEX

to the Commission Regulation of 10 August 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	73,13
10.01 B II	Durum wheat	105,26 ⁽¹⁾ ⁽²⁾
10.02	Rye	86,95 ⁽⁶⁾
10.03	Barley	68,94
10.04	Oats	40,01
10.05 B	Maize, other than hybrid maize for sowing	40,36 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	83,72 ⁽⁴⁾
10.07 D I	Triticale	(⁽⁷⁾)
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	115,38
11.01 B	Rye flour	134,73
11.02 A I a)	Durum wheat groats and meal	176,24
11.02 A I b)	Common wheat groats and meal	124,61

⁽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.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 2335/84

of 10 August 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 organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84⁽²⁾, and in particular
Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2222/84⁽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, multiplied by the coefficient

provided for in Article 2b (2) of Regulation (EEC)
No 974/71, as last amended by Regulation (EEC)
No 855/84,

- 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 and the aforesaid coeffi-
cient;

Whereas these exchange rates being those recorded on
9 August 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 11 August
1984.

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

Done at Brussels, 10 August 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, 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 205, 1. 8. 1984, p. 4.

ANNEX

to the Commission Regulation of 10 August 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 8	1st period 9	2nd period 10	3rd period 11
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	3,78	3,78	18,56
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2336/84

of 10 August 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 1556/84 ⁽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,

Having regard to Council Regulation (EEC) No
1223/83 of 20 May 1983 on the exchange rates to be
applied in agriculture ⁽⁵⁾, as last amended by Regula-
tion (EEC) No 855/84 ⁽⁶⁾,

Having regard to Council Regulation (EEC) No
1569/72 of 20 July 1972 laying down special measures
for colza, rape and sunflower seed ⁽⁷⁾, as last amended
by Regulation (EEC) No 1474/84 ⁽⁸⁾, and in particular
Article 2 (3) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the export refunds on oil seeds were fixed by
Regulation (EEC) No 2235/84 ⁽⁹⁾;

Whereas, for the period 1 to 7 August 1984, for certain
currencies :

- for the current month, the difference referred to in
Article 2 (1) of Regulation (EEC) No 1569/72
differs by more than one point from the percen-
tage adopted for the previous fixing,
- for certain following months the difference
referred to in Article 2 (2) of Regulation (EEC) No
1569/72 exceeds 0,5 % ; whereas this difference in
the case of certain forward differential amounts
differs by more than one point from the percen-
tage adopted for the previous fixing ;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2235/84 to the
information 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

In the case of colza and rape seed, the amounts of the
refund referred to in Article 4 (1) of Regulation (EEC)
No 651/71 ⁽¹⁰⁾, fixed in the Annex to Regulation (EEC)
No 2235/84, are altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 August
1984.

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

Done at Brussels, 10 August 1984.

For the Commission

Poul DALSAGER

Member of the Commission

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

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 5.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁹⁾ OJ No L 205, 1. 8. 1984, p. 33.

⁽¹⁰⁾ OJ No L 75, 30. 3. 1971, p. 16.

ANNEX

to the Commission Regulation of 10 August 1984 altering the export refunds on colza
and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross refunds (ECU)	8,000	8,520	9,040	9,560	10,080	10,600
2. Final refunds						
Seeds harvested and exported from :						
— Federal Republic of Germany (DM)	27,86	29,17	30,51	32,08	33,39	28,99
— Netherlands (Fl)	25,56	26,97	28,38	30,05	31,46	32,52
— BLEU (Bfrs/Lfrs)	371,29	395,43	419,56	442,16	466,30	478,92
— France (FF)	45,64	49,21	52,19	54,66	58,23	58,51
— Denmark (Dkr)	67,32	71,70	76,07	80,45	84,82	88,38
— Ireland (£ Irl)	6,001	6,391	6,775	7,094	7,484	7,673
— United Kingdom (£)	5,367	5,689	6,010	6,332	6,654	6,976
— Italy (Lit)	11 456	12 196	12 644	13 103	13 848	13 690
— Greece (Dr)	684,82	731,89	778,97	826,04	873,12	920,19

COMMISSION REGULATION (EEC) No 2337/84

of 10 August 1984

amending for the fourth time Regulation (EEC) No 997/81 laying down detailed rules for the description and presentation of wines and grape musts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1208/84 ⁽²⁾, and in particular Article 54 (5) thereof,

