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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 183/80**of 29 January 1980****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas, the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 1658/79⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2.25 %, a rate of exchange based on their effective parity;

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 28 January 1980;

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 30 January 1980.

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

Done at Brussels, 29 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 193, 1. 8. 1979, p. 5.

ANNEX

to the Commission Regulation of 29 January 1980 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	80.58
10.01 B	Durum wheat	112.87 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	67.09 ⁽⁶⁾
10.03	Barley	70.71
10.04	Oats	72.45
10.05 B	Maize, other than hybrid maize for sowing	96.87 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	4.14
10.07 B	Millet	59.93 ⁽⁴⁾
10.07 C	Grain sorghum	89.51 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	126.75
11.01 B	Rye flour	107.71
11.02 A I a)	Durum wheat groats and meal	188.24
11.02 A I b)	Common wheat groats and meal	135.81

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

⁽²⁾ 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.

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

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

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

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

COMMISSION REGULATION (EEC) No 184/80

of 29 January 1980

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 1659/79⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2.25 % a rate of exchange based on their effective parity;

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 28 January 1980;

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 30 January 1980.

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

Done at Brussels, 29 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 193, 1. 8. 1979, p. 7.

ANNEX

to the Commission Regulation of 29 January 1980 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 1	1st period 2	2nd period 3	3rd period 4
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	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 1	1st period 2	2nd period 3	3rd period 4	4th period 5
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	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 185/80

of 28 January 1980

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 113/80⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 2245/78⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation, is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manu-

factured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3.02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Regulation (EEC) No 1921/75⁽⁹⁾, as amended by Regulation (EEC) No 2415/75⁽¹⁰⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Regulation (EEC) No 2742/75⁽¹¹⁾, as last amended by Regulation (EEC) No 1555/79⁽¹²⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹³⁾, as last amended by Regulation (EEC) No 1198/78⁽¹⁴⁾;

Whereas Article 4 (2) of Regulation (EEC) No 2744/75 provides that the levy to be charged on the products listed in the Annex to that Regulation under subheading 07.06 A is limited, with effect from the date of entry into force of the Geneva Protocol (1967) annexed to the General Agreement on tariffs and

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

(2) OJ No L 188, 26. 7. 1979, p. 1.

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

(4) OJ No L 16, 22. 1. 1980, p. 1.

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

(6) OJ No L 273, 29. 9. 1978, p. 1.

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

(8) OJ No L 202, 26. 7. 1978, p. 8.

(9) OJ No L 195, 26. 7. 1975, p. 25.

(10) OJ No L 247, 23. 9. 1975, p. 22.

(11) OJ No L 281, 1. 11. 1975, p. 57.

(12) OJ No L 188, 26. 7. 1979, p. 12.

(13) OJ No L 85, 31. 3. 1976, p. 2.

(14) OJ No L 147, 3. 6. 1978, p. 1.

trade, to the amount resulting from application of the rate of duty bound within GATT ;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided

for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1980.

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

Done at Brussels, 28 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 28 January 1980 fixing the import levies on products
processed from cereals and rice

