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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1542/80**of 20 June 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 19 June 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 21 June 1980.

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

Done at Brussels, 20 June 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 20 June 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	96.28
10.01 B	Durum wheat	110.67 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	83.01 ⁽⁶⁾
10.03	Barley	88.29
10.04	Oats	74.89
10.05 B	Maize, other than hybrid maize for sowing	97.47 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	13.04
10.07 B	Millet	14.59 ⁽⁴⁾
10.07 C	Grain sorghum	88.03 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	150.10
11.01 B	Rye flour	131.05
11.02 A I a)	Durum wheat groats and meal	184.32
11.02 A I b)	Common wheat groats and meal	159.95

⁽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 1543/80

of 20 June 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 19 June 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 21 June 1980.

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

Done at Brussels, 20 June 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 20 June 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 6	1st period 7	2nd period 8	3rd period 9
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.89	0.89	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 6	1st period 7	2nd period 8	3rd period 9	4th period 10
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1544/80

of 20 June 1980

fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 852/78⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 336/80⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1078/80 of 30 April 1980 fixing the amount of the subsidy on

oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 1538/80⁽⁸⁾;

Whereas, if the price system is to operate normally, the world market price should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas it follows from applying these provisions that the world market price for colza and rape seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 June 1980.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 37, 14. 2. 1980, p. 17.

⁽⁷⁾ OJ No L 113, 1. 5. 1980, p. 59.

⁽⁸⁾ OJ No L 152, 20. 6. 1980, p. 25.

ANNEX

to the Commission Regulation of 20 June 1980 fixing the world market price for colza and rape seed

(ECU / 100 kg) ⁽¹⁾

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	20.913

(ECU / 100 kg) ⁽¹⁾

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of						
		June 1980	July 1980	August 1980	September 1980	October 1980	November 1980	December 1980
ex 12.01	Colza and rape seed	20.913	20.913	19.972	20.452	20.718	20.967	21.234

⁽¹⁾ The conversion rates from ECU into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 ECU = DM	2.48208
1 ECU = Fl	2.74362
1 ECU = Bfrs/Lfrs	39.7897
1 ECU = FF	5.84700
1 ECU = Dkr	7.72336
1 ECU = £Irl	0.668201
1 ECU = £	0.602051
1 ECU = Lit	1 177.39

COMMISSION REGULATION (EEC) No 1545/80

of 20 June 1980

altering the components used to calculate the differential amounts for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽²⁾,

Having regard to Commission Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1366/80⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽⁵⁾, as last amended by Regulation (EEC) No 852/78⁽⁶⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 2300/73 of 23 August 1973⁽⁷⁾, as last amended by Regulation (EEC) No 1162/80⁽⁸⁾, laid down detailed rules of application for Regulation (EEC) No 1569/72; whereas the components used to calculate the differen-

tial amounts were fixed by Regulation (EEC) No 2723/79⁽⁹⁾, as last amended by Regulation (EEC) No 1421/80⁽¹⁰⁾; whereas, in the case of the Italian lire, the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 for the period 11 to 17 June 1980 has changed, by reference to the representative rate valid on 23 June 1980, by at least one point from the percentage used for the previous fixing; whereas this fact should be taken into account when fixing the components used to calculate the differential amounts for colza and rape seed where those components are already applied in respect of the Member States concerned,

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 2723/79 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 23 June 1980.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 106, 29. 4. 1977, p. 27.

⁽⁴⁾ OJ No L 140, 5. 6. 1980, p. 19.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁷⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁸⁾ OJ No L 118, 9. 5. 1980, p. 25.

⁽⁹⁾ OJ No L 309, 5. 12. 1979, p. 10.

⁽¹⁰⁾ OJ No L 142, 6. 6. 1980, p. 20.

ANNEX

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
1. Colza and rape seed, processed for oil production in Germany or exported from that country :	+ 0.1083 (k) + 0.0980 (l)	— 0.1083 (k) — 0.0980 (l)	+	—
— harvested in Germany			—	—
— harvested in the BLEU or in the Netherlands			—	0.0902 (k)
— harvested in France			—	0.0815 (f)
			—	0.1509 (d)
— harvested in Denmark			—	0.1083 (e)
— harvested in Ireland			—	0.0980 (f)
— harvested in the United Kingdom			—	0.1083 (k)
— harvested in Italy			—	0.0980 (f)
			—	0.1202 (k)
			—	0.1100 (f)
			—	0.0837 (k)
			—	0.0731 (f)
			—	0.1540 (i)
			—	0.1122 (j)
			—	0.1130 (f)
2. Colza and rape seed, processed for oil production in the BLEU and in the Netherlands or re-exported from those countries :	+ 0.0198 (k) + 0.0180 (l)	— 0.0198 (k) — 0.0180 (l)	+	—
— harvested in Germany			0.0992 (k)	—
— harvested in the BLEU or in the Netherlands			0.0887 (f)	—
— harvested in France			—	—
			—	0.0667 (d)
— harvested in Denmark			—	0.0198 (e)
— harvested in Ireland			—	0.0180 (f)
— harvested in the United Kingdom			—	0.0198 (k)
— harvested in Italy			—	0.0180 (f)
			—	0.0329 (k)
			—	0.0311 (f)
			0.0072 (k)	—
			0.0091 (f)	—
			—	0.0701 (i)
			—	0.0241 (j)
			—	0.0343 (f)
3. Colza and rape seed, processed for oil production in Denmark or exported from that country :	Nil	Nil	+	—
— harvested in Germany			0.1214 (k)	—
— harvested in the BLEU or in the Netherlands			0.1086 (f)	—
			0.0202 (k)	—
			0.0183 (f)	—
— harvested in France			—	0.0478 (d)
— harvested in Denmark			— (e)	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	0.0134
— harvested in Italy			0.0276	—
			—	0.0394 (l)
			—	0.0044 (j)

