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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 919/80
of 16 April 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 organiza-
tion 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 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 import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 1658/79⁽⁵⁾ and subsequent amending
Regulations ;

Whereas Council Regulation (EEC) No 652/79 of 29
March 1979 on the impact of the European monetary
system on the common agricultural policy⁽⁶⁾, as
amended by Regulation (EEC) No 1264/79⁽⁷⁾, intro-
duced the ECU into the common agricultural policy ;
whereas, since that time, pursuant to existing provi-
sions, the ECU has been taken into account in the
fixing of amounts relating to :

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting
from the processing of agricultural products ;

Whereas the period of validity of the aforesaid Regula-
tion was limited to 31 March 1980 ; whereas it has not
been possible for a prolongation of those arrange-
ments, proposed by the Commission, to be adopted in

time by the Council ; whereas, in order to avoid a
break in the arrangements resulting, in particular, in
alterations in the level of prices and of other amounts
in national currency, it appears necessary, in the
manifest public interest, as a precautionary measure
and pending a final decision on the matter by the
Council, to continue the application of the arrange-
ments in their present form ;

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
15 April 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 17 April
1980.

⁽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.

⁽⁶⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁷⁾ OJ No L 161, 29. 6. 1979, p. 1.

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

Done at Brussels, 16 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 16 April 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	88.99
10.01 B	Durum wheat	120.95 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	79.07 ⁽⁶⁾
10.03	Barley	78.24
10.04	Oats	60.40
10.05 B	Maize, other than hybrid maize for sowing	91.49 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	28.94 ⁽⁴⁾
10.07 C	Grain sorghum	83.27 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	139.08
11.01 B	Rye flour	124.81
11.02 A I a)	Durum wheat groats and meal	200.94
11.02 A I b)	Common wheat groats and meal	148.48

⁽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 920/80

of 16 April 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 Council Regulation (EEC) No 652/79 of 29
March 1979 on the impact of the European monetary
system on the common agricultural policy⁽⁶⁾, as
amended by Regulation (EEC) No 1264/79⁽⁷⁾, intro-
duced the ECU into the common agricultural policy ;
whereas, since that time, pursuant to existing provi-
sions, the ECU has been taken into account in the
fixing of amounts relating to :

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting
from the processing of agricultural products ;

Whereas the period of validity of the aforesaid Regula-
tion was limited to 31 March 1980 ; whereas it has not
been possible for a prolongation of those arrange-
ments, proposed by the Commission, to be adopted in
time by the Council ; whereas, in order to avoid a

break in the arrangements resulting, in particular, in
alterations in the level of prices and of other amounts
in national currency, it appears necessary, in the
manifest public interest, as a precautionary measure
and pending a final decision on the matter by the
Council, to continue the application of the arrange-
ments in their present form ;

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
15 April 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 17 April
1980.

⁽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.

⁽⁶⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁷⁾ OJ No L 161, 29. 6. 1979, p. 1.

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

Done at Brussels, 16 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 16 April 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 4	1st period 5	2nd period 6	3rd period 7
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	1.58
10.02	Rye	0	0	0	0.79
10.03	Barley	0	0	0	0
10.04	Oats	0	6.04	6.04	7.55
10.05 B	Maize, other than hybrid maize for sowing	0	0.76	0.76	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 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 921/80
of 16 April 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 organization of the market in rice ⁽¹⁾, as last amended by Regulation (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 881/80 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy ⁽⁵⁾, as amended by Regulation (EEC) No 1264/79 ⁽⁶⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not

been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

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 17 April 1980.

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

Done at Brussels, 16 April 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 94, 11. 4. 1980, p. 28.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁶⁾ OJ No L 161, 29. 6. 1979, p. 1.

to the Commission Regulation of 16 April 1980 fixing the import levies on rice and broken rice

CCT heading No	Description	Third countries ⁽²⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	52·90	22·82
	2. Long grain	67·38	30·06
	b) Husked rice :		
	1. Round grain	66·13	29·44
	2. Long grain	84·23	38·49
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	151·95	64·01
	2. Long grain	238·10	107·13
	b) Wholly milled rice :		
	1. Round grain	161·83	68·53
	2. Long grain	255·24	115·23
	III. Broken rice	23·69	8·83

(¹) The import levy on rice entering the overseas department of Reunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 922/80**of 16 April 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 organization of the market in rice ⁽¹⁾, as last amended by Regulation (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 882/80 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy ⁽⁵⁾, as amended by Regulation (EEC) No 1264/79 ⁽⁶⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not

been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

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 17 April 1980.

