

Official Journal

of the European Communities

ISSN 0378-6978

L 61

Volume 23

6 March 1980

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 551/80 of 3 March 1980 derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies) 1
- ★ Council Regulation (EEC) No 552/80 of 3 March 1980 derogating from the concept of 'originating products' to take into account the special situation of Mauritius with regard to its production of canned tuna 3
- Commission Regulation (EEC) No 553/80 of 5 March 1980 fixing the import levies on cereals and on wheat or rye flour, groats and meal 5
- Commission Regulation (EEC) No 554/80 of 5 March 1980 fixing the premiums to be added to the import levies on cereals, flour and malt 7
- Commission Regulation (EEC) No 555/80 of 5 March 1980 fixing the import levies on rice and broken rice 9
- Commission Regulation (EEC) No 556/80 of 5 March 1980 fixing the premiums to be added to the import levies on rice and broken rice 11
- Commission Regulation (EEC) No 557/80 of 5 March 1980 fixing the export refunds on white sugar and raw sugar, exported in the natural state 13
- ★ Commission Regulation (EEC) No 558/80 of 5 March 1980 re-establishing the levying of customs duties on textile fabrics and textile articles of a kind commonly used in machinery or plant, products of category 114 (code 1140), originating in Hong Kong, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply 15

Contents (continued)

Commission Regulation (EEC) No 559/80 of 5 March 1980 re-establishing intervention buying-in of beef in France	16
Commission Regulation (EEC) No 560/80 of 5 March 1980 derogating from certain provisions of Regulation (EEC) No 2042/75 under the standing invitation to tender opened by Decision 80/254/EEC of 22 February 1980	17
Commission Regulation (EEC) No 561/80 of 5 March 1980 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar	18
Commission Regulation (EEC) No 562/80 of 5 March 1980 altering the basic amount of the import levy on syrups and certain other sugar products	22
Commission Regulation (EEC) No 563/80 of 5 March 1980 fixing the import levies on white sugar and raw sugar	23

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 551/80

of 3 March 1980

derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Decision No 1/80 of the ACP-EEC Council of Ministers on transitional measures to be applied from 1 March 1980, the provisions on commercial cooperation contained in Title I of and in Protocol 1 to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as the 1975 Lomé Convention, continue to apply after that date until the entry into force of the new provisions relating to the same sectors and up to 31 December 1980 at the latest;

Whereas, when adopting the said Decision, the Community made a statement to the effect that after expiry of the 1975 Lomé Convention certain provisions of the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the 1979 Lomé Convention, could be implemented in advance and by means of autonomous decisions;

Whereas Article 30 of Protocol 1 to the 1979 Lomé Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request for a derogation from the definition set out in Protocol 1 to the 1975 Lomé Convention for items of fishing tackle manufactured in Malawi and Kenya;

Whereas the possibilities offered by the cumulation system on origin do not provide a solution to the origin problem for items of fishing tackle manufactured in Malawi and Kenya;

Whereas it is necessary to provide a derogation for the period between 1 March and 31 December 1980;

Whereas any possible deflection of trade should be avoided; whereas this can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Protocol 1 to the 1975 Lomé Convention, items of fishing tackle manufactured in Malawi or Kenya and falling within heading No ex 97.07 'fishing flies' of the Common Customs Tariff, shall be considered as originating in Malawi or Kenya provided that the value of non-originating fish-hooks used for their manufacture, falling within heading No ex 97.07 of the Common Customs Tariff, does not exceed 25 % of the value of the finished product.

Article 2

The competent authorities of the Republic of Malawi and the Republic of Kenya shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR. 1 have been issued pursuant to this Regulation, indicating the Member States of destination.

Article 3

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

It shall apply from 1 March 1980 until the entry into force of the 1979 Lomé Convention, but in any case not after 31 December 1980.

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

Done at Brussels, 3 March 1980.

For the Council

The President

G. MARCORA

COUNCIL REGULATION (EEC) No 552/80**of 3 March 1980****derogating from the concept of 'originating products' to take into account the special situation of Mauritius with regard to its production of canned tuna**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, under Decision No 1/80 of the ACP-EEC Council of Ministers on the transitional measures to be applied from 1 March 1980, the trade cooperation provisions of the ACP-EEC Convention of Lomé, signed on 28 February 1975, hereinafter referred to as the 1975 Lomé Convention, contained in Title I and in Protocol 1 remain applicable beyond that date until the entry into force of new provisions in the same area or until 31 December 1980 at the latest;

Whereas, when adopting the said Decision, the Community made a statement to the effect that after the expiry of the 1975 Lomé Convention certain provisions of the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the 1979 Lomé Convention, could be implemented in advance and by means of autonomous decisions;

