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Commission

80/252/EEC :

- ★ Commission Decision of 22 February 1980 accepting undertakings given by exporters in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland and Romania in connection with the anti-dumping proceeding concerning imports of standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW, originating in those countries, and terminating the procedure in respect of them 21

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 445/80

of 26 February 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 25 February 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 27 February 1980.

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

Done at Brussels, 26 February 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 26 February 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	80.84
10.01 B	Durum wheat	107.90 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	66.91 ⁽⁶⁾
10.03	Barley	72.57
10.04	Oats	68.61
10.05 B	Maize, other than hybrid maize for sowing	94.54 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	41.39 ⁽⁴⁾
10.07 C	Grain sorghum	87.47 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	127.30
11.01 B	Rye flour	107.78
11.02 A I a)	Durum wheat groats and meal	180.59
11.02 A I b)	Common wheat groats and meal	136.19

⁽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 446/80**of 26 February 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 organ-
ization 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 agricul-
tural policy⁽³⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
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
25 February 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 27 February
1980.

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

Done at Brussels, 26 February 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 26 February 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 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat, and meslin	0	0	0	0.36
10.01 B	Durum wheat	0	0	0	9.24
10.02	Rye	0	0	0	8.04
10.03	Barley	0	0	0	5.49
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	0.50

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0.64	0.64
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0.48	0.48
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	9.77	9.77
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	7.30	7.30
11.07 B	Roasted malt	0	0	0	8.51	8.51

COMMISSION REGULATION (EEC) No 447/80

of 26 February 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 March 1980.

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

Done at Brussels, 26 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 26 February 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	13.58 ⁽¹⁾	11.77 ⁽¹⁾⁽⁵⁾
11.01 C ⁽²⁾	141.80	135.76
11.01 D ⁽²⁾	140.05	134.01
11.01 E I ⁽²⁾	184.65	178.61
11.01 E II ⁽²⁾	104.23	101.21
11.01 F ⁽²⁾	61.10	58.08
11.01 G ⁽²⁾	95.81	92.79
11.02 A II ⁽²⁾	132.38	126.34
11.02 A III ⁽²⁾	141.80	135.76
11.02 A IV ⁽²⁾	140.05	134.01
11.02 A V a) 1 ⁽²⁾	147.66	141.62
11.02 A V a) 2 ⁽²⁾	184.65	178.61
11.02 A V b) ⁽²⁾	104.23	101.21
11.02 A VI ⁽²⁾	61.10	58.08
11.02 A VII ⁽²⁾	95.81	92.79
11.02 B I a) 1 ⁽²⁾	123.69	120.67
11.02 B I a) 2 aa)	78.96	75.94
11.02 B I a) 2 bb) ⁽²⁾	137.03	134.01
11.02 B I b) 1 ⁽²⁾	123.69	120.67
11.02 B I b) 2 ⁽²⁾	137.03	134.01
11.02 B II a) ⁽²⁾	114.23	111.21
11.02 B II b) ⁽²⁾	96.37	93.35
11.02 B II c) ⁽²⁾	161.79	158.77
11.02 B II d) ⁽²⁾	148.57	145.55
11.02 C I ⁽²⁾	136.81	133.79
11.02 C II ⁽²⁾	115.32	112.30
11.02 C III ⁽²⁾	194.59	188.55
11.02 C IV ⁽²⁾	122.14	119.12
11.02 C V ⁽²⁾	161.79	158.77
11.02 C VI ⁽²⁾	148.57	145.55
11.02 D I ⁽²⁾	88.31	85.29
11.02 D II ⁽²⁾	74.61	71.59
11.02 D III ⁽²⁾	79.95	76.93
11.02 D IV ⁽²⁾	78.96	75.94
11.02 D V ⁽²⁾	104.23	101.21
11.02 D VI ⁽²⁾	95.81	92.79
11.02 E I a) 1 ⁽²⁾	79.95	76.93
11.02 E I a) 2 ⁽²⁾	78.96	75.94
11.02 E I b) 1 ⁽²⁾	156.88	150.84
11.02 E I b) 2 ⁽²⁾	154.94	148.90
11.02 E II a) ⁽²⁾	156.56	150.52
11.02 E II b) ⁽²⁾	132.38	126.34
11.02 E II c) ⁽²⁾	184.65	178.61
11.02 E II d) 1 ⁽²⁾	104.66	98.62
11.02 E II d) 2 ⁽²⁾	169.79	163.75
11.02 F I ⁽²⁾	156.56	150.52
11.02 F II ⁽²⁾	132.38	126.34

