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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 1872/79****of 24 August 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<sup>(1)</sup>, as last amended by  
Regulation (EEC) No 1547/79<sup>(2)</sup>, 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 1658/79<sup>(3)</sup> and subsequent amending  
Regulations ;

Whereas it follows from applying the detailed rules  
contained in Regulation (EEC) No 1658/79 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 25 August  
1979.

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

Done at Brussels, 24 August 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 188, 26. 7. 1979, p. 1.

<sup>(3)</sup> OJ No L 193, 1. 8. 1979, p. 5.

## ANNEX

## to the Commission Regulation of 24 August 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

| CCT heading No | Description                               | Levies                               |
|----------------|-------------------------------------------|--------------------------------------|
| 10.01 A        | Common wheat, and meslin                  | 66.58                                |
| 10.01 B        | Durum wheat                               | 113.90 <sup>(1)</sup> <sup>(5)</sup> |
| 10.02          | Rye                                       | 60.12 <sup>(6)</sup>                 |
| 10.03          | Barley                                    | 59.28                                |
| 10.04          | Oats                                      | 70.86                                |
| 10.05 B        | Maize, other than hybrid maize for sowing | 80.73 <sup>(2)</sup> <sup>(3)</sup>  |
| 10.07 A        | Buckwheat                                 | 0                                    |
| 10.07 B        | Millet                                    | 25.71 <sup>(4)</sup>                 |
| 10.07 C        | Grain sorghum                             | 74.13 <sup>(4)</sup>                 |
| 10.07 D        | Canary seed ; other cereals               | 0 <sup>(5)</sup>                     |
| 11.01 A        | Wheat or meslin flour                     | 106.23                               |
| 11.01 B        | Rye flour                                 | 97.17                                |
| 11.02 A I a)   | Durum wheat groats and meal               | 189.53                               |
| 11.02 A I b)   | Common wheat groats and meal              | 114.72                               |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

<sup>(2)</sup> Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 7.25 ECU/tonne as provided for in Regulation (EEC) No 706/76.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.81 ECU/tonne.

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

<sup>(5)</sup> Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

<sup>(6)</sup> 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 1873/79****of 24 August 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 <sup>(1)</sup>, as last amended by  
Regulation (EEC) No 1547/79 <sup>(2)</sup>, 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  
1659/79 <sup>(3)</sup> 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 25 August  
1979.

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

Done at Brussels, 24 August 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 188, 26. 7. 1979, p. 1.

<sup>(3)</sup> OJ No L 193, 1. 8. 1979, p. 7.

## ANNEX

to the Commission Regulation of 24 August 1979 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

(ECU/tonne)

| CCT heading No | Description                               | Current<br>8 | 1st period<br>9 | 2nd period<br>10 | 3rd period<br>11 |
|----------------|-------------------------------------------|--------------|-----------------|------------------|------------------|
| 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            | 0               | 0                | 0                |
| 10.04          | Oats                                      | 0            | 0               | 0                | 0                |
| 10.05 B        | Maize, other than hybrid maize for sowing | 0            | 0               | 0                | 0                |
| 10.07 A        | Buckwheat                                 | 0            | 0               | 0                | 0                |
| 10.07 B        | Millet                                    | 0            | 0               | 0                | 0                |
| 10.07 C        | Grain sorghum                             | 0            | 0               | 0                | 0                |
| 10.07 D        | Other cereals                             | 0            | 0               | 0                | 0                |
| 11.01 A        | Wheat or meslin flour                     | 0            | 0               | 0                | 0                |

## B. Malt

(ECU/tonne)

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

**COMMISSION REGULATION (EEC) No 1874/79****of 24 August 1979****fixing the amount of the subsidy on oil seeds**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation No 136/66/EEC  
of 22 September 1966 on the establishment of a  
common organization of the market in oils and  
fats <sup>(1)</sup>, as last amended by Regulation (EEC) No  
590/79 <sup>(2)</sup>, and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in  
Article 27 of Regulation No 136/66/EEC was fixed by  
Regulation (EEC) No 1400/79 <sup>(3)</sup>, as last amended by  
Regulation (EEC) No 1855/79 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules  
contained in Regulation (EEC) No 1400/79 to the

information known to the Commission that the  
amount of the subsidy at present in force should be  
altered to the amount set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

1. The amount of the subsidy referred to in Article  
27 of Regulation No 136/66/EEC shall be as set out  
in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 27 August  
1979.