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

Done at Brussels, 16 April 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 94, 11. 4. 1980, p. 30.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁶⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 16 April 1980 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7
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 923/80

of 16 April 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 Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁸⁾, as amended by Regulation (EEC) No 1264/79⁽⁹⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrangements, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

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,

⁽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.

⁽⁸⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁹⁾ OJ No L 161, 29. 6. 1979, p. 1.

HAS ADOPTED THIS REGULATION :

and exported in the natural state, shall be as set out in the Annex hereto.

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74, undenatured

Article 2

This Regulation shall enter into force on 17 April 1980.

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

Done at Brussels, 16 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 16 April 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	4.00
	B. Raw sugar :	
	(a) Candy sugar	4.35 ⁽¹⁾
	(b) Other raw sugar	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 924/80

of 14 April 1980

on the arrangements for imports into the Benelux countries of tents originating in Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3059/78 of 21 December 1978 on common rules for imports of certain textile products originating in certain third countries⁽¹⁾, as amended by Regulation (EEC) No 1176/79⁽²⁾, and in particular Articles 11 and 15 thereof,

Whereas Article 11 of Regulation (EEC) No 3059/78 lays down the conditions on which quantitative limitations may be established; whereas imports into the Benelux countries of tents (category 91) originating in Poland have exceeded the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11, Poland was notified on 1 February 1980 of a request for consultations; whereas, following these consultations, it is desirable to make the products in question subject to quantitative limitation for the years 1980 to 1982;

Whereas paragraph 13 of the said Article 11 ensures that the quantitative limit is observed by means of a double-checking system in accordance with Annex V to the Regulation in question;

Whereas the products in question exported from Poland between 1 January 1980 and the date of entry into force of this Regulation must be set off against the quantitative limit for 1980;

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

HAS ADOPTED THIS REGULATION:

Article 1

Importation into the Benelux countries of the category of products originating in Poland specified in the Annex hereto shall be subject to the quantitative limits given in that Annex and to the provisions of Article 2 (1).

Article 2

1. Products as referred to in Article 1 shipped from Poland to the Benelux countries before the date of entry into force of this Regulation which have not yet been released for free circulation shall be so released without delay subject to the presentation of a bill of lading or other transport document proving that shipment actually took place before that date.

2. Imports of products shipped from Poland to the Benelux countries after the entry into force of this Regulation shall be subject to the double-checking system described in Annex V to Regulation (EEC) No 3059/78.

3. For the purposes of applying the provisions of paragraph 2, the quantities of products shipped from Poland on or after 1 January 1980 and released for free circulation shall be set off against the quantitative limit established for 1980.

Article 3

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

It shall apply until 31 December 1982.

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

Done at Brussels, 14 April 1980.

For the Commission

Antonio GIOLITTI

Member of the Commission

⁽¹⁾ OJ No L 365, 27. 12. 1978, p. 1.

⁽²⁾ OJ No L 149, 18. 6. 1979, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1980)	Description	Member States	Units	Quantitative limit from 1 January to 31 December		
						1980	1981	1982
91	62.04 A II B II	62.04-23 ; 73	Tarpaulins, sail awnings, sunblinds, tents and camping goods : Tents	BNL	Tonnes	190	200	210

COMMISSION REGULATION (EEC) No 925/80

of 16 April 1980

amending Regulation (EEC) No 262/79 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 1272/79⁽⁴⁾, and in particular Article 7a thereof,

Whereas Commission Regulation (EEC) No 262/79⁽⁵⁾, as last amended by Regulation (EEC) No 2478/79⁽⁶⁾, allows undertakings manufacturing pastry products, ice-cream and other foodstuffs access to butter from public storage sold at reduced prices; whereas, to ensure that this measure is as effective as possible, the parties concerned should be given certain assurances as to its continuing nature;

