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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 55/79**of 12 January 1979****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 organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾, and in particular
Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2724/78⁽³⁾ and subsequent amending
Regulations;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 2724/78 to the

offer prices and today's quotations known to the
Commission that the levies at present in force should
be altered as shown in the Annex to this Regulation,

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 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 January
1979.

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

Done at Brussels, 12 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 1.

ANNEX

to the Commission Regulation of 12 January 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(u.a./tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	84.55
10.01 B	Durum wheat	123.54 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	89.93 ⁽⁶⁾
10.03	Barley	91.33
10.04	Oats	87.38
10.05 B	Maize, other than hybrid maize for sowing	78.66 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	4.65
10.07 B	Millet	73.87 ⁽⁴⁾
10.07 C	Grain sorghum	82.20 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	129.86
11.01 B	Rye flour	137.38
11.02 A I a)	Durum wheat groats and meal	202.47
11.02 A I b)	Common wheat groats and meal	139.35

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 6 u.a./tonne as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./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 0.50 u.a./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 56/79**of 12 January 1979****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 1254/78 ⁽²⁾, and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2725/78 ⁽³⁾ and subsequent amending Regulations ;

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 as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 January
1979.

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

Done at Brussels, 12 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 4.

ANNEX

to the Commission Regulation of 12 January 1979 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	3.81	3.81	3.81
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	1.06
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	1.81
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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	6.78	6.78	6.78	6.78
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	5.07	5.07	5.07	5.07
11.07 B	Roasted malt	0	5.91	5.91	5.91	5.91

COMMISSION REGULATION (EEC) No 57/79
of 12 January 1979
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1017/78⁽³⁾, as last
amended by Regulation (EEC) No 3119/78⁽⁴⁾;

Whereas it follows from applying the rules contained
in Regulation (EEC) No 1017/78 to the prices known

to the Commission that the levies at present in force
should be altered as shown in the Annex to this Regu-
lation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 14 (2) of Regulation
(EEC) No 804/68 are hereby fixed as shown in the
Annex.

Article 2

This Regulation shall enter into force on 16 January
1979.

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

Done at Brussels, 12 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 132, 20. 5. 1978, p. 13.

⁽⁴⁾ OJ No L 370, 30. 12. 1978, p. 35.

ANNEX

to the Commission Regulation of 12 January 1979 fixing the import levies on milk and milk products

(u.a./100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	22.02
04.01 A I b)	0120	20.02
04.01 A II a) 1	0130	20.02
04.01 A II a) 2	0140	24.68
04.01 A II b) 1	0150	19.02
04.01 A II b) 2	0160	23.68
04.01 B I	0200	50.99
04.01 B II	0300	107.87
04.01 B III	0400	166.71
04.02 A I	0500	6.45
04.02 A II a) 1	0620	95.14
04.02 A II a) 2	0720	130.21
04.02 A II a) 3	0820	132.21
04.02 A II a) 4	0920	141.70
04.02 A II b) 1	1020	89.14
04.02 A II b) 2	1120	124.21
04.02 A II b) 3	1220	126.21
04.02 A II b) 4	1320	135.70
04.02 A III a) 1	1420	19.35
04.02 A III a) 2	1520	26.12
04.02 A III b) 1	1620	107.87
04.02 A III b) 2	1720	166.71
04.02 B I a)	1820	30.00
04.02 B I b) 1 aa)	2220	per kg 0.8914 ⁽⁹⁾
04.02 B I b) 1 bb)	2320	per kg 1.2421 ⁽⁹⁾
04.02 B I b) 1 cc)	2420	per kg 1.3570 ⁽⁹⁾
04.02 B I b) 2 aa)	2520	per kg 0.8914 ⁽¹⁰⁾
04.02 B I b) 2 bb)	2620	per kg 1.2421 ⁽¹⁰⁾
04.02 B I b) 2 cc)	2720	per kg 1.3570 ⁽¹⁰⁾
04.02 B II a)	2820	31.87
04.02 B II b) 1	2910	per kg 1.0787 ⁽¹⁰⁾
04.02 B II b) 2	3010	per kg 1.6671 ⁽¹⁰⁾
04.03 A	3110	196.13
04.03 B	3210	239.28
04.04 A I a) 1	3321	15.00
04.04 A I a) 2	3420	117.21 ⁽¹¹⁾
04.04 A I b) 1 aa)	3521	15.00
04.04 A I b) 1 bb)	3619	117.21 ⁽¹¹⁾
04.04 A I b) 2	3719	117.21 ⁽¹¹⁾
04.04 A II	3800	117.21
04.04 B	3900	179.38 ⁽¹²⁾
04.04 C	4000	131.07
04.04 D I	4120	30.00
04.04 D II a) 1	4410	123.97
04.04 D II a) 2	4510	135.19
04.04 D II b)	4610	215.19
04.04 E I a)	4710	179.38
04.04 E I b) 1 aa)	4834	15.00
04.04 E I b) 1 bb)	4850	173.76

CCT heading No	Code	Import levy
04.04 E I b) 2 aa)	4922	130·20 ⁽¹³⁾
04.04 E I b) 2 bb)	5022	130·20 ⁽¹⁴⁾
04.04 E I b) 3	5030	130·20 ⁽¹⁵⁾
04.04 E I b) 4	5060	130·20 ⁽¹⁵⁾
04.04 E I b) 5	5120	130·20
04.04 E I c) 1	5210	97·65
04.04 E I c) 2	5250	210·20
04.04 E II a)	5310	179·38
04.04 E II b)	5410	210·20
17.02 A II ⁽¹⁶⁾	5500	15·14
21.07 F I	5600	15·14
23.07 B I a) 3	5700	68·86
23.07 B I a) 4	5800	89·36
23.07 B I b) 3	5900	83·50
23.07 B I c) 3	6000	68·38
23.07 B II	6100	89·36

For notes ⁽¹⁾ to ⁽⁸⁾, see notes ⁽¹⁾ to ⁽⁸⁾ of Council Regulation (EEC) No 823/68 (OJ No L 151, 30. 6. 1968).

⁽⁹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
b) 6 u.a. ; and
c) 13·60 u.a.

⁽¹⁰⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
and
b) 13·60 u.a.

⁽¹¹⁾ The levy is limited to 7·50 u.a. per 100 kg net weight.

⁽¹²⁾ The levy is limited to 6% of the value for customs purposes.

⁽¹³⁾ The levy is limited to 53·16 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁴⁾ The levy is limited to 73·16 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁵⁾ The levy is limited to 73·16 u.a. per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

⁽¹⁶⁾ Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the unit of account referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant 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 (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 58/79**of 12 January 1979****fixing the refunds on milk and milk products 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
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 17 of Regulation (EEC) No 804/68
provides that the difference between prices in interna-
tional trade for the products listed in Article 1 of that
Regulation and prices for those products within the
Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28
June 1968 laying down general rules for granting
export refunds on milk and milk products and criteria
for fixing the amount of such refunds⁽³⁾, as amended
by Regulation (EEC) No 2429/72⁽⁴⁾, provides that
when the refunds on the products listed in Article 1
of Regulation (EEC) No 804/68, exported in the
natural state, are being fixed account must be taken
of:

- the existing situation and the future trend with
regard to prices and availabilities of milk and milk
products on the Community market and prices for
milk and milk products in international trade;
- marketing costs and the most favourable transport
charges from Community markets to ports or
other points of export in the Community, as well
as costs incurred in placing the goods on the
market of the country of destination;
- the aims of the common organization of the
market in milk and milk products which are to
ensure equilibrium and the natural development
of prices and trade on this market;

— the need to avoid disturbances on the Community
market; and

— the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68
provides that when prices within the Community are
being determined account should be taken of the
ruling prices which are most favourable for exporta-
tion, and that when prices in international trade are
being determined particular account should be taken
of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of
destination for third country imports;
- (c) producer prices recorded in exporting third coun-
tries, account being taken, where appropriate, of
subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68
provides that the world market situation or the
specific requirements of certain markets may make it
necessary to vary the refund on the products listed in
Article 1 of Regulation (EEC) No 804/68 according to
destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68
provides that the list of products on which export
refunds are granted and the amount of such refunds
should be fixed at least once every four weeks;
whereas the amount of the refund may, however,
remain at the same level for more than four weeks;

Whereas Article 2 of Commission Regulation (EEC)
No 1098/68 of 27 July 1968 on detailed rules for the
application of export refunds on milk and milk
products⁽⁵⁾, as last amended by Regulation (EEC) No
37/75⁽⁶⁾, provides that the refund on products falling
within subheading 04.02 B is equal to the sum of two

(1) OJ No L 148, 28. 6. 1968, p. 13.