CCT heading No	(ECU/tonne)	
	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F III ⁽²⁾	141.80	135.76
11.02 F IV ⁽²⁾	140.05	134.01
11.02 F V ⁽²⁾	184.65	178.61
11.02 F VI ⁽²⁾	61.10	58.08
11.02 F VII ⁽²⁾	95.81	92.79
11.02 G I	68.76	62.72
11.02 G II	80.46	74.42
11.04 C I	16.60	9.95 ⁽⁵⁾
11.04 C II a)	147.22	123.04 ⁽⁵⁾
11.04 C II b)	180.31	156.13 ⁽⁵⁾
11.07 A I a)	159.72	148.84
11.07 A I b)	122.09	111.21
11.07 A II a)	145.13 ⁽⁴⁾	134.25
11.07 A II b)	111.19	100.31
11.07 B	127.78 ⁽⁴⁾	116.90
11.08 A I	147.22	126.67
11.08 A II	75.72	44.89
11.08 A III	139.90	119.35
11.08 A IV	147.22	126.67
11.08 A V	147.22	63.33 ⁽⁵⁾
11.09	398.34	217.00
17.02 B II a) ⁽³⁾	261.95	165.23
17.02 B II b) ⁽³⁾	193.16	126.67
21.07 F II	193.16	126.67
23.02 A I a)	25.83	25.83
23.02 A I b)	82.65	82.65
23.02 A II a)	20.66	20.66
23.02 A II b)	82.65	82.65
23.03 A I	338.70	157.36

⁽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 448/80
of 26 February 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 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 the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable 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 manufacture 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 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'⁽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 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 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 March 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, 26 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 26 February 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	26.76	15.88
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	459.39	448.51
	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	60.50	49.62
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	493.13	482.25
	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	110.11	99.23
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	542.74	531.86

COMMISSION REGULATION (EEC) No 449/80**of 26 February 1980****fixing the import levies on live cattle and on beef and veal other than frozen**

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
Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef
and veal other than frozen were fixed by Regulation
(EEC) No 1365/79 ⁽³⁾, as last amended by Regulation
(EEC) No 165/80 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1365/79 to the

quotations and other 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 on live cattle and on beef and veal
other than frozen shall be as specified in the Annex
hereto.

Article 2

This Regulation shall enter into force on 3 March
1980.

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

Done at Brussels, 26 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽³⁾ OJ No L 163, 2. 7. 1979, p. 30.

⁽⁴⁾ OJ No L 20, 26. 1. 1980, p. 18.

ANNEX

to the Commission Regulation of 26 February 1980 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾ for the period beginning 3 March 1980

(ECU/100 kg)

CCT heading No	Austria/Sweden/Switzerland	Other third countries
	— Live weight —	
01.02 A II a) (a)	—	58·874
01.02 A II b) (b)	15·276	65·801
	— Net weight —	
02.01 A II a) 1 aa) (a)	—	111·861
02.01 A II a) 1 bb)	29·024	125·022
02.01 A II a) 2 aa) (a)	—	89·489
02.01 A II a) 2 bb)	23·220	100·017
02.01 A II a) 3 aa) (a)	—	134·234
02.01 A II a) 3 bb)	34·829	150·026
02.01 A II a) 4 aa)	43·537	187·532
02.01 A II a) 4 bb)	49·800	214·510
02.06 C I a) 1	43·537	187·532
02.06 C I a) 2	49·800	214·510
16.02 B III b) 1 aa)	49·800	214·510

