

Official Journal

of the European Communities

ISSN 0378-6978

L 120

Volume 23

13 May 1980

English edition

Legislation

Contents

I Acts whose publication is obligatory

- Commission Regulation (EEC) No 1178/80 of 12 May 1980 fixing the import levies on cereals and on wheat or rye flour, groats and meal 1
- Commission Regulation (EEC) No 1179/80 of 12 May 1980 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- Commission Regulation (EEC) No 1180/80 of 7 May 1980 correcting Regulation (EEC) No 2220/78 fixing the import levies on live cattle and on beef and veal other than frozen 5
- ★ Commission Regulation (EEC) No 1181/80 of 12 May 1980 re-establishing the levying of customs duties on other carpets and floor coverings, products of category 59 (code 0590), originating in Hong Kong, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply 6
- ★ Commission Regulation (EEC) No 1182/80 of 12 May 1980 re-establishing the levying of customs duties on other carpets and floor coverings, products of category 59 (code 0590), originating in India, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply 8
- ★ Commission Regulation (EEC) No 1183/80 of 12 May 1980 re-establishing the levying of customs duties on tapestries, hand-made, products of category 60 (code 0600), originating in Peru, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply 10
- ★ Commission Regulation (EEC) No 1184/80 of 12 May 1980 re-establishing the levying of customs duties on babies' under garments of knitted or crocheted fabrics, not elastic or rubberized, products of category 68 (code 0680), originating in Yugoslavia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply 11

★ Commission Regulation (EEC) No 1185/80 of 12 May 1980 re-establishing the levying of customs duties on made up accessories for articles of apparel, other than knitted or crocheted, products of category 88 (code 0880), originating in Hong Kong, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply	13
Commission Regulation (EEC) No 1186/80 of 12 May 1980 opening an invitation to tender for the mobilization of common wheat as food aid for Somalia	14
Commission Regulation (EEC) No 1187/80 of 12 May 1980 opening an invitation to tender for the mobilization of common wheat flour as food aid for Somalia	17
★ Commission Regulation (EEC) No 1188/80 of 12 May 1980 on the issue of export licences for beef and veal benefiting from special import treatment in a third country	20
Commission Regulation (EEC) No 1189/80 of 12 May 1980 altering the export levy on white sugar and raw sugar	21
Commission Regulation (EEC) No 1190/80 of 12 May 1980 altering the import levies on products processed from cereals and rice	23
Commission Regulation (EEC) No 1191/80 of 12 May 1980 temporarily suspending advance fixing of the export refund for butter	25

II Acts whose publication is not obligatory

Commission

80/489/EEC :

★ Commission Decision of 17 April 1980 relating to a proceeding under Article 85 of the EEC Treaty (IV/28.553 — Krups)	26
--	----

80/490/EEC :

Commission Decision of 24 April 1980 fixing the minimum selling prices for boned beef put up for sale by tender in accordance with Regulation (EEC) No 2326/79	29
--	----

80/491/EEC :

Commission Decision of 24 April 1980 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 107/80	32
--	----

80/492/EEC :

Commission Decision of 24 April 1980 fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EEC) No 108/80	33
--	----

80/493/EEC :

Commission Decision of 24 April 1980 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1990/79	34
---	----

(Continued on inside back cover)

Contents (continued)

80/494/EEC :

Commission Decision of 24 April 1980 fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EEC) No 2293/79 35

80/495/EEC :

* Commission Decision of 24 April 1980 authorizing the French Republic not to apply Community treatment to woven fabrics of synthetic fibres (discontinuous or waste), falling within subheading 56.07 A of the Common Customs Tariff (category 3), originating in the People's Republic of China and in free circulation in the other Member States 36

Corrigenda

* Corrigendum to Commission Regulation (EEC) No 243/78 of 1 February 1978 providing for the advance fixing of monetary compensatory amounts (OJ No L 37, 7. 2. 1978) 38

Corrigendum to Commission Regulation (EEC) No 1073/80 of 30 April 1980 fixing the rates of the refunds applicable from 1 May 1980 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty (OJ No L 113, 1. 5. 1980) 38

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1178/80**of 12 May 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 9 May 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 13 May 1980.

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

Done at Brussels, 12 May 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 12 May 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	84.80
10.01 B	Durum wheat	122.29 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	78.75 ⁽⁶⁾
10.03	Barley	86.55
10.04	Oats	71.81
10.05 B	Maize, other than hybrid maize for sowing	94.20 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	21.24 ⁽⁴⁾
10.07 C	Grain sorghum	87.01 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	133.40
11.01 B	Rye flour	124.91
11.02 A I a)	Durum wheat groats and meal	203.07
11.02 A I b)	Common wheat groats and meal	142.13

⁽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 1179/80

of 12 May 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 9 May 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 13 May 1980.