Whereas Article 30 of Protocol 1 to the 1979 Lomé Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation states that derogations from the rules of origin may be made in order, in particular, to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Mauritian Government for a derogation from the definition set out in Protocol 1 to the 1975 Lomé Convention in respect of canned tuna produced by Mauritius;

Whereas, in order to catch fish for its canneries, Mauritius has decided to set up its own fleet of vessels, so that the finished products may acquire the label of originating products;

Whereas this fleet will become operational only in about six months;

Whereas the derogation from the concept of originating products should not exceed six months;

Whereas, in these circumstances, a temporary derogation may be made from the definition of the concept of originating products;

Whereas, as a result of unforeseeable circumstances, canned tuna exports from Mauritius were halted for the period 25 November 1979 to 29 February 1980,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the special provisions of List A of Annex II to Protocol 1 to the 1975 Lomé Convention, canned tuna manufactured in Mauritius and falling within heading No ex 16.04 of the Common Customs Tariff shall be considered as originating in Mauritius, subject to the following conditions.

Article 2

The derogation referred to in Article 1 shall relate to 800 tonnes of canned tuna falling within heading No ex 16.04 of the Common Customs Tariff and exported from Mauritius between 1 March and 31 August 1980.

Article 3

The competent authorities of Mauritius shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and shall forward to the Commission a statement of the quantities in respect of which movement certificates EUR. 1 have been issued pursuant to this Regulation.

Article 4

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

It shall apply from 1 March to 31 August 1980.

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

Done at Brussels, 3 March 1980.

For the Council

The President

G. MARCORA

COMMISSION REGULATION (EEC) No 553/80**of 5 March 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 4 March 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 6 March 1980.

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

Done at Brussels, 5 March 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 5 March 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	83.05
10.01 B	Durum wheat	107.48 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	75.07 ⁽⁶⁾
10.03	Barley	72.67
10.04	Oats	68.17
10.05 B	Maize, other than hybrid maize for sowing	92.95 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	39.80 ⁽⁴⁾
10.07 C	Grain sorghum	88.08 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	129.64
11.01 B	Rye flour	119.58
11.02 A I a)	Durum wheat groats and meal	180.00
11.02 A I b)	Common wheat groats and meal	138.50

⁽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⁾ In accordance with Regulation (EEC) No 435/80, the 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'.

⁽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 554/80

of 5 March 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 4 March 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 6 March 1980.

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

Done at Brussels, 5 March 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 5 March 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 3	1st period 4	2nd period 5	3rd period 6
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	12.22	12.22	12.24
10.02	Rye	0	0	0	0
10.03	Barley	0	2.04	2.04	2.04
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 3	1st period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	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	3.63	3.63	3.63	3.63
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	2.71	2.71	2.71	2.71
11.07 B	Roasted malt	0	3.16	3.16	3.16	3.16

COMMISSION REGULATION (EEC) No 555/80
of 5 March 1980
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 113/80 ⁽²⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 134/80 ⁽³⁾, as last
amended by Regulation (EEC) No 494/80 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 134/80 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 the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 March
1980.

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

Done at Brussels, 5 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 18, 24. 1. 1980, p. 5.

⁽⁴⁾ OJ No L 58, 1. 3. 1980, p. 5.

ANNEX

to the Commission Regulation of 5 March 1980 fixing the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	66.12	29.43
	2. Long grain	91.77	42.26
	b) Husked rice :		
	1. Round grain	82.65	37.70
	2. Long grain	114.71	53.73
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	217.51	96.79
	2. Long grain	267.60	121.88
	b) Wholly milled rice :		
	1. Round grain	231.65	103.44
	2. Long grain	286.87	131.05
	III. Broken rice	39.99	16.98

⁽¹⁾ Subject to the application of the provisions of Article 10 of Regulation (EEC) No 435/80.

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the 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'.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 556/80**of 5 March 1980****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 113/80 ⁽²⁾, and in particular Article
13 (6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 135/80 ⁽³⁾, as last amended by Regulation (EEC)
No 495/80 ⁽⁴⁾;

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 March
1980.

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

Done at Brussels, 5 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 18, 24. 1. 1980, p. 8.

⁽⁴⁾ OJ No L 58, 1. 3. 1980, p. 7.