CCT heading No	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	13.10 ⁽¹⁾	11.29 ⁽¹⁾⁽⁵⁾
11.01 C ⁽²⁾	137.03	130.99
11.01 D ⁽²⁾	150.00	143.96
11.01 E I ⁽²⁾	183.02	176.98
11.01 E II ⁽²⁾	103.31	100.29
11.01 F ⁽²⁾	59.89	56.87
11.01 G ⁽²⁾	93.38	90.36
11.02 A II ⁽²⁾	131.16	125.12
11.02 A III ⁽²⁾	137.03	130.99
11.02 A IV ⁽²⁾	150.00	143.96
11.02 A V a) 1 ⁽²⁾	146.03	139.99
11.02 A V a) 2 ⁽²⁾	183.02	176.98
11.02 A V b) ⁽²⁾	103.31	100.29
11.02 A VI ⁽²⁾	59.89	56.87
11.02 A VII ⁽²⁾	93.38	90.36
11.02 B I a) 1 ⁽²⁾	119.45	116.43
11.02 B I a) 2 aa)	84.60	81.58
11.02 B I a) 2 bb) ⁽²⁾	146.98	143.96
11.02 B I b) 1 ⁽²⁾	119.45	116.43
11.02 B I b) 2 ⁽²⁾	146.98	143.96
11.02 B II a) ⁽²⁾	112.65	109.63
11.02 B II b) ⁽²⁾	95.47	92.45
11.02 B II c) ⁽²⁾	160.33	157.31
11.02 B II d) ⁽²⁾	144.76	141.74
11.02 C I ⁽²⁾	134.91	131.89
11.02 C II ⁽²⁾	114.24	111.22
11.02 C III ⁽²⁾	187.97	181.93
11.02 C IV ⁽²⁾	130.99	127.97
11.02 C V ⁽²⁾	160.33	157.31
11.02 C VI ⁽²⁾	144.76	141.74
11.02 D I ⁽²⁾	87.10	84.08
11.02 D II ⁽²⁾	73.92	70.90
11.02 D III ⁽²⁾	77.25	74.23
11.02 D IV ⁽²⁾	84.60	81.58
11.02 D V ⁽²⁾	103.31	100.29
11.02 D VI ⁽²⁾	93.38	90.36
11.02 E I a) 1 ⁽²⁾	77.25	74.23
11.02 E I a) 2 ⁽²⁾	84.60	81.58
11.02 E I b) 1 ⁽²⁾	151.58	145.54
11.02 E I b) 2 ⁽²⁾	166.00	159.96
11.02 E II a) ⁽²⁾	154.41	148.37
11.02 E II b) ⁽²⁾	131.16	125.12
11.02 E II c) ⁽²⁾	183.02	176.98
11.02 E II d) 1 ⁽²⁾	102.61	96.57
11.02 E II d) 2 ⁽²⁾	165.59	159.46
11.02 F I ⁽²⁾	154.41	148.37
11.02 F II ⁽²⁾	131.16	125.12

CCT heading No	(ECU/tonne)	
	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F III ⁽²⁾	137.03	130.99
11.02 F IV ⁽²⁾	150.00	143.96
11.02 F V ⁽²⁾	183.02	176.98
11.02 F VI ⁽²⁾	59.89	56.87
11.02 F VII ⁽²⁾	93.38	90.36
11.02 G I	67.86	61.82
11.02 G II	79.78	73.74
11.04 C I	16.12	9.47 ⁽⁵⁾
11.04 C II a)	145.76	121.58 ⁽⁵⁾
11.04 C II b)	178.85	154.67 ⁽⁵⁾
11.07 A I a)	157.61	146.73
11.07 A I b)	120.51	109.63
11.07 A II a)	140.41 ⁽⁴⁾	129.53
11.07 A II b)	107.66	96.78
11.07 B	123.67 ⁽⁴⁾	112.79
11.08 A I	145.76	125.21
11.08 A II	73.98	43.15
11.08 A III	137.28	116.73
11.08 A IV	145.76	125.21
11.08 A V	145.76	62.60 ⁽⁵⁾
11.09	393.58	212.24
17.02 B II a) ⁽³⁾	260.04	163.32
17.02 B II b) ⁽³⁾	191.70	125.21
21.07 F II	191.70	125.21
23.02 A I a)	25.35	25.35
23.02 A I b)	81.13	81.13
23.02 A II a)	20.28	20.28
23.02 A II b)	81.13	81.13
23.03 A I	336.88	155.54

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes.

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

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
- Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

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

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5.44 ECU/tonne for products originating in Turkey.