Whereas Council Regulation (EEC) No 355/79 ⁽³⁾, as last amended by Regulation (EEC) No 3685/81 ⁽⁴⁾, lays down general rules for the description and presentation of wines and grape musts;

Whereas Commission Regulation (EEC) No 997/81 ⁽⁵⁾, as last amended by Regulation (EEC) No 1011/84 ⁽⁶⁾, lays down detailed rules for the description of wines and grape musts; whereas practical experience with this Regulation has revealed the need for a number of amendments;

Whereas certain vine varieties have names or synonyms composed of several words, some of which are liable to be confused with geographical terms; whereas, due to the absence of alternative names, it is not possible in all cases to replace or prohibit the use of such names or synonyms; whereas there is also a danger of damaging the traditional name of the wine in question; whereas, in order to prevent the words contained in the name of a variety or in a synonym recalling a geographical term from being presented in an isolated manner on a label and thus giving the false impression that the wine comes from a particular geographical area, it should be laid down that names of varieties and synonyms composed of several words should be printed on the label in characters of the same type and size, the words being printed together, without the interposition of any other information, on one or two lines;

Whereas, to avoid endangering exports of wine to non-member countries other than the United States of America and Canada, a provision should be introduced permitting labels on wines intended for export to contain particulars which do not conform to Community rules where it can be demonstrated that such

particulars are required by law in the country of importation;

Whereas the lists contained in Annexes II, III and IV of Regulation (EEC) No 997/81 should be extended in accordance with the requests by a Member State and certain non-member countries in the framework of the general rules laid down in Regulation (EEC) No 355/79;

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

Regulation (EEC) No 997/81 is hereby amended as follows:

1. The following paragraph is added to Article 11:

'4. Where the name of a vine variety or its synonym is composed of several words, such composite name or synonym shall be printed on the label, without the interposition of any other information, in uniform letters of the same size on one or two lines.'

2. Article 22 (4) is replaced by the following:

'4. Labels not meeting the requirements of Regulation (EEC) No 355/79 and of this Regulation may be used for table wines and quality wines psr for export to non-member countries provided that the information not permitted on labels under Community rules is required under the legislation of the countries of importation and that no confusion with other quality wines psr or table wines will arise.

Member States may subject the use of such labels to prior approval.'

3. The Annexes are amended in accordance with the Annex hereto.

Article 2

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

However, point 2 in the Annex shall apply with effect from 1 July 1984.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 115, 1. 5. 1984, p. 77.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 99.

⁽⁴⁾ OJ No L 369, 24. 12. 1981, p. 1.

⁽⁵⁾ OJ No L 106, 16. 4. 1981, p. 1.

⁽⁶⁾ OJ No L 101, 13. 4. 1984, p. 17.

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

Done at Brussels, 10 August 1984.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

1. Annex II is hereby amended as follows :

(a) under point VIII 'UNITED STATES' in B,

(i) the footnote reference '(1)' is deleted after :

- Dry Creek, Dry Creek Region, Dry Creek Valley in point 1.1,
- Ohio River Valley in points 2.1, 3.1, 7.1 and 11.1,
- Lake Erie in points 6.1, 7.1 and 9.2,
- Shenandoah Valley in points 10.1 and 11.1 ;

(ii) the following is added after point 12.1 :

'13. Maryland

13.1. Wine-growing regions :

- Catoctin
- Linganore ;

(iii) the footnote is replaced by the following :

'(1) This wine-growing region may only be included if the State to which the region belongs is indicated on the same label.' ;

(b) the names of the following geographical units are added to point X 'HUNGARY' :

(i) — under point 1 :

- | | |
|--------------------|------------------|
| — Csavoly | — Soltvadkert |
| — Csengod | — Kiskunmajsa |
| — Tabdi | — Lakitelek |
| — Kaskantyu | — Bocsa |
| — Akaszto | — Pahi |
| — Tiszaufalu | — Homokhegy |
| — Kekhegy | — Boszorkanyhegy |
| — Paphegy | — Vadaskert |
| — Svivarvanyoshegy | |

(ii) — under point 2 :

- | | |
|-------------------|--------------|
| — Dunaalmas | — Nemesvamos |
| — Dunaszentmiklos | — Meleges |