(2) OJ No L 204, 28. 7. 1978, p. 6.

(3) OJ No L 155, 3. 7. 1968, p. 1.

(4) OJ No L 264, 23. 11. 1972, p. 1.

(5) OJ No L 184, 29. 7. 1968, p. 10.

(6) OJ No L 5, 9. 1. 1975, p. 7.

components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5 % by weight the first component referred to above is fixed for 100 kilograms of the whole product; whereas for the other products falling within subheading 04.02 B this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on one kilogram of milk products contained in the product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity;
- 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 subparagraph;

Whereas the special conditions concerning the payment of the refund for skimmed-milk powder for

use as feed in the country of destination were laid down in Regulation (EEC) No 2054/76⁽³⁾, as last amended by Regulation (EEC) No 2413/78⁽⁴⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04;

Whereas it follows from applying these rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be fixed at the amounts shown in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state are hereby fixed at the amounts shown in the Annex hereto.

2. No refund is fixed for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 13 January 1979.

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

Done at Brussels, 12 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.
⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 228, 20. 8. 1976, p. 17.
⁽⁴⁾ OJ No L 292, 18. 10. 1978, p. 16.

ANNEX

to the Commission Regulation of 12 January 1979 fixing the refunds on milk and milk products exported in the natural state

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less	0110 00	4.93
	b) Other	0120 00	--
	II. Others :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0130 10	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		1.47
	— Other destinations		1.29
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— Countries near the Community		4.26
	— Other destinations		5.28
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		6.94
	— Countries near the Community		6.03
	— Other destinations		7.64
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		7.00
	— Countries near the Community		6.51
	— Other destinations		8.89

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01 (cont'd)	b) Other, of a fat content, by weight : 1. Not exceeding 4 % : (aa) Of a fat content, by weight, not exceeding 1.5 % (bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 % (cc) Of a fat content, by weight, exceeding 3 % for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations 2. Exceeding 4 % for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations ex B. Other, excluding whey, of a fat content, by weight : ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 % II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 35 % (b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 % for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations (c) Of a fat content, by weight, exceeding 39 % III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	0150 10 0150 21 0150 31 0160 00 0200 05 0200 11 0200 21 0300 12 0300 13 0300 20 0400 11 0400 22 0400 30	1.29 4.40 6.94 5.34 7.00 5.79 15.62 24.32 36.73 43.82 68.11 44.59 75.74 86.38 127.16 148.44

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620 00	66.54
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	66.54
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	79.09
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	85.32
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	93.55
	3. Exceeding 27 % but not exceeding 29 %	0820 00	95.62
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	97.65
	(bb) Of a fat content, by weight, exceeding 41 %	0920 20	110.01
	b) Other, excluding products containing fish meal or fish oil or fish liver oil and iron carbonate or sulphate, of a fat weight content ⁽⁶⁾ :		
	1. Not exceeding 1.5 %	1020 00	66.54
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	66.54
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	79.09
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	85.32
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	93.55
	3. Exceeding 27 % but not exceeding 29 %	1220 00	95.62
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	97.65
	(bb) Of a fat content, by weight, exceeding 41 %	1320 20	110.01

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules : a) In immediate packings of a net content of 2.5 kg or less and of a fat content by weight not exceeding 11 % : 1. Of a fat content, by weight, not exceeding 8.9 % and of a lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight 1420 12 — (22) Exceeding 3 %, by weight 1420 22 — For exports to : — Countries near the Community 6.03 — Other destinations 7.64 (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight 1420 50 — (22) Exceeding 3 %, by weight, but not exceeding 7.4 % 1420 60 15.01 (33) Exceeding 7.4 % 1420 70 20.16 2. Other, of a lactic dry matter content : (aa) Of less than 15 %, by weight 1520 10 15.62 (bb) Of 15 % or more, by weight 1520 20 23.91 b) Other, of a fat content, by weight : 1. Not exceeding 45 % and of a lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight 1620 70 — (22) Exceeding 3 %, by weight, but not exceeding 8.9 % 1630 00 6.03 (33) Exceeding 8.9 %, by weight, but not exceeding 11 % 1630 10 15.62 (44) Exceeding 11 %, by weight, but not exceeding 21 % 1630 20 24.32 (55) Exceeding 21 %, by weight, but not exceeding 39 % 1630 30 43.82 (66) Exceeding 39 % 1630 40 75.74 (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight 1630 50 — (22) Exceeding 3 %, by weight, but not exceeding 7.4 % 1630 60 15.01 (33) Exceeding 7.4 %, by weight, but not exceeding 8.9 % 1630 70 20.16 (44) Exceeding 8.9 % 1630 80 23.91 2. Exceeding 45 % 1720 00 86.38 B. Containing added sugar : I. Milk and cream, in powder or granules : ex b) Other, excluding whey : 1. In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight : aa) Not exceeding 1.5 % 2220 00 0.6654 ⁽¹⁾ per kg		

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0.6654 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.7909 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.8532 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	0.9355 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	0.9562 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	1.1001 ⁽¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.6654 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.6654 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.7909 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.8532 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.9355 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0.9562 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1.1001 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content by weight not exceeding 9.5 % :		
	(1) Of a fat content, by weight, not exceeding 6.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	2810 11	— ⁽¹⁾ per kg
	(22) Exceeding 3 %, by weight for exports to :	2810 12	
	— Countries near the Community		0.0603 ⁽¹⁾ per kg
	— Other destinations		0.0764 ⁽¹⁾ per kg
	(bb) Of 15 % or more	2810 15	14.42 ⁽²⁾
	(2) Of a fat content, by weight, exceeding 6.9 % and of a lactic dry matter content, by weight, of 15 % or more	2810 20	24.75 ⁽²⁾

[illegible]

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	D. Processed cheese, not grated or powdered :		
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex 1. Not exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Austria		3.70
	— Zone D		11.05
	— Zone E		22.77
	— Canada		25.75
	— Switzerland		5.30
	— Other destinations		33.09
	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 20	
	for exports to :		
	— Austria		3.70
	— Zone D		11.05
	— Zone E		22.77
	— Canada		25.75
	— Switzerland		5.30
	— Other destinations		33.09
	(22) Of 20 % or more	4410 30	
	for exports to :		
	— Austria		5.46
	— Zone D		16.35
	— Zone E		33.61
	— Canada		38.10
	— Switzerland		7.84
	— Other destinations		48.94
	(cc) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 40	
	for exports to :		
	— Austria		3.70
	— Zone D		11.05
	— Zone E		22.77
	— Canada		25.75
	— Switzerland		5.30
	— Other destinations		33.09