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

Done at Brussels, 24 August 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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

<sup>(2)</sup> OJ No L 78, 30. 3. 1979, p. 1.

<sup>(3)</sup> OJ No L 168, 6. 7. 1979, p. 10.

<sup>(4)</sup> OJ No L 214, 22. 8. 1979, p. 14.

## ANNEX

to the Commission Regulation of 24 August 1979 fixing the amount of the subsidy on  
oil seeds

(ECU / 100 kg)

| CCT heading<br>No | Description         | Subsidy |
|-------------------|---------------------|---------|
| ex 12.01          | Colza and rape seed | 12·641  |
| ex 12.01          | Sunflower seed      | 13·587  |

(ECU / 100 kg)

| CCT<br>heading<br>No | Description         | Subsidy in the case of advance<br>fixing for the month of |                   |                 |                  |                  |                 |
|----------------------|---------------------|-----------------------------------------------------------|-------------------|-----------------|------------------|------------------|-----------------|
|                      |                     | August<br>1979                                            | September<br>1979 | October<br>1979 | November<br>1979 | December<br>1979 | January<br>1980 |
| ex 12.01             | Colza and rape seed | 12·641                                                    | 13·022            | 13·403          | 13·784           | 14·165           | 14·326          |
| ex 12.01             | Sunflower seed      | 13·587                                                    | 11·984            | 16·879          | 17·324           | —                | —               |

**COMMISSION REGULATION (EEC) No 1875/79**  
**of 24 August 1979**  
**fixing the world market price for colza and rape seed**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 590/79<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed<sup>(3)</sup>, as last amended by Regulation (EEC) No 852/78<sup>(4)</sup>,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73<sup>(5)</sup>, as last amended by Regulation (EEC) No 1234/77<sup>(6)</sup>, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1400/79 of 5 July 1979 fixing the amount of the subsidy on oil

seeds<sup>(7)</sup>, as last amended by Regulation (EEC) No 1874/79<sup>(8)</sup>;

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

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

Whereas it follows from applying these provisions that the world market price for colza and rape seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 27 August 1979.

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

Done at Brussels, 24 August 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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

<sup>(2)</sup> OJ No L 78, 30. 3. 1979, p. 1.

<sup>(3)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(4)</sup> OJ No L 116, 28. 4. 1978, p. 6.

<sup>(5)</sup> OJ No L 236, 24. 8. 1973, p. 28.

<sup>(6)</sup> OJ No L 143, 10. 6. 1977, p. 9.

<sup>(7)</sup> OJ No L 168, 6. 7. 1979, p. 10.

<sup>(8)</sup> See page 5 of this Official Journal.

## ANNEX

## to the Commission Regulation of 24 August 1979 fixing the world market price for colza and rape seed

(ECU/100 kg) <sup>(1)</sup>

| CCT heading No | Description         | World market price |
|----------------|---------------------|--------------------|
| ex 12.01       | Colza and rape seed | 23.769             |

(ECU/100 kg) <sup>(1)</sup>

| CCT heading No | Description         | World market price where the subsidy is fixed in advance for the month of |                |              |               |               |              |
|----------------|---------------------|---------------------------------------------------------------------------|----------------|--------------|---------------|---------------|--------------|
|                |                     | August 1979                                                               | September 1979 | October 1979 | November 1979 | December 1979 | January 1980 |
| ex 12.01       | Colza and rape seed | 23.769                                                                    | 23.769         | 23.769       | 23.769        | 23.769        | 23.989       |

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

|                 |          |
|-----------------|----------|
| 1 ECU = DM      | 2.51064  |
| 1 ECU = Fl      | 2.72077  |
| 1 ECU = Bfr/Lfr | 39.4582  |
| 1 ECU = FF      | 5.79831  |
| 1 ECU = Dkr     | 7.08592  |
| 1 ECU = I £     | 0.662638 |
| 1 ECU = £       | 0.608839 |
| 1 ECU = Lit     | 1 119.94 |

## COMMISSION REGULATION (EEC) No 1876/79

of 24 August 1979

re-establishing the levying of customs duties on wooden broom and brush handles, falling within subheading 44.25 ex B and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3156/78 of 29 December 1978 establishing preferential tariffs in respect of certain products originating in developing countries<sup>(1)</sup>, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in European units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1976 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 150 % of that fixed for 1978;