(¹) In accordance with Regulation (EEC) No 706/76, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(a) The levy shall be established in accordance with the provisions set out in Annex I to the Trade Agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

(b) The levy which is to be applied to young male bovine animals, intended for fattening, of a live weight of 300 kg or less, imported under the conditions set out in Article 13 of Council Regulation (EEC) No 805/68 of 27 June 1968, and in the provisions adopted for its application, is totally or partially suspended in accordance with those provisions.

COMMISSION REGULATION (EEC) No 450/80
of 26 February 1980
fixing the import levies on frozen 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
Article 12 (8) thereof,

Whereas the import levies on frozen beef and veal
were fixed by Regulation (EEC) No 1366/79 ⁽³⁾, as last
amended by Regulation (EEC) No 166/80 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1366/79 to the

quotations and other information known to the
Commission, that the levies should be altered to the
amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as
set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 March
1980.

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

Done at Brussels, 26 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽³⁾ OJ No L 163, 2. 7. 1979, p. 34.

⁽⁴⁾ OJ No L 20, 26. 1. 1980, p. 20.

ANNEX

to the Commission Regulation of 26 February 1980 fixing the import levies on frozen beef and veal ⁽¹⁾ for the period beginning 3 March 1980

(ECU/100 kg)

CCT heading No	Levy
	— Net weight —
02.01 A II b) 1	101·449
02.01 A II b) 2	81·159 (a)
02.01 A II b) 3	126·811
02.01 A II b) 4 aa)	152·173
02.01 A II b) 4 bb) 11	126·811 (a)
02.01 A II b) 4 bb) 22 (b)	126·811 (a)
02.01 A II b) 4 bb) 33	174·492 (a)

⁽¹⁾ In accordance with Regulation (EEC) No 706/76, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(a) Where products are imported under the conditions set out in Article 14 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in provisions adopted for its application, the levy is totally or partially suspended in accordance with those provisions.

(b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 451/80**of 22 February 1980****imposing a provisional anti-dumping duty on imports of standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW, originating in the USSR**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the Community⁽¹⁾, and in particular Article 11 thereof,

After hearing the opinions expressed by the Advisory Committee set up under that Regulation,

Whereas in March 1979 the Commission received a complaint lodged by the Coordinating Committee for the Common Market Association of Manufacturing of Rotating Electrical Machinery (COMEL) on behalf of the great majority of Community manufacturers of low voltage electric motors; whereas the complaint contained evidence of the existence of dumping in respect of like products originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania or the USSR, and of substantial injury resulting therefrom;

Whereas the said evidence was sufficient to justify initiating an investigation;

Whereas the Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of a proceeding concerning imports of standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania or the USSR, and commenced an investigation of the matter at Community level;

Whereas the Commission officially so advised the exporters and importers known to be concerned;

Whereas the Commission has given the parties directly concerned the opportunity to make known their views in writing and to be heard orally, and to

meet so that opposing views might be presented and rebuttal arguments put forward;

Whereas the majority of the parties concerned with the exception, notably, of the Soviet exporter have taken this opportunity;