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
4. Colza and rape seed, processed for oil production in France or exported from that country :	— 0.0502 (a) — 0.0135 (b) Nil (c)	+ 0.0502 (a) + 0.0135 (b) Nil (c)	+	—
— harvested in Germany			0.1778 (d) 0.1214 (e) 0.1086 (f)	— — —
— harvested in the BLEU or in the Netherlands			0.0715 (d) 0.0202 (e) 0.0183 (f)	— — —
— harvested in France			—	—
— harvested in Denmark			0.0502 (d) — (e)	— —
— harvested in Ireland			0.0362 (d)	—
— harvested in the United Kingdom			—	0.0134 (e)
— harvested in Italy			0.0792 (h) 0.0276 (i) 0.0088 (j) —	— — — 0.0169 (i)
5. Colza and rape seed, processed for oil production in the United Kingdom or exported from that country :	+ 0.0268	— 0.0268	+	—
— harvested in Germany			0.0913 (k) 0.0789 (f)	— —
— harvested in the BLEU or in the Netherlands			—	0.0072 (k)
— harvested in France			—	0.0090 (f)
— harvested in Denmark			—	0.0734 (i)
— harvested in Ireland			—	0.0268 (j)
— harvested in the United Kingdom			—	0.0268
— harvested in Italy			—	0.0398
			—	0.0768 (i)
			—	0.0311 (j)
6. Colza and rape seed, processed for oil production in Ireland or exported from that country :	— 0.0135	+ 0.0135	+	—
— harvested in Germany			0.1366 (k) 0.1237 (f)	— —
— harvested in the BLEU or in the Netherlands			0.0341 (k) 0.0321 (f)	— —
— harvested in France			—	0.0350 (d)
— harvested in Denmark			0.0135 (e)	—
— harvested in Ireland			0.0135	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.0415 — 0.0091 (j)	— 0.0384 (i) —
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	— 0.0541 (g) — 0.0169 (h)	+ 0.0541 (g) + 0.0169 (h)	+	—
— harvested in Germany			0.1820 (i) 0.1263 (j) 0.1274 (f)	— — —
— harvested in the BLEU or in the Netherlands			0.0754 (i) 0.0247 (j) 0.0356 (f)	— — —
— harvested in France			0.0036 (i)	—
— harvested in Denmark			0.0044 (j)	—
— harvested in Ireland			0.0540 (i)	—
— harvested in the United Kingdom			0.0044 (j)	—
— harvested in Italy			0.0400 (i) — 0.0831 (i) 0.0321 (j) —	— 0.0091 (j) — — —

- (a) In the case of placing under inspection or export until 30 June 1980.
 - (b) In the case of a subsidy or an export refund advance-fixed as from 1 February until 6 May 1980 and in the case of placing under inspection or export as from 1 July 1980.
 - (c) In the case of a subsidy or an export refund advance-fixed as from 7 May 1980 and in the case of placing under inspection or export as from 1 July 1980.
 - (d) In the case of placing under inspection or export until 30 June 1980.
 - (e) In the case of a subsidy or an export refund advance-fixed as from 12 to 31 May 1980 and in the case of placing under inspection or export as from 1 July 1980.
 - (f) In the case of a subsidy or an export refund advance-fixed prior to 12 May 1980 as from 23 June 1980 and in the case of placing under inspection or export as from 1 July 1980.
 - (g) In the case of placing under inspection or export until 30 June 1980.
 - (h) In the case of a subsidy or an export refund advance-fixed as from 23 June 1980 and in the case of placing under inspection or export as from 1 July 1980.
 - (i) In the case of placing under inspection or export as from the date of the entry into force of this Regulation with a subsidy or an export refund advance-fixed prior to 12 May 1980 or with the subsidy or the refund for that day ; in the case of placing under inspection or export until 30 June 1980 with a subsidy or an export refund advance-fixed as from 23 June 1980.
 - (j) In the case of a subsidy or an export refund advance-fixed from 12 to 31 May 1980 and in the case of placing under inspection or export as from 1 July 1980.
 - (k) In the case of a subsidy or an export refund advance-fixed as from 23 June 1980 and in the case of placing under inspection or export until 30 June 1980.
 - (l) In the case of a subsidy or an export refund advance-fixed as from 1 June 1980 and in the case of placing under inspection or export as from 1 July 1980.
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COMMISSION REGULATION (EEC) No 1546/80

of 20 June 1980

opening an invitation to tender for the mobilization of common wheat as food aid for the People's Republic of Bangladesh

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 28 May 1980 the Council of the European Communities declared that by way of Community action it proposed to grant the People's Republic of Bangladesh 104 992 tonnes of common wheat under its 1979/80 food-aid programme;

Whereas an analysis of the state of the cereals market with reference to cereals intervention in France indicates that the criteria of Article 3 (2) of Council Regulation (EEC) No 2750/75 should be applied and that the intervention agency of the Member State as specified should mobilize the cereals from those stocked in its own stores and should also determine the conditions of mobilization;

Whereas tenders should be invited for the supply of the product to the port of shipment in the vicinity of the vessel, the goods to be set down at the place nominated by the recipient or its agent;

Whereas the contract should be awarded to the tenderer offering the best terms;

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

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

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 the People's Republic of Bangladesh of 104 992 tonnes of common wheat.
2. The tendering procedure shall take place in France in five lots.
3. The produce shall be taken from the intervention agency of the French Republic from the stores specified in the Annex.
4. Shipment shall be from a Community port.
5. The product referred to in paragraph 1 is to be delivered in bulk to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 4 July 1980.
2. The closing date for the receipt of tenders shall be 4 July 1980 at 12 noon.

⁽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.

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

The contract shall be awarded to the tenderer who makes the most favourable offer.

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 4

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 5

1. The tenderer shall give security of a value of 6 ECU per tonne of the product; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeited if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *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

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 reference price is fixed, except that the moisture content shall not exceed 15 %.

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

Done at Brussels, 20 June 1980.

Article 7

1. The French intervention agency shall be responsible for operations relating to 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. On the other hand, if the successful tenderer is established in a Member State other than the one collecting the tenders, and if the product is dispatched through a frontier post of the Member State where the successful tenderer is established, the French intervention agency shall be responsible for the operation relating to the tendering.

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

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;
- (b) the date of departure of the vessels.

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

Article 8

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 9

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

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — BILAG — ANNEX

Numéro du lot Nummer der Lose Numero della partita Nummer van de partij Partiets nummer Number of lot	Port d'embarquement Verschiffungshafen Porto d'imbarco Haven van inlading Indskibningshavn Port of shipment	Tonnage à mettre en fob Nach fob zu bringende Menge Tonnellaggio da mettere in fob Fob aan te leveren hoeveelheid Mængde til levering fob Tonnage fob	Nom et adresse du stockeur Name und Adresse des Lagerhalters Nome e indirizzo del detentore Naam en adres van de entrepouhouder Lagerindehaverens navn og adresse Address of store	Lieu de stockage Ort der Lagerhaltung Luogo di accantonamento Adres van de opslagplaats Lagerplads Town at which stored
		104 992 t dont : davon : di cui : waarvan : deraf : whereof :		
1	Port de la Communauté Hafen der Gemeinschaft Porto della Comunità Comunity Port	20 000 t	Sonastock Nantes	Nantes
2	Fælleskabshavne	10 000 t	Magasins ruraux de l'Ouest Saint-Pierre-des-Corps	Saint-Pierre-des-Corps
3	Haven van de Gemeenschap	5 700 t	Codep Saint-Pierre-des-Corps	Saint-Ouen-l'Aumône
4		59 300 t	Codep Saint-Ouen-l'Aumône	Saint-Ouen-l'Aumône
5		9 992 t	Cornet et fils 28410 Orgères-en-Beauce	Saint-Nazaire

COMMISSION REGULATION (EEC) No 1547/80

of 20 June 1980

opening an invitation to tender for the mobilization of common wheat as food aid for the Islamic Republic of Mauritania

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 28 May 1980 the Council of the European Communities declared that by way of Community action it proposed to grant the Islamic Republic of Mauritania 11 000 tonnes of common wheat under its 1978/79 and 1979/80 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 placed on the quay 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 for supplies to the Islamic Republic of Mauritania 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 to the Islamic Republic of Mauritania by way of Community food-aid action of 11 000 tonnes of common wheat.