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may be re-established at any time on imports of the products in question coming from any country or territory — with the exception of those listed in Annex C thereto — once the Community ceiling has been reached;

Whereas, in respect of wooden broom and brush handles, falling within subheading 44.25 ex B, the

ceiling, calculated as indicated above, should be 1 164 000 European units of account; whereas on 17 August 1979 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 3156/78 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 28 August 1979, customs duties, suspended in pursuance of Council Regulation (EEC) No 3156/78, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C thereto:

| CCT heading No | Description                                                                                                                                                            |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 44.25          | Wooden tools, tool bodies, tool handles, broom and brush bodies and handles; boot and shoe lasts and trees, of wood:<br>ex B. Other:<br>Wooden broom and brush handles |

*Article 2*

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

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

Done at Brussels, 24 August 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

<sup>(1)</sup> OJ No L 375, 30. 12. 1978, p. 26.

**COMMISSION REGULATION (EEC) No 1877/79**  
**of 24 August 1979**

**re-establishing the levying of customs duties on tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery, earthenware or fine pottery, falling within subheading 69.12 C and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3156/78 of 29 December 1978 establishing preferential tariffs in respect of certain products originating in developing countries<sup>(1)</sup>, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in European units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1976 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 150 % that fixed for 1978;

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may be re-established at any time on imports of the products in question coming from any country or territory — with the exception of those listed in Annex C thereto — once the Community ceiling has been reached;

Whereas, in respect of tableware and other articles of a kind commonly used for domestic or toilet

purposes, of other kinds of pottery, earthenware or fine pottery, the ceiling, calculated as indicated above, should be 889 000 European units of account; whereas on 17 August 1979 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 3156/78 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 28 August 1979, customs duties, suspended in pursuance of Council Regulation (EEC) No 3156/78, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C thereto:

| CCT heading No | Description                                                                                                                                        |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| 69.12          | Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery:<br>C. Earthenware or fine pottery |

*Article 2*

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

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

Done at Brussels, 24 August 1979.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

<sup>(1)</sup> OJ No L 375, 30. 12. 1978, p. 26.

## COMMISSION REGULATION (EEC) No 1878/79

of 24 August 1979

re-establishing the levying of customs duties on illuminating glassware, signalling glassware and optical elements of glass, etc., other, falling within subheading 70.14 A II and originating in Romania, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3156/78 of 29 December 1978 establishing preferential tariffs in respect of certain products originating in developing countries<sup>(1)</sup>, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in European units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1976 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 150 % of that fixed for 1978;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A thereto; whereas, for these products, this reduction will be 20 %;

Whereas Article 2 (2) and (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories — with the exception of those listed in Annex C thereto — once the relevant Community amount has been reached;

Whereas, in respect of illuminating glassware, signalling glassware and optical elements of glass, etc., other, falling within subheading 70.14 A II, the ceiling, calculated as indicated above, should be 3 971 000 European units of account, and therefore the maximum amount is 794 200 European units of account; whereas on 15 August 1979 the amounts of imports into the Community of illuminating glassware, signalling glassware and optical elements of glass, etc., other, falling within subheading 70.14 A II and originating in Romania, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 3156/78 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Romania,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 28 August 1979, customs duties, suspended in pursuance of Council Regulation (EEC) No 3156/78, shall be re-established in respect of the following products, imported into the Community and originating in Romania:

| CCT heading No | Description                                                                                                                                                                                                                                                                          |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 70.14          | Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass:<br>A. Articles for electrical lighting fittings:<br>II. Other (for example, diffusers, ceiling lights, bowls, cups, lamp-shades, globes, tulip-shaped pieces) |

*Article 2*

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

<sup>(1)</sup> OJ No L 375, 30. 12. 1978, p. 26.

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

Done at Brussels, 24 August 1979.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 1879/79

of 24 August 1979

re-establishing the levying of customs duties on locks and padlocks (key, combination or electrically operated), etc., falling within heading No 83.01 and originating in Singapore, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3156/78 of 29 December 1978 establishing preferential tariffs in respect of certain products originating in developing countries <sup>(1)</sup>, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in European units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1976 cif imports coming from other countries, and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 150 % of that fixed for 1978;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A thereto; whereas, for these products, this reduction will be 15 %;

Whereas Article 2 (2) and (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories — with the exception of those listed in Annex C thereto — once the relevant Community amount has been reached;

<sup>(1)</sup> OJ No L 375, 30. 12. 1978, p. 26.

