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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 438/79**of 5 March 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 detailed rules
contained in Regulation (EEC) No 2724/78 to today's

offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 6 March
1979.

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

Done at Brussels, 5 March 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 5 March 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	84.31
10.01 B	Durum wheat	132.43 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	86.61 ⁽⁶⁾
10.03	Barley	92.13
10.04	Oats	88.12
10.05 B	Maize, other than hybrid maize for sowing	80.04 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	4.72
10.07 B	Millet	79.20 ⁽⁴⁾
10.07 C	Grain sorghum	82.85 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	129.82
11.01 B	Rye flour	133.03
11.02 A I a)	Durum wheat groats and meal	216.34
11.02 A I b)	Common wheat groats and meal	138.96

⁽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 439/79**of 5 March 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 to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 6 March
1979.

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

Done at Brussels, 5 March 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 5 March 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 3	1st period 4	2nd period 5	3rd period 6
10.01 A	Common wheat, and meslin	0	7.15	7.15	7.15
10.01 B	Durum wheat	0	0.97	0.97	1.12
10.02	Rye	0	0.61	0.61	0.61
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.30	0.30	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0.61	0.61	0
10.07 C	Grain sorghum	0	3.04	3.04	3.04
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	9.99	9.99	9.99

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	12.73	12.73	12.73	12.73
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	9.51	9.51	9.51	9.51
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 440/79

of 5 March 1979

introducing a countervailing charge on cucumbers originating in Spain

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 325/79⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25 (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0.50
unit of account below the reference price for two
consecutive market days, a countervailing charge must
be introduced in respect of the exporting country
concerned, save in exceptional circumstances;
whereas this charge is equal to the difference between
the reference price and the arithmetic mean of the
last two entry prices available for that exporting
country;

Whereas Commission Regulation (EEC) No 213/79 of
5 February 1979 fixing the reference price for cucum-
bers for the months February to April 1979⁽³⁾ fixed
the reference price for products of Class I for the
period 21 to 28 February and for the month of March
1979 at 64.16 units of account per 100 kilograms net;

Whereas the entry price for a given exporting country
is equal to the lowest representative prices recorded
for at least 30 % of the quantities from the exporting
country concerned which are marketed on all repre-
sentative markets for which prices are available less
the duties and the charges indicated in Article 24 (3)
of Regulation (EEC) No 1035/72; whereas the
meaning of representative price is defined in Article
24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-
tion (EEC) No 668/78⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets; whereas it is necessary to multiply the prices
with the coefficients fixed in Article 1 (2) of Regula-
tion (EEC) No 213/79;

Whereas, for Spanish cucumbers, the entry price calcu-
lated in this way has remained at least 0.50 unit of
account below the reference price for two consecutive
market days; whereas a countervailing charge should
therefore be introduced for these cucumbers;

Whereas if the system is to operate normally the entry
price should be calculated on the following basis:

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 6.97 units of account per
100 kilograms net is applied to cucumbers
(subheading 07.01 P I of the Common Customs
Tariff) originating in Spain.

Article 2

This Regulation shall enter into force on 7 March
1979.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 45, 22. 2. 1979, p. 1.

⁽³⁾ OJ No L 30, 6. 2. 1979, p. 5.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

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

Done at Brussels, 5 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 441/79
of 5 March 1979
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1550/78⁽³⁾, as last amended by Regulation (EEC) No 436/79⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1550/78 to the information known to the Commission that the levies

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

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 March 1979.

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

Done at Brussels, 5 March 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 182, 5. 7. 1978, p. 17.

⁽⁴⁾ OJ No L 53, 3. 3. 1979, p. 27.