ANNEX

to the Commission Regulation of 5 March 1980 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 557/80

of 5 March 1980

fixing the export refunds on white sugar and raw sugar, exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 the first sentence of the last subparagraph of Article 19 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 3330/74 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74, undenatured and exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 March 1980.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

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

Done at Brussels, 5 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 5 March 1980 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU/100 kg)

CCT heading No	Description	Refund
17.01	Beet sugar and cane sugar, solid : A. White sugar ; flavoured or coloured sugar B. Raw sugar : (a) Candy sugar (b) Other raw sugar	 0 0 ⁽¹⁾ 0 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 558/80
of 5 March 1980

re-establishing the levying of customs duties on textile fabrics and textile articles of a kind commonly used in machinery or plant, products of category 114 (code 1140), originating in Hong Kong, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2894/79 of 10 December 1979 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories⁽¹⁾, and in particular Article 5 thereof,

Whereas Article 3 (1) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated in column 6 of Annex B, for each of the beneficiaries indicated in column 5 of the same Annex;

Whereas Article 4 (1) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, once the relevant Community ceiling has been reached;

Whereas, in respect of textile fabrics and textile articles of a kind commonly used in machinery or plant, products of category 114, the ceiling should be three tonnes; whereas on 26 February 1980 the amounts of imports into the Community of the products in question originating in Hong Kong, a country covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2894/79 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Hong Kong,

HAS ADOPTED THIS REGULATION:

Article 1

As from 9 March 1980, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2894/79, shall be re-established in respect of the following products, imported into the Community and originating in Hong Kong:

Code	Category	CCT heading No	NIMEXE code (1980)	Description
	(1)	(2)	(3)	(4)
1140	114	59.17	59.17-10; 29; 31; 39; 49; 51; 59; 71; 79; 91; 93; 95; 99	Textile fabrics and textile articles of a kind commonly used in machinery or plant

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, 5 March 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 332, 27. 12. 1979, p. 1.

COMMISSION REGULATION (EEC) No 559/80
of 5 March 1980
re-establishing intervention buying-in of beef in France

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 6 (4) (b) thereof,

Whereas intervention buying-in was suspended by
Commission Regulation (EEC) No 2977/79 ⁽³⁾;

Whereas the market prices for 'Bœufs O' recorded in
France on 21 and 28 February 1980 had returned to a
level below the maximum buying-in price for this
quality; whereas intervention buying-in for this

quality must recommence in accordance with Article
3 (2) of Regulation (EEC) No 1274/79 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION :

Article 1

Buying-in by the French intervention agency shall
recommence on 10 March 1980 for the following
quality :

'Boeufs O'

Article 2

This Regulation shall enter into force on 10 March
1980.

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

Done at Brussels, 5 March 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 336, 29. 12. 1979, p. 55.

⁽⁴⁾ OJ No L 161, 29. 6. 1979, p. 15.

COMMISSION REGULATION (EEC) No 560/80**of 5 March 1980****derogating from certain provisions of Regulation (EEC) No 2042/75 under the standing invitation to tender opened by Decision 80/254/EEC of 22 February 1980**

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 12 (2) thereof,

Whereas Article 9 of Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, as last amended by Regulation (EEC) No 296/79⁽⁴⁾, specifies the validity of export licences;

Whereas, by means of Decision 80/254/EEC of 22 February 1980⁽⁵⁾, the Commission opened a standing invitation to tender for the export of 100 000 tonnes of rye; whereas, by way of derogation from the provisions of Article 9 of Regulation (EEC) No 2042/75, the validity of export certificates issued under this invi-

tation to tender should be extended until the end of the third month following that in which they were issued, in order to facilitate export operations;

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

Under the standing invitation to tender opened by Decision 80/254/EEC, export licences shall be valid, by way of derogation from Article 9 of Regulation (EEC) No 2042/75, until the end of the third month following that in which they were issued.

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, 5 March 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 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 41, 16. 2. 1979, p. 34.

⁽⁵⁾ OJ No L 56, 29. 2. 1980, p. 36.

COMMISSION REGULATION (EEC) No 561/80**of 5 March 1980****on a standing invitation to tender in order to determine levies and/or refunds
on exports of white 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 organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78⁽²⁾, and in particular
Articles 12 (2), 17 (5), 19 (4) and 34 thereof,

Having regard to Council Regulation (EEC) No
608/72 of 23 March 1972 laying down rules to be
applied in the case of considerable price rises on the
world sugar market⁽³⁾, and in particular Article 1 (1)
thereof,

Whereas in view of the situation on the Community
and world sugar markets, a standing invitation to
tender should be issued for the exportation of white
sugar which, having regard to possible fluctuations in
world prices for sugar, must provide for the determina-
tion of export levies and/or export refunds;