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

Done at Brussels, 12 May 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 12 May 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 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0.73	0.73	1.46
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0.73
10.04	Oats	0	1.46	1.46	2.92
10.05 B	Maize, other than hybrid maize for sowing	0	0.36	0.36	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 5	1st period 6	2nd period 7	3rd period 8	4th period 9
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	1.30	1.30
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0.97	0.97
11.07 B	Roasted malt	0	0	0	1.13	1.13

COMMISSION REGULATION (EEC) No 1180/80**of 7 May 1980****correcting Regulation (EEC) No 2220/78 fixing the import levies on live cattle
and on beef and veal other than frozen**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 2916/79 ⁽²⁾, and in particular
Article 12 (8) thereof,

Whereas the levies applicable with effect from 1
September 1978 to imports of live cattle and beef and
veal other than frozen were fixed by Regulation (EEC)
No 1015/78 ⁽³⁾, as amended with effect from 23
September 1978 by Regulation (EEC) No 2220/78 ⁽⁴⁾;

Whereas, as a result of an error, the date as from
which Regulation (EEC) No 2220/78 applies is not
the same as the date for the entry into force of the
levies resulting from the prolongation of the Agree-

ment with Yugoslavia; whereas the Regulation in
question should consequently be corrected,

HAS ADOPTED THIS REGULATION :

Article 1

The second paragraph of Article 2 of Regulation
(EEC) No 2220/78 is hereby replaced by the follow-
ing :

'It shall apply with effect from 22 September 1978
and, at the request of the party concerned, from 1
to 21 September 1978.'

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, 7 May 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 132, 20. 5. 1978, p. 5.

⁽⁴⁾ OJ No L 260, 23. 9. 1978, p. 5.

COMMISSION REGULATION (EEC) No 1181/80

of 12 May 1980

re-establishing the levying of customs duties on other carpets and floor coverings, products of category 59 (code 0590), 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 other carpets and floor coverings, products of category 59, the ceiling should be 31 tonnes; whereas on 2 May 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 16 May 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)
0590	59	ex 58.02 ex 59.02 A	58.02-12; 14; 17; 18; 19; 30; 43; 49; 90 59.02-01; 09	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not): Felt and articles of felt, whether or not impregnated or coated: A. Felt in the piece or simply cut to rectangular shape: Woven, knitted or crocheted carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not); floor coverings of felt

Article 2

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

⁽¹⁾ OJ No L 332, 27. 12. 1979, p. 1.

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

Done at Brussels, 12 May 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 1182/80

of 12 May 1980

re-establishing the levying of customs duties on other carpets and floor coverings, products of category 59 (code 0590), originating in India, 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 other carpets and floor coverings, products of category 59, the ceiling should be 326 tonnes; whereas on 2 May 1980 the amounts of imports into the Community of the products in question, originating in India, 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 India,

HAS ADOPTED THIS REGULATION:

Article 1

As from 16 May 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 India:

Code	Category	CCT heading No	NIMEXE code (1980)	Description
	(1)	(2)	(3)	(4)
0590	59	ex 58.02 ex 59.02 A	58.02-12; 14; 17; 18; 19; 30; 43; 49; 90 59.02-01; 09	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not): Felt and articles of felt, whether or not impregnated or coated: A. Felt in the piece or simply cut to rectangular shape: Woven, knitted or crocheted carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not); floor coverings of felt

Article 2

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

⁽¹⁾ OJ No L 332, 27. 12. 1979, p. 1.

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

Done at Brussels, 12 May 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 1183/80**of 12 May 1980****re-establishing the levying of customs duties on tapestries, hand-made, products of category 60 (code 0600), originating in Peru, 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 tapestries, hand-made, products of category 60, the ceiling should be one tonne; whereas on 2 May 1980 the amounts of imports into the Community of the products in question, originating in Peru, 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 Peru,

HAS ADOPTED THIS REGULATION:

Article 1

As from 16 May 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 Peru:

Code	Category	CCT heading No	NIMEXE code (1980)	Description
	(1)	(2)	(3)	(4)
0600	60	58.03	58.03-00	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point and cross stitch) made in panels and the like by hand: Tapestries, hand-made

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, 12 May 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 332, 27. 12. 1979, p. 1.

COMMISSION REGULATION (EEC) No 1184/80

of 12 May 1980

re-establishing the levying of customs duties on babies' under garments of knitted or crocheted fabrics, not elastic or rubberized, products of category 68 (code 0680), originating in Yugoslavia, 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 babies' under garments of knitted or crocheted fabrics, not elastic or rubberized, products of category 68, the ceiling should be one tonne; whereas on 2 May 1980 the amounts of imports into the Community of the products in question, originating in Yugoslavia, 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 Yugoslavia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 16 May 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 Yugoslavia:

Code	Category	CCT heading No	NIMEXE code (1980)	Description
	(1)	(2)	(3)	(4)
0680	68	ex 60.04 A	60.04-02; 03; 04; 06; 07; 08; 10; 11; 12; 14	Under garments, knitted or crocheted, not elastic or rubberized: A. Babies' garments; girls' garments up to and including commercial size 86: Babies' under garments of knitted or crocheted fabrics, not elastic or rubberized

Article 2

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

⁽¹⁾ OJ No L 332, 27. 12. 1979, p. 1.