Whereas, in order to arrive at a preliminary assessment of the dumping margin and injury, the Commission carried out inspections at the premises of the great majority of exporters' agents and importers, including: in Belgium, Industrial Electric PVBA (Kortrijk) and Symkens SPRL (Liège); in Denmark, R. Frimodt Pedersen A.S. (Daugård), Arnitlund Handels APS (Vojens), Nordelektro A.S. (København) and A. Johnson & Co. A.S. (Charlottenlund); in the Federal Republic of Germany, Horst Schenk (Brilon) and Fritz Oberstenfeld (Hamburg); in France, Sermes S.A. (Strasbourg), Les Industries Françaises (Wissous), Sodimef S.A. (Strasbourg), Sorice S.A. (Ivry-sur-Seine) and Sofbim S.A. (Paris); in Italy, Mez Italiana S.p.A. (Milano), Imex S.p.A. (Milano), Elprom S.p.L. (Parma), Elektropolcantoni & Co. S.p.A. (Milano), Veneta Motori S.N.C. (Padova), B.A.M.E. di Bartolomei Bruno (Pistoia) and Enital S.p.A. (Milano); and in the Netherlands, Rotor C.V. (Eibergen) and Peja Elektrotechniek B.V. (Arnhem); whereas the Commission contacted a number of other agents and importers; whereas the Commission also carried out inspections at the premises of the main complainant Community producers, viz. in Belgium, ACEC (Charleroi); in the Federal Republic of Germany AEG-Telefunken AG (Oldenburg), Bauknecht GmbH (Stuttgart), and Siemens AG (Erlangen); in France, Alsthom-Unelec (Paris), Compagnie Électro-Mécanique S.A. (Paris) and Leroy-Somer S.A. (Angoulême); and in Italy, Ansaldo S.p.A. (Genova) and Ercole Marelli S.p.A. (Milano);

Whereas, in order to establish whether the abovementioned imports were dumped, the Commission had to take into account the fact that Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR are not market economy countries;

Whereas, for that reason, the Commission had to base its calculations on the normal value in a market economy country; whereas, in that connection, the complaint had cited the Austrian and Spanish domestic markets;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 103, 25. 4. 1979, p. 9.

Whereas, on the basis of contacts with Austrian and Spanish producers and inspections carried out on their premises, and in the light of the arguments put forward in the course of the hearings by the exporters concerned, *inter alia* disputing the comparability of the Spanish market, a comparison with the price of electric motors on the Austrian domestic market would appear reasonable at least for the purposes of a preliminary finding of dumping, since the manufacturing processes and technical standards and also the technology are similar, while the large volume of imports, notably from the countries cited in the complaint, would appear to guarantee a fair level of prices;

Whereas the preliminary assessment of dumping was accordingly effected by comparing the average Austrian ex-works prices for sales over the period from September 1978 to September 1979 with prices for imports into the Community from the countries in question over the same period;

Whereas, to take due account of the differences affecting price comparability, the maximum discounts for bulk orders and cash payment, and sales and service costs borne by the Austrian manufacturers, were deducted from Austrian list prices; whereas only fob or cif export prices were available, but no adjustment was effected to take account of the transport costs included in those prices; whereas all the above factors had the effect of reducing the difference between Austrian ex-works prices and export prices;

Whereas the above preliminary examination of the facts shows the existence of dumping in respect of the imports considered in the investigation, the dumping margin being equal to the amount by which the normal value as established above exceeds the price at which the goods are exported to the Community; whereas the margin varies depending on the type of motor, the exporting country, and the importing Member State; whereas, for example, the said margin in every case exceeds 19.65 EUA for B 3 type 1.1 kW 1 500 rpm motors, which are one of the commonest types;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of the electric motors in question originating in the countries covered by the investigation rose from approximately 462 000 units in 1975 to 856 000 units in 1978, and reached 469 000 units for the first six months of 1979;

Whereas, in the absence of separate production and import figures relating to standardized motors alone, it

is difficult to gauge the size of the Community market for such motors with the desirable precision; whereas, nevertheless, the best information available suggests that for 1978 imports of standardized electric multi-phase motors with an output of more than 0.75 kW but not more than 75 kW originating in the countries covered by the investigation took a market share of 28 % in the Community, 44 % in Belgium, 41 % in Denmark and France, 46 % in Italy and 12 % in the Federal Republic of Germany (excluding inter-German trade);

Whereas in 1978 imports into the Community originating in the Soviet Union accounted for 5.25 % of the imports from all the countries in question; whereas in France that share was 13.5 %, and in both the Federal Republic of Germany and Italy, 4.3 %, those three countries being the main importers among the Member States of electric motors originating in the USSR;