Whereas the general rules governing invitations to
tender for the purpose of determining export refunds
for sugar were laid down by Council Regulation (EEC)
No 766/68 of 18 June 1980 laying down general rules
for granting export refunds on sugar⁽⁴⁾, as last
amended by Regulation (EEC) No 1489/76⁽⁵⁾;

Whereas in view of the specific nature of the transac-
tions in question special detailed rules of application
should be laid down in this Regulation, and those
provided for in Commission Regulation (EEC) No
394/70 of 2 March 1970 on detailed rules for granting
export refunds on sugar⁽⁶⁾, as amended by Regulation
(EEC) No 1467/77⁽⁷⁾, should not be applied; whereas,
for the same reasons, appropriate provisions should be
laid down with regard to export licences issued in
connection with the standing invitation to tender and
there should be a derogation from Commission Regu-
lation (EEC) No 2990/76 of 9 December 1976 on

special detailed rules for the application of the system
of import and export licences for sugar⁽⁸⁾, as last
amended by Regulation (EEC) No 1367/78⁽⁹⁾, from
Commission Regulation (EEC) No 193/75 of 17
January 1975 laying down common detailed rules for
the application of the system of import and export
licences and advance fixing certificates for agricultural
products⁽¹⁰⁾, as last amended by Regulation (EEC) No
2971/79⁽¹¹⁾, and from Commission Regulation (EEC)
No 645/75 of 13 March 1975 laying down common
detailed rules for the application of the export levies
and charges on agricultural products⁽¹²⁾, as amended
by Regulation (EEC) No 609/78⁽¹³⁾;

Whereas, therefore, the invitation to tender provided
for in Commission Regulation (EEC) No 1634/77 of
19 July 1977 on a standing invitation to tender in
order to determine export refunds for white sugar⁽¹⁴⁾,
as last amended by Regulation (EEC) No 1573/79⁽¹⁵⁾,
should be closed;

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

HAS ADOPTED THIS REGULATION :

Article 1

There shall be issued a standing invitation to tender
in order to determine export levies and/or export
refunds on white sugar, and during the period of
validity of this standing invitation there shall be
issued partial invitations to tender.

Article 2

1. The standing invitation to tender and the partial
invitations shall be conducted in accordance with
Regulation (EEC) No 766/68 and with the following
provisions. Regulation (EEC) No 394/70 shall not
apply.

(¹) OJ No L 359, 31. 12. 1974, p. 1.

(²) OJ No L 170, 28. 3. 1978, p. 1.

(³) OJ No L 75, 28. 3. 1972, p. 5.

(⁴) OJ No L 143, 25. 6. 1968, p. 6.

(⁵) OJ No L 167, 26. 6. 1976, p. 13.

(⁶) OJ No L 50, 4. 3. 1970, p. 1.

(⁷) OJ No L 162, 1. 7. 1977, p. 6.

(⁸) OJ No L 341, 10. 12. 1976, p. 14.

(⁹) OJ No L 166, 23. 6. 1978, p. 24.

(¹⁰) OJ No L 25, 31. 1. 1975, p. 10.

(¹¹) OJ No L 336, 29. 12. 1979, p. 34.

(¹²) OJ No L 67, 14. 3. 1975, p. 16.

(¹³) OJ No L 83, 30. 3. 1978, p. 19.

(¹⁴) OJ No L 181, 21. 7. 1977, p. 35.

(¹⁵) OJ No L 188, 26. 7. 1979, p. 44.

2. The standing invitation to tender shall remain open until a date to be determined subsequently.

Article 3

1. The Member States shall draw up a notice of invitation to tender which shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published, elsewhere.

2. The notice shall indicate in particular the terms of the invitation to tender.

3. The notice shall be published only for the purpose of opening the standing invitation to tender. It may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation are modified.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender :

- (a) shall begin on the day on which notice of the standing invitation to tender is published in the *Official Journal of the European Communities*;
- (b) shall end on 12 March 1980 at 10 a.m.

2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations :

- (a) shall begin on the first working day following the end of the preceding period ;
- (b) shall end at 10 a.m. on the Wednesday of the following week.

3. By way of derogation from paragraph 2 (b), the period for the submission of tenders which would otherwise end on Wednesday 30 April 1980 shall end on Tuesday 29 April at 10 a.m.

4. The time limits laid down in the previous paragraphs shall be :

- (a) brought forward by one hour in Ireland and in the United Kingdom during the period in which summer time does not apply in those Member States ;
- (b) extended by one hour in the other Member States during the period in which summer time applies in those Member States.

Article 5

1. Tenders, which must be in writing, shall either be delivered by hand to the competent authority of a

Member State, against a receipt, or addressed to that authority by registered letter, telex or telegram.