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		5.46
	— Zone D		16.35
	— Zone E		33.61
	— Canada		38.10
	— Switzerland		7.84
	— Other destinations		48.94
	(33) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		8.00
	— Zone D		23.90
	— Zone E		49.01
	— Canada		55.72
	— Switzerland		11.44
	— Other destinations		71.50
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		3.70
	— Zone D		11.05
	— Zone E		22.77
	— Canada		25.75
	— Switzerland		5.30
	— Other destinations		33.09
	(bb) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		5.46
	— Zone D		16.35
	— Zone E		33.61
	— Canada		38.10
	— Switzerland		7.84
	— Other destinations		48.94
	(cc) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		8.00
	— Zone D		23.90
	— Zone E		49.01
	— Canada		55.72
	— Switzerland		11.44
	— Other destinations		71.50

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 55 %	4510 40	
	for exports to :		
	— Austria		8.00
	— Zone D		23.90
	— Zone E		49.01
	— Canada		55.72
	— Switzerland		11.44
	— Other destinations		71.50
	(22) Of 55 % or more	4510 50	
	for exports to :		
	— Austria		9.48
	— Zone D		28.36
	— Zone E		58.16
	— Canada		66.11
	— Switzerland		13.58
	— Other destinations		84.84
	b) Exceeding 36 %	4610 00	
	for exports to :		
	— Austria		9.48
	— Zone D		28.36
	— Zone E		58.16
	— Canada		66.11
	— Switzerland		13.58
	— Other destinations		84.84
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana, Parmigiano Reggiano	4710 11	
	for exports to :		
	— Zone D		121.16
	— Zone E		99.28
	— Canada		120.20
	— Switzerland		91.64
	— Other destinations		121.16
	(2) Fiore Sardo, Pecorino	4710 16	
	for exports to :		
	— Zone D		129.79
	— Zone E		110.28
	— Canada		121.70
	— Switzerland		100.27
	— Other destinations		129.79
	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more	4710 22	
	for exports to :		
	— Zone D		121.16
	— Zone E		99.28
	— Canada		120.20
	— Switzerland		91.64
	— Other destinations		121.16

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % : 1. Cheddar : ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more for exports to : — Austria 11.16 — Zone D 33.41 — Zone E — — Canada 51.40 — Switzerland 16.00 — Other destinations 88.26 ex 5. Other, of a fat content, by weight, in the dry matter : (aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria 6.30 — Zone D 18.87 — Zone E — — Canada 32.97 — Switzerland 3.99 — Other destinations 34.50 (bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria 7.31 — Zone D 21.88 — Zone E — — Canada 50.38 — Switzerland 4.40 — Other destinations 56.96 (cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey) for exports to : — Austria 8.81 — Zone D 26.34 — Zone E — — Canada 61.01 — Switzerland 4.73 — Other destinations 69.05 (dd) Of 39 % or more : (11) Asiago, Caciocavallo, Provolone, Ragusano for exports to : — Zone D 120.12 — Zone E 102.26 — Canada 111.54 — Switzerland 35.29 — Other destinations 120.12	4850 00 5120 12 5120 16 5120 22 5120 31	

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		21.28
	— Zone D		39.10
	— Zone E		49.08
	— Canada		71.14
	— Switzerland		1.00
	— Other destinations		80.55
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		44.22
	— Zone D		39.10
	— Zone E		44.75
	— Canada		63.31
	— Switzerland		1.00
	— Other destinations		69.71
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester	5120 58	
	for exports to :		
	— Austria		11.16
	— Zone D		33.41
	— Zone E		46.90
	— Canada		72.86
	— Switzerland		16.00
	— Other destinations		82.64
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 59	
	for exports to :		
	— Zone E		26.68
	— Canada		30.68
	— Other destinations		36.71
	(66) Feta	5120 82	
	for exports to :		
	— Zone D		25.63 ⁽⁴⁾
	— Zone E		17.51 ⁽⁴⁾
	— Canada		59.84 ⁽⁴⁾
	— Switzerland		12.00 ⁽⁴⁾
	— Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		83.21 ⁽⁴⁾
	— Other destinations		65.35 ⁽⁴⁾
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		11.16
	— Zone D		33.41
	— Zone E		—
	— Canada		72.86
	— Switzerland		16.00
	— Other destinations		82.64

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter :		
	(aaa) Exceeding 47 % but not exceeding 52 % for exports to :	5120 87	
	— Zone D		33.41
	— Switzerland		15.00
	— Zone E		66.64
	— Canada		84.41
	— Other destinations		88.51
	(bbb) Exceeding 52 % but not exceeding 62 % for exports to :	5120 92	
	— Austria		21.28
	— Zone D		39.10
	— Zone E		49.08
	— Canada		71.14
	— Switzerland		1.00
	— Other destinations		80.55
	c) Exceeding 72 % :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(a) Cottage cheese for exports to :	5120 95	
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		18.66
	— Other destinations		—
	(b) Cream cheese of a fat content, by weight, in the dry matter, not exceeding 70 % for exports to :	5120 98	
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		52.45
	— Other destinations		—
	ex II. Other (excluding cheeses produced from whey) :		
	ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight :		
	(1) Of 80 % or more but less than 85 % for exports to :	5310 11	
	— Zone E		34.52
	— Canada		47.02
	— Other destinations		60.77
	(2) Of 85 % or more but less than 95 % for exports to :	5310 22	
	— Zone E		41.88
	— Canada		55.38
	— Other destinations		76.47

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(3) Of 95 % or more for exports to : — Zone E — Canada — Other destinations	5310 31	48·60 62·60 88·86
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs ⁽³⁾ : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch : (3) Containing 50 % or more but less than 75 %, by weight, of milk products of which content of milk in powder or granules (excluding whey), by weight, is : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more (4) Containing 75 % or more, by weight, of milk products, of which content of milk in powder or granules (excluding whey), by weight, is : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more (II) Containing no starch, glucose or glucose syrup, but containing milk products of which content of milk in powder or granules (excluding whey), by weight, is : (a) 50 % or more but less than 60 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62 5800 13 5800 23 5800 32 5800 42 5800 52 5800 62 5800 72 5800 82 5900 12 5900 22 5900 32 5900 42	— 21·29 27·95 34·60 41·26 47·91 — 21·29 27·95 34·60 41·26 47·91 51·23 54·57 34·60 41·26 47·91 54·57

- (¹) The weight of added non-lactic matter and lactose should be disregarded for the purpose of calculating fat content.
The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
(a) the amount per kilogram shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- (²) The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
(a) the amount per 100 kg shown ; and
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- (³) 'Special compound feedingstuffs' are feedingstuffs containing skimmed-milk powder and either fish meal or fish oil and/or fish liver oil and/or fish liver oil or iron carbonate and/or iron sulphate and/or copper sulphate.
- (⁴) This amount applies to the net weight, minus the weight of the brine.
- (⁵) No refund is applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.
- (⁶) Products falling within subheading 04.02 A II b) and denatured in accordance with Annex III to Regulation (EEC) No 2054/76 are also included.
- N.B. : — For the purposes of this Regulation 'countries near the Community means : Zone D, Andorra, Austria, Liechtenstein, Switzerland, Yugoslavia plus the destinations indicated in Article 3 of Regulation (EEC) No 192/75.
— Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 37/75.
— 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi), Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras al Khaimah, Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content.