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

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

COMMISSION REGULATION (EEC) No 186/80
of 28 January 1980
fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1547/79⁽²⁾, and in particular
Article 14 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the rules to be applied in calculating the vari-
able component of the import levy on compound
feedingstuffs are laid down in Article 14 (1) (A) of
Regulation (EEC) No 2727/75; whereas Article 4 of
Council Regulation (EEC) No 2743/75 of 29 October
1975 on the system to be applied to cereal-based
compound feedingstuffs⁽³⁾, as amended by Regulation
(EEC) No 2560/77⁽⁴⁾, provides that the incidence on
the prime costs of these feedingstuffs of the levies
applicable to their basic products should be calculated
on the basis of the average of the levies applicable
during the first 25 days of the month preceding that
month of importation to the quantities of basic
products considered to have been used in the manufac-
ture of such compound feedingstuffs, this average
being adjusted on the basis of the threshold price for
the basic products in question ruling during the
month of importation;

Whereas the levy thus determined, increased by the
fixed component, is valid for one month; whereas the
amount of the fixed component of the levy is laid
down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the
interests of the African, Caribbean and Pacific States
and of the overseas countries and territories, the levy
relating to them in respect of certain products
processed from cereals must be reduced by the

amount of the fixed component and, in respect of
some of these products, by part of the variable compo-
nent; whereas this reduction must be made in accor-
dance with Article 12 of Council Regulation (EEC)
No 706/76 of 30 March 1976 on the arrangements
applicable to agricultural products and certain goods
resulting from the processing of agricultural products
originating in the African, Caribbean and Pacific
States or in the 'overseas countries and territories'⁽⁵⁾;
as last amended by Regulation (EEC) No 1198/78⁽⁶⁾;

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

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2.25 %, a rate of exchange based on
their 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, in accordance with Article 18 (1) of Regula-
tion (EEC) No 2727/75, the nomenclature provided
for in this Regulation is incorporated in the Common
Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound
feedingstuffs covered by Regulation (EEC) No
2727/75 and subject to Regulation (EEC) No 2743/75
shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February
1980.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽⁶⁾ OJ No L 147, 3. 6. 1978, p. 1.

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

Done at Brussels, 28 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 28 January 1980 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CCT heading No	Nomenclature in simplified wording	Levies	
		Third countries (other than ACP and OCT)	ACP and OCT
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 21.07 F I) containing starch, glucose or glucose syrup :		
	Containing no starch or containing 10 % or less by weight of starch :		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	26.61	15.73
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	477.84	466.96
	Containing more than 10 % but not more than 30 % by weight of starch :		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	60.04	49.16
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	511.27	500.39
	Containing more than 30 % by weight of starch :		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	109.20	98.32
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	560.43	549.55

COMMISSION REGULATION (EEC) No 187/80

29 January 1980

fixing the export refunds on beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 2916/79 ⁽²⁾, and in particular the first sentence of Article 18 (5) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68 of 28 June 1968 ⁽³⁾, as last amended by Regulation (EEC) No 427/77 ⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas the current market situation in the Community and sales outlets, particularly in non-member countries, leads to granting export refunds on adult bovine animals of a live weight of at least 300 kilograms; whereas experience gained in recent years has shown that it is advisable to treat live pedigree breeding animals of a weight of at least 300 kilograms in an identical manner to other bovine animals, while subjecting them to certain special administrative formalities;

Whereas it is necessary to grant refunds for the export to certain destinations of certain fresh or chilled meat

listed in the Annex under subheading ex 02.01 A II a) and of certain frozen meat listed in the Annex under subheading ex 02.01 A II b) and of certain other prepared or preserved meat or meat offal listed in the Annex under subheading 16.02 B III b) 1 aa);

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to the extent necessary to allow this trade to continue, the refund must be fixed at an amount which will cover the difference between prices on the Swiss market and export prices in the Member States;

Whereas, in the case of certain other cuts and preserves of meat or offals shown in the Annex under subheading 16.02 B III b) 1 bb), Community participation in international trade may be ensured by granting a refund which takes account of the refund hitherto granted to exporters;

Whereas, in the case of other beef and veal products, a refund need not be fixed since Community participation in world trade in these products is not significant;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

HAS ADOPTED THIS REGULATION :

805/68 is granted and the amount of that refund shall be as set out in the Annex hereto.