ANNEX

to the Commission Regulation of 5 March 1979 fixing the import levies on white sugar and raw sugar

<i>(unit: / 100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	26.82
	B. Raw sugar	22.17 ⁽¹⁾

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

Information concerning the accession of Dominica to the ACP-EEC Convention of Lomé

In accordance with Article 89 of the ACP-EEC Convention of Lomé, Dominica acceded to that Convention on 26 February 1979, and accordingly became, as from that date, an 'ACP State' within the meaning of the acts of the Community institutions containing that reference.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 February 1979

authorizing the United Kingdom not to apply Community treatment to woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics, falling within subheading 56.07 A of the Common Customs Tariff (NIMEXE codes 56.07-01, 04, 05, 07, 08, 11, 13, 14, 16, 17, 18, 21, 23, 24, 26, 27, 28, 32, 33, 34, 36), category 3, originating in Taiwan and in free circulation in the other Member States

(Only the English text is authentic)

(79/239/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 applications under the first paragraph of Article 115 of the Treaty, made on 30 January 1979, 5 February 1979 and 8 February 1979 by the United Kingdom Government to the Commission of the European Communities, for authorization not to apply Community treatment to woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics and chenille fabrics, falling within subheading 56.07 A of the Common Customs Tariff (NIMEXE codes 56.07-01, 04, 05, 07, 08, 11, 13, 14, 16, 17, 18, 21, 23, 24, 26, 27, 28, 32, 33, 34, 36), category 3, originating in Taiwan and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Taiwan is subject to a Community quantitative quota allocated among the Member States by Commission Regulation (EEC) No 3020/77 of 30 December 1977⁽¹⁾, confirmed by Council Regulation (EEC) No 255/78 of 7 February 1978⁽²⁾;

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 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⁽³⁾, and in particular Article 1 thereof;

Whereas, however, the applications for a licence which gave rise to the applications of 30 January 1979 and 5 February 1979 do not need to be covered by such an authorization in view of the small amount involved,

⁽¹⁾ OJ No L 357, 31. 12. 1977, p. 51.

⁽²⁾ OJ No L 39, 9. 2. 1978, p. 1.

⁽³⁾ OJ No L 121, 3. 6. 1971, p. 26.

HAS ADOPTED THIS DECISION :

Article 2

This Decision shall apply until 30 September 1979.

Article 1

The United Kingdom is authorized not to apply Community treatment to the products indicated below, where they originate in Taiwan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 30 January 1979 :

Article 3

This Decision is addressed to the United Kingdom.

CCT heading No	Description
56.07 A (NIMEXE codes 56.07-01, 04, 05, 07, 08, 11, 13, 14, 16, 17, 18, 21, 23, 24, 26, 27, 28, 32, 33, 34, 36), cate- gory 3	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics

Done at Brussels, 13 February 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION

of 15 February 1979

authorizing the French Republic not to apply Community treatment to toys of wood, other (except motors and movement mechanisms for toys and working models used for recreational purposes and parts thereof), falling within subheadings 97.03 A and ex B of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the French text is authentic)

(79/240/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 February 1979 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to toys of wood, other (except motors and movement mechanisms for toys and working models used for recreational purposes and parts thereof), falling within subheadings 97.03 A and ex B of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States;

Whereas in France the importation of the products in question originating in Hong Kong is subject to an annual quota, which is currently being distributed;

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 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, the imports which gave rise to the application submitted are likely, in view of the substantial volume of the imports, 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 condi-

tions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

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

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is 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 28 January 1979 and are, at the date of this Decision, pending with the French authorities. However, this authorization does not cover an amount of FF 2 000 000 to be distributed among those applying for licences.