Whereas the resale prices in the Community of motors originating in the countries in question undercut those of like motors produced by Community manufacturers by between 10 % and 51 %; whereas, for example, the resale price of a B3 type 1.1 kW 1 500 rpm motor imported from the USSR is 37 % lower than the price of the same motor produced in France, and 51 % lower than the price of the same motor produced in Italy;

Whereas the consequent impact on the Community industry, whose volume of production has been stagnating since 1976, takes the form of a depression of Community prices, in real terms, making it impossible in most instances to cover production costs;

Whereas most of the Community firms are consequently making considerable losses on the standardized multi-phase motors covered by the procedure, and this has put at risk the profitability of the rotary machinery industry as a whole, and has already led to an appreciable fall in the numbers directly employed in the manufacture of electric motors, from 28 300 in 1974 to 23 600 in 1978;

Whereas injuries caused by other factors which could adversely affect the Community industry, such as the volume and prices of other imports, or stagnation of demand, have been examined and have not been attributed to the imports under consideration;

Whereas the preliminary examination of the facts shows the existence of dumping, and there is sufficient evidence of consequent injury;

Whereas, in these circumstances, the interests of the Community call for action to prevent injury being caused during the proceeding;

Whereas such action takes the form of a provisional anti-dumping duty imposed on imports of the electric motors concerned;

Whereas, in order to determine the amount of such duty, the Commission considered the provisionally determined dumping margins and the scale of injury caused;

Whereas, after comparing the average prices, costs, and profits and losses of Community manufacturers with the importers' costs and particular conditions of sale, the Commission has concluded that injury would be eliminated if import prices were no lower than the prices set out in the Annex, calculated free at Community frontier, not cleared through customs;

Whereas it is therefore necessary to stipulate that the duty applicable to imports of the electric motors in question must be equal to the difference, for each type, between the price free-at-Community frontier, not cleared through customs, to the first purchaser, and the price specified in the Annex; whereas the amount of duty so calculated is considerably less than the provisionally determined dumping margins;

Whereas, in the course of the investigation, undertakings were given by the exporting bodies in Bulgaria (Electroimpex — Sofia), Czechoslovakia (Zavody Silnoproute Elektrotechniky — Prague), the German Democratic Republic (Elektrotechnik — Import-Export — Berlin), Hungary (Transelektro — Budapest), Poland (Elektrim — Warsaw) and Romania (Electroexportimport — Bucharest); whereas the price increases resulting from the application of these undertakings have convinced the Commission that it is not now necessary to take protective action in respect of products originating in those countries;

Whereas, in these circumstances, imports from those countries should be exempted from application of the duty;

Whereas the Soviet exporting body (Energomachexport — Moscow) has not given such undertakings;

Whereas it is necessary to arrange for application of the duty in respect of imports originating in the USSR, in order to eliminate the injury caused by such imports and ensure that the goal of market stabilization which prompted acceptance of the undertakings is not jeopardized by continued imports from the USSR at dumping prices, which would put at a disadvantage both Community manufacturers and exporters having undertaken to raise their prices;

Whereas, in order to prevent evasion of the anti-dumping duty, it is necessary to establish another basis for calculating such duty where the electric motors in question are not put into free circulation by the first purchaser in the Community; whereas the method used should take account of the average margin between import prices and resale prices charged by Community importers for electric motors originating in the USSR, such margin having been provisionally determined in the course of the investigations carried out by the Commission on the premises of importers known to it;