2. The tendering procedure shall take place in France in four lots. The product shall be mobilized on the Community market. The product shall be loaded for the departure from any Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered on the quay in one of the ports of unloading listed in the Annex.

4. 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.

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

'Froment tendre / Don de la Communauté économique européenne à la Mauritanie.'

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 4 July 1980.
2. The closing date for submission of tenders shall be 4 July 1980, 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, where appropriate, 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.

Such 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

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 6

The common wheat referred to in Article 1 to be supplied to the Islamic Republic of Mauritania must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed.

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 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 certificate showing the quantities dispatched and the quality of the products ;
- (b) the date of departure of the ships ;
- (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 8

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 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, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Number of lot	Port of unloading	Minimum rate of unloading	Tonnage cif
1	Nouakchott	} Customs of the port	4 000
2	Nouakchott		4 000
3	Nouakchott		2 000
4	Nouadhibou		1 000

COMMISSION REGULATION (EEC) No 1548/80

of 20 June 1980

on the delivery of skimmed-milk powder 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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1310/80 of 28 May 1980 laying down general rules for the supply of skimmed-milk powder to certain developing countries and specialized bodies under the 1980 food-aid programme⁽³⁾, and in particular Article 6 thereof,

Whereas, under the food-aid programmes adopted by the Council Regulations specified in the Annex, the G.F.S. Amberg has requested the delivery of the quantity of skimmed-milk powder set out therein;

Whereas, therefore, delivery should be effected in accordance with the rules laid down in Commission Regulation (EEC) No 303/77 of 14 February 1977

laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, as last amended by Regulation (EEC) No 1488/79⁽⁵⁾; whereas, in particular, the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the provisions of Regulation (EEC) No 303/77 the German intervention agency shall deliver skimmed-milk powder as food aid on the special terms set out in the Annex.

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, 20 June 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 134, 31. 5. 1980, p. 10.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 181, 18. 7. 1979, p. 20.

ANNEX ⁽¹⁾

1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 1310/80 (1980 programme) (EEC) No 1311/80
2. Beneficiary	NGO (G.F.S. Amberg)
3. Country of destination	Somalia
4. Total quantity of the consignment	30 tonnes
5. Intervention agency responsible for delivery	Germany
6. Origin of the skimmed-milk powder	Intervention stocks (entry into stock after 1 August 1979)
7. Special characteristics and/or packaging ⁽²⁾	
8. Markings on the packaging	'Skimmed-milk powder / Gift of the European Economic Community / For free distribution in Somalia'
9. Delivery period	Delivery as soon as possible and at the latest by 10 July 1980
10. Stage and place of delivery	Cologne/Bonn airport
11. Representative of the beneficiary responsible for reception	Gemeinschaft zur Förderung Sozialmedizinischer Stiftungen e.V., Obere Angerstraße 7, D-8450 Amberg ; tel. : 09621 — 61530
12. Procedure to be applied to determine the costs of supply	Mutual agreement

Notes

⁽¹⁾ This Annex, together with the notice published in Official Journal No C 95 of 19 April 1977, page 7, takes the place of an invitation to tender from the intervention agencies concerned in cases where, under point 12, there must be a tendering procedure.

⁽²⁾ Other than those set out in the Annex to Regulation (EEC) No 625/78 ; see Article 6 (2) of Regulation (EEC) No 303/77.

COMMISSION REGULATION (EEC) No 1549/80**of 20 June 1980****amending Regulation (EEC) No 149/80 as regards the advance fixing of export
refunds for poultrymeat and eggs**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2771/75 of 29 October 1975 on the common organiza-
tion of the market in eggs ⁽¹⁾, as amended by Regula-
tion (EEC) No 368/76 ⁽²⁾, and in particular Article 15
thereof,

Having regard to Council Regulation (EEC) No
2777/75 of 29 October 1975 on the common organiza-
tion of the market in poultrymeat ⁽³⁾, as amended by
Regulation (EEC) No 369/76 ⁽⁴⁾, and in particular
Articles 9 (3) and 15 thereof,

Whereas Commission Regulation (EEC) No
149/80 ⁽⁵⁾, as amended by Regulation (EEC) No
768/80 ⁽⁶⁾, modified, for a period extending until 30
June 1980, the system for the advance fixing of export
refunds for poultrymeat and eggs provided for by

Commission Regulation (EEC) No 2043/75 ⁽⁷⁾;
whereas the circumstances which gave rise to the adop-
tion of that Regulation still obtain; whereas it there-
fore appears necessary to extend the application of
that Regulation until 30 September 1980;

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

HAS ADOPTED THIS REGULATION :

Article 1

In Article 3 of Regulation (EEC) No 149/80 the date
'30 June 1980' is replaced by '30 September 1980'.

Article 2

This Regulation shall enter into force on 30 June
1980.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 12.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 2.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽⁴⁾ OJ No L 45, 21. 2. 1976, p. 3.

⁽⁵⁾ OJ No L 19, 25. 1. 1980, p. 37.

⁽⁶⁾ OJ No L 85, 29. 3. 1980, p. 26.

⁽⁷⁾ OJ No L 213, 11. 8. 1975, p. 12.

COMMISSION REGULATION (EEC) No 1550/80

of 20 June 1980

opening an invitation to tender for the sale for export of baled tobacco held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco⁽¹⁾, as last amended by Regulation (EEC) No 1579/79⁽²⁾, and in particular Articles 7 (4) and 9 (5) thereof,

Whereas Commission Regulation (EEC) No 3389/73 of 13 December 1973⁽³⁾, as last amended by Regulation (EEC) No 313/79⁽⁴⁾, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

Whereas, on account of the problems caused by the storage of baled tobacco, and in particular the costs of storage, and in view of the quantity of tobacco available on the internal Community market, an invitation to tender should be opened for the sale of tobacco in lots; whereas this tobacco should be intended for export without refund;

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

HAS ADOPTED THIS REGULATION:

Article 1

One lot of baled raw tobacco of the variety 'Beneventano' from the 1974 harvest held by the Italian intervention agency of a total weight of 989 284 kilograms shall be sold for export.

Article 2

The sale shall take place in accordance with the tendering procedure provided for in Regulation (EEC) No 3389/73.

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

Done at Brussels, 20 June 1980.

Article 3

The closing date for the submission of tenders at the seat of the Commission of the European Communities shall be at 1 p.m. Brussels time on 15 September 1980.

Article 4

The final date referred to in Article 9 (1) of Regulation (EEC) No 3389/73 for removal of the tobacco by the successful tenderer shall be the 60th day following the date of publication of the result of the sale by tender in the *Official Journal of the European Communities*.