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

Done at Brussels, 12 May 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 1185/80

of 12 May 1980

re-establishing the levying of customs duties on made up accessories for articles of apparel, other than knitted or crocheted, products of category 88 (code 0880), 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 made up accessories for articles of apparel, other than knitted or crocheted, products of category 88, the ceiling should be two tonnes; whereas on 2 May 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 16 May 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)
0880	88	61.11	61.11-00	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets): Other than knitted or crocheted

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, 12 May 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 332, 27. 12. 1979, p. 1.

COMMISSION REGULATION (EEC) No 1186/80

of 12 May 1980

opening an invitation to tender for the mobilization of common wheat as food aid for Somalia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid⁽³⁾, and in particular Article 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⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that by way of Community action it proposed to grant to Somalia 2 000 tonnes of common wheat under its 1978/79 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market ;

Whereas the proposed invitation to tender should be for supply of the products on the quay or in the lighter where applicable at the port of unloading ;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States ; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed ;

Whereas the award under the invitation to tender must be made in favour of the tenderer offering the best terms ;

Whereas, should *force majeure* make it impossible to complete the operation in question within the set time limits, it should be made clear who is to bear the liability for any resulting costs ;

Whereas provisions should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender will be fulfilled ;

Whereas the French intervention agency should be made responsible for the tendering procedure in question ;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency ;

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

1. Tenders are hereby invited for the supply, by way of Community food-aid action, to Somalia of 2 000 tonnes of common wheat.

2. The tendering producer shall take place in France in one lot.

3. The goods shall be mobilized on the Community market.

4. Shipment shall be from a Community port.

5. The invitation to tender provided for in paragraph 1 is for supply of products on the quay or in the lighter where applicable, in the port of Mogadiscio.

6. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks :

'Wheat / Gift of the European Economic Community to Somalia / For free distribution.'

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 23 May 1980.
2. The closing date for submission of tenders shall be 23 May 1980 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2. Such correction shall be made by :
 - increasing prices which mention a Member State whose currency has depreciated,
 - reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using :

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,
- in other cases, the average of the spot rates of the currencies concerned recorded in the Member

State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (5) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The tenderer shall give security in an amount of 6 ECU per tonne of goods.

It shall be released :

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer, for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 7

The common wheat referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the moisture content shall not exceed 15.5 % and that a maximum of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

Article 8

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packaging ;
- (b) the date of the departure of the ships ; the estimated date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 9

As regards this tender, the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 10

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, 12 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1187/80

of 12 May 1980

opening an invitation to tender for the mobilization of common wheat flour as food aid for Somalia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid⁽³⁾, and in particular Article 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⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that by way of Community action it proposed to grant to Somalia the equivalent of 4 794 tonnes of common wheat, in the form of flour, i.e. 3 175 tonnes of common wheat flour, under its 1978/79 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market ;

Whereas the proposed invitation to tender should be for supply of the products on the quay or in the lighter where applicable at the port of unloading ;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States ; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account

should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed ;

Whereas the contract should be awarded to the tenderer who makes the best offer ;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the time stipulated ;

Whereas provision should be made for security to be given to guarantee fulfilment of obligations arising by virtue of participation in the invitation to tender for the supply of goods to Somalia ;

Whereas the French intervention agency should be made responsible for the tendering procedure in question ;

Whereas it is important that the Commission be informed without delay of the tenders submitted in response to the invitation and of those accepted by the intervention agency ;

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

1. An invitation to tender shall be issued in respect of the supply of 3 175 tonnes of common wheat flour to Somalia by way of Community food-aid action.
2. The tendering producer shall take place in France in one lot.
3. The goods shall be mobilized on the Community market.
4. Shipment shall be from a Community port.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

5. The invitation to tender provided for in paragraph 1 is for supply of products on the quay or in the lighter where applicable, in the port of Mogadiscio.

6. The successful tenderer shall deliver the products in new cotton sacks of a net capacity of 50 kilograms.

The minimum weight of the sacks shall be 180 grams.

7. The following shall be printed on the sacks :

'Wheat flour / Gift of the European Economic Community to Somalia / For free distribution.'

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The award of the contract shall take place on 23 May 1980.

2. The closing date for submission of tenders shall be 23 May 1980 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. Tenders must in particular mention the Member State in which the tenderer in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

3. For the purpose of rendering the tenders comparable, the prices shall be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2. Such correction shall be made by :

- increasing prices which mention a Member State whose currency has depreciated,
- reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using :

- in the case when the currencies concerned are kept at any given moment within a band of

2.25 %, a conversion rate resulting from their central rate,

- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

1. The tenderer shall give security in an amount of 12 ECU per tonne of goods.

It shall be released :

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer, for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 6

1. The goods referred to in Article 1 which are to be supplied to Somalia must meet the following requirements :

common wheat flour :

- moisture content : 15 % maximum,
- acidity : 4 ml NaOH/n maximum per 100 g (calculated in the dry matter),
- ash content : 0.52 % maximum on the dry matter.