(iii) — under point 4 :

- | | |
|-----------------|---------------|
| — Andornaktalya | — Bükkaranyos |
| — Nagytalya | — Szentistvan |
| — Heves | — Sarhegy |
| — Egedhegy | — Sikhegy |
| — Varhegy | — Novaj |

(iv) — under point 5 :

- | | |
|-----------|-----------|
| — Tolcsva | — Tarcsl |
| — Mad | — Talya ; |

(c) the following is added :

'XXI. SOVIET UNION

Wines bearing the name of one of the following Soviet Socialist Republics, autonomous regions or provinces in which they originate :

- SSR Armenia
- SSR Georgia
- SSR Moldavia
- SSR Russia :
 - Krasnodar
 - Rostov
 - Stavropol
 - Autonomous SSR Checheno-Ingush
- SSR Ukraine :
 - Crimea
 - Odessa
 - Kherson
 - Nikolayev
- SSR Azerbaidjan'.

2. In Annex III under point II 'FRANCE', 'Tokay Pinot gris (!)' is added to the central column as a synonym for the variety 'Pinot gris'.
3. Annex IV is amended as follows :
 - (a) under point X 'ROMANIA', 'Honigler' and 'Valteliner' are added to the left-hand column and the words 'Goldtraube' and 'Veltliner' to the right-hand column as mutual synonyms.
 - (b) The following chapter is added :

'List of varieties accepted in the Community	Accepted synonyms
XXI. SOVIET UNION	
SSR Armenia :	
Voskeat	
Kakhet	
SSR Georgia :	
Aleksandrouli	
Goruli mtsvane	
Cabernet	
Lalvari	
Mskhali	
Rkatsiteli	
Saperavi	
Tsitska	
Tsolikouri	
Chinuri	
SSR Moldavia :	
Malbec	
Pinot gris	
Pinot noir	
Pinot blanc	
Chardonnay	
Feteasca blanc	Feteasca
Muscadine	
SSR Russia :	
— Region of Krasnodar :	
Aligoté	
Weisser Riesling	Rheinriesling, Riesling
Pinot blanc	
Pinit gris	
Pinot noir	
Sauvignon	
Cabernet	
Traminer rosé	
Rkatsiteli	
Saperavi	
Müller-Thurgau	
— Province of Rostov :	
Weisser Riesling	Rheinriesling, Riesling
Aligoté	
Plavay	
Plechistik	
Tsimlianskiy noir	
Kuldzhinskiy	
— Region of Stavropol :	
Silvaner	
Rkatsiteli	
Saperavi	
Aligoté	
Weisser Riesling	Rheinriesling, Riesling
Muscat-Ottonel	
Muscat blanc	
Muscat rosé	
Muscat noir	

List of varieties accepted in the Community	Accepted synonyms
Autonomous SSR Checheno-Ingush : Rkatsiteli Cabernet Saperavi SSR Ukraine : — Province of Crimea : Ruby of Magarach Bastardo of Magarach Cabernet sauvignon Matrasa Saperavi Kokour blanc Sersial Weisser Riesling Aligoté Merlot Muscat-Ottonel Muscat blanc Muscat rosé Muscat noir — Kherson and Nikolayev regions of Odessa : Pinot blanc Pinot gris Pinot noir Gewürztraminer Chardonnay Sauvignon Aligoté Weisser Riesling Silvaner Feteasca blanc Cabernet Saperavi Merlot Matrasa SSR Azerbaidjan : Matrasa Khindogni Bayan Shirey Shirvan Shakhi	Rheinriesling, Riesling Rheinriesling, Riesling'

COMMISSION REGULATION (EEC) No 2338/84
of 10 August 1984

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 174/84⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 2171/84⁽⁷⁾, as last amended by Regulation (EEC) No 2317/84⁽⁸⁾;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984⁽⁹⁾ amended Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within sub-heading 23.02 A of the Common Customs Tariff;

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, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71, as last amended by Regulation (EEC) No 855/84,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 9 August 1984;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽¹¹⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to amended Regulation (EEC) No 2171/84, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 August 1984.

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

Done at Brussels, 10 August 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 21, 26. 1. 1984, p. 1.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 197, 27. 7. 1984, p. 38.