Article 1

The list of products on which the export refund referred to in Article 18 of Regulation (EEC) No

Article 2

This Regulation shall enter into force on 4 February 1980.

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

Done at Brussels, 29 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 29 January 1980 fixing the export refunds on beef and veal

(ECU/100 kg)

CCT heading No	Description	Refund
		— Live weight —
ex 01.02 A	Live domestic animals of the bovine species :	
	I. Pure-bred breeding animals :	
	(a) Adult bovine animals with a live weight equal to or greater than 300 kg	68.000
	II. Other than pure-bred breeding animals :	
	(a) Adult bovine animals with a live weight equal to or greater than 300 kg	68.000
		— Net weight —
ex 02.01 A II	Meat of bovine animals :	
	a) Fresh or chilled :	
	1. Carcasses, half-carcasses or 'compensated' quarters :	
	(aa) The front part of a carcass or of a half-carcass comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs :	
	— For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾	95.000
	— For export to European third countries ⁽²⁾ , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79	88.000
	— Other third countries, except the United States of America	72.500
	(bb) Other :	
	— For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾	129.500
	— For export to European third countries ⁽²⁾ , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79	122.500
	— Other third countries, except the United States of America	103.000
	2. Separated or unseparated forequarters :	
	— For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾	95.000
	— For export to European third countries ⁽²⁾ , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79	88.000
	— Other third countries, except the United States of America	72.500
	3. Separated or unseparated hindquarters :	
	— For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾	164.000
	— For export to European third countries ⁽²⁾ , and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79	157.000
	— Other third countries, except the United States of America	133.500

(ECU/100 kg)

CCT heading No	Description	Refund
		— Net weight —
ex 02.01 A II (cont'd)	4. Other : (aa) Unboned (bone-in) : — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ 95.000 — For export to European third countries ⁽²⁾, and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 88.000 — Other third countries, except the United States of America 72.500 ex (bb) Boned or boneless, excluding the thin flanks and the shin : (11) Each piece individually wrapped : — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ 141.194 — For export to European third countries ⁽²⁾, and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 134.194 — Other third countries, except the United States of America 113.037 b) Frozen : 1. Carcasses, half-carcasses or 'compensated' quarters : (aa) The front part of a carcass or of a half-carcass comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs : — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ 89.000 — For export to European third countries ⁽²⁾, and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 82.000 (bb) Other : — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ 108.500 — For export to European third countries ⁽²⁾, and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 101.500 2. Separated or unseparated forequarters : — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ 89.000 — For export to European third countries ⁽²⁾, and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 82.000 3. Separated or unseparated hindquarters : — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ 128.000 — For export to European third countries ⁽²⁾, and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 121.000	

(ECU/100 kg)		
CCT heading No	Description	Refund
		— Net weight —
ex 02.01 A II (cont'd)	4. Other : (aa) Unboned (bone-in) : — For export to North African, Near and Middle East countries, within the meaning of Regulation No 2566/79 ⁽¹⁾ — For export to European third countries ⁽²⁾, and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 ex (bb) Boned or boneless, excluding the thin flanks and the shin : (11) Each piece individually wrapped : — For export to the United States of America — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ — For export to European third countries ⁽²⁾, and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 (22) Other : — For export to the United States of America	89.000 82.000 0 107.000 100.000 0
ex 02.06 C I a) 2	Meat of bovine animals, boned or boneless, salted and dried : — For export to Switzerland	64.679
ex 16.02 B III b) 1	Other preparations and preserves containing bovine meat or offals, except those finely homogenized ⁽³⁾ : ex (aa) Uncooked, containing by weight the following percentages of bovine meats (excluding offal and fat) : (11) 80 % or more of meat : — For export to North African, Near and Middle East countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ — For export to European third countries ⁽²⁾, and to West, Central, East and South African countries, within the meaning of Regulation (EEC) No 2566/79 (22) 60 % or more, but less than 80 % of meat : — For export to African, Near and Middle East and European third countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ ⁽²⁾ (33) 40 % or more, but less than 60 % of meat : — For export to African, Near and Middle East and European third countries, within the meaning of Regulation (EEC) No 2566/79 ⁽¹⁾ ⁽²⁾ ex (bb) Other, containing by weight the following percentages of bovine meats (excluding offal and fat) : (11) 80 % or more of meat (22) 60 % or more, but less than 80 % of meat (33) 40 % or more, but less than 60 % of meat (44) 20 % or more, but less than 40 % of meat	98.880 91.880 55.007 37.478 45.336 27.201 18.134 9.067