2. The tender must indicate :

- (a) the invitation to which the tender relates ;
- (b) the name and address of the tenderer ;
- (c) the quantity of white sugar to be exported ;
- (d) the amount of the export levy or, where applicable, of the export refund, per 100 kilograms of white sugar, expressed in the currency of the Member State in which the tender is submitted ;
- (e) the amount of the tender security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

3. A tender shall be valid only if :

- (a) the quantity of white sugar to be exported is not less than 250 tonnes ;
- (b) proof is furnished, before expiry of the time limit for the submission of tenders, that the tenderer has lodged the security for tender indicated in the offer ;
- (c) it includes a declaration by the tenderer that if his tender is successful he will within the period laid down in Article 12 (b) apply for an export licence in respect of the quantity of white sugar to be exported ;
- (d) it contains all the information referred to in paragraph 2.

4. A tender may stipulate that it is to be regarded as having been submitted only if :

- (a) the minimum export levy or, where applicable, the maximum export refund, is fixed on the day of expiry of the period for the submission of the tenders in question ;
- (b) the contract awarded relates to all or a specific part of the quantity tendered for.

5. A tender which is not submitted in accordance with the provisions of this Regulation, or which contains terms other than those indicated in the notice of invitation to tender, shall not be taken into consideration.

6. Once submitted, a tender may not be withdrawn.

Article 6

1. The security for tender shall be 3 ECU per 100 kilograms of white sugar to be exported.

2. The tenderer may provide the security either in cash or in the form of a guarantee furnished by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in cases of *force majeure*, the security for the tender shall be released only:

- (a) if a successful tenderer has within the period laid down in Article 12 (b) applied for an export licence;
- (b) in respect of any quantity for which no award has been made.

The security shall be released forthwith.

4. In case of *force majeure*, the competent authority of the Member State concerned shall take such action as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such manner that the tenderers remain anonymous.

Article 8

1. After the tenders received in respect of a partial invitation to tender have been examined, a maximum quantity may be fixed for that partial invitation.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. Account being taken of the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either:

- a minimum export levy, or
- a maximum export refund.

2. Subject to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of levy equal to or greater than such minimum levy.

Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender:

- if a minimum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy. If the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for;
- if a maximum refund is fixed, contracts shall be awarded in accordance with the first indent; if after such awards a quantity is still outstanding, or if there are no tenders quoting a levy, contracts shall be awarded, in ascending order of refunds quoted until the entire maximum quantity has been accounted for, to tenderers quoting a refund.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows:

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or
- by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate:

- (a) the invitation to which the tender relates;
- (b) the quantity of white sugar to be exported;
- (c) the export levy to be charged, or where applicable the export refund to be granted, per 100 kilograms of white sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have:

- (a) the right to be issued, in respect of the quantity awarded, with an export licence indicating as appropriate the export levy or the export refund quoted in the tender;

(b) the obligation to apply, within 10 days following the day of expiry of the period for the submission of tenders, for an export licence for that quantity; Article 5 (3) of Regulation (EEC) No 193/75 and Article 10 of Regulation (EEC) No 645/75 shall not apply in such cases.

This right and this obligation shall not be transferable.

Article 13

1. Article 9 of Regulation (EEC) No 2990/76 shall not apply to white sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth month following that in which the award in respect of that partial invitation to tender was made.

However export licences issued in connection with a partial invitation to tender held after 30 April 1980 shall be valid only until 30 September 1980.

3. By way of derogation from the first indent of Article 8 (1) (d) of Regulation (EEC) No 2990/76 the security for licences issued for the export of sugar covered by this Regulation shall amount to 9 ECU per 100 kilograms of white sugar.

Article 14

The standing invitation to tender provided for in Regulation (EEC) No 1634/77 shall be closed with effect from 6 March 1980.

Article 15

The Regulation shall enter into force on 6 March 1980.

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

Done at Brussels, 5 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 562/80**of 5 March 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 499/80⁽³⁾, as last amended by Regulation (EEC) No 549/80⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 499/80 to the infor-

mation 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, 0.0543 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 6 March 1980.

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

Done at Brussels, 5 March 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 58, 1. 3. 1980, p. 17.

⁽⁴⁾ OJ No L 60, 5. 3. 1980, p. 19.

COMMISSION REGULATION (EEC) No 563/80
of 5 March 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 550/80⁽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 6 March
1980.

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

Done at Brussels, 5 March 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 60, 5. 3. 1980, p. 20.

ANNEX

**to the Commission Regulation of 5 March 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	5.43
	B. Raw sugar	3.10 (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.