Whereas, at the same time, it should be made clear that, prior to their processing into products listed in Article 4 of the said Regulation (EEC) No 262/79, butter or concentrated butter cannot, during an intermediate stage of processing, be processed into products other than those specified in Article 4 unless this intermediate processing is carried out in the establishment where final processing takes place; whereas an exception from this rule may however be permitted where the establishments of intermediate and of final processing can supply the necessary guarantees to allow for efficient supervision of the end-use of the butter concerned and, by virtue of these guarantees, the competent authority has given prior authorization for the intermediate processing; whereas, the competent authority must therefore be in a position to evaluate the guarantees offered by the establishments, both of intermediate processing and of final processing;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 262/79 is amended as follows:

1. A further paragraph as follows is added to Article 1:

'The sale arrangements provided for in the present Regulation shall remain applicable for as long as the quantities of butter available in public storage permit, and in any event for a period which may only end, at the earliest, one year after the date on which an appropriate notice, decided upon in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, is published in the *Official Journal of the European Communities*.'

2. Article 7 is amended to read as follows:

Article 7

1. Prior to their processing into products specified in Article 4, concentrated butter as referred to in Article 5 (1) and (2), where Article 10 (2) is applied, butter cannot at any intermediate stage, be processed into products falling within a tariff heading other than those specified in Article 4, unless such intermediate processing is carried out in the establishment where the processing into products specified in Article 4 takes place.

2. However, in the case of concentrated butter as referred to in Article 5 (1) and (2), Member States may permit intermediate processing as referred to in paragraph 1 in an establishment other than that in which is carried out final processing into products referred to in Article 4, subject to the following conditions:

- (a) The establishment in which intermediate processing is carried out and the establishments in which final processing is carried out must be previously approved for this purpose, on their joint application by the competent authority of the Member State concerned. For purposes of this paragraph, the countries of the Belgo-Luxembourg Economic Union shall be considered as a single Member State.

Without prejudice to additional requirements laid down by the Member State for the purpose

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 161, 29. 6. 1979, p. 13.

⁽⁵⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁶⁾ OJ No L 281, 10. 11. 1979, p. 25.

of permitting an effective check on the end-use of the concentrated butter, an establishment may be approved as an establishment for intermediate processing or as an establishment for final processing only if it undertakes to keep permanent stock records setting out:

- in the case of establishments carrying out intermediate processing, the quantities of concentrated butter employed and the quantities, nature and butterfat content of the intermediate product obtained, together with the name and address of the establishment in which final processing is to be carried out,
 - in the case of establishments carrying out final processing, the quantities nature and butterfat content of the intermediate product employed for final processing, and the quantities and butterfat content of the products obtained as a result of such processing, together with the name and address of the supplier intermediate establishment.
- (b) The joint application for approval and the approval itself issued to each of the establishments concerned shall state in particular:
- the names and addresses of those establishments,
 - the nature of the intermediate product which may be manufactured by the establishment of intermediate processing and used by the establishment or establishments carrying out final processing.

Member States which make use of this paragraph shall determine the nature of the intermediate product or products which may be manufactured and used.

Approval shall be withdrawn from any establishment in respect of which a serious breach

of the provisions of this Regulation and/or of additional national provisions adopted in this matter is ascertained.

- (c) The competent authority shall submit the establishments approved in accordance with (a) and (b) to the inspection procedure provided for in Article 21. Such inspections shall involve frequent, and thorough and previously unannounced checks, carried out without prior notice on the commercial documents and specific stock records referred to in (a), both of the establishment of intermediate processing and or those in which final processing is carried out.
- (d) However, in the case of establishments of final processing using monthly a quantity not exceeding 200 kilograms of concentrated butter in the form of intermediate products:
 - approval as referred to in (a) shall not be required,
 - the first subparagraph of Article 22 (3) shall apply.
- (e) As regards transport of the intermediate product, the provisions of Article 6 shall apply, with the words "concentrated butter" on the packaging being replaced by "semi-finished product".

3. Further processing of the products specified in Article 4 shall be permitted only if the products obtained fall within one of the tariff headings referred to in that Article and if no product falling within any other heading is produced at an intermediate stage of such processing.