Whereas, in respect of locks and padlocks (key, combination or electrically operated), etc., falling within heading No 83.01, the ceiling, calculated as indicated above should be 3 914 000 European units of account, and therefore the maximum amount is 587 100 European units of account; whereas on 15 August 1979 the amounts of imports into the Community of locks and padlocks (key, combination or electrically operated), etc., falling within heading No 83.01 and originating in Singapore, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 3156/78 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Singapore,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 28 August 1979, customs duties, suspended in pursuance of Council Regulation (EEC) No 3156/78, shall be re-established in respect of the following products, imported into the Community and originating in Singapore:

| CCT heading No | Description                                                                                                                                                                                                                                                    |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 83.01          | Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like, and parts of such frames, of base metal; keys for any of the foregoing articles, of base metal |

*Article 2*

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

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

Done at Brussels, 24 August 1979.

*For the Commission*  
Étienne DAVIGNON  
*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 1880/79**  
**of 24 August 1979**

**re-establishing the levying of customs duties on primary cells and primary batteries, falling within heading No 85.03 and originating in Hong Kong, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3156/78 of 29 December 1978 establishing preferential tariffs in respect of certain products originating in developing countries<sup>(1)</sup>, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in European units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1976 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 150 % of that fixed for 1978;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A thereto; whereas, for these products, this reduction will be 30 %;

Whereas Article 2 (2) and (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the

products in question originating in any of the said countries or territories — with the exception of those listed in Annex C thereto — once the relevant Community amount has been reached;

Whereas, in respect of primary cells and primary batteries, falling within heading No 85.03, the ceiling, calculated as indicated above, should be 4 441 000 European units of account, and therefore the maximum amount is 1 332 300 European units of account; whereas on 17 August 1979 the amounts of imports into the Community of primary cells and primary batteries, falling within heading No 85.03 and originating in Hong Kong, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 3156/78 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Hong Kong,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 28 August 1979, customs duties, suspended in pursuance of Council Regulation (EEC) No 3156/78, shall be re-established in respect of the following products, imported into the Community and originating in Hong Kong:

| CCT heading No | Description                         |
|----------------|-------------------------------------|
| 85.03          | Primary cells and primary batteries |

*Article 2*

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

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

Done at Brussels, 24 August 1979.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

<sup>(1)</sup> OJ No L 375, 30. 12. 1978, p. 26.

**COMMISSION REGULATION (EEC) No 1881/79**  
**of 24 August 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 organ-  
ization of the market in sugar <sup>(1)</sup>, as last amended by  
Regulation (EEC) No 1396/78 <sup>(2)</sup>, and in particular  
Article 15 (7) thereof,

Whereas the import levies on white sugar and raw  
sugar were fixed by Regulation (EEC) No 1328/79 <sup>(3)</sup>,  
as last amended by Regulation (EEC) No 1842/79 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules  
contained in Regulation (EEC) No 1328/79 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 Regu-  
lation (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 25 August  
1979.

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

Done at Brussels, 24 August 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 162, 30. 6. 1979, p. 85.

<sup>(4)</sup> OJ No L 209, 18. 8. 1979, p. 23.

ANNEX

to the Commission Regulation of 24 August 1979 fixing the import levies on white sugar  
and raw sugar

| (ECU/100 kg)         |                                              |                      |
|----------------------|----------------------------------------------|----------------------|
| CCT<br>heading<br>No | Description                                  | Levy                 |
| 17.01                | Beet sugar and cane sugar, in solid form :   |                      |
|                      | A. White sugar ; flavoured or coloured sugar | 30.44                |
|                      | B. Raw sugar                                 | 24.98 <sup>(1)</sup> |

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

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 27 July 1979

on proposed Netherlands Government assistance to increase the production capacity of a cigarette manufacturer

(Only the Dutch text is authentic)

(79/743/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having given notice in accordance with the above Article to interested parties to submit their comments and having regard to these comments,

Whereas :

## I

Article 6 of the Dutch Act of 29 June 1978 on the promotion and guidance of investment<sup>(1)</sup> introduced an additional premium for major schemes with paid for investment exceeding Fl 30 000 000. The amount depends on the number of jobs created and may account for up to 4 % of the investment in question.