Article 5

1. The security specified in Article 5 of Regulation (EEC) No 3389/73 shall be given to the Azienda di Stato per gli interventi nel mercato agricolo, sezione specializzata per il tabacco (AIMA), via Duccio Galimberti 47, 00136 Rome, Italy.

2. The Commission shall inform the concerned intervention agency forthwith of the result of the sale by tender. This shall immediately release the securities of tenderers whose tenders were inadmissible or who were unsuccessful. The security of the successful tenderer shall be released when the conditions laid down in Article 7 (c) of that Regulation have been fulfilled.

Article 6

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

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 189, 27. 7. 1979, p. 1.

⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁴⁾ OJ No L 43, 20. 2. 1979, p. 5.

COMMISSION REGULATION (EEC) No 1551/80

of 20 June 1980

amending for the sixth time Regulation (EEC) No 557/79 laying down detailed rules for the application of the system of consumption aid for olive oil and amending Regulation (EEC) No 2041/75 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

Regulation (EEC) No 557/79 is amended as follows :

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽²⁾, and in particular Article 11 (5) thereof,

Whereas, pursuant to Article 13 (1) of Commission Regulation (EEC) No 557/79⁽³⁾, as last amended by Regulation (EEC) No 338/80⁽⁴⁾, any release into free circulation of olive oil, excluding edible virgin olive oil and refined oil put up in immediate containers of a net content of five litres or less, is subject to the provision of a security ;

Whereas recent experience has shown an abnormal growth in imports of edible olive oil and refined olive oil put up in containers of five litres or less ; whereas there is a risk that this oil will not be released for consumption directly in an unaltered state but will be repacked with a view to its qualifying for consumption aid ; whereas, in order to limit this risk, it appears advisable to reduce, for a limited period, the capacity of containers in respect of which no security is required ;

Whereas Commission Regulation (EEC) No 2041/75⁽⁵⁾, as last amended by Regulation (EEC) No 1479/79⁽⁶⁾, specifies the entries which must appear in section 12 of the import licence ; whereas these entries need to be adapted following the amendment of Regulation (EEC) No 557/79 ;

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

1. A further subparagraph, as follows, is added to Article 13 (1) :

‘However, during the period 4 July to 31 October 1980, only olive oil of subheadings 15.07 A I a) and 15.07 A II of the Common Customs Tariff put up in immediate containers of a net content of one litre or less shall be exempt from the requirement that security be lodged.’

2. A further subparagraph, as follows, is added to Article 14 (1) :

‘or

(e) it has been demonstrated, to the satisfaction of the Member State concerned, that oil of subheadings 15.07 A I a) and 15.07 A II of the Common Customs Tariff imported during the period 4 July to 31 October 1980 in immediate containers of more than one litre but not more than five litres has been released without further treatment in the original containers for consumption on the market of the said Member State.’

Article 2

An Article 2b, as follows, is inserted in Regulation (EEC) No 2041/75 :

‘Article 2b

1. By way of derogation from the provisions of Article 2a, the application for an import licence concerning products referred to in Article 1 (2)(c) of Regulation No 136/66/EEC submitted under Article 6 of Regulation (EEC) No 193/75 during the period 28 June to 31 October 1980 shall be subject to the provisions of paragraph 2.

2. The application for an import licence and the licence itself shall include in section 12 one of the following endorsements :

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 73, 24. 3. 1979, p. 13.

⁽⁴⁾ OJ No L 37, 14. 2. 1980, p. 19.

⁽⁵⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁶⁾ OJ No L 180, 7. 7. 1979, p. 12.

'Importation in bulk or in immediate containers of more than 1 litre';

'Importation en vrac ou en emballages immédiats supérieurs à 1 litre';

'Indførsel uemballeret eller i indre emballager på over 1 liter';

'Einfuhr lose oder in unmittelbaren Umschließungen von mehr als 1 Liter';

'Importazione alla rinfusa o in imballaggi immediati superiori a 1 litro';

'Invoer onverpakt of in onmiddellijke verpakkingen van meer dan 1 liter';

or :

'Importation in immediate containers of 1 litre or less';

'Importation en emballages immédiats inférieurs ou égaux à 1 litre';

'Indførsel i indre emballager på højst 1 liter';

'Einfuhr in unmittelbaren Umschließungen von höchstens 1 Liter';

'Importazioni in imballaggi immediati inferiori o uguali a 1 litro';

'Invoer in onmiddellijke verpakkingen van ten hoogste 1 liter'.

The licence shall be valid only for a product thus put up.'

Article 3

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, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1552/80

of 20 June 1980

laying down detailed rules for the provision of administrative assistance in connection with the export of certain cheeses eligible for special treatment on import into Australia

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 on export of agricultural products which may benefit from a special import treatment in a third country⁽¹⁾, and in particular Article 1 (2) thereof,

Whereas the Commonwealth of Australia has agreed, in the context of GATT, to allow imports of soft ripened cheeses, Roquefort, Stilton and cheeses from goats' milk free of any quantitative restrictions; whereas this agreement will apply from 1 July 1980;

Whereas the Community has undertaken to grant administrative assistance to the Australian authorities to ensure correct application of the agreement; whereas, to this end, the cheeses concerned should be accompanied by a certificate issued by the competent authorities in the Community;

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

HAS ADOPTED THIS REGULATION:

Article 1

For exports to the Commonwealth of Australia of:

- soft ripened cheeses plus cheeses produced exclusively from goats' milk (excluding Feta, Teleme and Kasseri) falling within subheading 04.04 E of the Common Customs Tariff,
- Roquefort cheese and Stilton cheese falling within subheading 04.04 C of the Common Customs Tariff,

produced in the Community and satisfying the definition set out in Annex I hereto, a certificate corresponding to the specimen set out in Annex II hereto shall be issued at the request of the party concerned.

Article 2

1. Certificates shall be printed on white paper and in English. Their size shall be 210 × 297 mm. Each

certificate shall be given a serial number by the issuing agency.

The exporting Member State may require that the certificate to be used on its territory shall, in addition to English, be printed in one of its official languages.

2. Certificates shall be made out in one original and at least two copies. These copies shall bear the same serial number as the original. The original and copies shall be completed either in typescript or in manuscript; in the latter case, they shall be completed in block letters and in ink.

Article 3

1. The certificate and copies thereof shall be issued by the agency designated by each Member State.

2. The issuing agency shall keep one copy of the certificate. The original and the other copy shall be produced to the customs officer where customs export formalities for export to the Commonwealth of Australia are completed.

3. The customs office referred to in paragraph 2 shall set its stamp on the box reserved for this purpose on the original and return it to the party concerned. The copy shall be kept by that customs office.

Article 4

The certificate shall be valid only after endorsement by the competent customs office. It shall cover the quantity of goods indicated thereon. However, a quantity exceeding by not more than 5 % the quantity stated on the certificate shall be regarded as being covered by that certificate.