COMMISSION REGULATION (EEC) No 59/79

of 12 January 1979

amending Regulation (EEC) No 825/78 on the sale for export of olive oil held by the Italian intervention agency

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 1562/78⁽²⁾, and in particular Article 11 (5) thereof,

Whereas Commission Regulation (EEC) No 2960/77⁽³⁾ laid down the conditions for the sale by tender on the Community market for export of olive oil held by the intervention agencies including the form in which the oil in question may be exported; whereas Commission Regulation (EEC) No 825/78⁽⁴⁾, as amended by Regulation (EEC) No 2647/78⁽⁵⁾, specified that the lots awarded for were to be exported in bulk to certain specified destinations;

Whereas the successful tenderers are meeting particular difficulty with regard to disposal of the finished product in bulk form on certain of the markets specified in Regulation (EEC) No 825/78; whereas it appears at the present time that it is possible in certain of the countries specified in Regulation (EEC) No 825/78 to dispose of oil put up in small quanti-

ties; whereas consequently in order to obviate the abovementioned difficulties, the oil awarded should be allowed to be exported in this presentation also;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (2) of Regulation (EEC) No 825/78 is amended to read as follows:

'2. The quantities awarded shall be exported in bulk or in containers with a capacity of not more than five kilograms:

- for extra virgin olive oil, after mixing with refined olive residue oil,
- for olive residue oil, after refining and mixing with virgin oil.'

Article 2

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

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

Done at Brussels, 12 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 348, 30. 12. 1977, p. 46.

⁽⁴⁾ OJ No L 114, 26. 4. 1978, p. 9.

⁽⁵⁾ OJ No L 318, 11. 11. 1978, p. 58.

COMMISSION REGULATION (EEC) No 60/79**of 12 January 1979****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 1254/78⁽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 1260/78⁽⁴⁾, and in particular Article 12 (4) thereof,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 3095/78⁽⁵⁾, as last amended by Regulation (EEC) No 47/79⁽⁶⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 2.5 units of

account per tonne of basic product ; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁷⁾, the levies at present in force must therefore be altered as shown in the table annexed to this Regulation,

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⁽⁸⁾, as last amended by Regulation (EEC) No 1603/78⁽⁹⁾, as fixed in the Annex to amended Regulation (EEC) No 3095/78, are hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 January 1979.

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

Done at Brussels, 12 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 156, 14. 6. 1978, p. 1.

(3) OJ No L 166, 25. 6. 1976, p. 1.

(4) OJ No L 156, 14. 6. 1978, p. 11.

(5) OJ No L 369, 29. 12. 1978, p. 25.

(6) OJ No L 7, 11. 1. 1979, p. 18.

(7) OJ No L 168, 25. 6. 1974, p. 7.

(8) OJ No L 281, 1. 11. 1975, p. 65.

(9) OJ No L 188, 11. 7. 1978, p. 1.

ANNEX

to the Commission Regulation of 12 January 1979 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 E I ⁽²⁾	148.32	143.32
11.01 E II ⁽²⁾	83.71	81.21
11.02 A V a) 1 ⁽²⁾	117.72	112.72
11.02 A V a) 2 ⁽²⁾	148.32	143.32
11.02 A V b) ⁽²⁾	83.71	81.21
11.02 B II a) ⁽²⁾	116.08	113.58
11.02 B II c) ⁽²⁾	129.89	127.39
11.02 C I ⁽²⁾	139.14	136.64
11.02 C V ⁽²⁾	129.89	127.39
11.02 D I ⁽²⁾	89.61	87.11
11.02 D V ⁽²⁾	83.71	81.21
11.02 E II a) ⁽²⁾	158.72	153.72
11.02 E II c) ⁽²⁾	148.32	143.32
11.02 F I ⁽²⁾	158.72	153.72
11.02 F V ⁽²⁾	148.32	143.32
11.02 G I	69.05	64.05
11.02 G II	64.72	59.72
11.04 C II a)	117.82	97.82 ⁽⁵⁾
11.04 C II b)	145.19	125.19 ⁽⁵⁾
11.07 A I a)	161.01	152.01
11.07 A I b)	122.58	113.58
11.08 A I	117.82	100.82
11.08 A III	151.44	134.44
11.08 A IV	117.82	100.82
11.08 A V	117.82	50.41 ⁽⁵⁾
11.09	394.44	244.44
17.02 B II a) ⁽³⁾	211.50	131.50
17.02 B II b) ⁽³⁾	155.82	100.82
21.07 F II	155.82	100.82
23.03 A I	275.24	125.24

⁽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 polametric 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.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁵⁾ In accordance with Regulation (EEC) No 706/76 the levy shall not be charged on the following products originating in the countries and territories:

- arrowroot falling within subheading ex 07.06 A,
- flours and meal of arrowroot falling within subheadings ex 11.04 C I, ex 11.04 C II a) e b),
- arrowroot starch falling within subheading ex 11.08 A V.

COMMISSION REGULATION (EEC) No 61/79**of 12 January 1979****correcting Regulation (EEC) No 53/79 fixing the refunds applicable to cereals
and 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 organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾, and in particular the
first sentence of the fourth subparagraph of Article 16
(2) thereof,

Whereas the refunds applicable to cereals and wheat
or rye flour, groats and meal were fixed by Commis-
sion Regulation (EEC) No 53/79 of 11 January
1979⁽³⁾; whereas a check has revealed that the Annex
to this Regulation does not correspond to the one
submitted for the opinion of the Management

Committee; whereas it is therefore necessary to
amend the Regulation in question,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 53/79, the
amount 76.00 u.a. for 'other third countries' under
heading No 10.03 is hereby replaced by 80.00 u.a.

Article 2

This Regulation shall enter into force on 13 January
1979.

It shall apply with effect from 12 January 1979.

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

Done at Brussels, 12 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 8, 12. 1. 1979, p. 11.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 5 December 1978

completing Commission Decision 77/373/EEC excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Precision lock-in amplifier', PAR, model 124A with plug-in preamplifier, PAR, model 116

(79/20/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽²⁾, and in particular Article 4 thereof,

Whereas by Decision 77/373/EEC of 13 May 1977⁽³⁾, the Commission excluded from admission free of Common Customs Tariff duties the scientific apparatus described as 'Precision lock-in amplifier', PAR, model 124A with plug-in preamplifier, PAR, model 116, because of the fact that apparatus of scientific value equivalent to that of the apparatus and capable of use for the same purpose were currently manufactured in the Community;

Whereas in addition to its use for research on the power of absorption of surfaces in Ni, ZnO or in alkaline halogenure monocrystals employing the Auger electronic spectroscope referred to in that Decision the apparatus can have other uses when equipped

with different apparatus from those provided for in that Decision;

Whereas by letter dated 9 May 1978, the German Government requested the Commission to invoke the procedure laid down in Articles 4 and 5 of Regulation (EEC) No 3195/75 in order to determine whether apparatus of scientific value equivalent to the apparatus described as 'PAR lock-in amplifier', model 124A with preamplifier model 117 and transformer model 190, should or should not be considered to be a scientific apparatus, and if so whether, having regard to its special uses made possible by the combination of apparatus with which it is equipped, apparatus of a scientific value equivalent to that of the abovementioned apparatus is currently and in accordance with the Decision of 13 May 1977 manufactured in the Community;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 6 October 1978 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas the apparatus in question is a precision detector, which, because of the apparatus with which it is equipped, may be used in particular in the detection of acoustic phonons by means of supraconductive tunnel and optical techniques;

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

⁽³⁾ OJ No L 140, 8. 6. 1977, p. 27.

Whereas the characteristics and the use which is made of this apparatus render it material specially adapted to pure scientific research; whereas therefore it is considered to be scientific apparatus;

Whereas, on the basis of information received from Member States, apparatus of equivalent scientific value to the said apparatus and capable of use for the same purpose is currently manufactured in the Community by Brookdeal Electronics Ltd, Doncaster House, Doncaster Road, Bracknell, Berks., United Kingdom,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'PAR, lock-in amplifier', model 124A with preamplifier model 117 and

transformer model 190 is considered to be a scientific apparatus.