(¹) OJ No L 294, 21. 11. 1979, p. 5.

(2) Within the meaning of this Regulation those destinations mentioned in Article 3 of Regulation (EEC) No 192/75 (OJ No L 25, 31. 1. 1975, p. 1) are also to be understood as European third countries.

(3) The products which contain a small quantity of visible pieces of meat are also excluded.

NB: Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

COMMISSION REGULATION (EEC) No 188/80**of 28 January 1980****amending Regulation (EEC) No 2292/79 as regards the invitation to tender for the refund for the export of common wheat to the People's Republic of China**

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 1547/79⁽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 there is an exportable surplus of common wheat on the Community market; whereas, in order that it may be exported under the most favourable conditions, an invitation to tender for the refund for the export of common wheat to the People's Republic of China has been opened by Commission Regulation (EEC) No 2292/79⁽⁴⁾; whereas that invitation to tender was opened until 31 January 1980; whereas part of the surplus will probably still not be disposed

of on that date; whereas it is therefore appropriate to extend the said measure;

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

HAS ADOPTED THIS REGULATION:

Article 1

Paragraph 3 of Article 1 of Regulation (EEC) No 2292/79 is amended as follows:

'3. The invitation to tender shall remain open until 30 June 1980. During its period of duration, weekly awards shall be made in respect of which the dates of the submission of tenders shall be fixed in a notice of invitation to tender.'

Article 2

This Regulation shall enter into force on the day of 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, 28 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 263, 19. 10. 1979, p. 12.

COMMISSION REGULATION (EEC) No 189/80**of 28 January 1980****amending Regulation (EEC) No 2361/79 as regards the invitation to tender for the refund for the export of common wheat to Zone IV**

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 1547/79⁽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 there is an exportable surplus of common wheat on the Community market; whereas, in order that it may be exported under the most favourable conditions, an invitation to tender for the refund for the export of common wheat to Zone IV has been opened by Commission Regulation (EEC) No 2361/79⁽⁴⁾; whereas that invitation to tender was opened until 31 January 1980; whereas part of the surplus will probably still not be disposed of on that

date; whereas it is therefore appropriate to extend the said measure;

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

HAS ADOPTED THIS REGULATION:

Article 1

Paragraph 3 of Article 1 of Regulation (EEC) No 2361/79 is amended as follows:

'3. The invitation to tender shall remain open until 30 June 1980. During its period of duration, weekly awards shall be made in respect of which the dates of the submission of tenders shall be fixed in a notice of invitation to tender.'

Article 2

This Regulation shall enter into force on the day of 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, 28 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 270, 27. 10. 1979, p. 24.

COUNCIL REGULATION (EEC) No 190/80

of 29 January 1980

amending Regulation (EEC) No 1763/78 as regards the transfer of skimmed-milk powder to the Italian intervention agency

THE COUNCIL 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 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1763/78⁽³⁾, as amended by Regulation (EEC) No 1638/79⁽⁴⁾, provides that the skimmed-milk powder made available to the Italian intervention agency by the intervention agencies of other Member States is to be sold for feeding pigs and poultry in Italy;

Whereas the state of the skimmed-milk powder market has led to the suspension of sales by intervention agencies of skimmed-milk powder for the pigmeat and poultrymeat sectors; whereas this measure makes it necessary to restrict the use of skimmed-milk powder transferred to Italy during the period of the said suspension to feeding calves,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1763/78 shall be amended as follows:

1. In Article 1 (2), the date '1 November 1980' shall be replaced by '1 January 1981';

2. Article 1 (3) shall be replaced by the following:

'3. However, the Italian intervention agency shall, for the purpose of feeding calves in Italy, sell the skimmed-milk powder transferred to Italy during the period of suspension of sales, by intervention agencies, of skimmed-milk powder for the pigmeat and poultrymeat sections.