If the goods referred to in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

2. Tenders for supply to Somalia of the goods referred to in Article 1 must relate to products with the following characteristics :

common wheat flour :

- moisture content : 15 % maximum,
- acidity : 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content : 0.52 % maximum on the dry matter.

Article 7

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized products are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the

average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ship ; the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

5. When the agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 8

As regard this tender the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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, 12 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1188/80**of 12 May 1980****on the issue of export licences for beef and veal benefiting from special import treatment in a third country**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for the exportation of agricultural products which may benefit from a special import treatment in a third country ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2973/79 of 21 December 1979 laying down detailed rules for the application of granting of assistance for the export of beef and veal products which may benefit from a special import treatment in a third country ⁽²⁾, and in particular Article 2 (4) thereof,

Whereas Regulation (EEC) No 2973/79 provides for the issue of export licences for certain beef and veal that will be exported to the United States of America ; whereas the amount of this beef and veal must be limited to 5 000 tonnes in 1980 ;

Whereas applications for licences lodged during the month of April do not exceed the quantity available ;

whereas it is consequently necessary to provide for the issue of all certificates for which applications have been lodged,

HAS ADOPTED THIS REGULATION :

Article 1

The Member States shall issue on 15 May 1980 export licences as provided for by Regulation (EEC) No 2973/79 for which applications were made during the month of April 1980.

Article 2

Applications for licences may, as provided for in Article 2 of Regulation (EEC) No 2973/79, be lodged during the month of May 1980 for the following quantity of beef and veal : 4 880 tonnes.

Article 3

This Regulation shall enter into force on 13 May 1980.

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

Done at Brussels, 12 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 334, 28. 12. 1979, p. 8.

⁽²⁾ OJ No L 336, 29. 12. 1979, p. 44.

COMMISSION REGULATION (EEC) No 1189/80
of 12 May 1980
altering the export levy 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 organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78⁽²⁾, and in particular
Article 17 (6) thereof,

Having regard to Council Regulation (EEC) No 608/72
of 23 March 1972 laying down rules to be applied in
cases of considerable price rises on the world sugar
market⁽³⁾, and in particular Article 1 (2) thereof,

Whereas the export levy on white sugar and raw sugar
was fixed by Regulation (EEC) No 375/80⁽⁴⁾, as last
amended by Regulation (EEC) No 1170/80⁽⁵⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in the Regulation

(EEC) No 375/80 to the information at present avail-
able to the Commission, that the export levy at
present in force should be altered as shown in the
Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The export levy on sugar provided for in the first
subparagraph of Article 17 (1) of Regulation (EEC) No
3330/74 is fixed as shown in the Annex to this Regula-
tion.

Article 2

This Regulation shall enter into force on 13 May
1980.

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

Done at Brussels, 12 May 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 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 40, 16. 2. 1980, p. 41.

⁽⁵⁾ OJ No L 118, 9. 5. 1980, p. 37.

ANNEX

to the Commission Regulation of 12 May 1980 altering the export levy on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Amount of the export levy
17.01	Beet sugar and cane sugar, solid : A. White sugar : flavoured or coloured sugar ex B. Raw sugar other than candy sugar	8.12 16.42 ⁽¹⁾

⁽¹⁾ This amount applies to raw sugar with a 92 % yield. If the yield of the exported raw sugar is different from 92 % the levy to be applied shall be calculated in conformity with Article 2 of Regulation (EEC) No 825/75.

COMMISSION REGULATION (EEC) No 1190/80

of 12 May 1980

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to 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⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 1038/80⁽⁷⁾, as last amended by Regulation (EEC) No 1148/80⁽⁸⁾;

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 9 May 1980;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3.02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁹⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽¹⁰⁾, as last amended by Regulation (EEC) No 2245/78⁽¹¹⁾, as fixed in the Annex to amended Regulation (EEC) No 1038/80, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1980.

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

Done at Brussels, 12 May 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 110, 29. 4. 1980, p. 13.

⁽⁸⁾ OJ No L 117, 8. 5. 1980, p. 21.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 273, 29. 9. 1978, p. 1.

ANNEX

**to the Commission Regulation of 12 May 1980 altering the import levies on products
processed from cereals and rice**

CCT heading No	Levies in ECU/tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
23.02 A I a)	26.78	26.78
23.02 A I b)	85.69	85.69
23.02 A II a)	21.42	21.42
23.02 A II b)	85.69	85.69

COMMISSION REGULATION (EEC) No 1191/80**of 12 May 1980****temporarily suspending advance fixing of the export refund for butter**

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⁾,

Having regard to Council Regulation (EEC) No
876/68 of 28 June 1968 laying down general rules for
granting export refunds on milk and milk products
and criteria for fixing the amount of such refunds⁽³⁾,
as last amended by Regulation (EEC) No 2429/72⁽⁴⁾,
and in particular the second subparagraph of Article 5
(4) thereof,

Whereas the detailed rules governing the granting of
the refund for butter, must be reviewed ; whereas this

situation could lead to speculative advance fixing of
the refund ; whereas it is necessary to suspend tempor-
arily advance fixing of the refund for the product in
question,

HAS ADOPTED THIS REGULATION :

Article 1

Advance fixing of the export refund for butter falling
within subheading 04.03 A of the Common Customs
Tariff is suspended during the period 13 to 15 May
1980.