2. The conditions referred to in Article 3 (1) (b) of Council Regulation (EEC) No 1798/75 for admission free of Common Customs Tariff duties of the apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 December 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION

of 6 December 1978

fixing the maximum amount of the export refund for the 69th partial invitation
to tender for white sugar issued under Regulation (EEC) No 1634/77

(79/21/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78⁽²⁾, and in particular
Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 1634/77
of 19 July 1977 on a standing invitation to tender to
determine export refunds for white sugar⁽³⁾, as last
amended by Regulation (EEC) No 1643/78⁽⁴⁾,
requires partial invitations to tender to be issued for
the export of this sugar;

Whereas, pursuant to Article 4 (3) of Council Regula-
tion (EEC) No 766/68 of 18 June 1968 laying down
general rules for granting export refunds on sugar⁽⁵⁾,
as last amended by Regulation (EEC) No 1489/76⁽⁶⁾,
the maximum amount of the refund is fixed for
partial invitations to tender within three working days
following the expiry of the time limit for the submis-
sion of tenders;

Whereas, when the maximum amount of the refund is
being calculated, account must be taken of the supply
situation and prices within the Community, prices
and potential outlets on the world market and costs
incurred in exporting sugar;

Whereas, following an examination of the tenders
submitted in response to the 69th partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the
69th partial invitation to tender for white sugar issued
under Regulation (EEC) No 1634/77 is hereby fixed at
25.355 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 359, 31. 12. 1974, p. 1.

(2) OJ No L 170 27. 6. 1978, p. 1.

(3) OJ No L 181, 21. 7. 1977, p. 35.

(4) OJ No L 191, 14. 7. 1978, p. 21.

(5) OJ No L 143, 25. 6. 1968, p. 6.

(6) OJ No L 167, 26. 6. 1976, p. 13.

COMMISSION DECISION

of 7 December 1978

approving aids from the French Republic to the coal-mining industry during 1978

(Only the French text is authentic)

(79/22/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Commission Decision No 528/76/ECSC of 25 February 1976 regarding the Community system of measures taken by the Member States to assist the coal-mining industry ⁽¹⁾,

Having consulted the Council,

I

Whereas the French Government has informed the Commission, pursuant to Article 2 of the abovementioned Decision, of the financial measures which it intends to implement directly or indirectly for the benefit of the coal industry during 1978; whereas, of these measures, the following may be approved pursuant to that Decision;

Whereas the French Government intends to grant to Charbonnages de France for 1978 aid amounting to FF 2 229 900 000 in order to permit the economic restructuring of the coalfields to proceed in an appropriate manner;

Whereas the French Government also proposes to grant to the central administration of Charbonnages de France in 1978 aid amounting to FF 200 000 000 to cover the charges incurred in borrowing transferred from the pits to the central administration of Charbonnages de France under the French Government's financial improvement scheme. Whereas this aid is paid not to the coalfields but only to the central administration of Charbonnages de France;

Whereas the abovementioned aids meet the criteria laid down in the Decision for the admissibility of such State assistance;

Whereas the aid of FF 2 429 900 000 proposed by the French Government for 1978 to cover losses (of which FF 2 229 900 000 is to cover the coalfields' losses on

mining and FF 200 000 000 is to cover the losses sustained by the central administration of Charbonnages de France) will not be higher than the likely operating losses of Charbonnages de France;

The following points are relevant in connection with aid to the individual coalfields:

1. In 1978, aid to the Nord/Pas-de-Calais and Centre-Midi coalfields will be calculated in such a way that, as a result of the closure of further pits, there will be a reduction in production, which will mean that some 2 800 fewer persons will be employed in the coal industry. The aids will prevent severe economic and social disruption in areas where there are not yet adequate opportunities for re-employment. The aids to these coalfields therefore comply with the provisions of subparagraph 1 of Article 12 (1) and Article 12 (2) of the Decision.
2. The output planning of the Charbonnages de France in the Lorraine coalfield aims at long-term stabilization, since the coking coal produced in this coalfield is important for supplying the steel industry. The aid granted for this purpose complies with subparagraph 2 of Article 12 (1) and Article 12 (3) of the Decision.

II

Whereas, in accordance with Article 3 (2) of the Decision, the examination of the compatibility of the proposed aids with the proper functioning of the common market must also extend to all other financial measures to support current production in 1978;

Whereas the sum of all these aids to support current production by the French coal industry is FF 439 200 000 or 21.98 European units of account per tonne, for 1978; whereas this is higher than corresponding German and United Kingdom aids but lower than Belgian aid;

⁽¹⁾ OJ No L 63, 11. 3. 1976, p. 1.

Whereas the following points must be made about the compatibility of the proposed aid with the proper functioning of the common market :

- there will be no supply difficulties on the French coal market in 1978,
- French coal exports to other Community countries will fall in 1978 compared with 1977,
- hardly any price alignment agreements were entered into for French coal in 1977,
- industrial consumers of coal will not receive indirect aid in 1978 as a result of the prices of French coking coal and steam coal,
- the closure of marginal pits in the Nord/Pas-de-Calais and Centre-Midi coalfield will result in rationalization and concentration of production on pits where productivity is highest ;

Whereas it may therefore be concluded that the aids proposed in 1978 for current production in the French coal industry are compatible with the proper functioning of the common market ;

Whereas this also applies when account is taken of aids to the coal mines under Decision 73/287/ECSC ;

III

Whereas, pursuant to Article 14 (1) of the Decision, the Commission must ensure that the aids authorized are used exclusively for the purposes set out in Articles 7 to 12 thereof ; whereas the Commission must therefore be informed in particular of the amount of these payments and of the manner in which they are apportioned,

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is hereby authorized to grant to the coal industry the following aids for 1978 :

- (a) an amount not exceeding FF 2 229 900 000 to cover losses on mining ;
- (b) an amount not exceeding FF 200 000 000 to cover the financial losses sustained by the central administration of Charbonnages de France.

The aids referred to in (a) and (b) above shall not exceed actual losses.

Article 2

The French Government shall notify the Commission by 31 March 1979 of details of the aids granted pursuant to this Decision and in particular of the amounts paid and the manner in which they are apportioned.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 7 December 1978.

For the Commission

Guido BRUNNER

Member of the Commission

COMMISSION DECISION

of 7 December 1978

approving aids from the United Kingdom for the coal-mining industry during the coal marketing year 1978/79

(Only the English text is authentic)

(79/23/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Commission Decision No 528/76/ECSC of 25 February 1976 regarding the Community system of measures taken by the Member States to assist the coal-mining industry ⁽¹⁾,

Having consulted the Council,

I

Whereas the United Kingdom Government has informed the Commission, pursuant to Article 2 of the abovementioned Decision, of the financial measures which it intends to implement directly or indirectly for the benefit of the coal industry during the coal marketing year 1978/79 ⁽²⁾; whereas the following of these measures may be approved pursuant to that Decision:

	£ million
— aid for the recruitment and retention of skilled workers	3.3
— aid for stocks	9.0
— aid for power station coal	8.5

Whereas these aids meet the criteria laid down in the Decision for the admissibility of such State assistance;

The aid for attracting and keeping skilled workers is intended to offset in part the NCB's costs arising from rationalization and the transfer of production to their best pits. This results in outgoings on removals, transport, etc.