⁽⁸⁾ OJ No L 213, 9. 8. 1984, p. 26.

⁽⁹⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 10 August 1984 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 G ⁽²⁾	87,87	84,85
11.02 A VII ⁽²⁾	87,87	84,85
11.02 B II d) ⁽²⁾	136,12	133,10
11.02 C VI ⁽²⁾	136,12	133,10
11.02 D VI ⁽²⁾	87,87	84,85
11.02 E II d) 2 ⁽²⁾	155,78	149,74
11.02 F VII ⁽²⁾	87,87	84,85

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 July 1984

accepting undertakings given in connection with the anti-dumping proceeding concerning imports of copper sulphate originating in Yugoslavia and terminating the proceeding

(84/404/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 consultation within the Advisory Committee as provided for by the said Regulation,

Whereas :

A. Procedure

- (1) In March 1983 the Council imposed a definitive anti-dumping duty⁽³⁾ on imports of copper sulphate originating in Yugoslavia, and following extension of the procedure a definitive duty⁽⁴⁾ was imposed in October 1983 on imports of copper sulphate from Czechoslovakia and the USSR and an undertaking⁽⁵⁾ offered by one Czech exporter was accepted. In September 1983 the Commission received a request from the authorities of a Member State, Italy, requesting the re-opening of the proceeding and alleging

that imports of copper sulphate from Yugoslavia were again being dumped and thereby causing renewed injury to the Community industry. Accordingly the Commission announced, by a notice published in the *Official Journal of the European Communities*⁽⁶⁾, the re-opening of the anti-dumping proceeding concerning imports into the Community of copper sulphate originating in Yugoslavia, and falling within subheading ex 28.38 A II of the Common Customs Tariff, corresponding to NIMEXE code 28.38-27, and commenced an investigation.

- (2) The Commission officially so advised the exporters and importers known to be concerned, 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.

The majority of the known producers, one exporter and some importers made their views known in writing.

No submissions were made by Community purchasers or processors of copper sulphate.

- (3) The Commission sought and verified all information it deemed to be necessary and carried out investigations at the premises of the following EEC producer : Manica SpA, Rovereto, Italy.

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No L 55, 2. 3. 1983, p. 4.

⁽⁴⁾ OJ No L 274, 7. 10. 1983, p. 1.

⁽⁵⁾ OJ No L 281, 13. 10. 1983, p. 22.

⁽⁶⁾ OJ No C 301, 8. 11. 1983, p. 2.

The Commission requested and received detailed written submissions from Community producers and verified the information therein to the extent considered necessary. One exporter, Zorka-Sabac, submitted its views in writing but did not supply the requested information and evidence on volumes, prices and costs and thus the Commission was obliged in accordance with Article 7 (7) (b) of Regulation (EEC) No 3017/79 to use the facts available to it in order to establish normal value and make the appropriate comparison with export prices. The investigation covered the period from the imposition of the definitive duty (March 1983) until November 1983.

B. Normal value

- (4) The Commission, during the previous investigation, established that the exporters' sales in the domestic Yugoslav market were made at a loss and accordingly based normal value on a constructed value calculated by taking the exporters' costs of materials and manufacture, including overheads, and adding a reasonable margin for profit. In view of the non-cooperation of the Yugoslav exporters in the present case the Commission, in establishing a normal value on the same basis, has taken account of the best evidence available to it, being that submitted by the Italian authorities and by the Community industry. This evidence showed a significant increase, since the previous investigation, in the cost of raw materials required for the production of copper sulphate and in particular the cost of copper, which accounts for 75 % of the production costs.

In addition, account was taken of increased costs for labour, other materials and overheads on the basis of the published statistics on the Yugoslav economy. A normal value for the reference period was established by updating the figures relating to the constructed normal value for the previous investigation to cover the present reference period.

C. Export price

- (5) Export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.

D. Comparison

- (6) In order that an appropriate comparison could be made the Commission estimated, on the basis of the information available to it, the costs incurred

in transporting the product from the factory to the Community frontier. These costs were deducted from the export prices and the comparisons were accordingly made at an ex-works level.

E. Margins

- (7) The above comparison shows the existence of dumping in respect of the exporter which made itself known to the Commission, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community i.e. 61 %.