Whereas a time limit should be fixed within which the parties concerned may, following the imposition of the provisional duty, make their views known and apply to be heard orally by the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW, falling within subheading ex 85.01 B I b) of the Common Customs Tariff, corresponding to NIMEXE codes ex 85.01-33, 34, 36, originating in the USSR.
2. Subject to paragraph 4, the amount of duty shall be equivalent, for each type of motor, to the difference between the net unit price, free at the Community frontier and not cleared through customs to the first purchaser on Community territory, and the price specified in the Annex.
3. The free-at-Community frontier price mentioned above shall be net if the terms of sale provide that payment shall be made within 90 days of delivery; it shall be increased or lowered by 1 % for each month by which the final date of payment is delayed or advanced.
4. (a) Where the products defined in paragraph 1 are not put into free circulation on the basis of the price to the first purchaser in the Community, the amount of duty shall be equivalent, for each type, to the difference between the net unit price, free at the Community frontier and not cleared through customs, and the price specified in the Annex increased by 40 %;

(b) However, where the declarant is able to give proof to the satisfaction of the customs authorities of the price paid by the first purchaser, paragraph 2 of this Article shall apply.

5. The release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to payment of a deposit equivalent to the amount of the provisional duty.

6. The provisions in force with regard to customs duties shall apply to the said provisional duty.

Article 2

Subject to Article 7 (4) (b) and (c) of Regulation (EEC) No 3017/79, the parties concerned may make known

their views, and apply to be heard orally by the Commission, within a month of the entry into force of this Regulation.

Article 3

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

Subject to Articles 11, 12 and 14 of Regulation (EEC) No 3017/79, this Regulation shall be applicable for four months or until the adoption by the Council of definitive measures.

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

Done at Brussels, 22 February 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

ANNEX

Minimum prices for imports into the Community of standardized electric multi-phase motors

Output		Unit prices (in EUA)			
hp	kW	750 rpm	1 000 rpm	1 500 rpm	3 000 rpm
1.5	1.1	61.60	39.88	30.13	26.77
2	1.5	74.45	46.97	35.90	32.79
3	2.2	94.39	59.38	42.54	41.66
4	3	115.66	75.78	51.85	50.96
5.5	4	138.27	93.95	65.14	61.60
7.5	5.5	165.74	118.77	83.31	85.09
10	7.5	202.08	150.67	105.91	102.81
15	11	289.83	198.98	142.25	140.03
20	15	382.00	273.87	181.70	177.71
25	18.5	462.21	335.91	226.90	209.61
30	22	530.90	380.23	267.67	261.02
40	30	704.18	528.69	357.63	339.46
50	37	840.23	639.92	428.09	439.61
60	45	1 006.86	784.39	523.37	527.80
75	55	1 628.17	951.46	634.60	639.92
100	75	2 174.14	1 174.41	845.55	862.39

The above prices apply to electric multi-phase motors, of IP 44 enclosed design, type B3 (with retaining legs).

For other types (e.g. B5 or B14) or modification (such as tropicalization, shaft ends for specific uses, particular types of insulation, etc.) a supplement of 5 % of the price specified above will be applied.

COMMISSION REGULATION (EEC) No 452/80**of 26 February 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 organ-
ization 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 444/80⁽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 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 27 February
1980.

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

Done at Brussels, 26 February 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 52, 26. 2. 1980, p. 8.

ANNEX

**to the Commission Regulation of 26 February 1980 fixing the import levies on white sugar
and raw sugar**

(ECU / 100 kg)

CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar	9.75 5.37 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 February 1980

accepting undertakings given by exporters in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland and Romania in connection with the anti-dumping proceeding concerning imports of standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW, originating in those countries, and terminating the procedure in respect of them

(80/252/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the Community⁽¹⁾, and in particular Article 10 thereof,

After hearing the opinions expressed by the Advisory Committee set up under that Regulation,

Whereas in March 1979 the Commission received a complaint lodged by the Coordinating Committee for the Common Market Association of Manufacturers of Rotating Electrical Machinery (Comel) on behalf of the great majority of Community manufacturers of low voltage electric motors; whereas the complaint contained evidence of the existence of dumping in respect of like products originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania or the USSR, and of substantial injury resulting therefrom;

Whereas the said evidence was sufficient to justify initiating an investigation;

Whereas the Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of a proceeding concerning imports of standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania or the USSR, and commenced an investigation of the matter at Community level;

Whereas the Commission officially so advised the exporters and importers known to be concerned;

Whereas the Commission has given the parties directly concerned the opportunity to make known their views in writing and to be heard orally, and to meet so that opposing views might be presented and rebuttal arguments put forward;

Whereas the majority of the parties concerned have taken this opportunity;

Whereas in order to arrive at a preliminary assessment of the dumping margin and injury, the Commission carried out inspections at the premises of the great majority of exporters' agents and importers, including: in Belgium, Industrial Electric PVBA (Kortrijk) and Symkens SPRL (Liège); in Denmark, R.