CCT heading No	Description
97.03 A and ex B	Toys of wood, other (except motors and movement mechanisms for toys and working models used for recreational purposes and parts thereof)

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 15 February 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION**of 15 February 1979****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 2963/78**

(79/241/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,

Whereas an invitation to tender for the export refund on common wheat was issued under Commission Regulation (EEC) No 2963/78⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 2963/78 is hereby fixed on the basis of the tenders submitted by 15 February 1979 at 77.00 units of account per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 February 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 352, 16. 12. 1978, p. 24.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 15 February 1979****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 2964/78**

(79/242/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,

Whereas an invitation to tender for the export refund
on barley was issued under Commission Regulation
(EEC) No 2964/78⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 2964/78 is
hereby fixed on the basis of the tenders submitted by
15 February 1979 at 84.00 units of account per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 February 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 352, 16. 12. 1978, p. 26.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 15 February 1979****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 37/79****(79/243/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,

Whereas an invitation to tender for the export refund on common wheat was issued under Commission Regulation (EEC) No 37/79⁽⁴⁾;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 37/79 is hereby fixed on the basis of the tenders submitted by 15 February 1979 at 76.40 units of account per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 February 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 6, 10. 1. 1979, p. 21.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 16 February 1979

authorizing the French Republic not to apply Community treatment to toys of wood, other (except motors and movement mechanisms for toys and working models used for recreational purposes and parts thereof), falling within subheadings 97.03 A and ex B of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States

(Only the French text is authentic)

(79/244/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 7 February 1979 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to toys of wood, other (except motors and movement mechanisms for toys and working models used for recreational purposes and parts thereof), falling within subheadings 97.03 A and ex B of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States;

Whereas in France the importation of the products in question originating in Taiwan is subject to a quantitative restriction;

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;

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 condi-

tions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

Whereas, however, the applications 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 authorized not to apply Community treatment to the products indicated below, where they originate in Taiwan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of the adoption of this Decision:

CCT heading No	Description
97.03 A and ex B	Toys of wood, other (except motors and movement mechanisms for toys and working models used for recreational purposes and parts thereof)

Article 2

This Decision shall apply until 30 September 1979.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 16 February 1979.

For the Commission

Wilhelm HAERKAMP

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 19 February 1979

on the implementation of the reform of agricultural structures in Italy (region of Emilia-Romagna) pursuant to Directive 72/159/EEC, Title II of Directive 75/268/EEC and Directive 72/161/EEC

(Only the Italian text is authentic)

(79/245/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾, and in particular Article 18 (3) thereof,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽²⁾, and in particular Article 13 thereof,

Having regard to Council Directive 72/161/EEC of 17 April 1972 concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture⁽³⁾, and in particular Article 11 (3) thereof,

Whereas on 16 November 1978 the Government of Italy notified the Law of the region of Emilia-Romagna of 11 October 1978 amending Regional Law No 18 of 5 May 1977 on the implementation of the Directives of the Council of the European Communities on the modernization of farms, and also notified a declaration of 6 November 1978 of the Regional Government on the implementation of this law;

Whereas pursuant to Article 18 of Directive 72/159/EEC, Article 13 of Directive 75/268/EEC and Article 11 of Directive 72/161/EEC the Commission has to decide whether, having regard to Articles 1 and 6 of the Law of 11 October 1978, Law No 18 of 5 May 1977 continues to satisfy the conditions for financial contribution by the Community, and whether Article 2 of the Law of 11 October 1978 satisfies the conditions for financial contribution by the Community to the measure defined in Title II of Directive 75/268/EEC;

Whereas Article 1 of the Law of 11 October 1978 is consistent with the conditions of Directive 72/159/EEC;

Whereas Article 2 of the Law of 11 October 1978, having regard to the declaration of 6 November 1978 of the Regional Government, is consistent with the conditions of Title II of Directive 75/268/EEC;

Whereas Article 6 of the Law of 11 October 1978 is consistent with the conditions of Title I of Directive 72/161/EEC;

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

HAS ADOPTED THIS DECISION:

Article 1

The existing Italian provisions implementing Directives 72/159/EEC and 72/161/EEC, having regard to Articles 1 and 6 of the Law of the region of Emilia-Romagna of 11 October 1978, continue to satisfy the conditions for financial contribution by the Community to the common measures referred to in Article 15 of Directive 72/159/EEC and Article 8 of Directive 72/161/EEC.