Article 2

This Regulation shall enter into force on 13 May
1980.

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

Done at Brussels, 12 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 April 1980

relating to a proceeding under Article 85 of the EEC Treaty (IV/28.553 — Krups)

(Only the German text is authentic)

(80/489/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 85 thereof,

Having regard to Council Regulation No 17 of 6 February 1962⁽¹⁾, and in particular Article 2 thereof,

Having regard to the application made by Robert Krups, Solingen, on 22 August 1975 for negative clearance for the 'Vereinbarung zum Krups-Vertriebsverbund International' of August 1975,

Having regard to the publication of the main contents of the application in *Official Journal of the European Communities* No C 325 of 29 December 1979 pursuant to Article 19 (3) of Regulation No 17,

Having regard to the opinion delivered by the Advisory Committee on Restrictive Practices and Dominant Positions on 19 February 1980 pursuant to Article 10 of Regulation No 17,

Whereas :

Facts

1. Robert Krups, Solingen, Federal Republic of Germany, is a limited partnership manufacturing electrical kitchen appliances, personal care appliances, clocks, and kitchen and bathroom scales. It is one of the leading firms of its kind in the common market, taking between 10 and 55 % of the market in each type of appliance in the Federal Republic of

Germany, and in general less than 10 % in other Community countries. Krups sells its products in the Federal Republic of Germany through 10 sales depots and in the other Community countries through its own subsidiaries or sales branches to wholesalers and retailers in the electrical and household appliances industry, including department stores, discount stores and mail-order firms. Krups has interests in particular in Krups Leasing GmbH, Solingen; Krups Engineering Ltd, Limerick (Ireland) and Pan Electric Haushaltsgeräte GmbH (Federal Republic of Germany).

2. On 1 October 1975 Krups introduced the 'Vereinbarung zum Krups-Vertriebsverbund International' (agreement on the Krups international dealers' association) for the distribution of its products within the common market. Under this standard dealership agreement Krups is required to provide its appointed dealers with the following facilities :

- (a) membership of appointed dealers in the Krups-Vertriebsverbund International, an association of European dealers specializing in small electrical appliances and scales with a Europe-wide distribution network ;
- (b) international consumer advertising ;
- (c) appropriate sales promotion with merchandizing services, display materials and specialist consultancy services ;
- (d) international after-sales service and service support together with spare parts and assistance with repairs ;

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

- (e) a policy on prices and terms adapted to market conditions ;
- (f) quality and progressive, modern design ;
- (g) a constant flow of information on innovations, the 'Krups-Kurier' (news-letter), product films, and briefing films for sales staff ;
- (h) the Krups service manual.

3. By 'a policy on prices and terms adapted to market conditions', Krups means a policy under which its prices and conditions are such that it is fully competitive and such competitiveness benefits trade. Krups exerts no influence on resale prices at subsequent marketing stages.

4. Appointed dealers undertake to :

- (a) cooperate as partners in the Krups-Vertriebsverbund ;
- (b) maintain adequate stocks in all current products covered by the contract ;
- (c) engage in intensive sales promotion relating to all the contract products in full compliance with the 'Gesetz gegen den unlauteren Wettbewerb' (unfair competition law), the 'Rabattgesetz' (trade discounts law) and the 'Zugabeverordnung' (regulations on free gifts to consumers) ;
- (d) provide adequate customer advice and service.

5. Cooperation as partners in the Krups-Vertriebsverbund means :

- exchanging opinions, offering suggestions and making criticisms,
- supporting sales promotion activities voluntarily, there being no obligation to play an active part,
- availing oneself of services offered by Krups.

6. The volume of stocks that Krups dealers must keep depends on the size of the business and its turnover. Retailers are, however, expected to stock a majority of the individual types of article in the Krups range.

7. As a general rule Krups admits to its dealers association all dealers which can perform the functions specified in the dealership agreement.

The dealership agreement imposes no restrictions on the sale of the relevant goods by Krups or its approved dealers.

8. Of the services offered by Krups to its appointed dealers, Krups also offers those listed above under 2 (b), (d), (e) and (f) to dealers not belonging to its dealers' association. The international consumer advertising undertaken by Krups is primarily product-oriented and therefore benefits not only appointed dealers but all sellers of Krups appliances. The international after-sales service and service support provided

by Krups is available without discrimination to these dealers also. Moreover, Krups does not distinguish between its appointed dealers and other dealers when determining its selling prices or its terms of business, including terms relating to discounts, and all dealers are supplied with the same types of appliance.

9. The services provided by Krups and listed under 2 (d) to (f) benefit not only consumers who buy from Krups appointed dealers but also those who buy from other dealers. Only the services listed under 2 (a), (c), (g) and (h) are in fact reserved for appointed dealers so that the resulting benefits accrue specifically to the customers of the appointed dealers.

10. No observations were received from third parties in response to the notice setting out the main contents of the application.