4. The arrangements for the application of this Article shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

These arrangements shall determine in particular:

- (a) the intervention agencies which shall make the skimmed-milk powder available;
- (b) the provisions to be made for transport;
- (c) the rate of transfer and the part quantities concerned.'

*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, 29 January 1980.

*For the Council**The President*

F. EVANGELISTI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.⁽³⁾ OJ No L 204, 28. 7. 1978, p. 8.⁽⁴⁾ OJ No L 192, 31. 7. 1979, p. 2.

COUNCIL REGULATION (EEC) No 191/80**of 29 January 1980****imposing a definitive anti-dumping duty on lithium hydroxide originating in the United States of America and the Soviet Union**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾,

Having regard to the proposal submitted by the Commission after consultation with the Advisory Committee set up under Article 6 of Regulation (EEC) No 3017/79,

Whereas in February 1979 the Commission received a complaint submitted by CEFIC, the European Council of Chemical Industry Federations, on behalf of Metallgesellschaft AG, Frankfurt, the sole Community producer of lithium hydroxide, setting out evidence as to the existence of dumping of the like product originating in the United States of America and the Soviet Union and of material injury resulting therefrom ;

Whereas, since there was sufficient evidence to justify initiating a proceeding the Commission published in the *Official Journal of the European Communities* of 19 May 1979 a notice of the initiation of an anti-dumping procedure concerning imports of lithium hydroxide originating in the United States of America and the Soviet Union⁽²⁾, so advised the exporters and importers known by the Commission to be concerned, as well as representatives of the United States and the complainants and commenced the investigation at Community level ;

Whereas, for the purposes of a preliminary determination of the dumping margin and of injury, the Commission sought and verified all information it deemed to be necessary and made an on the spot investigation of the two American producers, Foote Mineral Company, Exton, Pennsylvania, and Lithium Corporation of America, Gastonia, North Carolina, of the Community producer, and of a Community importer whose operations required similar investigation ; whereas an on the spot investigation of another importer proved impossible owing to his refusal to permit it ;

Whereas, for the preliminary examination of dumping by American producers, the Commission compared their export prices to the Community with those ruling on the American market ;

Whereas weighted averages were used for these comparisons, which were made at the ex-factory level for sales over the period 1 January to 30 April 1979, account being taken, in so far as this was requested, of differences in the terms and conditions of sale bearing a direct relationship to the sales under consideration, that is to say those relating to transport costs and selling expenses ; whereas the amount of the selling expenses was determined by reference to the costs incurred by the seller ; whereas, in the absence of sufficient evidence in support of Lithium Corporation's claim that there were absolutely no selling expenses on exports to the Community, the breakdown of these costs was based on the available accounting data, allocated in proportion to the turnover for each product and market under consideration ; whereas the exporter in question requested in addition a supplementary adjustment for certain overheads and administrative expenses ; whereas, in the absence of sufficient proof as to the direct relationship of these overheads with the sales under consideration, the Commission was not able to take this request into account ;

Whereas, when determining the existence of dumping on imports from the Soviet Union, the Commission had to take account of the fact that the Soviet Union is a non-market economy country ;

Whereas, for this reason, the Commission has based its preliminary dumping calculations on the prices at which the like product is sold for consumption on the domestic market of a market economy third country ;

Whereas a comparison with prices at which the like product is sold for consumption on the domestic market of the United States of America adjusted to take into account differences in conditions and circumstances of sale appeared to be appropriate and not unreasonable since the United States is the only market economy non-member country producing and exporting this product in substantial quantities ;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 126, 19. 5. 1979, p. 2.

