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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1274/80

of 27 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 23 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 28 May 1980.

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

Done at Brussels, 27 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 27 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	86.03
10.01 B	Durum wheat	112.77 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	79.05 ⁽⁶⁾
10.03	Barley	85.55
10.04	Oats	73.07
10.05 B	Maize, other than hybrid maize for sowing	94.77 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	21.61 ⁽⁴⁾
10.07 C	Grain sorghum	89.34 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	135.12
11.01 B	Rye flour	125.33
11.02 A I a)	Durum wheat groats and meal	187.71
11.02 A I b)	Common wheat groats and meal	143.99

⁽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 1275/80**of 27 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 23 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 28 May 1980.

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

Done at Brussels, 27 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 27 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	0.18
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	4.66	4.66	4.30
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.72	0.72	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	0.25

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	0.32	0.32
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0.24	0.24
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	8.29	8.29	7.65	7.65
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	6.20	6.20	5.72	5.72
11.07 B	Roasted malt	0	7.22	7.22	6.67	6.67

COMMISSION REGULATION (EEC) No 1276/80

of 27 May 1980

altering certain reference prices for fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products⁽¹⁾, as last amended by Regulation (EEC) No 2903/78⁽²⁾, and in particular the first subparagraph of Article 19 (6) thereof,

Whereas the reference prices for 1980 were fixed by Commission Regulation (EEC) No 3052/79⁽³⁾;

Whereas since that last fixing of reference prices a situation has arisen which threatens the stability of the Community markets;

Whereas, for some time, reference prices for frozen products have not kept up with those for fresh products; whereas the increase in processing and energy costs has not been sufficiently taken into

account; whereas, as a result, the reference prices for the products concerned no longer reflect intervention price levels on the Community markets and therefore products can be imported at prices below those at which a properly functioning producers' organization can fulfil its role as a normal supplier;

Whereas this exceptional and unforeseeable situation requires urgent remedial measures to restore normal market stability, and it is therefore necessary to adjust reference prices for certain frozen products;

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

HAS ADOPTED THIS REGULATION:

Article 1

Part III of the Annex to Regulation (EEC) No 3052/79 is replaced by the following:

'III. Reference prices for frozen products listed in Annex IV (B) to Regulation (EEC) No 100/76:

Products	Presentation	Reference price (ECU/tonne)
1. Cod	Whole	648
	Fillets	1 508
2. Saithe	Whole	439
	Fillets	904
3. Haddock	Whole	514
	Fillets	1 292
4. Redfish (<i>Sebastes marinus</i>)	Whole	624
	Fillets	1 219
5. Mackerel	Whole	301
	Fillets	585
6. Hake (<i>Merluccius spp</i>)	Whole	533
	Fillets	867'

Article 2

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

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 1.

⁽²⁾ OJ No L 347, 12. 12. 1978, p. 1.

⁽³⁾ OJ No L 343, 31. 12. 1979, p. 34.

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

Done at Brussels, 27 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1277/80**of 27 May 1980****amending Regulation (EEC) No 1172/80 introducing a countervailing charge on cucumbers originating in Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1301/79⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Regulation (EEC) No 1172/80⁽³⁾, as amended by Regulation (EEC) No 1232/80⁽⁴⁾, introduced a countervailing charge on cucumbers originating in Spain ;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a

charge introduced in application of Article 25 of that Regulation is amended ; whereas, if these conditions are taken into consideration, the countervailing charge on the import of cucumbers originating in Spain must be amended,

HAS ADOPTED THIS REGULATION :

Article 1

The amount '30.57 ECU' appearing in Article 1 of Regulation (EEC) No 1172/80 is replaced by the amount '48.10 ECU'.

Article 2

This Regulation shall enter into force on 28 May 1980.

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

Done at Brussels, 27 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 26.

⁽³⁾ OJ No L 118, 9. 5. 1980, p. 41.

⁽⁴⁾ OJ No L 124, 20. 5. 1980, p. 14.

COMMISSION REGULATION (EEC) No 1278/80**of 27 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 1269/80⁽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 28 May
1980.

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

Done at Brussels, 27 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 129, 24. 5. 1980, p. 14.