Legal assessment

Inapplicability of Article 85 of the EEC Treaty

Article 85 (1) of the Treaty establishing the EEC prohibits as incompatible with the common market all agreements between undertakings which may affect trade between Member States and which have as their object or effect the prevention, restriction or distortion of competition within the common market.

11. The standard dealership agreement entered into or to be entered into by Krups with its wholesalers and retailers is an agreement between undertakings. It offers appointed dealers access to the Krups dealers' association and to the services provided by Krups in that connection. But admission to the dealers' association is conditional upon the dealer's assumption of the obligations to keep adequate stocks of all current products covered by the agreement, to undertake intensive sales promotion for these products and to serve and advise the customer. These obligations are of such a nature as to bar access to the Krups dealers' association to dealers who will not or cannot enter into them.

12. In considering to what extent exclusion from the Krups-Vertriebsverbund can be regarded as a restriction on competition, account must be taken of the fact that exclusion does not eliminate as competitors those dealers which are excluded.

The Krups-Vertriebsverbund is not a closed system in the sense of allowing access to the relevant goods exclusively to member dealers. In the purchase of Krups appliances neither Krups itself nor its appointed dealers are subject to any restrictions, and in point of fact Krups does supply its appliances to dealers which do not belong to its dealers' association. Access to the relevant goods is accordingly not reserved for member-dealers, but is open to all resellers wishing to deal in those products.

The standard dealership agreement accordingly in no way limits the number or the establishment of sales points.

13. Furthermore, appointed dealers do not gain any substantial business advantages over their competitors through membership of the Krups-Vertriebsverbund. The sales promotion services provided by Krups which are of any consequence for competitiveness at the distribution stage, which is to say wide international consumer advertising, international after-sales service, a policy on prices and terms that reflects market conditions, quality and modern design, are all available to outside dealers, so that the consumer can derive the full benefit from the provision of these services.

14. In addition, the standard dealership agreement contains no obligations constituting an appreciable restriction of competition prohibited by Article 85 (1).

This is true firstly in respect of the obligation on the part of appointed dealers to keep adequate stocks of all current relevant products. As far as wholesalers are concerned, this obligation is part of their normal job of supplying the retail trade. For the retailer it means that he must keep a majority of the individual types of article in the Krups range in sufficient quantities. As it happens the Krups range is not exceptionally broad. Moreover, the relevant products are small and relatively cheap appliances, stocks of which do not tie up substantial finance or storage space such as might make it impossible for retailers also to stock and sell competing products in sufficient numbers.

15. The obligation on the part of appointed dealers to undertake intensive sales promotion for the relevant products is likewise in the case in question no more of an appreciable restriction of competition. This obligation, which as a general rule will be not

only in the interests of the manufacturer in promoting his own products but also in the interests of the dealer in maximizing his sales, does not prevent appointed dealers from taking advantage of competition and in particular competition between different brands. Since appointed dealers are not obliged to achieve a specified turnover with the relevant products or to take delivery of specified quantities at specified times, they remain to a large extent free also to purchase competing products where this is profitable to them.

16. The standard dealership agreement accordingly contains no appreciable restrictions of competition contrary to Article 85 (1). The Commission can accordingly give negative clearance pursuant to Article 2 of Regulation No 17,

HAS ADOPTED THIS DECISION :

Article 1

On the basis of the facts in its possession the Commission has no grounds for action under Article 85 (1) of the Treaty establishing the European Economic Community in respect of the 'Vereinbarung zum Krups-Vertriebsverbund International' of August 1975.

Article 2

This Decision is addressed to the firm Robert Krups, Solingen, Federal Republic of Germany.

Done at Brussels, 17 April 1980.

For the Commission

Raymond VOUEL

Member of the Commission

COMMISSION DECISION

of 24 April 1980

fixing the minimum selling prices for boned beef put up for sale by tender in
accordance with Regulation (EEC) No 2326/79

(80/490/EEC)

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 7 (3) thereof,

Whereas, pursuant to Article 9 of Commission Regula-
tion (EEC) No 2173/79⁽³⁾, the minimum selling
prices for meat put up for sale by tender should be
fixed taking into account tenders submitted;

Whereas in accordance with Article 1 of Commission
Regulation (EEC) No 2326/79⁽⁴⁾, tenders have been
invited for certain quantities of boned beef and veal
fixed by Commission Regulation (EEC) No
468/80⁽⁵⁾; whereas consequently the minimum
selling prices should be fixed;

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 the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Beef and Veal,

HAS ADOPTED THIS DECISION:

Article 1

1. The minimum selling prices for boned beef
stored by the intervention agencies of Denmark,
Germany, Ireland and the United Kingdom which are
to be adopted for the invitation to tender held in
accordance with Regulation (EEC) No 2326/79 for
which the time limit for the submission of tenders
was 14 April 1980, shall be as set out in the Annex
hereto.

2. Tenders submitted in response to the invitation
referred to in paragraph 1 shall be rejected unless they
are for the products listed in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 April 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 251, 5. 10. 1979, p. 12.

(4) OJ No L 266, 24. 10. 1979, p. 5.

(5) OJ No L 54, 28. 2. 1980, p. 14.