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, 16 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 926/80

of 15 April 1980

on exemption from the application of monetary compensatory amounts in certain cases

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States⁽¹⁾, as last amended by Regulation (EEC) No 987/79⁽²⁾, and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 1608/74⁽³⁾, as amended by Regulation (EEC) No 243/78⁽⁴⁾, introduced special arrangements whereby, under certain conditions, monetary compensatory amounts could be waived on imports or exports effected pursuant to contracts concluded before those amounts were increased or introduced; whereas that Regulation established only a very general framework within which Member States were authorized to lay down rules subject to a degree of coordination at Community level;

Whereas experience suggests that the arrangements should be reviewed with the twofold aim of limiting intervention by the Community bodies in decisions on individual cases and establishing more detailed rules to be followed by the Member State in implementing the provisions; whereas those rules may, for the most part, incorporate the principles followed in practice hitherto;

Whereas the purpose of the rules is to exempt, on a discretionary basis, operations carried out under 'existing contracts' from the application of monetary compensatory amounts; whereas such an equity clause gives rise to a degree of flexibility enabling each case to be considered on its merits; whereas, however, it is necessary that criteria be laid down with a view to ensuring uniform and coordinated implementation of the rules in the various Member States;

Whereas the basic criterion warranting such exemption must be to protect the operator against unavoi-

able disadvantages arising from the introduction of new monetary compensatory amounts or from an increase in such amounts following a particular monetary measure affecting import or export operations carried out under contracts concluded prior to the monetary measure in question;

Whereas this criterion cannot be properly applied without guidance as to its essential components; whereas to that end the monetary measure, the relevant contracts and the disadvantages must be defined;

Whereas certain fixed limits must be laid down so as to prevent abuse and simplify administration;

Whereas, if the new monetary amounts are charged where there should be exemption, an unjustified financial burden results; whereas provision should therefore be made for suspending payment of monetary compensatory amounts provided their subsequent payment if necessary is guaranteed through the operator furnishing a security;

Whereas the appropriate management committees have not delivered opinions within the time limits laid down by their chairmen,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down the conditions under which Member States shall on a discretionary basis exempt imports and exports from payment of all or part of new monetary compensatory amounts.

Article 2

'New monetary compensatory amount' means:

- (a) any monetary compensatory amount introduced as a result of a monetary measure,
- (b) the portion of the monetary compensatory amount corresponding to the increase resulting from a monetary measure

which gives rise to the application of the Regulation.

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 123, 19. 5. 1979, p. 9.

⁽³⁾ OJ No L 170, 27. 6. 1974, p. 38.

⁽⁴⁾ OJ No L 37, 7. 2. 1978, p. 5.

Article 3

1. The monetary measures which give rise to the application of this Regulation shall be :

- (a) an adjustment of the central rate of one of the Community currencies ;
- (b) a decision no longer to keep a currency within the 2.25 % margin of fluctuation under the European monetary system.

2. This Regulation shall apply only to new monetary compensatory amounts applicable in the Member State where the monetary measure in question occurs.

In the case referred to in paragraph 1 (a), this Regulation shall be applied only in Member States for which the new monetary compensatory amount is calculated using the central rate of its currency.

Article 4

Exemption from payment of the new monetary compensatory amounts may be granted only if the applicant furnishes proof, to the satisfaction of the competent authorities, that the conditions for application of this Regulation have been met.

Article 5

1. Partial or total exemption from payment of monetary compensatory amounts may be granted only for quantities of products which :

- (a) are covered by an import or export contract which is firmly concluded on a specified date either :
 - before the public announcement of the monetary measure by the competent authorities, or
 - after the announcement in question if it is a contract awarded under a tendering procedure in respect of which the time limit for the submission of tenders elapsed before such announcement ;
- (b) are imported or exported after the new monetary compensatory amount has taken effect.

2. Partial performance of a firmly concluded contract shall not constitute an obstacle to the application of this Regulation.

Article 6

'Firmly concluded contracts' shall be contracts which, having regard where necessary to commercial practice, lay down unequivocally :

- (a) the date on which the contract was concluded ;
- (b) the obligations to supply and pay ;
- (c) the product to which the contract relates ;
- (d) the price expressed in relation to a specified quantity ;

- (e) the quantity of the product to be supplied ;
- (f) the currency in which payment is to be made ;
- (g) the time limits for fulfilment of the obligations ;
- (h) the apportionment of costs relating to the contract, in particular transport costs and the payment of the monetary compensatory amounts.

Article 7

1. Exemption from payment of monetary compensatory amounts may be granted only for import and export operations effected within six months of the public announcement of the monetary measure by the competent authorities.

2. However, where for an operation an import or export licence is used which was issued prior to the monetary measure, the time limit referred to in the preceding paragraph shall be replaced by the remaining period of validity of the licence.