For those exporters who neither replied to the Commission's questionnaire nor made themselves known otherwise in the course of the investigation, dumping was determined on the same basis, and accordingly it was considered appropriate to use the same dumping margin for this group of exporters.

F. Injury

- (8) With regard to the injury caused by the dumped imports, the evidence available to the Commission shows that imports into the Community (Italy and Greece) of copper sulphate from Yugoslavia remained at a similar level in 1983 (6 070 tonnes) to that in 1982 (6 110 tonnes). Thus Yugoslav imports maintained their market share in the Community (about 14 %) despite the imposition of a provisional anti-dumping duty of 15,4 % in November 1982 and a definitive anti-dumping duty of 19,5 % in March 1983. The resale prices of these imports undercut the prices of the Community producers during the present reference period by up to 30 %. These resale prices were lower than those required to cover the costs of Community producers and provide a reasonable profit and in some instances were lower even than the cost to the Community producers of the raw material required to produce their copper sulphate.
- (9) The Community industry in respect of which the impact of the dumped imports must be assessed is particularly that situated in Italy, whose traditional markets have been Italy and Greece. Since the imposition, at the end of 1982, of the anti-dumping measures on imports of Yugoslav copper sulphate, the Italian producer has increased sales mainly in the Italian market, which accounts for 84 % of its sales in the Community. This increase, however, merely reflects the increase in consumption in this market between 1982 and 1983 and, despite the improvement, capacity utilization levels have remained low (50 % in 1983) leading to high unit

costs which, combined with the price depression caused by the dumped imports, have led to continued losses on sales of copper sulphate in the Community.

- (10) In addition, the effect of the dumped Yugoslav imports on the remaining Community producers has also been significant as regards their sales in Italy and potential sales in Greece. In the rest of the Community Yugoslav prices have had a depressive effect both directly on those of the Community producers and indirectly where the Italian producer has been forced to attempt to sell increasing quantities of the product concerned in areas other than its traditional markets where it can no longer compete with the dumped imports.
- (11) The Commission has considered whether injury has been caused by other factors such as the volume and prices of imports from other sources or the reduction in consumption in the Community. It has, however, been established that the major source of imports in the Italian and Greek markets has been Yugoslavia. Elsewhere in the Community the major sources have been the USSR and Czechoslovakia, and anti-dumping measures were imposed in 1983 with regard to these imports. Accordingly, the continued high volume of Yugoslav imports and the prices at which they are offered for sale in the Community led the Commission to determine that the effects of the dumped imports of copper sulphate originating in Yugoslavia taken in isolation, have to be considered as constituting material injury to the Community industry concerned.

G. Community interest

- (12) In view of the particularly serious difficulties facing the Community industry concerned, the Commission has come to the conclusion that it is in the Community's interests that action be taken in order to eliminate the injury being caused to this industry.

H. Undertakings

- (13) The Yugoslav authorities, having been informed of the results of the investigation, requested that the matter be discussed in the Cooperation Council as provided for by the Cooperation

Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia (¹).

The two exporters concerned, Zorka-Sabac and Zupa, subsequent to discussions within the Cooperation Council, offered undertakings concerning their exports of copper sulphate to the Community.

The effect of the said undertakings will be to increase import prices to the Community to the level which the Commission, having taken into account, on the one hand, the selling price necessary to provide an adequate return to Community producers and, on the other hand, the purchase price of the Community importers and their costs and profit margin considered necessary to eliminate injury. These increases in no case exceed the dumping margins found in the investigation.

In these circumstances, the undertakings offered are considered acceptable and the proceedings may, therefore, be terminated without the continued imposition of anti-dumping duties.

No objection to this course was raised in the Advisory Committee.

HAS DECIDED AS FOLLOWS:

Article 1

The undertakings given by Hemijska Industrija 'Zorka-Sabac', Sabac, Yugoslavia and Zupa, Krusevac, Yugoslavia in connection with the anti-dumping proceeding concerning copper sulphate originating in Yugoslavia and falling within Common Customs Tariff subheading ex 28.38 A II, corresponding to NIMEXE code 28.38-27 are hereby accepted.

Article 2

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

Done at Brussels, 25 July 1984.

For the Commission

Wilhelm HAFERKAMP

Vice-President

(¹) OJ No L 41, 14. 2. 1983, p. 1.

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