Whereas, with regard to injury to the industry concerned, the evidence available to the Commission during the preliminary examination showed that imports into the Community of lithium hydroxide originating in the United States of America and the Soviet Union had increased from 988 tonnes in 1976 to 1 237 tonnes in 1978; whereas the imports into the Community of the product in question reached a market share of 58 % in 1976 and 62 % in 1978 and were consequently having a considerable effect;

Whereas the consequential impact on the Community producer concerned consisted in stagnant production and sales, under-utilization of capacity, and a fall in the market share from 42 % in 1976 to 35 % in the first three months of 1979 placing it in an extremely difficult situation and causing it heavy losses on this product; whereas in the absence of defensive measures, the cessation of this line of production was envisaged which would have involved a reduction in personnel;

Whereas the dumped imports were considered to be manifestly the principal cause of the difficulties described above;

Whereas, since this preliminary examination of the matter showed that there was dumping, that there was sufficient evidence of injury and that the interests of the Community called for immediate intervention, the Commission, by Regulation (EEC) No 2391/79⁽¹⁾, imposed a provisional anti-dumping duty on lithium hydroxide originating in the United States of America and the Soviet Union;

Whereas in the course of the subsequent examination of the matter, completed after the imposition of the provisional anti-dumping duty, the interested parties had the opportunity to make known their views in writing, to be heard by the Commission and to orally develop their views, to inspect non-confidential information relevant to the defence of their interests and to be informed of the essential facts and considerations on the basis of which it was intended to make a final determination; whereas the Community producer and some of the exporters and importers concerned availed themselves of these possibilities by making known their views in writing and orally;

Whereas during the subsequent examination it was established that the domestic price in the United States of America, on which the determination of normal value was based, had increased by 9.3 % since the date of the preliminary determination of the dumping margin; whereas in consequence, for the definitive determination, it is necessary to adjust the normal value, on which the provisional duty was

based, by this amount in order to take account of the increase in the domestic United States price;

Whereas, with regard to all of the other elements affecting the dumping calculation, no new information was received or further arguments advanced which would have altered the calculations; whereas consequently the current dumping margins are 9.6 % for Lithium Corporation of America, 6.8 % for Foote Mineral Company and 8.9 % for Russian exports;

Whereas in the course of the subsequent examination of injury it was established that imports into the Community of lithium hydroxide originating in the United States of America and the Soviet Union had reached a level of 632 tonnes during the first six months of 1979; whereas the imports concerned reached a market share of 65 % during the same period and are consequently having an even greater effect on the market than that established during the preliminary examination;

Whereas the prices of these imports into the Community continue to exercise a depressive effect on the Community producer's prices, obliging it to continue to sell at prices below its production costs;

Whereas, with regard to all the other elements affecting the determination of injury, no new information was received nor further arguments advanced which could have altered that determination;

Whereas, therefore, the facts as finally established show that, due consideration having been given to the other factors having a bearing on the situation of this industry, for example, the decline of exports to countries outside the Community, the dumped imports are to countries outside the Community, the dumped imports are causing or threatening to cause material injury to the Community industry concerned;

Whereas, in these circumstances, protection of the Community's interests calls for the definitive collection of the amounts secured by way of provisional duty in respect of lithium hydroxide originating in the United States of America and the Soviet Union and for the imposition of a definitive anti-dumping duty; whereas the amount of this duty should correspond to the amount by which import prices into the Community fall below the lowest normal value for the exporters involved adjusted to a free-at-Community-frontier basis;

Whereas in order to avoid evasion of the anti-dumping duty, it is necessary to provide that, where lithium hydroxide is not released for consumption by the first purchaser in the Community, there is an alternative procedure for the calculation of the duty;

⁽¹⁾ OJ No L 274, 31. 10. 1979, p. 26.