(6) OJ No L 84, 4. 4. 1979, p. 1.

(7) OJ No L 161, 29. 6. 1979, p. 1.

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — ANNEX — BILAG

BUNDESREPUBLIK DEUTSCHLAND ⁽¹⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton
<i>Bullen A</i>	
Filets	8 460
Roastbeef	5 105
Oberschalen	3 165
Unterschalen	2 949
Hüftstücke	3 057
<i>Ochsen A</i>	
Filets	8 874
Roastbeef	5 496
Oberschalen	3 237
Unterschalen	3 025
Kugeln	3 161
Hüftstücke	2 910
Bug mit Hesse	2 482
Kamm mit Fehlrippe	2 475
Brust mit Spannrippe	1 814

(1) Avis d'adjudication n° D P — 3, JO n° C 76 du 26. 3. 1980, p. 10.

(1) Ausschreibung Nr. D P — 3, ABl. Nr. C 76 vom 26. 3. 1980, S. 10.

(1) Bando di gara n. D P — 3, GU n. C 76 del 26. 3. 1980, pag. 10.

(1) Bericht van inschrijving nr. D P — 3, PB nr. C 76 van 26. 3. 1980, blz. 10.

(1) Notice of invitation to tender No D P — 3, OJ No C 76, 26. 3. 1980, p. 10.

(1) Licitationsbekendtgørelse nr. D P — 3, EFT nr. C 76 af 26. 3. 1980, s. 10.

DANMARK ⁽²⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton
<i>Ungtys af første kvalitet</i>	
Forfjerdinger uden bryst og slag	2 317
Bryst og slag	1 903

(2) Avis d'adjudication n° DK P — 5, JO n° C 76 du 26. 3. 1980, p. 8.

(2) Ausschreibung Nr. DK P — 5, ABl. Nr. C 76 vom 26. 3. 1980, S. 8.

(2) Bando di gara n. DK P — 5, GU n. C 76 del 26. 3. 1980, pag. 8.

(2) Bericht van inschrijving nr. DK P — 5, PB nr. C 76 van 26. 3. 1980, blz. 8.

(2) Notice of invitation to tender No DK P — 5, OJ No C 76, 26. 3. 1980, p. 8.

(2) Licitationsbekendtgørelse nr. DK P — 5, EFT nr. C 76 af 26. 3. 1980, s. 8.

IRELAND ⁽¹⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton	
	A	B
<i>Steers 1 and 2 and Heifers 2</i>		
Fillets	8 069	—
Striploin	4 103	—
Insides	3 160	3 323
Outsides	3 103	3 172
Knuckles	3 046	3 044
Rumps	3 164	3 335
Shins and shanks	2 275	2 401
Plates and flanks	1 605	1 672
Brisket	2 004	2 134
Forequarters	2 290	2 395
A = Stored in Ireland B = Stored in the United Kingdom		

(1) Avis d'adjudication n° Irl P — 3, JO n° C 76 du 26. 3. 1980, p. 15.

(1) Ausschreibung Nr. Irl P — 3, ABl. Nr. C 76 vom 26. 3. 1980, S. 15.

(1) Bando di gara n. Irl P — 3, GU n. C 76 del 26. 3. 1980, pag. 15.

(1) Bericht van inschrijving nr. Irl P — 3, PB nr. C 76 van 26. 3. 1980, blz. 15.

(1) Notice of invitation to tender No Irl P — 3, OJ No C 76, 26. 3. 1980, p. 15.

(1) Licitationsbekendtgørelse nr. Irl P — 3, EFT nr. C 76 af 26. 3. 1980, s. 15.

UNITED KINGDOM ⁽²⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton	
<i>Steers M, H, L/M, L/H and T and Heifers M/H and T</i>		
Fillets	6 127	
Striploins	4 062	
Topside	3 206	
Thick flanks	2 869	
Rumps	3 100	
Foreribs	2 439	
Clods and sticking	2 279	

(2) Avis d'adjudication n° UK P — 3, JO n° C 76 du 26. 3. 1980, p. 18.

(2) Ausschreibung Nr. UK P — 3, ABl. Nr. C 76 vom 26. 3. 1980, S. 18.

(2) Bando di gara n. UK P — 3, GU n. C 76 del 26. 3. 1980, pag. 18.

(2) Bericht van inschrijving nr. UK P — 3, PB nr. C 76 van 26. 3. 1980, blz. 18.

(2) Notice of invitation to tender No UK P — 3, OJ No C 76, 26. 3. 1980, p. 18.

(2) Licitationsbekendtgørelse nr. UK P — 3, EFT nr. C 76 af 26. 3. 1980, s. 18.