When examining the scheme at the bill stage, pursuant to the procedure under Article 93 (3) of the EEC Treaty, the Commission pointed out that the additional premium for major schemes constituted a

general aid system and contained no industry or regional objectives. Since the scheme covered investment by any firm in any area or industry it could not qualify for exemption to the incompatibility of State aids under Article 92 (3) (a) or (c). Without these objectives the Commission could not assess the scheme's effects on intra-Community trade and competition and check whether its application would be counter to its principles and rules on aids.

In line with the general approach previously taken on similar existing or proposed schemes in the Community, the Commission requested prior notification in good time of individual cases of application of the additional premium for major schemes, account being taken of the amount of investment concerned, as required by Article 93 (3) of the EEC Treaty.

During talks with the Dutch authorities the Commission stated that it would assess each case on its own merits in the light of the rules contained in Article 92 *et seq.* or rules developed later during administration. The Netherlands Government could not infer, by requesting regular prior notification, that the Commission had taken a favourable view of the additional premium.

<sup>(1)</sup> 'Staatsblad' No 368, 1978.

The Netherlands Government complied with the Commission's request by including the prior notification procedure in Articles 6 (7) and 7 (3) of Chapter V of the Dutch Act of 29 June 1978.

## II

By letter dated 4 October 1978, the Netherlands Government informed the Commission, as required by the procedure, of its intention to grant the additional premium for major schemes to the Dutch subsidiary of a major multinational tobacco manufacturer.

The assistance was to be granted to the subsidiary for the purpose of concentrating and developing cigarette production in one of its two factories in the Netherlands which produced 11 100 million cigarettes in 1978. One factory, at Eindhoven, had been closed down and the annual production capacity of the other, located at Bergen-op-Zoom, was to be increased to 16 000 million cigarettes, a 40 % increase in production capacity of the firm and approximately a 13 % increase in Dutch production overall. Plant extensions and modernization would require an investment of Fl 165 million (some 60.7 million EUA).

When the investments were completed, the firm would account for almost 50 % of Dutch cigarette production, with the number of workers a little less than that in the previous two factories.

The firm expects to export over 80 % of its production to other Member States.

Dutch cigarette exports to other Member States in 1977 totalled 94 million EUA; imports were 63.7 million EUA, a 30.4 million EUA trade surplus in cigarettes for the Netherlands.

For some years now growth in Community cigarette consumption and production has been very slack. Common Customs Tariff duties (subheading 24.02 A) on cigarettes are levied at 90 % *ad valorem* and encourage the firm to supply the Community market from Community production centres.

The additional premium for major schemes to be granted in this case amounts to Fl 6.2 million (2.3 million EUA), 3.8 % of the investment, almost the maximum rate for the additional premium.

On account of the firm's location in a regional development area the investment would also qualify for a Fl 10 million grant (3.7 million EUA) under the Dutch regional aid system (*Investeringspremieregeling* (IPR)), the rate of grant paid to improve socio-economic balance in the Bergen-op-Zoom area.

## III

The Netherlands Government's proposed aid is likely, therefore, to affect trade and distort competition between Member States by favouring the undertaking within the meaning of Article 92 (1) of the EEC Treaty.

The terms of the Treaty provide for the incompatibility with the common market aids fulfilling the criteria it contains. The exemptions to incompatibility included in Article 92 (3) must be strictly interpreted, notably, aid may only be granted when the Commission can establish that it will contribute to the attainment of the objectives specified in the exemption, which under normal market conditions the recipient firms would not attain by their own actions.

Any granting of exemptions to aids without such compensatory justification would be tantamount to agreeing to a distortion of intra-Community trade and competition without grounds of Community interest while putting certain Member States at an undue advantage.

In the case in question there does not appear to be such a counterpart on the part of the undertaking's benefiting.

Effectively the Netherlands Government has not been able to give nor has the Commission found any grounds establishing that the proposed aid meets the conditions laid down to enforce derogations pursuant to Article 92 (3) of the EEC Treaty.

As regards the derogation of Article 92 (3) (a) and (c) on aid to favour the development of certain areas, it should be remembered that the standard of living in the Bergen-op-Zoom area is not abnormally low and that it does not suffer from serious under-employment within the meaning of the derogation (paragraph (a)). As regards the derogation of paragraph (c), the Netherlands Government has already taken account of the contribution made by the investment concerned to

improving the socio-economic balance of the area by granting assistance under the Dutch regional aid system (Investeringspremieregeling (IPR)). The Netherlands Government, in the framework of presenting its observations to the Commission, emphasized that the additional premium for major schemes was not given on account of regional considerations.