Article 5

Member States shall take whatever measures may be necessary for the purpose of checking the origin, type, composition and quality of the cheeses in respect of which certificates are issued.

Article 6

This Regulation shall enter into force on 1 July 1980.

⁽¹⁾ OJ No L 334, 28. 12. 1979, p. 8.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX I

Definition of the cheeses referred to in Article 1

1. Soft ripened cheeses are treated or ripened by biological agents such as moulds, yeasts and other organisms which have caused a visible crust to form on the surface of the cheese. The treatment or ripening is so carried out that the cheese visibly cures or ripens from the surface towards the centre. The fat content by weight of dry matter must not be less than 50 %. Moisture content calculated by weight of the non-fatty matter must not be less than 65 %.

The term 'soft ripened cheese' does not include cheeses with moulds, yeasts and other organisms on the crust which also contain mould, blue or otherwise, distributed evenly throughout the interior of the cheese.

2. Roquefort cheeses must be made in accordance with the standards laid down in the law of 29 July 1925 published in the 'Journal officiel de la République française' of 30 July 1925 and must be labelled as 'Roquefort' by the 'Confédération générale des producteurs de lait de brebis et des industriels de Roquefort'.
 3. Stilton cheeses must be made in accordance with the regulations governing the use of certification trademarks 831407 and 831408 and complying with the appropriate requirements relating to the milk fat content and water content as set out in Schedule 1 to the 1970 cheese regulations of the United Kingdom.
 4. Goats' milk cheeses must be made 'solely from goats' milk' (excluding Feta, Telemea and Kasseri cheeses) and must bear these words on the package and/or on the label.
-

EUROPEAN COMMUNITIES

1. Exporter		2. Certificate No	ORIGINAL	
3. Consignee		CERTIFICATE of identity and origin for export of soft ripened cheeses, Roquefort cheese, Stilton cheese and goats' milk cheeses		
NOTES A. This certificate must be made out in one original and at least two copies. B. The description of the cheeses must include the type in addition to any brand or trade name. C. The original and one copy must be produced for certification to the customs office at which customs export formalities are completed. D. The original must be produced to the customs authorities of the Commonwealth of Australia.				
1	4. Marks, numbers, number and kind of packages ; description of goods		5. Gross weight	6. Invoice Nos
			7. Net weight	
2	4. Marks, numbers, number and kind of packages ; description of goods		5. Gross weight	6. Invoice Nos
			7. Net weight	
THE UNDERSIGNED COMPETENT AUTHORITY hereby certifies that the cheeses described above : — were produced in the Community, — are of sound and fair marketable quality, and — conform to the definition shown overleaf.				
9. Issuing authority		(Place)	(Date)	
		(Signature)	(Stamp)	
10. CERTIFICATION BY THE COMPETENT CUSTOMS OFFICE Customs formalities for export to the Commonwealth of Australia of the cheeses covered by this certificate have been completed.				
(Place)		(Date)		
		(Signature)	(Stamp)	

(Back of certificate)

DEFINITION OF SOFT RIPENED CHEESES

Soft ripened cheese is cured or ripened by biological curing agents, such as moulds, yeasts and other organisms which have formed a crust on the surface of the cheese. The curing or ripening is conducted so that the cheese visibly cures or ripens from the surface towards the centre. Fat content in the dry matter is not less than 50 %. Moisture content calculated by weight of the non-fatty matter is not less than 65 %.

The term 'soft ripened cheese' does not include cheeses with moulds, yeasts and other organisms on the surface which also contain mould, blue or otherwise, distributed throughout the interior of the cheese.

DEFINITION OF ROQUEFORT CHEESE

Roquefort cheese is made in accordance with the regulation of 29 July 1925 published in 'Journal officiel de la République française' of 30 July 1925 and labelled as 'Roquefort' by the 'Confédération générale des producteurs de lait de brebis et des industriels de Roquefort'.

DEFINITION OF STILTON CHEESE

Stilton cheese made in accordance with the regulations governing the use of certification trademarks 831407 and 831408 and complying with the appropriate requirements for content of milk fat and water as set out in Schedule 1 to the 1970 cheese regulations of the United Kingdom.

DEFINITION OF GOATS' MILK CHEESES

Goats' milk cheese is cheese made with milk solely from goats and labelled as having been made with milk solely from goats (excluding Feta, Teleme and Kasseri cheeses).

COMMISSION REGULATION (EEC) No 1553/80**of 20 June 1980****fixing the export refunds on beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 2916/79 ⁽²⁾, and in particular the first sentence of Article 18 (5) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68 of 28 June 1968 ⁽³⁾, as last amended by Regulation (EEC) No 427/77 ⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas the current market situation in the Community and sales outlets, particularly in non-member countries, leads to granting export refunds on adult bovine animals of a live weight of at least 300 kilograms; whereas experience gained in recent years has shown that it is advisable to treat live pedigree breeding animals of a weight of at least 300 kilograms in an identical manner to other bovine animals, while subjecting them to certain special administrative formalities;

Whereas it is necessary to grant refunds for the export to certain destinations of certain fresh or chilled meat listed in the Annex under subheading ex 02.01 A II a) and of certain frozen meat listed in the Annex under subheading ex 02.01 A II b) and of certain other prepared or preserved meat or meat offal listed in the Annex under subheading 16.02 B III b) 1 aa);

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to the extent necessary to allow this trade to continue, the refund must be fixed at an amount which will cover the difference between prices on the Swiss market and export prices in the Member States;

Whereas, in the case of certain other cuts and preserves of meat or offals shown in the Annex under subheading 16.02 B III b) 1 bb), Community participation in international trade may be ensured by granting a refund which takes account of the refund hitherto granted to exporters;

Whereas, in the case of other beef and veal products, a refund need not be fixed since Community participation in world trade in these products is not significant;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund referred to in Article 18 of Regulation (EEC) No 805/68 is granted and the amount of that refund shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June 1980.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 20 June 1980 fixing the export refunds on beef and veal

(ECU/100 kg)

CCT heading No	Description	Refund
ex 01.02 A	Live domestic animals of the bovine species :	— Live weight —
	I. Pure-bred breeding animals :	
	(a) Adult bovine animals with a live weight equal to or greater than 300 kg :	
	— For export to third countries, except the Soviet Union	68·000
ex 02.01 A II	II. Other than pure-bred breeding animals :	
	(a) Adult bovine animals with a live weight equal to or greater than 300 kg :	
	— For export to third countries, except the Soviet Union	68·000
		— Net weight —
ex 02.01 A II	Meat of bovine animals :	
	a) Fresh or chilled :	
	1. Carcasses, half-carcasses or 'compensated' quarters :	
	(aa) The front part of a carcass or of a half-carcass comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs :	
	— For export to North African, Near and Middle East countries ⁽¹⁾	95·000
	— For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾ ⁽²⁾ , except the Soviet Union	88·000
	— Other third countries, except the United States of America and the Soviet Union	72·500
	(bb) Other :	
	— For export to North African, Near and Middle East countries ⁽¹⁾	129·500
	— For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾ ⁽²⁾ , except the Soviet Union	122·500
	— Other third countries, except the United States of America and the Soviet Union	103·000
	2. Separated or unseparated forequarters :	
	— For export to North African, Near and Middle East countries ⁽¹⁾	95·000
	— For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾ ⁽²⁾ , except the Soviet Union	88·000
	— Other third countries, except the United States of America and the Soviet Union	72·500
	3. Separated or unseparated hindquarters :	
	— For export to North African, Near and Middle East countries ⁽¹⁾	164·000
	— For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾ ⁽²⁾ , except the Soviet Union	157·000
	— Other third countries, except the United States of America and the Soviet Union	133·000