Whereas the United Kingdom Government is to contribute £ 3.3 million towards such costs borne by the NCB in 1978/79;

Whereas the purpose and form of the aid show that it meets the criteria set out in Article 8 of the Decision;

Whereas the £ 9.0 million aid to cover the costs of stocks of coal and coke is based on total producers' stocks, and additional stock held by consumers financed directly or indirectly by the producers, amounting to some 16 million tonnes; whereas, with monthly production of around 10 million tonnes,

stocks eligible for aid under Article 9 (2) amount to 6 million tonnes; whereas the amount of aid per tonne is accordingly £ 1.5; whereas the actual cost of stocks (including depreciation and interest) is substantially higher than the amount of aid;

Whereas the purpose and form of the aid show that it meets the criteria set out in Article 9 of the Decision;

Whereas the £ 8.5 million aid for power station coal is intended to cover the cost of deliveries of power station coal to Scotland. From the information provided by the British Government the amount and purposes of the aid granted can be regarded as compatible with Article 11 of the Decision;

II

Whereas, in accordance with Article 3 (2) of the Decision, the examination of the compatibility of the abovementioned aids with the proper functioning of the common market must also extend to all other financial measures to support current production in the coal marketing year 1978/79;

Whereas aids for current production in the United Kingdom will amount to 39.7 million European units of account or 0.32 European unit of account per tonne for the coal marketing year 1978/79; whereas the British coal industry therefore receives the lowest subsidy of all coal-producing Member States;

Whereas the examination of the compatibility of this aid with the proper functioning of the common market requires no detailed information or investigations:

- there will be no supply difficulties on the British market in 1978/79,
- British coal exports to other Community countries will rise in 1978/79 compared with 1977/78,
- progress with rationalization, together with new investment projects will stabilize the production in the coal marketing year 1978/79,
- industrial consumers of coal will not receive indirect aid in 1978 as a result of the prices of British coking coal and steam coal;

Whereas it may therefore be concluded that the aids proposed in the coal marketing year 1978/79 for the

⁽¹⁾ OJ No L 63, 11. 3. 1976, p. 1.

⁽²⁾ The coal marketing year 1978/79 runs from the beginning of April 1978 to the end of March 1979.

current production of the British coal industry are compatible with the proper functioning of the common market;

Whereas this also applies when account is taken of aids to the coal miners under Decision 73/287/ECSC;

III

Whereas, pursuant to Article 14 (1) of the Decision, the Commission must ensure that the aids authorized are used exclusively for the purposes set out in Articles 7 to 12 thereof; whereas the Commission must therefore be informed in particular of the amount of these payments and of the manner in which they are apportioned,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is hereby authorized in respect of the coal marketing year 1978/79 to grant aids totalling £ 20 800 000 to the British coal-mining industry. The said aids are made up as follows:

1. grant to cover the costs incurred by the National Coal Board in respect of relocation of personnel

under the production rationalization programme, not exceeding £ 3 300 000;

2. aid towards stocking costs in respect of coal and coke not exceeding £ 9 000 000;
3. aid for deliveries of power station coal to Scotland not exceeding £ 8 500 000.

Article 2

The United Kingdom Government shall notify the Commission by 31 March 1979 of the details of the aids granted pursuant to this Decision, and in particular of the amounts paid and the manner in which they are apportioned.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 7 December 1978.

For the Commission

Guido BRUNNER

Member of the Commission

COMMISSION DECISION

of 7 December 1978

approving aids from the Kingdom of Belgium to the coal-mining industry during 1978

(Only the Dutch and French texts are authentic)

(79/24/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Commission Decision No 528/76/ECSC of 25 February 1976 regarding the Community system of measures taken by the Member States to assist the coal-mining industry ⁽¹⁾,

Having consulted the Council,

I

Whereas the Belgian Government has informed the Commission pursuant to Article 2 of the abovementioned Decision of the financial measures which it intends to take during 1978 in order to give direct or indirect support to the coal-mining industry; whereas, of these measures, the following aids qualify for approval pursuant to that Decision:

	<i>million Bfrs</i>
— investment aid	288.8
— aid to cover losses	5 916.6

Whereas these aids meet the criteria laid down in the Decision for the admissibility of such State assistance;

Whereas, of the investment aid of Bfrs 288.8 million, 281.0 million will go to the Campine coalfield and 7.8 million to the Southern coalfield; whereas this aid covers the depreciations in the Campine coalfield, so that it can maintain production of coking coal, which is important to the Belgian steel industry;

Whereas the investment aid for the Southern coalfield enables it to carry out the most essential repairs so as not to jeopardize the technical safety of the collieries;

Whereas the Belgian investment aid is therefore compatible with the provisions of Article 7 (1) of the Decision;

Whereas the aid totalling Bfrs 5 916.6 million to cover operating losses is paid to the two Belgian coalfields for different reasons. The aid paid to the Campine coalfield will almost make up the difference

between costs and returns. This almost complete covering of the difference between costs and returns is necessary, because the coalfield has to supply the Belgian steel industry with coking coal and must therefore maintain its output;

Whereas the purpose and amount of aid granted to cover losses in respect of the Campine coalfield therefore comply with the provisions of subparagraph 2 of Article 12 (1) and Article 12 (3) of the Decision;

Whereas, on the other hand, the Southern coalfield should be granted aid in respect of pit operating losses to cover about 80 % of the difference between costs and returns, so that the proposed closure of this coalfield by 1980 can take place without serious economic and social disturbances in the redeployment of the redundant miners; whereas in 1978 one pit will be closed in this coalfield, affecting 341 miners;

Whereas the purpose and type of the aids to cover pit operating losses of the Southern coalfield are therefore compatible with the provisions of subparagraph 1 of Article 12 (1) and Article 12 (2) of the Decision;

II

Whereas, pursuant to Article 3 (2) of the Decision, all other measures to assist current production in 1978 must be taken into consideration for an examination of the compatibility of the proposed aids with the proper functioning of the common market;

Whereas, on this basis of assessment, the total amount of aid proposed is 249 100 000 European units of account, i.e. 35.59 European units of account per tonne; whereas this figure is exceptionally high compared with that for the other Member States of the Community;

Whereas the following observations can be made on the compatibility of the proposed current production aids with the proper functioning of the common market:

— owing to the large stockpile, there will be no supply difficulties in 1978,

⁽¹⁾ OJ No 63, 11. 3. 1976, p. 1.

- the closure of one unprofitable pit will result in rationalization and the concentration of production on pits where productivity is highest,
- industrial consumers of coal will not receive aid in 1978 as a result of the prices of Belgian coking coal and steam coal;

Whereas it may therefore be concluded that the aids proposed in 1978 for the Belgian coal-mining industry are compatible with the proper functioning of the common market;

Whereas this also applies when account is taken of aids to the coal mines under Decision 73/287/ECSC;

III

Whereas, pursuant to Article 14 (1) of the Decision, the Commission must ensure that the aids authorized are used exclusively for the purposes set out in Articles 7 to 12 thereof; whereas the Commission must therefore be informed in particular of the amounts of these payments and of the manner in which they are apportioned,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium is hereby authorized in respect of the calendar year 1978 to grant aid totalling Bfrs 6 205 400 000 to the Belgian coal-mining industry.

The amount of Bfrs 6 205 400 000 provided in respect of the calendar year 1978 is apportioned as follows:

1. grant of an investment aid of Bfrs 288 800 000, apportioned between the two coalfields as follows:
 - to the Campine coalfield an amount not exceeding Bfrs 281 000 000,
 - to the Southern coalfield an amount not exceeding Bfrs 7 800 000;
2. grant of an aid to cover losses of Bfrs 5 916 600 000, apportioned between the two coalfields as follows:
 - to the Campine coalfield an amount not exceeding Bfrs 4 119 200 000,
 - to the Southern coalfield an amount not exceeding Bfrs 1 797 400 000.

Article 2

The Belgian Government shall notify the Commission by 31 March 1979 of details of the aids granted pursuant to this Decision and in particular of the amount of the payments made and the manner in which they are apportioned.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 7 December 1978.