Moreover, in respect of the derogation envisaged in Article 92 (3) (b), the investment concerned does not constitute an important project of common European interest, considering also that when examining the additional premium, the Commission considered that given the relatively favourable socio-economic situation in the Netherlands when compared to the rest of the Community, that it could not be regarded as assistance 'to remedy a serious disturbance in the economy of a Member State'. To take another viewpoint would permit the Netherlands, in the context of an economic downturn and large-scale unemployment throughout the whole Community, to effect to their advantage investments likely to be made in other Member States in a less-favourable situation. Recent economic and social developments in the Community provide grounds for maintaining this approach both as regards the system itself and any possible cases of application.

Finally, as regards the derogation of Article 92 (3) (c), in favour of aid as 'aid to facilitate the development of certain economic activities', examination of the cigarette manufacturing industry in the Community and in the Netherlands shows that since market conditions seem apt to ensure a normal development, that therefore the proposed aid cannot be considered as 'facilitating the development'. Moreover, it should be

noted that, basically, the proposed increased production would mainly be exported to other Member States in a situation where the growth consumption has slackened, so that it is therefore unlikely that trading conditions would remain unaffected by a measure contrary to the common interest, such as this aid.

In view of the above, the Dutch aid proposal does not meet the conditions necessary to benefit from one of the derogations of Article 92 (3) of the EEC Treaty,

HAS ADOPTED THIS DECISION :

*Article 1*

The Kingdom of the Netherlands shall refrain from implementing its proposal, communicated to the Commission by letter dated 4 October 1978 from its Minister of Foreign Affairs, to grant the additional premium for major schemes to investment made at Bergen-op-Zoom by the Dutch subsidiary of a multinational tobacco manufacturer.

*Article 2*

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 27 July 1979.

*For the Commission*

Raymond VOUEL

*Member of the Commission*

## COMMISSION DECISION

of 3 August 1979

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 subheadings 61.01 ex B and 61.02 ex B of the Common Customs Tariff (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76; 61.02-66, 68, 72) (category 6), originating in Macao and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(79/744/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 26 July 1979 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 subheadings 61.01 ex B and 61.02 ex B of the Common Customs Tariff (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76; 61.02-66, 68, 72) (category 6), originating in Macao and in free circulation in the other Member States,

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

Whereas under that Agreement Macao 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 those 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 <sup>(1)</sup>, 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,

HAS ADOPTED THIS DECISION:

*Article 1*

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to the products indicated below, where they originate in Macao and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 25 July 1979:

| CCT heading No                                                                                       | Description                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 61.01 ex B and 61.02 ex B (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76; 61.02-66, 68, 72) (category 6) | 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 |

<sup>(1)</sup> OJ No L 121, 3. 6. 1971, p. 26.

*Article 2*

Done at Brussels, 3 August 1979.

This Decision shall apply until 30 September 1979.

*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*

Étienne DAVIGNON

*Member of the Commission*

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**COMMISSION DECISION****of 8 August 1979****fixing the maximum amount of the export refund for the 101st partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77****(79/745/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 organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EEC) No 1396/78<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1573/79<sup>(4)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 4 (3) of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar<sup>(5)</sup>, as last amended by Regulation (EEC) No 1489/76<sup>(6)</sup>, 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 submission 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 101st 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 Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum amount of the export refund for the 101st partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77 is hereby fixed at 28.819 ECU per 100 kilograms.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 8 August 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 181, 21. 7. 1977, p. 35.

<sup>(4)</sup> OJ No L 188, 26. 7. 1979, p. 44.

<sup>(5)</sup> OJ No L 143, 25. 6. 1968, p. 6.

<sup>(6)</sup> OJ No L 167, 26. 6. 1976, p. 13.

**COMMISSION DECISION****of 8 August 1979****fixing the maximum amount of the export refund for the first partial invitation to tender for raw cane sugar issued under Regulation (EEC) No 1574/79****(79/746/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 organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EEC) No 1396/78<sup>(2)</sup>, and in particular Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 1574/79 of 25 July 1979 on a standing invitation to tender in order to determine export refunds for raw cane sugar produced in the French overseas departments<sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 4 (3) of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar<sup>(4)</sup>, as last amended by Regulation (EEC) No 1489/76<sup>(5)</sup>, 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 submission 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 first 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 Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum amount of the export refund for the first partial invitation to tender for raw cane sugar issued under Regulation (EEC) No 1574/79 is hereby fixed at 24.270 ECU per 100 kilograms of raw sugar of standard quality.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 8 August 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 188, 26. 7. 1979, p. 45.