(ECU/100 kg)

CCT heading No	Description	Refund
		— Net weight —
ex 02.01 A II (cont'd)	4. Other : (aa) Unboned (bone-in) : — For export to North African, Near and Middle East countries ⁽¹⁾ 95·000 — For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾⁽²⁾, except the Soviet Union 88·000 — Other third countries, except the United States of America and the Soviet Union 72·500 ex (bb) Boned or boneless, excluding the thin flanks and the shin, each piece individually wrapped : — For export to North African, Near and Middle East countries ⁽¹⁾ 141·194 — For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾⁽²⁾, except the Soviet Union 134·194 — Other third countries, except the United States of America and the Soviet Union 113·037 — For export to the United States of America carried out in accordance with Regulation (EEC) No 2973/79 ⁽³⁾ 107·000 b) Frozen : 1. Carcasses, half-carcasses or 'compensated' quarters : (aa) The front part of a carcass or of a half-carcass comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs : — For export to North African, Near and Middle East countries ⁽¹⁾ 89·000 — For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾⁽²⁾, except the Soviet Union 82·000 (bb) Other : — For export to North African, Near and Middle East countries ⁽¹⁾ 108·500 — For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾⁽²⁾, except the Soviet Union 101·500 2. Separated or unseparated forequarters : — For export to North African, Near and Middle East countries ⁽¹⁾ 89·000 — For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾⁽²⁾, except the Soviet Union 82·000 3. Separated or unseparated hindquarters : — For export to North African, Near and Middle East countries ⁽¹⁾ 128·000 — For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾⁽²⁾, except the Soviet Union 121·000	

(ECU/100 kg)		
CCT heading No	Description	Refund
		— Net weight —
ex 02.01 A II (cont'd)	4. Other :	
	(aa) Unboned (bone-in) :	
	— For export to North African, Near and Middle East countries ⁽¹⁾	89-000
	— For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾⁽²⁾ , except the Soviet Union	82-000
	ex (bb) Boned or boneless, excluding the thin flanks and the shin each piece individually wrapped :	
	— For export to the United States of America carried out in accordance with Regulation (EEC) No 2973/79 ⁽³⁾	107-000
	— For export to North African, Near and Middle East countries ⁽¹⁾	107-000
	— For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾⁽²⁾ , except the Soviet Union	100-000
	Other boned or boneless :	
	— For export to the United States of America carried out in accordance with Regulation (EEC) No 2973/79 ⁽³⁾	107-000
ex 02.06 C I a) 2	Meat of bovine animals, boned or boneless, salted and dried : — For export to Switzerland	64-679
ex 16.02 B III b) 1	Other preparations and preserves containing bovine meat or offals, except those finely homogenized ⁽⁴⁾ :	
	ex (aa) Uncooked, containing by weight the following percentages of bovine meats (excluding offal and fat) :	
	(11) 80 % or more of meat :	
	— For export to North African, Near and Middle East countries ⁽¹⁾	98-880
	— For export to West, Central, East and South African countries ⁽¹⁾ and to third countries ⁽¹⁾⁽²⁾ , except the Soviet Union	91-880
	(22) 60 % or more, but less than 80 % of meat :	
	— For export to African, Near and Middle East ⁽¹⁾ and European third countries ⁽¹⁾⁽²⁾ , except the Soviet Union	55-007
	(33) 40 % or more, but less than 60 % of meat :	
	— For export to African, Near and Middle East ⁽¹⁾ and European third countries ⁽¹⁾⁽²⁾ , except the Soviet Union	37-478

CCT heading No	Description	Refund
		— Net weight —
ex 16.02 B III b) 1 (<i>cont'd</i>)	ex (bb) Other, containing by weight the following percentages of bovine meats (excluding offal and fat) :	
	(11) 80 % or more of meat :	
	— For export to third countries, except the Soviet Union	45.336
	(22) 60 % or more, but less than 80 % of meat :	
	— For export to third countries, except the Soviet Union	27.201
	(33) 40 % or more, but less than 60 % of meat :	
	— For export to third countries, except the Soviet Union	18.134
	(44) 20 % or more, but less than 40 % of meat :	
	— For export to third countries, except the Soviet Union	9.067

(4) The products which contain a small quantity of visible pieces of meat are also excluded.

NB: Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

COMMISSION REGULATION (EEC) No 1554/80

of 20 June 1980

introducing a countervailing charge on tomatoes originating in Albania

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 1367/80⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25 (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0.6
ECU below the reference price for two consecutive
market days, a countervailing charge must be intro-
duced in respect of the exporting country concerned,
save in exceptional circumstances; whereas this
charge is equal to the difference between the refer-
ence price and the arithmetic mean of the last two
entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 695/80 of
24 March 1980 fixing until the end of the 1980
marketing year the reference price for tomatoes⁽³⁾,
fixed the reference price for products of Class I from
1 June to 10 July 1980 at 77.49 ECU per 100 kilo-
grams net;

Whereas the entry price for a given exporting country
is equal to the lowest representative prices recorded
for at least 30 % of the quantities from the exporting
country concerned which are marketed on all repre-
sentative markets for which prices are available, less
the duties and the charges indicated in Article 24 (3)
of Regulation (EEC) No 1035/72; whereas the
meaning of representative price is defined in Article
24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 668/78⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets; whereas it is necessary to multiply the prices
with the coefficients fixed in Article 1 (2) (a), third
indent, of Regulation (EEC) No 695/80;

Whereas, for Albanian tomatoes, the entry price calcu-
lated in this way has remained at least 0.6 ECU below
the reference price for two consecutive market days;
whereas a countervailing charge should therefore be
introduced for these tomatoes;

Whereas if the system is to operate normally the entry
price should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2.25 %, a rate of exchange based on
their effective parity,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each
of these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 16.83 ECU per 100 kilo-
grams net is applied to tomatoes (subheading 07.01 M
of the Common Customs Tariff) originating in
Albania.

Article 2

This Regulation shall enter into force on 24 June
1980.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 140, 5. 6. 1980, p. 24.