Article 8

1. Exemption may be granted only where the applicant, or the contracting party on whose behalf he acts, is subject, by virtue of the new monetary compensatory amount, to an additional expense which he could not have avoided by taking all the necessary and normal precautions.

2. However, the provisions of this Regulation shall not apply :

- (a) where the import or export contract lays down that the applicant, or the contracting party on whose behalf he acts, is not liable for payment of the new monetary compensatory amount ;
- (b) where it is established that the product to which the new monetary compensatory amount applies is reexported or reimported within six months of import or export.

3. Where movements on the exchange markets yield an advantage to the operator concerned, in particular where he buys or sells currency at forward rates, the advantage shall be deducted from the additional expense. For the purposes of calculating the advantage, the conversion rates for the currencies specified in the contract valid :

- (a) on the day of conclusion of the contract, and
- (b) on the day of import or of export, as the case may be, shall be compared.

In the case of a currency operation at forward rates, the conversion rate applicable on the day of import or export shall be replaced by that determined by the said operation.

Article 9

1. An additional expense shall be taken to mean the payment of a new monetary compensatory amount which is not necessary, in the circumstances of the case, to offset the effect of the monetary measure on the contract price of the product.

2. Assessment of the circumstances of the case shall include consideration of the following:

- (a) the currency in which the invoice is paid;
- (b) the date on which payment is made;
- (c) the purchase or sale of currency at forward rates in connection with the performance of the contract in question;
- (d) the granting of the new monetary compensatory amount for the same product, after processing where applicable.

Forward currency operations shall not be taken into account if:

- (a) they are undertaken:
 - before conclusion of the contract,
 - after the monetary measure;
- (b) they have no direct or indirect economic connection with the contract relating to the product.

Article 10

1. No exemption from payment of monetary compensatory amounts shall be granted where:

- (a) the new monetary compensatory amount is calculated on the basis of a monetary gap of not more than one percentage point;
- (b) the effect of an exemption from the new monetary compensatory amount for a given contract would be less than 50 ECU;
- (c) the right existed when the contract was concluded to obtain an advance fixing of the monetary compensatory amount in respect of the product.

2. However, by way of derogation from paragraph 1 (c), this Regulation shall apply in the case referred to in Article 4 of Regulation (EEC) No 243/78 if the monetary compensatory amount was not fixed in advance and if the monetary measure took place during the period referred to in Article 4 (3) of Regulation (EEC) No 243/78 beginning on the day on which the application for the certificate was lodged.

Article 11

1. Requests for application of this Regulation may be submitted only by persons required to pay the new monetary compensatory amount.

2. Requests must be submitted in writing to the competent authorities within five working days of the public announcement of the monetary measure. However, in the case referred to in Article 2 (a), the five-day period shall begin only as from the date of application of the new monetary compensatory amounts.

3. Requests must include the information necessary for the case to be assessed and specify in particular:

- (a) the date on which the contract was concluded;
- (b) the product to which the contract relates;
- (c) the price and the quantity of the product specified in the contract;
- (d) the time limits for the performance of obligations;
- (e) the quantity not yet supplied at the time of the monetary measure;
- (f) the country of provenance or of destination, as appropriate;
- (g) the currency in which payment is to be made;
- (h) details relating to the forward purchase or sale of currency;
- (i) details of the portions attracting monetary compensatory amounts;
- (j) whether products imported are intended for re-export and whether products exported are intended for re-import.

Requests must be accompanied, where appropriate, by the original or a certified true copy of the written contract relating to the relevant import or export operation.

4. The competent authority may request the provision of additional information by a given date.

Article 12

1. Where a request for exemption is accepted, all the factors relating to the operation in question shall be recalculated. In particular, the Member State concerned shall make the necessary correction to the monetary coefficient applicable to import levies and export refunds for the operation in question.

2. In the wine sector, acceptance of a request for exemption shall not constitute an exemption from the requirement to comply with the free-at-frontier price corrected pursuant to Article 17 of Regulation (EEC) No 1380/75.

Article 13

1. Where a Member State suspends the charging of the new monetary compensatory amount, it shall require a security to be furnished.
2. The security shall be furnished, at the option of the operator concerned, either in cash or in the form of an undertaking entered into by an establishment fulfilling the requirements laid down by the Member State concerned.
3. The amount of the security shall be that of the suspended new monetary compensatory amount plus 10 % where it is not submitted in cash.
4. The security shall be released according to the extent to which the application for exemption is accepted.