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 103, 25. 4. 1979, p. 9.

Frimodt Pederson AS (Daugård), Arnitlund Handels APS (Vojens), Nordelektro AS (København) and A. Johnson & Co. AS (Charlottenlund); in France, Sermes SA (Strasbourg), Sodimef SA (Strasbourg), Sorice SA (Ivry-sur-Seine) and Sofbim SA (Paris); in Italy, Mez Italiana SpA (Milano), IMEX SpA (Milano), Elprom Spl (Parma), Elektopolcantoni & Co. SpA (Milano), Veneta Motori SNC (Padova) and BAME di Bartolomei Bruno (Pistoia); in the Netherlands, Rotor CV (Eibergen) and Peja Elektrotechniek BV (Arnhem); and in the Federal Republic of Germany, Horst Schenk (Brilon) and Fritz Oberstenfeld (Hamburg); whereas the Commission contacted a number of other agents and importers; whereas the Commission also carried out inspections at the premises of the main complainant Community producers, *viz.* in Belgium, ACEC (Charleroi); in the Federal Republic of Germany, AEG-Telefunken AG (Oldenburg), Bauknecht GmbH (Stuttgart), and Siemens AG (Erlangen); in France, Alsthom-Unelec (Paris), Compagnie Electro-Mécanique SA (Paris) and Leroy-Somer SA (Angoulême); and in Italy, Ansaldo SpA (Genova) and Ercole Marelli SpA (Milano);

Whereas, in order to establish whether the abovementioned imports were dumped, the Commission had to take into account the fact that Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland and Romania are not market economy countries;

Whereas, for that reason, the Commission had to base its calculations on the normal value in a market economy country; whereas, in that connection, the complaint had cited the Austrian and Spanish domestic markets;

Whereas, on the basis of contacts with Austrian and Spanish producers and inspections carried out on their premises, and in the light of the arguments put forward in the course of the hearings by the exporters concerned, *inter alia* disputing the comparability of the Spanish market, a comparison with the price of electric motors on the Austrian domestic market would appear reasonable at least for the purposes of a preliminary finding of dumping, since the manufacturing processes and technical standards and also the technology are similar, while the large volume of imports, notably from the countries cited in the complaint, would appear to guarantee a fair level of prices;

Whereas the preliminary assessment of dumping was accordingly effected by comparing the average Austrian ex-works prices for sales over the period from September 1978 to September 1979 with prices

for imports into the Community from the countries in question over the same period;

Whereas, to take due account of the differences affecting price comparability, the maximum discounts for bulk orders and cash payment, and sales and service costs borne by the Austrian manufacturers, were deducted from Austrian list prices; whereas only fob or cif export prices were available, but no adjustment was effected to take account of the transport costs included in those prices; whereas all the above factors had the effect of reducing the difference between Austrian ex-works prices and export prices;

Whereas the above preliminary examination of the facts shows the existence of dumping in respect of the imports considered in the investigation, the dumping margin being equal to the amount by which the normal value as established above exceeds the price at which the goods are exported to the Community; whereas the margin varies depending on the type of motor, the exporting country, and the importing Member State; whereas, for example, the said margin in every case exceeds 19.65 EUA for B 3 type 1.1 kW 1 500 rpm motors, which are one of the commonest types;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of the electric motors in question originating in the countries covered by the investigation rose from approximately 462 000 units in 1975 to 856 000 units in 1978, and reached 469 000 units for the first six months of 1979;