Article 2

Article 2 of the Law of the region of Emilia-Romagna of 11 October 1978 satisfies the conditions for financial contribution by the Community to the common measures referred to in Article 13 of Directive 75/268/EEC.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 19 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 96, 23. 4. 1972, p. 1.

(2) OJ No L 128, 19. 5. 1975, p. 1.

(3) OJ No L 96, 23. 4. 1972, p. 15.

COMMISSION DECISION

of 19 February 1979

on the implementation of the reform of agricultural structures in Italy (region of Veneto) pursuant to Directives 72/159/EEC, 72/160/EEC, 72/161/EEC and 75/268/EEC

(Only the Italian text is authentic)

(79/246/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾, and in particular Article 18 (3) thereof,

Having regard to Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement⁽²⁾, and in particular Article 9 (3) thereof,

Having regard to Council Directive 72/161/EEC of 17 April 1972 concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture⁽³⁾, and in particular Article 11 (3) thereof,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽⁴⁾, and in particular Article 13 thereof,

Whereas on 3 January 1979 the Italian Government notified the Law of the region of Veneto of 16 June 1978, as amended by the Law of 10 November 1978 concerning the implementation of the Directives of the Council of the European Communities on the reform of agricultural structures in Veneto;

Whereas pursuant to Article 18 (3) of Directive 72/159/EEC, Article 9 (3) of Directive 72/160/EEC, Article 11 (3) of Directive 72/161/EEC and Article 13 of Directive 75/268/EEC the Commission has to decide whether, having regard to the abovementioned law, the existing Italian provisions implementing Directives 72/159/EEC, 72/160/EEC, 72/161/EEC and Titles III and IV of Directive 75/268/EEC, which are the subject of Commission Decisions 76/480/EEC of 13 April 1976⁽⁵⁾ and 76/964/EEC of 7 December 1976⁽⁶⁾, continue to satisfy the conditions for financial contribution by the Community and whether the

said law satisfies the conditions for financial contribution by the Community to the measures defined in Title II of Directive 75/268/EEC;

Whereas Articles 3 to 22 and Article 63 of the said law are consistent with the conditions and aims of Directive 72/159/EEC;

Whereas Articles 23 to 35 and Article 63 thereof are consistent with the conditions and aims of Directive 72/160/EEC;

Whereas Articles 36 to 47 and Article 63 thereof are consistent with the conditions and aims of Directive 72/161/EEC;

Whereas Articles 48 to 55 and Article 63 thereof satisfy the conditions of Directive 75/268/EEC;

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

HAS ADOPTED THIS DECISION:

Article 1

The existing Italian provisions implementing Directives 72/159/EEC, 72/160/EEC, 72/161/EEC and Titles III and IV of Directive 75/268/EEC, having regard to the Law of the region of Veneto of 16 June 1978, as amended by the Law of 10 November 1978, continue to satisfy the conditions for financial contribution by the Community to the common measures referred to in Article 15 of Directive 72/159/EEC, Article 6 of Directive 72/160/EEC, Article 8 of Directive 72/161/EEC and Article 13 of Directive 75/268/EEC.

Article 2

Articles 49 to 51 of the Law of the region of Veneto of 16 June 1978, as amended by the Law of 10 November 1978, satisfy the conditions for financial contribution by the Community to the common

(1) OJ No L 96, 23. 4. 1972, p. 1.

(2) OJ No L 96, 23. 4. 1972, p. 9.

(3) OJ No L 96, 23. 4. 1972, p. 15.

(4) OJ No L 128, 19. 5. 1975, p. 1.

(5) OJ No L 138, 26. 5. 1976, p. 14.

(6) OJ No L 364, 31. 12. 1976, p. 62.

measures referred to in Article 13 of Directive
75/268/EEC.

Done at Brussels, 19 February 1979.