⁽³⁾ OJ No L 78, 25. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1555/80

of 20 June 1980

introducing a countervailing charge on tomatoes 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 1367/80⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25 (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0.6
ECU below the reference price for two consecutive
market days, a countervailing charge must be intro-
duced in respect of the exporting country concerned,
save in exceptional circumstances; whereas this
charge is equal to the difference between the refer-
ence price and the arithmetic mean of the last two
entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 695/80 of
24 March 1980 fixing until the end of the 1980
marketing year the reference price for tomatoes⁽³⁾,
fixed the reference price for products of Class I from
1 June to 10 July 1980 at 77.49 ECU per 100 kilo-
grams net;

Whereas the entry price for a given exporting country
is equal to the lowest representative prices recorded
for at least 30 % of the quantities from the exporting
country concerned which are marketed on all repre-
sentative markets for which prices are available, less
the duties and the charges indicated in Article 24 (3)
of Regulation (EEC) No 1035/72; whereas the
meaning of representative price is defined in Article
24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-
tion (EEC) No 668/78⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets; whereas it is necessary to multiply the prices
with the coefficients fixed in Article 1 (2) (a), third
indent, of Regulation (EEC) No 695/80;

Whereas, for Spanish tomatoes, the entry price calcu-
lated in this way has remained at least 0.6 ECU below
the reference price for two consecutive market days;
whereas a countervailing charge should therefore be
introduced for these tomatoes;

Whereas if the system is to operate normally the entry
price should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2.25 %, a rate of exchange based on
their effective parity,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each
of these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 18.49 ECU per 100 kilo-
grams net is applied to tomatoes (subheading 07.01 M
of the Common Customs Tariff) originating in Spain.

Article 2

This Regulation shall enter into force on 24 June
1980.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 140, 5. 6. 1980, p. 24.

⁽³⁾ OJ No L 78, 25. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1556/80

of 20 June 1980

introducing a countervailing charge on tomatoes originating in Romania

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 1367/80⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25 (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0.6
ECU below the reference price for two consecutive
market days, a countervailing charge must be intro-
duced in respect of the exporting country concerned,
save in exceptional circumstances; whereas this
charge is equal to the difference between the refer-
ence price and the arithmetic mean of the last two
entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 695/80 of
24 March 1980 fixing until the end of the 1980
marketing year the reference price for tomatoes⁽³⁾,
fixed the reference price for products of Class I from
1 June to 10 July 1980 at 77.49 ECU per 100 kilo-
grams net;

Whereas the entry price for a given exporting country
is equal to the lowest representative prices recorded
for at least 30 % of the quantities from the exporting
country concerned which are marketed on all repre-
sentative markets for which prices are available, less
the duties and the charges indicated in Article 24 (3)
of Regulation (EEC) No 1035/72; whereas the
meaning of representative price is defined in Article
24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 668/78⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets; whereas it is necessary to multiply the prices
with the coefficients fixed in Article 1 (2) (a), third
indent, of Regulation (EEC) No 695/80;

Whereas, for Romanian tomatoes, the entry price
calculated in this way has remained at least 0.6 ECU
below the reference price for two consecutive market
days; whereas a countervailing charge should there-
fore be introduced for these tomatoes;

Whereas if the system is to operate normally the entry
price should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2.25 %, a rate of exchange based on
their effective parity,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each
of these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 10.51 ECU per 100 kilo-
grams net is applied to tomatoes (subheading 07.01 M
of the Common Customs Tariff) originating in
Romania.

Article 2

This Regulation shall enter into force on 24 June
1980.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 140, 5. 6. 1980, p. 24.

⁽³⁾ OJ No L 78, 25. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1557/80**of 20 June 1980****fixing the export refunds on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 113/80 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 ⁽²⁾ thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June 1980.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 20 June 1980 fixing the export refunds on rice and broken rice

CCT heading No	Description	Amount of refund (ECU / tonne)
ex 10.06	Rice : B. I. Paddy rice ; husked rice : b) Husked rice : 1. Round grain — 2. Long grain for export to : — Austria, Liechtenstein, Portugal, Switzerland and the communes of Livigno and Campione d'Italia 68.00 — Other third countries — II. Semi-milled or wholly milled rice : a) Semi-milled rice : 1. Round grain — 2. Long grain — b) Wholly milled rice : 1. Round grain — 2. Long grain for export to : — Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia as well as destinations mentioned in Article 3 of Commission Regulation (EEC) No 192/75 ⁽¹⁾ 85.00 — Zone I 65.00 — Other third countries — III. Broken rice —	

⁽¹⁾ OJ No L 25, 17. 1. 1975, p. 1.

NB: The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977).

COMMISSION REGULATION (EEC) No 1558/80

of 20 June 1980

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 113/80 ⁽²⁾, and in particular the
second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the first subparagraph of Article 17 (4) of
Regulation (EEC) No 1418/76 provides that the
export refund applicable to rice and broken rice on
the day on which application for an export licence is
made, adjusted for the threshold price which will be
in force during the month of exportation, must be
applied on request to exports to be effected during the
period of validity of the licence ;

Whereas Regulation No 474/67/EEC ⁽³⁾, as amended
by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down
detailed rules for the advance fixing of the export
refund on rice and broken rice ;

Whereas that Regulation provides that the refund
applicable on the day on which application for an
export licence is made must, when it is fixed in
advance, be reduced by an amount no greater than the
difference between the cif forward delivery price and
the cif price, where the former exceeds the latter by
more than 0.30 ECU per tonne ; whereas, on the
other hand, the refund must be increased by an
amount no greater than the difference between the cif
price and the cif forward delivery price, where the
former exceeds the latter by more than 0.30 ECU per
tonne ;

Whereas the cif price is that determined in accor-
dance with Article 16 of Regulation (EEC) No

1418/76 ; whereas the cif forward delivery price is that
determined in accordance with Article 3 (2) of Regula-
tion (EEC) No 1428/76 ⁽⁵⁾, based, in respect of each
month for which the export licence is valid, on the cif
price calculated on the basis of offers for shipment
during the month of exportation ;

Whereas, if the refund system is to operate normally,
refunds should be calculated on the following basis :

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2.25 %, a rate of exchange based on
their effective parity ;
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each
of these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous indent ;

Whereas it follows from applying the provisions set
out above that the corrective amount applicable on 1
July 1980 must be as set out in the Annex hereto ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 17 (4) of
Regulation (EEC) No 1418/76 which is applicable to
the export refunds fixed in advance in respect of rice
and broken rice shall be as set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 1 July 1980.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

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

Done at Brussels, 20 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 20 June 1980 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10
ex 10.06	Rice :				
	B. I. Paddy rice, husked rice :				
	a) Paddy rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Husked rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Wholly milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	III. Broken rice	—	—	—	—

COMMISSION REGULATION (EEC) No 1559/80
of 20 June 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 1540/80⁽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 21 June
1980.

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

Done at Brussels, 20 June 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 152, 20. 6. 1980, p. 29.

ANNEX

to the Commission Regulation of 20 June 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	9.46 16.26 ⁽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.