For the Commission

Guido BRUNNER

Member of the Commission

COMMISSION DECISION

of 7 December 1978

approving aids from the Federal Republic of Germany to the coal-mining industry during 1978

(Only the German text is authentic)

(79/25/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Commission Decision No 528/76/ECSC of 25 February 1976 regarding the Community system of measures taken by the Member States to assist the coal-mining industry ⁽¹⁾,

Having consulted the Council,

I

Whereas the Government of the Federal Republic of Germany has informed the Commission, pursuant to Article 2 of the abovementioned Decision, of the financial measures which it intends to implement directly or indirectly for the benefit of the coal industry in 1978; whereas, of these measures, the following may be approved pursuant to that Decision:

	<i>million DM</i>
— investment aids to individual projects under an investment programme	732.0
— aid for development and innovation (testing and trial of new equipment) in the coal-mining industry	99.8
— premiums to shift-paid workers and piece workers for each shift worked underground	112.0
— aid for the building of long-term security stocks	124.8

Whereas these aids meet the criteria laid down in the Decision for the admissibility of such State assistance;

Whereas the investment of DM 732 000 000 is proposed for investment projects for mines, coking plants, briquette works and pit-head power stations; whereas the percentage of all investment covered by investment aid is more than 90 %;

Whereas in relation to the Community's new policy for coal, this 1978 investment aid, which increased sharply *vis-à-vis* 1977, is to be regarded as beneficial since it will promote the long-term stabilization of production in the German coalfields. The aid complies with the provisions of Article 7 (1) of the Decision;

Whereas the purpose and amount of the aid in question are such that, pursuant to Article 7 (5) of the Decision, the Federal Government must notify the Commission at least once a year, in respect of each project in the programme which it has decided to carry out, of the aims pursued, the sums invested and the amounts of the aid;

The sum of DM 99 800 000 to promote innovation is intended to ensure that research results are applied to production as quickly as possible. The aid is lower than the costs borne by the undertakings and is granted in respect of individual projects which, when completed, are likely to prove their economic worth to coal-mining in the medium term. The purpose and amount of this aid show that it is compatible with Article 7 (2) and (3) of the Decision;

Whereas the aid of DM 112 000 000 towards the payment of the coal-mining premium helps the coal industry to secure a stable skilled workforce, which is imperative if its productivity is to increase; whereas the undertakings moreover incur expenditure on the necessary recruitment, training, retraining and retention of workers which is several times the amount of aid in the form of this premium;

Whereas the purpose and amount of the coal-winning premium show that this measure is compatible with Article 8 of the Decision;

Whereas the aid of DM 124 800 000 for the build-up of long-term security stocks is a measure by the Federal Government to increase the long-term security of energy supply; whereas to this end the emergency association of German mining industries has purchased 10 million tonnes of coal and coke; whereas the aid proposed by the Federal Government for this purpose only covers part of the actual current cost of maintaining these stocks;

Whereas the purpose and amount of the aid show that this measure is compatible with Article 10 of the Decision;

II

Whereas, in accordance with Article 3 (2) of the Decision the examination of the compatibility of the above-

⁽¹⁾ OJ No L 63, 11. 3. 1976, p. 1.

mentioned aids with the proper functioning of the common market must also extend to all other financial measures to support current production in 1978 ;

Whereas on this basis the total cost of the proposed measures amounts to 752 400 000 European units of account i.e. 8.56 European units of account per tonne produced ; whereas, compared with other Member States, current production in the Federal Republic of Germany is more heavily subsidized (per tonne) than in the United Kingdom and substantially less than in France and Belgium ;

Whereas the following remarks can be made on the compatibility of these aids for current production with the proper functioning of the common market :

- owing to the large stocks of coal and coke on hand there will be no supply difficulties in 1978,
- the level of exports of German coal to the other Member States will rise in 1978 compared with 1977,
- no price alignment agreements were entered into in 1977,
- industrial consumers of coal will not receive indirect aid in 1978 as a result of the prices of German coking coal and steam coal,
- rationalization of production in 1978 was achieved by heavy investment ;

Whereas it may therefore be concluded that the aids proposed in 1978 for current production in the German coal industry are compatible with the proper functioning of the common market ;

Whereas this also applies when account is taken of aids to the coal mines under Decision 73/287/ECSC ;

III

Whereas, pursuant to Article 14 (1) of the Decision, the Commission must ensure that the aids authorized are used exclusively for the purposes set out in Articles 7 to 12 thereof ; whereas the Commission must

therefore be informed in particular of the amount of these payments and of the manner in which they are apportioned,

HAS ADOPTED THIS DECISION :

Article 1

The Federal Republic of Germany is hereby authorized for the following aids to the coal industry during the calendar year 1978 :

1. grant of investment aid not exceeding DM 732 000 000 to undertakings in the coal industry in order to increase investment ;
2. promotion of development and innovation not exceeding DM 99 800 000 ;
3. payment of premiums to shift-paid workers and piece workers for each shift worked underground, not exceeding DM 112 000 000 ;
4. aid not exceeding DM 124 800 000 for the build-up of long-term security stocks.

Article 2

The Federal Government shall notify the Commission by 31 March 1979 of details of the aids granted pursuant to this Decision, and in particular of the amounts paid and the manner in which they are apportioned.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 December 1978.

For the Commission

Guido BRUNNER

Member of the Commission

COMMISSION DECISION

of 7 December 1978

specifying the extent to which applications lodged during the month of November 1978 for import licences in respect of young male bovine animals for fattening may be accepted

(79/26/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as amended by Regulation (EEC) No 425/77⁽²⁾, and in particular Article 13 (4) (a) thereof,

Whereas Commission Regulation (EEC) No 2167/78 of 14 September 1978⁽³⁾, as amended by Regulation (EEC) No 2668/78⁽⁴⁾, fixed the quantity of young male bovine animals which may be imported on special terms during the fourth quarter of 1978; whereas, having regard to the applications for import licences lodged by each of the categories of applicants referred to in that Regulation, such licences should be issued as provided below;

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

HAS ADOPTED THIS DECISION:

Article 1

Import licences for young male bovine animals for fattening in respect of which applications were lodged

between 17 and 23 November 1978 shall be issued as follows:

1. The quantities requested in Italy for animals of up to 300 kilograms *per capita* live weight coming from non-member countries:
 - (a) by agricultural producers or their organizations shall be reduced by 91.686 %,
 - (b) by other applicants shall be reduced by 99.490 %.
2. The quantities requested in the other Member States shall be allocated in full.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 254, 16. 9. 1978, p. 13.

⁽⁴⁾ OJ No L 321, 15. 11. 1978, p. 35.

COMMISSION DECISION**of 7 December 1978****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1774/78**

(79/27/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1254/78⁽²⁾,

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

Having regard to Commission Regulation (EEC) No 1774/78 of 24 July 1978 on an invitation to tender for the refund for the export of common wheat to Zones I, II, III, IV, V and VI⁽⁴⁾, as amended by Regulation (EEC) No 2729/78⁽⁵⁾,

Whereas in Regulation (EEC) No 1774/78 an invitation to tender was issued for the export refund on common wheat; whereas according to the notice of invitation to tender⁽⁶⁾ accompanying that Regulation, the total quantity in respect of which the export refund may be fixed is approximately 1 800 000 tonnes;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75 of 4 February 1975 laying down detailed rules for the application of the system of tendering for export refunds on cereals⁽⁷⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in

fixing this maximum the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1; whereas the quantities of common wheat in respect of which refunds are fixed amount to 110 000 tonnes;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat is hereby fixed on the basis of the tenders submitted by 7 December 1978 at 69.40 units of account per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 156, 14. 6. 1978, p. 1.

(3) OJ No L 281, 1. 11. 1975, p. 78.

(4) OJ No L 204, 28. 7. 1978, p. 25.

(5) OJ No L 239, 24. 11. 1978, p. 12.

(6) OJ No C 180, 29. 7. 1978, p. 3.

(7) OJ No L 31, 5. 2. 1975, p. 8.