For the Commission

Article 3

Finn GUNDELACH

This Decision is addressed to the Italian Republic.

Vice-President

COMMISSION DECISION

of 19 February 1979

authorizing Ireland to apply protective measures to trade, within the Community, in twine, cordage, ropes and cables, plaited or not, falling within heading No 59.04 of the Common Customs Tariff, originating in Portugal and in free circulation in the other Member States

(Only the English text is authentic)

(79/247/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 which the Irish Government submitted to the Commission of the European Communities on 18 January 1979 for authorization to apply protective measures to twine, cordage, ropes and cables, plaited or not, falling within heading No 59.04 of the Common Customs Tariff, originating in Portugal and in free circulation in the other Member States,

Whereas, in accordance with the provisions of Article 3 of Protocol 1 to the Agreement between the European Economic Community and Portugal⁽¹⁾, and Article 2 of the Additional Protocol to that Agreement⁽²⁾, imports of the products in question coming directly from that non-member country are subject in Ireland to customs duties; whereas in other Member States they are exempt from duties;

Whereas disparities in the commercial measures concerning tariffs applied in connection with these products by the Member States are giving rise to deflections of trade, thus preventing the execution of those commercial policy measures which are in force in Ireland because of the difficult economic situation in the sector concerned;

Whereas according to the application submitted there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment and a progressive decline in the market share of this sector;

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

Whereas in these circumstances authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115;

Whereas these measures may consist in levying an additional import charge, designed to offset present divergences;

Whereas these measures do not prevent imports of goods in free circulation, but mean that they are treated in the same manner as imports coming directly from Portugal,

HAS ADOPTED THIS DECISION:

Article 1

Ireland is authorized to levy on imports of twine, cordage, ropes and cables, plaited or not, falling within heading No 59.04 of the Common Customs Tariff, originating in Portugal and in free circulation in the other Member States, a countervailing charge of an amount not exceeding the customs duty which it applies to imports of the products in question coming direct from Portugal.

Article 2

Ireland shall without delay inform the Commission of the measures taken under this Decision.

Article 3

This Decision shall apply until 31 December 1979.

Article 4

This Decision is addressed to Ireland.

Done at Brussels, 19 February 1979.

For the Commission

Wilhelm HAFERKAMP.

Vice-President

⁽¹⁾ OJ No L 301, 31. 12. 1972, p. 183.

⁽²⁾ OJ No L 274, 29. 9. 1978, p. 9.

COMMISSION DECISION

of 19 February 1979

fixing the minimum selling prices for butter for the 91st individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 232/75

(79/248/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 2714/72⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 232/75 of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice-cream⁽⁵⁾, as last amended by Regulation (EEC) No 86/79⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 9 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according to the use to which the butter is to be put and according to the fat content of the butter; whereas alternatively a decision may be taken not to proceed with the invitation to tender; whereas the amounts of the processing security must be fixed in the light of the difference between the minimum selling prices and the market prices of the butter;

Whereas, in the light of the tenders received in response to the 91st individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 91st individual invitation to tender under Regulation (EEC) No 232/75, in respect of which the time limit for the submission of tenders was 13 February 1979, the minimum selling prices and the processing securities shall be as follows:

Use to which the butter is to be put (Article 6 (1) (c) of Regulation (EEC) No 232/75)	Fat content of the butter	Minimum selling price (in u.a./100 kg butter)	Processing security (in u.a./100 kg butter)
Formula A	82 % or more	88.00	167.00
	Less than 82 %	85.85	163.00
Formula B	82 % or more	130.00	125.00
	Less than 82 %	—	—

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 24, 31. 1. 1975, p. 45.