Whereas, in the absence of separate production and import figures relating to standardized motors alone, it is difficult to gauge the size of the Community market for such motors with the desirable precision; whereas, nevertheless, the best information available suggests that for 1978 imports of standardized electric multi-phase motors with an output of more than 0.75 kW but not more than 75 kW originating in the countries covered by the investigation took a market share of 28 % in the Community, 44 % in Belgium, 41 % in Denmark and France, 46 % in Italy and 12 % in the Federal Republic of Germany (excluding inter-German trade);

Whereas the resale prices in the Community of motors originating in the countries in question, with the exception of the USSR, undercut those of like motors produced by Community manufacturers by between 10 and 44 %;

Whereas the consequent impact on the Community industry, whose volume of production has been stagnating since 1976, takes the form of a depression of Community prices, in real terms, making it impossible in most instances to cover production costs;

Whereas most of the Community firms are consequently making considerable losses on the standardized multi-phase motors covered by the procedure, and this has put at risk the profitability of the rotary machinery industry as a whole, and has already led to an appreciable fall in the numbers directly employed in the manufacture of electric motors, from 28 300 in 1974 to 23 600 in 1978;

Whereas injuries caused by other factors which could adversely affect the Community industry, such as the volume and prices of other imports, or stagnation of demand, have been examined and have not been attributed to the imports under consideration;

Whereas the preliminary examination of the facts shows the existence of dumping, and there is sufficient evidence of consequent injury;

Whereas after being informed of the main findings of the preliminary investigation and commenting on them, the exporters concerned, *viz.* the exporting bodies in Bulgaria (Electroimpex — Sofia), Czechoslovakia (Zavody Silnoprude Elektrotechniky — Prague), the German Democratic Republic (Elektrotechnik-Import-Export — Berlin), Hungary (Trans-elektro — Budapest), Poland (Elektrim — Warsaw) and Romania (Electroexportimport — Bucharest), have offered undertakings;

Whereas the effect of the said undertakings will essentially be to increase import prices into the Community; whereas the said increases take account not only of the differences noted in the course of local investigations between the prices charged by the various exporting countries, but also of the particular situation of the industry in the different Member States;

Whereas the Commission has provisionally determined that implementation of those undertakings would neutralize the injurious effects of the imports in question and that it is not now necessary to take protective action in respect of imports from countries having entered into such undertakings;

Whereas the Commission is responsible for ensuring that the undertakings are strictly complied with, in

particular by carrying out periodically the necessary checks and inspections;

Whereas the decision to accept these undertakings may be reconsidered should the Commission, on the basis of the information in its possession, consider this necessary; whereas, in particular, should the said undertakings not be passed on to the Community market and hence fail to eliminate the injury being caused to Community producers, a suggestion could be made to amend the said undertakings, or a decision taken to denounce them;

Whereas in these circumstances, the undertakings offered are acceptable and the proceedings may therefore be terminated without imposition of anti-dumping duties,

HAS DECIDED AS FOLLOWS:

Article 1

The Commission hereby accepts the undertakings given by the exporting bodies in Bulgaria (Electroimpex — Sofia), Czechoslovakia (Zavody Silnoprude Elektrotechniky — Prague), the German Democratic Republic (Elektrotechnik-Import-Export — Berlin), Hungary (Trans-elektro — Budapest), Poland (Elektrim — Warsaw) and Romania (Electroexportimport — Bucharest) in connection with the anti-dumping proceeding concerning imports of standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW ⁽¹⁾, originating in those abovementioned countries.

Article 2

The anti-dumping procedure is hereby terminated in respect of imports of standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW, originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland or Romania.

Done at Brussels, 22 February 1980.

For the Commission

Wilhelm HAERKAMP

Vice-President

⁽¹⁾ NIMEXE codes ex 85.01-33, 34, 36; Common Customs Tariff subheading ex 85.01 B I b).