<sup>(4)</sup> OJ No L 143, 25. 6. 1968, p. 6.

<sup>(5)</sup> OJ No L 167, 26. 6. 1976, p. 13.

## COMMISSION DECISION

of 10 August 1979

allowing the scientific apparatus described as 'VII-700 Sound Spectrograph'  
admitted free of Common Customs Tariff duties

(79/747/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, scien-  
tific and cultural materials <sup>(1)</sup>,

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 <sup>(2)</sup>, and in particular Articles 4 and 5 thereof,

Whereas, by letter dated 7 February 1979, the United  
Kingdom 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 or not the apparatus described as 'VII-700  
Sound Spectrograph', used for research on phonetics  
and teaching in the scientific analyses of speech,  
should be considered to be a scientific apparatus and,  
where the reply is in the affirmative, whether appa-  
ratus of equivalent scientific value is currently being  
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 the Member  
States met on 29 May 1979 within the Committee on  
Duty-Free Arrangements to examine this particular  
case;

Whereas this examination showed that the apparatus  
in question is a speech spectrograph;

Whereas its objective technical characteristics which  
permit spectrographic analyses by means of simple  
procedures as well as use made of it make it an appa-  
ratus specially suited for scientific research; whereas it  
must therefore be regarded as a scientific apparatus;

Whereas, on the basis of information received from  
Member States, apparatus of equivalent scientific value  
capable of use for the same purpose is not currently  
manufactured in the Community; whereas, therefore,  
duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

*Article 1*

1. The apparatus described as 'VII-700 Sound Spec-  
trograph' must be regarded as a scientific apparatus.
2. The conditions referred to in Article 3 (1) (b) of  
Council Regulation (EEC) No 1798/75 of 10 July  
1975 for admission free of Common Customs Tariff  
duties of the apparatus described in paragraph 1 are  
fulfilled.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 10 August 1979.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

<sup>1</sup> (1) OJ No L 184, 15. 7. 1975, p. 1.  
<sup>2</sup> (2) OJ No L 316, 6. 12. 1975, p. 17.

**COMMISSION DECISION****of 14 August 1979****fixing the maximum amount of the export refund for the second partial invitation to tender for raw cane sugar issued under Regulation (EEC) No 1574/79****(79/748/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 organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EEC) No 1396/78<sup>(2)</sup>, and in particular Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 1574/79 of 25 July 1979 on a standing invitation to tender in order to determine export refunds for raw cane sugar produced in the French overseas departments<sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 4 (3) of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar<sup>(4)</sup>, as last amended by Regulation (EEC) No 1489/76<sup>(5)</sup>, 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 submission 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 second 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 Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum amount of the export refund for the second partial invitation to tender for raw cane sugar issued under Regulation (EEC) No 1574/79 is hereby fixed at 24.290 ECU per 100 kilograms of raw sugar of standard quality.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 14 August 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 188, 26. 7. 1979, p. 45.

<sup>(4)</sup> OJ No L 143, 25. 6. 1968, p. 6.

<sup>(5)</sup> OJ No L 167, 26. 6. 1976, p. 13.

## COMMISSION DECISION

of 14 August 1979

fixing the maximum amount of the export refund for the 102nd partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77

(79/749/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 organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EEC) No 1396/78<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1573/79<sup>(4)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 4 (3) of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar<sup>(5)</sup>, as last amended by Regulation (EEC) No 1489/76<sup>(6)</sup>, 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 submission 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 102nd 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 Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum amount of the export refund for the 102nd partial invitation to tender for white sugar issued under Regulation (EEC) No 1634/77 is hereby fixed at 27.938 ECU per 100 kilograms.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 14 August 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 170, 27. 6. 1978, p. 1.

<sup>(3)</sup> OJ No L 181, 21. 7. 1977, p. 35.

<sup>(4)</sup> OJ No L 188, 26. 7. 1979, p. 44.

<sup>(5)</sup> OJ No L 143, 25. 6. 1968, p. 6.

<sup>(6)</sup> OJ No L 167, 26. 6. 1976, p. 13.