⁽⁶⁾ OJ No L 13, 19. 1. 1979, p. 18.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 19 February 1979

fixing the minimum selling price for skimmed-milk powder for the 24th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 368/77

(79/249/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 7 (5) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 368/77 of 23 February 1977 on the sale by tender of skimmed-milk powder for use in feed for pigs and poultry⁽³⁾, as last amended by Regulation (EEC) No 3022/78⁽⁴⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them;

Whereas, according to Article 11 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender, a minimum selling price shall be fixed or a decision shall be taken to make no award; whereas the amount of the processing security shall also be fixed taking account of the difference between the market price of skimmed-milk powder and the minimum price fixed;

Whereas, in the light of the tenders received in response to the 24th individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 24th individual invitation to tender under Regulation (EEC) No 368/77, in respect of which the time limit for the submission of tenders expires on 12 February 1979:

- the minimum selling price shall be fixed at 14.75 units of account per 100 kilograms,
- the processing security shall be fixed at 85.00 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 February 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 52, 24. 2. 1977, p. 19.

⁽⁴⁾ OJ No L 359, 22. 12. 1978, p. 24.

COMMISSION DECISION**of 19 February 1979****fixing the maximum amount of special aid for skimmed-milk powder for the
18th individual invitation to tender issued under Regulation (EEC) No 1844/77****(79/250/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Article 10 (3) thereof,

Whereas, pursuant to Commission Regulation (EEC)
No 1844/77 of 10 August 1977 on the granting by
tender of special aid for skimmed-milk powder
intended as feed for animals other than young
calves⁽³⁾, as amended by Regulation (EEC) No
1055/78⁽⁴⁾, the intervention agencies have opened a
standing invitation to tender for the amount of this
special aid;

Whereas, according to Article 6 of the said Regula-
tion, for each individual invitation to tender a
maximum amount of aid shall be fixed or a decision
shall be taken not to proceed with the tender;

Whereas, account being taken of the minimum price
valid pursuant to Regulation (EEC) No 368/77 for the
individual invitation to tender of the month
concerned, of the situation on the skimmed-milk
powder and soya markets and of the quantities
offered, a maximum amount of special aid for the

18th individual invitation to tender shall be fixed at
the level specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 18th individual invitation to tender under
Regulation (EEC) No 1844/77, in respect of which the
time limit for the submission of tenders expires on 12
February 1979, the maximum amount of special aid
shall be fixed at 77.50 units of account per 100 kilo-
grams of skimmed-milk powder.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 February 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 205, 11. 8. 1977, p. 11.

⁽⁴⁾ OJ No L 134, 22. 5. 1978, p. 44.

COMMISSION DECISION

of 19 February 1979

on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland

(79/251/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States⁽¹⁾, as last amended by Regulation (EEC) No 2993/78⁽²⁾, and in particular Article 3 thereof,

Having regard to Commission Regulation (EEC) No 3006/78 of 20 December 1978 laying down detailed rules for the application of Regulation (EEC) No 3328/75⁽³⁾, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 3328/75 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 February 1979 expressed in terms of boned meat in accordance with Article 2 (1) of Regulation (EEC) No 3006/78 do not exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland, the quantities available from those States; whereas it is therefore possible to issue import licences in respect of the quantities requested and to fix the remaining quantities in respect of which it will be possible to apply for licences from 1 March 1979,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue, on 21 February 1979, import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. United Kingdom:

- (a) 1 659.4 tonnes originating from Botswana;
- (b) 69.5 tonnes originating from Swaziland.

2. Federal Republic of Germany:

- (a) 541.4 tonnes originating from Madagascar;
- (b) 95.0 tonnes originating from Swaziland.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 3006/78 during the first 10 days of March 1979, in respect of the following quantities of boned beef and veal:

- Botswana: 14 439.3 tonnes,
- Kenya: 130.0 tonnes,
- Madagascar: 6 304.7 tonnes,
- Swaziland: 2 471.5 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 329, 23. 12. 1975, p. 4.

⁽²⁾ OJ No L 357, 21. 12. 1978, p. 5.

⁽³⁾ OJ No L 357, 21. 12. 1978, p. 44.