COUNCIL REGULATION (EEC) No 1560/80

of 20 June 1980

concerning the definitive collection of the provisional anti-dumping duty imposed on imports of standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW, originating in the USSR

THE COUNCIL 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 Articles 11 and 12 thereof,

Having regard to the proposal from the Commission,

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 339, 11. 12. 1979, p. 1.

⁽²⁾ OJ No C 103, 25. 4. 1979, p. 9.

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

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

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

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

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

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

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

Whereas the resale prices in the Community of motors originating in the countries in question have undercut those of like motors produced by Community manufacturers by between 10 and 51 % ; whereas, for example, the resale price of a B 3 type 1.1 kW 1 500 rpm motor imported from the USSR was 37 % lower than the price of the same motor produced in France, and 51 % lower than the price of the same motor produced in Italy ;

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

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

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

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

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

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

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

Whereas, in these circumstances, imports from these countries have been exempted from application of the duty ;

Whereas, since the imposition of the preliminary anti-dumping duty, no supplementary information has been received from the parties concerned and no-one has contested or provided arguments against the preliminary determinations made by the Commission ;

Whereas, therefore, the calculations and determinations of dumping and material injury remain unchanged ;

Whereas, meanwhile, since the imposition of the provisional duty, similar undertakings to those given by

the export organizations of the other State-trading countries concerned have been given by the Soviet exporter Energomachexport (Moscow) ; whereas these undertakings have been accepted by the Commission ;

Whereas, in these circumstances, the procedure can be closed without the imposition of a definitive anti-dumping duty ;

Whereas, however, because of the existence of dumping by the Soviet exporter, the material injury suffered by the Community industry and taking into account the lateness of the undertaking given by Energomachexport and the need not to penalize the exporters who have previously given similar undertakings, the interests of the Community require that the provisional duty imposed is collected,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts guaranteed under the provisional anti-dumping duty applied by Regulation (EEC) No 451/80 shall be definitively levied.

Article 2

This Regulation shall enter into force on 22 June 1980.

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

Done at Brussels, 20 June 1980.

For the Council

The President

G. ZAMBERLETTI

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 June 1980

accepting undertakings in connection with the anti-dumping proceeding concerning imports of standardized electric multi-phase motors having an output of more than 0.75 kW but not more than 75 kW, originating in the USSR and terminating that proceeding

(80/599/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

Whereas the Commission accordingly announced, by a notice published in the *Official Journal of the Euro-*

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

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

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

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

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

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 103, 25. 4. 1979, p. 9.

APS (Vojens), Nordelektro A.S. (København) and A. Johnson & Co. A.S. (Charlottenlund); in the Federal Republic of Germany, Horst Schenk (Brilon) and Fritz Oberstenfeld (Hamburg); in France, Sermes S.A. (Strasbourg), Les Industries françaises (Wissous), Sodimef S.A. (Strasbourg), Sorice S.A. (Ivry-sur-Seine) and Sofbim S.A. (Paris); in Italy, Mez Italiana S.p.A. (Milano), Imex S.p.A. (Milano), Elprom S.p.A. (Parma), Elektropolcantoni & Co. S.p.A. (Milano), Veneta Motori S.N.C. (Padova), B.A.M.E. di Bartolomei Bruno (Pistoia) and Enital S.p.A. (Milano); and in the Netherlands, Rotor C.V. (Eibergen) and Peja Elektrotechniek B.V. (Arnhem); whereas the Commission contacted a number of other agents and importers; whereas the Commission also carried out inspections at the premises of the main complainant Community producers, viz. in Belgium, ACEC (Charleroi); in the Federal Republic of Germany AEG-Telefunken AG (Oldenburg), Bauknecht GmbH (Stuttgart) and Siemens AG (Erlangen); in France, Alsthom-Unelec (Paris), Compagnie Électro-mécanique S.A. (Paris) and Leroy-Somer S.A. (Angoulême); and in Italy, Ansaldo S.p.A. (Genova) and Ercole Marelli S.p.A. (Milano);

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

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

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

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

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

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

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

Whereas the best information available suggests that for 1978 imports of standardized electric multiphase motors with an output of more than 0.75 kW but not more than 75 kW originating in the countries covered by the investigation took a market share of 28 % in the Community, 44 % in Belgium, 41 % in Denmark and France, 46 % in Italy and 12 % in the Federal Republic of Germany (excluding inter-Germany trade);

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

Whereas the resale prices in the Community of motors originating in the countries in question have undercut those of like motors produced by Community manufacturers by between 10 and 51 %; whereas, for example, the resale price of a B 3 type

1.1 kW 1 500 rpm motor imported from the USSR was 37 % lower than the price of the same motor produced in France, and 51 % lower than the price of the same motor produced in Italy;

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

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

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

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

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

Whereas such action consisted in the imposition by Regulation (EEC) No 451/80 ⁽¹⁾, of a provisional anti-dumping duty on imports of the electric motors concerned;

Whereas, after the imposition of the provisional anti-dumping duty, the Soviet exporter, Energomachexport, authorized its importers and agents in the Community, the firms Enital SpA (Milan), Les Industries françaises (Wissous), Neotype Techmashexport GmbH (Bergisch-Gladbach) and Stanbel (Braine-Le-Chateau) to do whatever was necessary to create normal conditions for the sale of motors on the market and to take the appropriate measures;

Whereas, on the basis of these authorizations, undertakings covering transactions in all parts of the Community have been offered to the Commission by the agents and importers of Energomachexport in the Community, acting on behalf of that firm as well as on their own behalf;

Whereas, in view of the complexity of the authorization procedure, it must be regarded as exceptional, and the acceptance of such a procedure in this case does not prejudice the future attitude of the Commission in similar situations;

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

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

Whereas the Commission is responsible for ensuring that the undertakings are strictly complied with, in particular by carrying out periodically the necessary checks and inspections;

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

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

HAS DECIDED AS FOLLOWS:

Article 1

In the context of the anti-dumping proceeding concerning imports of standardized electric multi-phase motors having an output of more than 0.75 kW but more than 75 kW ⁽²⁾, originating in the Soviet Union, the Commission hereby accepts the undertakings given by Enital SpA (Milano), Les Industries françaises (Wissous), Neotype Techmashexport (Bergisch-Gladbach) and Stanbel (Braine-le-Chateau),

⁽¹⁾ OJ No L 53, 27. 2. 1980, p. 15.

⁽²⁾ NIMEXE codes ex 85.01-33, 34, 36 (CCT subheading ex 85.01 B 1 b)).

importers and agents in the Community for the Soviet exporter Energomachexport, acting on behalf of the said exporter and on their own behalf.

Article 2

The anti-dumping procedure in respect of imports of standardized electric multi-phase motors having an output of 0.75 kW but not more than 75 kW originating in the Soviet Union is hereby terminated. This termination is without prejudice to any decision by the Council regarding the definitive collection of amounts secured by way of provisional duty.

Article 3

This Decision shall take effect on 22 June 1980.

Done at Brussels, 19 June 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President