COMMISSION DECISION

of 24 April 1980

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 107/80

(80/491/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,

Whereas an invitation to tender for the export refund on common wheat was issued under Commission Regulation (EEC) No 107/80⁽⁴⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75⁽⁵⁾, as amended by Regulation (EEC) No 2944/78⁽⁶⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in fixing this maximum the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 107/80 is hereby fixed on the basis of the tenders submitted by 24 April 1980 at 65.90 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 14, 19. 1. 1980, p. 24.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 24 April 1980****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 108/80****(80/492/EEC)**

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⁾,

Having regard to Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general
rules for granting export refunds on cereals and
criteria for fixing the amount of such refunds⁽³⁾, and
in particular Article 5 thereof,

Whereas an invitation to tender for the export refund
on barley was issued under Commission Regulation
(EEC) No 108/80⁽⁴⁾;

Whereas, pursuant to Article 5 of Commission Regula-
tion (EEC) No 279/75⁽⁵⁾, as amended by Regulation
(EEC) No 2944/78⁽⁶⁾, the Commission, acting under
the procedure laid down in Article 26 of Regulation
(EEC) No 2727/75, may decide to fix a maximum
export refund; whereas in fixing this maximum the
criteria provided for in Articles 2 and 3 of Regulation
(EEC) No 2746/75 must be taken into account;
whereas a contract is awarded to any tenderer whose
tender is equal to or less than the maximum export
refund;

Whereas the application of the abovementioned
criteria to the current market situation for the cereal
in question results in the maximum export refund
being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 108/80 is
hereby fixed on the basis of the tenders submitted by
24 April 1980 at 68.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 14, 19. 1. 1980, p. 27.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 24 April 1980****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1990/79****(80/493/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,

Whereas an invitation to tender for the export refund on common wheat was issued under Commission Regulation (EEC) No 1990/79⁽⁴⁾, as last amended by Regulation (EEC) No 69/80⁽⁵⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75⁽⁶⁾, as amended by Regulation (EEC) No 2944/78⁽⁷⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in fixing this maximum the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1990/79 is hereby fixed on the basis of the tenders submitted by 24 April 1980 at 65.90 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 229, 11. 9. 1979, p. 12.

⁽⁵⁾ OJ No L 11, 16. 1. 1980, p. 8.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 24 April 1980****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EEC) No 2293/79****(80/494/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,

Whereas an invitation to tender for the export refund on barley was issued under Commission Regulation (EEC) No 2293/79⁽⁴⁾, as amended by Regulation (EEC) No 70/80⁽⁵⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75⁽⁶⁾, as amended by Regulation (EEC) No 2944/78⁽⁷⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in fixing this maximum the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported pursuant to the invitation to tender for the export of barley issued in Regulation (EEC) No 2293/79 is hereby fixed on the basis of the tenders submitted by 24 April 1980 at 68.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 April 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 263, 19. 10. 1979, p. 14.

⁽⁵⁾ OJ No L 11, 16. 1. 1980, p. 10.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 24 April 1980

authorizing the French Republic not to apply Community treatment to woven fabrics of synthetic fibres (discontinuous or waste), falling within subheading 56.07 A of the Common Customs Tariff (category 3), originating in the People's Republic of China and in free circulation in the other Member States

(Only the French text is authentic)

(80/495/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 18 April 1980 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to woven fabrics of synthetic fibres (discontinuous or waste), falling within subheading 56.07 A of the Common Customs Tariff (category 3), originating in the People's Republic of China and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in the People's Republic of China is covered by an Agreement negotiated between the Community and that country;

Whereas under that Agreement the People's Republic of China has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States;

Whereas, with a view to implementing the Agreement and to take account of its particularities, the Council has by Regulation (EEC) No 3061/79 of 20 December 1979 ⁽¹⁾ established specific common rules for imports of certain textile products originating in China;

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment;

Whereas further indirect imports, in addition to those already made or proposed, would be likely to aggravate these difficulties;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 80/47/EEC of 20 December 1979 ⁽²⁾, and in particular Article 3 thereof;

Whereas, however, the application for a licence which gave rise to the application in question does not need to be covered by such an authorization in view of the small amount involved,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in the People's Republic of China and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of the adoption of this Decision:

CCT heading No	Description
56.07 A (NIMEXE codes 56.07-01, 04, 05, 07, 08, 11, 13, 14, 16, 17, 18, 21, 23, 24, 26, 27, 28, 32, 33, 34, 36) (category 3)	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics

⁽¹⁾ OJ No L 345, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 14.

Article 2

Done at Brussels, 24 April 1980.

This Decision shall apply until 30 September 1980.

*For the Commission**Article 3*

Étienne DAVIGNON

This Decision is addressed to the French Republic.

Member of the Commission

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 243/78 of 1 February 1978 providing for the advance fixing of monetary compensatory amounts***(Official Journal of the European Communities No L 37 of 7 February 1978)*

Page 9, Article 7 (2), first indent :

for: '— where the import levy or export refund ...',*read:* '— where the levy or refund ...'.**Corrigendum to Commission Regulation (EEC) No 1073/80 of 30 April 1980 fixing the rates of the refunds applicable from 1 May 1980 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty***(Official Journal of the European Communities No L 113 of 1 May 1980)*

Page 53, Annex :

Common Customs Tariff subheading 10.06 B III should read as follows :

10.06 B III	Broken rice :	
	— For the manufacture of starch	0
	— Other than for the manufacture of starch	2.386