ANNEX

to the Commission Regulation of 27 May 1980 altering the export levy on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
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	12.12 20.58 ⁽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.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 13 May 1980

opening an additional quota for import into Italy of synthetic rubber originating in Romania

(Only the Italian text is authentic)

(80/525/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to Council Decision 75/210/EEC of 27 March 1975 on unilateral import arrangements in respect of State-trading countries ⁽¹⁾, and in particular the first indent of Article 7 thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with Article 3 of Decision 75/210/EEC, the Italian Republic has requested that an amendment be made to the unilateral import arrangements applied to Romania under Decision 80/158/EEC ⁽²⁾;

Whereas the amendment requested does not raise any particular economic problems,

HAS ADOPTED THIS DECISION :

Article 1

For 1980, the Italian Republic shall open, in respect of Romania, by way of exception, an additional import quota of 500 tonnes of synthetic rubber falling within heading No ex 40.02 of the Common Customs Tariff.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 13 May 1980.

For the Council

The President

A. BISAGLIA

⁽¹⁾ OJ No L 99, 21. 4. 1975, p. 7.

⁽²⁾ OJ No L 42, 18. 2. 1980, p. 1.

COMMISSION

COMMISSION DECISION

of 12 May 1980

authorizing Ireland not to apply Community treatment to outer garments, falling within subheading ex 60.05 A II of the Common Customs Tariff (category 83), originating in Hong Kong and in free circulation in the other Member States

(Only the English text is authentic)

(80/526/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 30 April 1980 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to outer garments, falling within subheading ex 60.05 A II of the Common Customs Tariff (category 83), originating in Hong Kong and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Hong Kong is covered by an Agreement negotiated between the Community and that country;

Whereas under that Agreement Hong Kong 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 it was not possible on that occasion to allocate those 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⁽¹⁾, 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

Ireland is authorized not to apply Community treatment to the products indicated below, where they originate in Hong Kong 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 adoption of this Decision:

CCT heading No	Description
ex 60.05 A II (NIMEXE codes 60.05-04, 76, 77, 78, 79, 88, 90, 91, 92) (category 83)	Outer garments, knitted or crocheted, not elastic or rubberized, other than garments of categories 5, 7, 26, 27, 28, 71, 72, 73, 74 and 75, of wool, of cotton or of man-made textile fibres

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

Article 2

Done at Brussels, 12 May 1980.

This Decision shall apply until 30 September 1980.

For the Commission

Article 3

Wilhelm HAFERKAMP

This Decision is addressed to Ireland.

Vice-President

COMMISSION DECISION

of 12 May 1980

authorizing Ireland not to apply Community treatment to shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, falling within subheading ex 60.04 B I of the Common Customs Tariff (category 4), originating in Thailand and in free circulation in the other Member States

(Only the English text is authentic)

(80/527/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 6 May 1980 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, falling within subheading ex 60.04 B I of the Common Customs Tariff (category 4), originating in Thailand and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Thailand is covered by an Agreement negotiated between the Community and that country;

Whereas under that Agreement Thailand 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 it was not possible on that occasion to allocate those 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 and to call into question the objectives sought by the commercial measures concerned;

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 ⁽¹⁾, 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

Ireland is authorized not to apply Community treatment to the products indicated below, where they originate in Thailand 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
ex 60.04 B I (NIMEXE codes 60.04-19, 20, 22, 23, 24, 26, 41, 50, 58, 71, 79, 89) (category 4)	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers of regenerated textile fibres other than babies' garments

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

Article 2

Done at Brussels, 12 May 1980.

This Decision shall apply until 30 September 1980.

For the Commission

Article 3

Wilhelm HAFERKAMP

This Decision is addressed to Ireland.