Whereas one of the American exporters, Foote Mineral Company, voluntarily undertook, prior to the imposition of the provisional duty, to increase its prices to levels which were considered satisfactory; whereas this undertaking was accepted by the Commission, which accordingly decided to terminate the procedure concerning this company and to exclude it from the application of the provisional duty; whereas this same company has meanwhile offered to bring its undertaking into line with the latest price level on the American market; whereas this new undertaking has been accepted by the Commission and consequently this company remains excluded from the application of the duty,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on lithium hydroxide falling within Common Customs Tariff subheading 28.28 B and corresponding to NIMEXE code 28.28-10, originating in the United States of America and the Soviet Union. This duty shall not apply to lithium hydroxide manufactured and exported by Foote Mineral Company, USA.

The provisions in force concerning customs duties shall apply to this duty.

2. Without prejudice to paragraph 5, the amount of this duty shall be equal to the amount per lb by which the free-at-Community-frontier price, before duty, to the first purchaser, is less than the normal value as defined in paragraph 3.

3. For the purposes of this Regulation, the normal value of lithium hydroxide originating in the United States of America and the Soviet Union, adjusted to a free-at-Community-frontier basis, before duty, shall be US \$1.59 per lb.

4. The normal value as referred to in paragraph 3 shall be net if the conditions of sale provide for payment within 30 days from the end of the month of delivery; it shall be increased by 1 % for each month by which the period for payment is increased and reduced by 1 % for each month by which that period is reduced.

5. (a) Where the product defined in paragraph 1 is not released for consumption on the basis of the price to the first purchaser in the Community, the definitive anti-dumping duty shall be at the following rates:

- 9.6 % of the normal value of US \$1.59 per lb for imports originating in the United States of America,
- 8.9 % of the normal value of US \$1.59 per lb for imports originating in the Soviet Union.

(b) Where, however, the declaring party can provide satisfactory proof to the customs authorities that the price paid by the first purchaser:

- (i) exceeds or is equal to the normal value of US \$1.59 per lb, no duty shall be applied, or
- (ii) is lower than the normal value of US \$1.59 per lb by less than 20 %, the duty shall be equal to the amount by which the said price is lower than the normal value.

Article 2

The amounts secured by way of provisional duty under Regulation (EEC) No 2391/79 shall be definitively collected.

Article 3

This Regulation shall enter into force on the day of 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, 29 January 1980.

For the Council

The President

F. EVANGELISTI

COMMISSION REGULATION (EEC) No 192/80

of 29 January 1980

altering the basic amount of the import levy on syrups and certain other sugar products

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 basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 2990/79⁽³⁾, as last amended by Regulation (EEC) No 181/80⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2990/79 to the

information known to the Commission that the basic amount of the levy at present in force should be altered to the amount set out below,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 shall be, per 100 kilograms of product, 0.1737 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 30 January 1980.

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

Done at Brussels, 29 January 1980.

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 337, 29. 12. 1979, p. 25.

⁽⁴⁾ OJ No L 22, 29. 1. 1980, p. 17.

COMMISSION REGULATION (EEC) No 193/80
of 29 January 1980
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 1328/79 ⁽³⁾, as last amended by Regulation (EEC) No 182/80 ⁽⁴⁾;

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 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 30 January 1980.

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

Done at Brussels, 29 January 1980.

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 162, 30. 6. 1979, p. 85.

⁽⁴⁾ OJ No L 22, 29. 1. 1980, p. 18.

ANNEX

to the Commission Regulation of 29 January 1980 fixing the import levies on white sugar and raw sugar

<i>(ECU/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	17.37
	B. Raw sugar	10.91 ⁽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 entry into force of the Agreement between the European Economic Community and the Republic of Korea on trade in textile products

The European Economic Community and the Republic of Korea, having given notification on 21 December 1979 and 21 January 1980 respectively of completion of the procedures necessary for the entry into force of the above Agreement⁽¹⁾, signed on 12 September 1979, the Agreement will, in accordance with Article 18 thereof, enter into force on 1 February 1980.

⁽¹⁾ OJ No L 298, 26. 11. 1979, p. 68.