The security shall be released at once if the application for exemption is accepted.

However, if the application is rejected, the security shall be forfeit in lieu of payment of the monetary compensatory amount.

Article 14

1. In order to prevent excessive application of this Regulation, Member States may lay down stricter criteria for its implementation.
2. In cases of *force majeure*, Member States may waive the time limits laid down in this Regulation.

In such cases, Member States shall determine the time limits or other appropriate measures.

Article 15

1. Each Member State concerned shall send to the Commission :
 - (a) within two months of the public announcement of the monetary measure,
 - the texts of national provisions adopted to give effect to this Regulation,
 - provisional estimate of the quantities and sums covered by requests submitted, distinguishing,

in respect of each type of product, between intra-Community trade and trade with non-member countries,

- an indication, for products subject to new monetary compensatory amounts, of the quantities imported or exported during the part of the previous year which corresponds to the period of exemption provided for in Article 7 ;

- (b) every three months, the number of cases and the quantities and sums covered by approved requests for exemption ; in the communication a distinction shall be made, in respect of each type of product, between intra-Community trade and trade with non-member countries ;
- (c) every six months, the number and the circumstances of cases in which Article 14 (2) has been applied.

2. The Commission shall ensure that this Regulation is implemented in a uniform and coordinated manner. To that end, additional provisions may be adopted in accordance with the procedure laid down in Article 6 of Regulation (EEC) No 974/71.

3. The national provisions referred to in the first indent of paragraph 1 (a) may be brought into effect only where the Commission has raised no objections in accordance with the procedure laid down in Article 6 of Regulation (EEC) No 974/71 within six weeks of the notification.

Article 16

Regulation (EEC) No 1608/74 is hereby repealed.

Article 17

1. This Regulation shall enter into force on 1 May 1980.
2. This Regulation shall not affect the application of specific provisions adopted in respect of monetary measures which occurred prior to its entry into force.

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

Done at Brussels, 15 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 927/80**of 16 April 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 785/80⁽³⁾, as last amended by Regulation (EEC) No 909/80⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 785/80 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, 0.0722 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 17 April 1980.

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

Done at Brussels, 16 April 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 87, 1. 4. 1980, p. 15.

⁽⁴⁾ OJ No L 97, 15. 4. 1980, p. 41.

COMMISSION REGULATION (EEC) No 928/80
of 16 April 1980
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1328/79⁽³⁾, as last amended by Regulation (EEC) No 917/80⁽⁴⁾;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979 on the impact of the European monetary system on the common agricultural policy⁽⁵⁾, as amended by Regulation (EEC) No 1264/79⁽⁶⁾, introduced the ECU into the common agricultural policy; whereas, since that time, pursuant to existing provisions, the ECU has been taken into account in the fixing of amounts relating to:

- the application of the common agricultural policy,
- the special trade arrangements for goods resulting from the processing of agricultural products;

Whereas the period of validity of the aforesaid Regulation was limited to 31 March 1980; whereas it has not been possible for a prolongation of those arrange-

ments, proposed by the Commission, to be adopted in time by the Council; whereas, in order to avoid a break in the arrangements resulting, in particular, in alterations in the level of prices and of other amounts in national currency, it appears necessary, in the manifest public interest, as a precautionary measure and pending a final decision on the matter by the Council, to continue the application of the arrangements in their present form;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1328/79 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 April 1980.

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

Done at Brussels, 16 April 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 98, 16. 4. 1980, p. 9.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

⁽⁶⁾ OJ No L 161, 29. 6. 1979, p. 1.

ANNEX

to the Commission Regulation of 16 April 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	7.22 2.49 (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.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 820/80 of 28 March 1980 re-establishing the levying of customs duties on other carpets, made up or not, products of category 59 (code 0590), originating in Yugoslavia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply

(Official Journal of the European Communities No L 89 of 2 April 1980)

Page 10, Article 1, column headed 'NIMEXE code (1980)':

for: '58.02-12; 17; 18; 19; 30; 43; 49; 90',

read: '58.02-12; 14; 17; 18; 19; 30; 43; 49; 90'.