Vice-President

COMMISSION DECISION

of 12 May 1980

finding that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Varian-Automated Auger Microprobe, model 981-2850', are not fulfilled

(80/528/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as amended by Regulation (EEC) No 1027/79⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 19 November 1979, the Belgian Government has requested the Commission to invoke the procedure now provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Varian-Automated Auger Microprobe, model 981-2850', intended to be used for research into the physical structure and chemical composition of surfaces, and in particular for microanalysis of thin layers in the study of corrosion, diffusion, fusion, electrochemistry, solar energy and the properties of ferritic steel, should be considered to be a scientific apparatus and, if the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 27 March 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a spectrometer;

Whereas its objective technical characteristics such as its resolution and sensitivity and the use to which it is

put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, is currently being manufactured in the Community; whereas this applies, in particular, since 1 January 1977 to the apparatus 'ASC 2000' manufactured by Riber Division d'Instruments SA, 22a boulevard de l'hôpital Stell, F-92505 Rueil Malmaison, and since 1 March 1978 to the apparatus 'MA 500 Auger Lab' manufactured by VG Scientific Ltd, the Birches Industrial Estate, Imberhome Lane, UK-East Grinstead, Sussex,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Varian-Automated Auger Microprobe, model 981-2850', is considered to be a scientific apparatus.

2. However, the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 May 1980.

For the Commission

Antonio GIOLITTI

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 14 May 1980****fixing the minimum export levy for the 10th partial invitation to tender for
white sugar issued under Regulation (EEC) No 561/80****(80/529/EEC)**

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 (5) thereof,

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

Whereas Commission Regulation (EEC) No 561/80 of
5 March 1980 on a standing invitation to tender in
order to determine levies and/or refunds on exports of
white sugar⁽⁴⁾, as amended by Regulation (EEC) No
863/80⁽⁵⁾, requires partial invitations to tender to be
issued for the export of this sugar ;

Whereas, pursuant to Article 9 (1) of Regulation (EEC)
No 561/80, a minimum export levy shall be fixed, as
the case may be, account being taken in particular of
the state and foreseeable development of the Commu-
nity and world markets in sugar, for the partial invita-
tion to tender in question ;

Whereas, following an examination of the tenders
submitted in response to the 10th partial invitation to
tender, the provisions set out in Article 1 should be
adopted ;

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

HAS ADOPTED THIS DECISION :

Article 1

The minimum export levy for the 10th partial invita-
tion to tender for white sugar issued under Regulation
(EEC) No 561/80 is hereby fixed at 6.251 ECU per
100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 May 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 28. 3. 1978, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 61, 6. 3. 1980, p. 18.

⁽⁵⁾ OJ No L 93, 10. 4. 1980, p. 13.

COMMISSION DECISION**of 14 May 1980****making no award in respect of the 96th partial invitation to tender for raw beet
sugar issued under Regulation (EEC) No 1790/77**

(80/530/EEC)

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 19 (4) thereof,Whereas Commission Regulation (EEC) No 1790/77
of 2 August 1977 on a standing invitation to tender to
determine export refunds for raw beet sugar⁽³⁾, as last
amended by Regulation (EEC) No 863/80⁽⁴⁾, requires
partial invitations to tender to be issued for the export
of this sugar ;Whereas, pursuant to Article 6 (1) of Regulation (EEC)
No 394/70 of 2 March 1970 on detailed rules for
granting export refunds on sugar⁽⁵⁾, as amended by
Regulation (EEC) No 1467/77⁽⁶⁾, a decision may be
taken to make no award in respect of a specific partial
invitation to tender ;Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Sugar,

HAS ADOPTED THIS DECISION :

*Article 1*In respect of the 96th partial invitation to tender
issued under Regulation (EEC) No 1790/77, the time
limit for the submission of tenders in response to
which expired on 14 May 1980, no award is hereby
made.*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 14 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 197, 4. 8. 1977, p. 11.⁽⁴⁾ OJ No L 93, 10. 4. 1980, p. 13.⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

COMMISSION DECISION**of 23 May 1980****accepting undertakings given in connection with the anti-dumping proceedings concerning certain stainless steel bars originating in Brazil and terminating those proceedings**

(80/531/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

After consultations within the Advisory Committee set up under that Regulation,

Whereas in November 1979 the Commission received a complaint lodged by the British Independent Steel Producers' Association (Bispa) on behalf of all the Community manufacturers of stainless steel bars, containing evidence of the existence of dumping in respect of like products originating in Brazil and of material injury resulting therefrom;