COMMISSION DECISION

of 7 December 1978

fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 1775/78

(79/28/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾,

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

Having regard to Commission Regulation (EEC) No
1775/78 of 24 July 1978 on an invitation to tender for
the refund for the export of barley to Zones I, II, III,
IV, V and VI⁽⁴⁾,

Whereas in Regulation (EEC) No 1775/78 an invita-
tion to tender was issued for the export refund on
barley; whereas, according to the notice of invitation
to tender⁽⁵⁾ accompanying that Regulation, the total
quantity in respect of which the export refund may be
fixed is approximately 1 500 000 tonnes;

Whereas, pursuant to Article 5 of Commission Regula-
tion (EEC) No 279/75 of 4 February 1975 laying
down detailed rules for the application of the system
of tendering for export refunds on cereals⁽⁶⁾, the
Commission, acting under the procedure laid down in
Article 26 of Regulation (EEC) No 2727/75, may
decide to fix a maximum export refund; whereas in
fixing this maximum the criteria provided for in Arti-

cles 2 and 3 of Regulation (EEC) No 2746/75 must be
taken into account; whereas a contract is awarded to
any tenderer whose tender is equal to or less than the
maximum export refund;

Whereas the application of the abovementioned
criteria to the current market situation for the cereal
in question results in the maximum export refund
being fixed at the amount specified in Article 1;
whereas the quantities of barley in respect of which
refunds are fixed amount to 138 000 tonnes;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley is hereby fixed
on the basis of the tenders submitted by 7 December
1978 at 79.50 units of account per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 204, 28. 7. 1978, p. 28.

⁽⁵⁾ OJ No C 180, 29. 7. 1978, p. 2.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

COMMISSION DECISION

of 11 December 1978

authorizing the French Republic not to apply Community treatment to receivers, whether or not combined with a sound recorder or reproducer, falling within subheading ex 85.15 A III of the Common Customs Tariff, originating in South Korea and in free circulation in the other Member States

(Only the French text is authentic)

(79/29/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 1 December 1978 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to receivers, whether or not combined with a sound recorder or reproducer, falling within subheading ex 85.15 A III of the Common Customs Tariff, originating in South Korea and in free circulation in the other Member States,

Whereas in France the import of the products in question originating in South Korea is subject to an annual quota which is already wholly taken up;

Whereas the disparities which exist in the commercial policy measures applied in connection with these products by the Member States are causing deflection of trade, thereby preventing the execution of those commercial policy measures which are in force because of the difficult economic situation in the sector concerned;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment and a progressive decline in its market share;

Whereas these economic difficulties are caused largely by unequal conditions of competition, which allow exports to be made at prices appreciably lower than those of the Community products in question;

Whereas further indirect imports, in addition to those already made or proposed, would be likely to aggravate these difficulties;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the

first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

Whereas, however, the application for a licence which gave rise to the application in question does not need to be covered by such an authorization in view of the small amount involved,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is hereby authorized not to apply Community treatment to the products indicated below, where they originate in South Korea and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 27 November 1978:

CCT heading No	Description
ex 85.15 A III	Receivers, whether or not combined with a sound recorder or reproducer

Article 2

This Decision shall apply until new opportunities arise in France for the importation of these products from South Korea or until 31 December 1978 whichever is the earlier.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 11 December 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 12 December 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 or subheading ex 61.02 B of the Common Customs Tariff (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76 ; 61.02-66, 68, 72), originating in Hong Kong and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(79/30/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 5 December 1978 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 or subheading ex 61.02 B of the Common Customs Tariff (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76 ; 61.02-66, 68, 72), originating in Hong Kong and in free circulation in the other Member States ;

Whereas the importation into the Community of the products in question originating in Hong Kong is covered by an Agreement negotiated between the Community and that country ;

Whereas under that Agreement Hong Kong has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States ;

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets ; whereas there are therefore disparities existing between the import conditions in the various Member States ; whereas uniformity can only be achieved progressively ;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment ;

Whereas further indirect imports, in addition to those already made or proposed, would be likely to aggravate these difficulties ;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States ;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are hereby authorized not to apply Community treatment to the products indicated below, where they originate in Hong Kong and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 22 November 1978 :

CCT heading No	Description
ex 61.01 or ex 61.02 B (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76 ; 61.02-66, 68, 72)	Men's and boys' woven breeches, shorts and trousers (including slacks) ; women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

these products from Hong Kong or until 31
December 1978 whichever is the earlier.

Done at Brussels, 12 December 1978.

Article 3

This Decision is addressed to the Kingdom of
Belgium, the Grand Duchy of Luxembourg and the
Kingdom of the Netherlands.

For the Commission

Wilhelm HAERKAMP

Vice-President

COMMISSION DECISION**of 18 December 1978****extending the period of validity of retrospective monitoring of imports into the
Community of bicycle tyres and tubes from South Korea and Taiwan****(79/31/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1439/74 of 4 June 1974 on common rules for
imports⁽¹⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No
459/68 of 5 April 1968 on protection against
dumping or the granting of bounties or subsidies by
countries which are not members of the European
Economic Community⁽²⁾, as amended by Regulation
(EEC) No 2011/73⁽³⁾ and by Regulation (EEC) No
1411/77⁽⁴⁾, and in particular Article 10 (5) thereof,

Consultations having been held within the committee
set up under Article 5 of the said Regulation (EEC)
No 1439/74,

Whereas, by Decision 77/710/EEC⁽⁵⁾, the Commis-
sion established retrospective monitoring of imports
of bicycle tyres and tubes from South Korea and
Taiwan ;

Whereas the reasons which originally led the Commis-
sion to take such action, that is to say the considerable
pressure exercised by imports into the Community of
bicycle tyres and tubes and the resultant threat of

injury to Community producers of like or directly
competing products, continue to apply ;

Whereas it is therefore necessary to prolong this retro-
spective monitoring,

HAS ADOPTED THIS DECISION :

Article 1

The period of validity of Decision 77/710/EEC is
hereby extended to 31 December 1979.

Article 2

This Decision shall apply from 1 January to 31
December 1979.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 December 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 159, 15. 6. 1974, p. 1.

⁽²⁾ OJ No L 93, 17. 4. 1968, p. 1.

⁽³⁾ OJ No L 206, 27. 7. 1973, p. 3.

⁽⁴⁾ OJ No L 160, 30. 6. 1977, p. 4.

⁽⁵⁾ OJ No L 292, 16. 11. 1977, p. 14.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 2899/78 of 23 November 1978 opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1979)

(Official Journal of the European Communities No L 349 of 13 December 1978)

Page 2, Article 1 :

The table shall be replaced by the following :

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes ; grape must with fermentation arrested by the addition of alcohol :	
	C. Other :	
	I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers holding :	
	ex a) Two litres or less :	
	— Wine of fresh grapes	3 u.a./hl
	II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers holding :	
	ex a) Two litres or less :	
	— Wine of fresh grapes other than liqueur wines of an actual alcoholic strength by volume of 15 % vol	3.5 u.a./hl

Corrigendum to Council Regulation (EEC) No 2900/78 of 23 November 1978 opening, allocating and providing for the administration of a Community tariff quota for liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1979)

(Official Journal of the European Communities No L 349 of 13 December 1978)

Page 6, Article 1 :

The table shall be replaced by the following :

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes ; grape must with fermentation arrested by the addition of alcohol : C. Other : II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers holding : ex a) Two litres or less : — Liqueur wines of an actual alcoholic strength by volume of 15 % vol ex b) More than two litres : — Liqueur wines of an actual alcoholic strength by volume of 15 % vol III. Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol, in containers holding : a) Two litres or less : ex 2. Other : — Liqueur wines b) More than two litres : ex 3. Other : — Liqueur wines IV. Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol, in containers holding : a) Two litres or less : ex 2. Other : — Liqueur wines b) More than two litres : ex 3. Other : — Liqueur wines	4.2 u.a./hl 3.3 u.a./hl 5.1 u.a./hl 4.2 u.a./hl 5.7 u.a./hl 5.7 u.a./hl