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

Whereas the Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of proceedings concerning imports of certain stainless steel bars originating in Brazil and commenced an investigation of the matter at Community level;

Whereas the Commission officially so advised the exporters and importers known to be concerned as well as representatives of the exporting country and the complainants;

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

Whereas the majority of the parties concerned have taken this opportunity of making known their views in writing;

Whereas, in order to arrive at a preliminary determination of the dumping margin and injury, the Commission carried out on-the-spot investigations at the prem-

ises of the main Brazilian exporters, including Acos Villares SA (São Paulo), Acos Finos Piratini SA (Porto Alegre) and Inter Bras Petrobras Comercio Internacional SA (Rio de Janeiro), and the main United Kingdom importers, including Amari World Steel Ltd (London), GME Steels Ltd (Macclesfield) and G.M. Elders Steels (Sheffield); whereas the Commission contacted a number of other agents and importers and also sought and verified all information it deemed to be necessary from the main Community producers concerned, namely the United Kingdom producers, including Spartan Redheugh Ltd (Sheffield), Firth Vickers Special Steels Ltd (Sheffield), Osborn Steels Ltd (Sheffield) and British Steel Corporation (Rotherham);

Whereas, for purposes of the preliminary assessment of dumping by Brazilian producers, the Commission compared the prices of their exports to the Community with those prevailing on the Brazilian market;

Whereas the comparisons were made on the basis of weighted averages at ex-factory level for sales from 1 December 1978 to 30 November 1979, taking into account, at the request of Acos Finos Piratini and Acos Villares, differences in conditions of sale directly related to the sales in question, with regard to transport costs, technical assistance and salesmen's commission and salaries;

Whereas the above preliminary examination of the facts shows the existence during the reference period of dumping in respect of the imports considered in the investigation, the dumping margin varying from 0 to 72 % according to the quality and size of the bars, but generally ranging around 30 %;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of stainless steel bars originating in Brazil rose from about three tonnes in 1975, to 120 tonnes in 1978 and 1 267 tonnes in 1979; whereas these imports are concentrated almost entirely on the market of the United Kingdom (which produces a large part of the Community output), having risen from about three tonnes in 1975, to 120 tonnes in 1978 and 1 167 tonnes in 1979;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 317, 18. 12. 1979, p. 3.

Whereas, in 1979, the imports in question attained a market share of 3 % in the Community and 17 % in the United Kingdom and therefore had a considerable influence on the United Kingdom market, while constituting a real threat to other Community producers ;

Whereas, according to the information available to the Commission, the prices of the imported product substantially undercut the prices of the same product manufactured by Community producers ; whereas in November 1979, for example, the price to the distributor in the United Kingdom of stainless steel bars originating in Brazil was 10 to 30 % lower than the prices charged by domestic producers ;

Whereas the consequent impact on the Community industry has taken the form of stagnation of production and sales at a level of 4 000 tonnes, the loss of about 3 000 jobs since 1975 and a depression of prices, making it impossible in most cases to cover production costs ; whereas, for this reason, the United Kingdom undertakings concerned are making substantial losses ;

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

Whereas, in view of the foregoing, the preliminary examination of the facts shows that dumping exists, and that there is sufficient evidence of consequent material injury ;

Whereas the exporters concerned were informed of the main findings of the preliminary investigation and

commented on them ; whereas undertakings were subsequently offered in the form of the fixing of prices at a level sufficient to eliminate dumping but without exceeding the dumping margin ;

Whereas the Commission has, therefore, determined that it is not now necessary to take protective action in respect of imports originating in Brazil ;

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

HAS DECIDED AS FOLLOWS :

Article 1

The Commission hereby accepts the undertakings given in connection with the anti-dumping proceedings concerning certain stainless steel bars of subheading ex 73.15 B V of the Common Customs Tariff (NIMEXE codes 73.73-53, ex 83), originating in Brazil.

Article 2

The anti-dumping proceedings concerning imports of certain stainless steel bars originating in Brazil are hereby terminated.

Done at Brussels, 23 May 1980.

For the Commission

Henk VREDELING

Vice-President
