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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1749/80**of 30 June 1980****fixing the amounts of aid for fibre flax and hemp for the 1980/81 marketing year**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp⁽¹⁾, as last amended by Regulation (EEC) No 814/76⁽²⁾, and in particular Article 4 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas Article 4 of Regulation (EEC) No 1308/70 provides that the amount of aid for flax grown mainly for fibre and for hemp grown in the Community shall be fixed annually;

Whereas, in accordance with Article 4 (2) of that Regulation, this amount shall be fixed per hectare of area sown and harvested so as to ensure an even balance

between the volume of production required in the Community and the amount that can be marketed; whereas, when it is fixed, account must be taken of the price for flax and hemp fibres and seeds on the world market, of the price for other competing natural products and of the guide price for linseed;

Whereas application of these criteria entails fixing the amount of aid at a level higher than that adopted for the preceding marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1980/81 marketing year, the aid provided for in Article 4 of Regulation (EEC) No 1308/70 shall be:

- (a) as regards flax, 264.71 ECU per hectare;
- (b) as regards hemp, 240.41 ECU per hectare.

Article 2

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

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

Done at Luxembourg, 30 June 1980.

For the Council

The President

V. BALZAMO

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 94, 9. 4. 1976, p. 4.

⁽³⁾ OJ No C 97, 21. 4. 1980, p. 33.

⁽⁴⁾ Opinion delivered on 26 March 1980 (not yet published in the Official Journal).

COUNCIL REGULATION (EEC) No 1750/80**of 30 June 1980****fixing the guide price for linseed for the 1980/81 marketing year**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 569/76 of 15 March 1976 laying down special measures for linseed⁽¹⁾, and in particular Article 1 (1) and (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas, when the guide price for linseed is fixed on an annual basis, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural Community and to ensure that supplies are available and reach consumers at reasonable prices;

Whereas the first subparagraph of Article 1 (1) of Regulation (EEC) No 569/76 provides more specifically that this price shall be fixed at a level which is fair to producers, account being taken of the supply requirements of the Community; whereas, to this end, a balanced relationship should be maintained between this price and the price of other oil seeds;

Whereas in accordance with these criteria the guide price should be fixed at a higher level than that adopted for the preceding marketing year;

Whereas the guide price must be fixed for a standard quality to be determined by reference to the average quality of seeds harvested in the Community; whereas the quality laid down for the 1979/80 marketing year meets this requirement and can accordingly be used for the following marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1980/81 marketing year, the guide price for linseed shall be 42.18 ECU per 100 kilograms.

Article 2

The price referred to in Article 1 relates to seed:

- in bulk, of sound, genuine and merchantable quality,
and
- with an impurity content of 2 % and, for seed as such, humidity and oil contents of 9 and 38 % respectively.

Article 3

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 Luxembourg, 30 June 1980.

For the Council

The President

V. BALZAMO

⁽¹⁾ OJ No L 67, 15. 3. 1976, p. 29.

⁽²⁾ OJ No C 97, 21. 4. 1980, p. 33.

⁽³⁾ Opinion delivered on 26 March 1980 (not yet published in the Official Journal).

COUNCIL REGULATION (EEC) No 1751/80**of 30 June 1980****fixing the amount of aid for cotton seeds for the 1980/81 marketing year**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 1516/71 of 12 July 1971 introducing a system of subsidies for cotton seeds ⁽¹⁾, and in particular Article 1 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Article 1 of Regulation (EEC) No 1516/71 provides that the amount of aid be fixed annually for cotton seeds produced within the Community so as to

ensure a fair income for the producer, taking account of the market situation and foreseeable market trends ;

Whereas application of these criteria entails fixing the amount of aid at a level higher than that adopted for the 1979/80 marketing year,

HAS ADOPTED THIS REGULATION :

Article 1

For the 1980/81 marketing year, the amount of the aid for cotton seeds as provided for in Article 1 of Regulation (EEC) No 1516/71 shall be 140.72 ECU per hectare.

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 Luxembourg, 30 June 1980.

For the Council

The President

V. BALZAMO

⁽¹⁾ OJ No L 160, 17. 7. 1971, p. 1.

⁽²⁾ OJ No C 97, 21. 4. 1980, p. 33.

⁽³⁾ Opinion delivered on 26 March 1980 (not yet published in the Official Journal).

COUNCIL REGULATION (EEC) No 1752/80

of 30 June 1980

fixing the guide price for castor seeds for the 1980/81 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 2874/77 of 19 December 1977 laying down special measures for castor seeds⁽¹⁾, and in particular Article 1 (1) and (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas subparagraph 1 of Article 1 (1) of Regulation (EEC) No 2874/77 provides that a guide price for castor seeds falling within subheading 12.01 B of the Common Customs Tariff shall be fixed annually;

Whereas, when this price is fixed, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, and to ensure that supplies are available and reach consumers at reasonable prices;

Whereas the third subparagraph of Article 1 (1) of Regulation (EEC) No 2874/77 provides more specifically that this price shall be fixed at a fair level for

producers, having regard to the supply requirements of the Community; whereas, to this end, a balanced relationship should be maintained between this price and the price which may be obtained for substitute crops and, in particular, from those other oil seeds;

Whereas the guide price must be fixed for a standard quality to be determined taking into account the average quality of the seeds harvested in the Community; whereas the quality laid down for the 1979/80 marketing year meets this requirement and can accordingly be used for the following marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1980/81 marketing year, the guide price for castor seeds shall be 54.37 ECU per 100 kilograms.

Article 2

The price referred to in Article 1 shall relate to seeds:

- in bulk, of sound, genuine and merchantable quality,
and
- with an impurity content of 2 % and, for the seeds as such, humidity and oil contents of 14 and 45 % respectively.

Article 3

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 Luxembourg, 30 June 1980.

For the Council

The President

V. BALZAMO

⁽¹⁾ OJ No L 332, 24. 12. 1977, p. 1.

⁽²⁾ OJ No C 97, 21. 4. 1980, p. 33.

⁽³⁾ Opinion delivered on 26 March 1980 (not yet published in the Official Journal).

COUNCIL REGULATION (EEC) No 1753/80**of 30 June 1980****fixing the minimum price for castor seeds for the 1980/81 marketing year**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2874/77 of 19 December 1977 laying down special
measures in respect of castor seeds⁽¹⁾, and in parti-
cular Article 2 (4) thereof,

Having regard to the proposal from the Commission,
Whereas Article 2 (4) of Regulation (EEC) No 2874/77
provides that the Council shall each year fix a
minimum price for castor seeds; whereas that price
must be fixed so as to guarantee sales for seed
producers at a price as close as possible to the guide
price, taking into account market fluctuations and the
cost of transporting the seeds from the production
areas to the processing areas;

Whereas, in order to achieve the abovementioned
objective, this minimum price must be fixed for a
standard quality and a well-defined marketing stage,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1980/81 marketing year, the minimum price
for castor seeds referred to in Article 2 (4) of Regula-
tion (EEC) No 2874/77 shall be 51.78 ECU per 100
kilograms.

Article 2

The price referred to in Article 1 shall apply to seeds
which meet the criteria referred to in Article 2 of
Council Regulation (EEC) No 1752/80 of 30 June
1980 fixing the guide price for castor seeds for the
1980/81 marketing year⁽²⁾.

The said price shall relate to goods ready for dispatch
from the production areas.

Article 3

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 Luxembourg, 30 June 1980.

For the Council

The President

V. BALZAMO

⁽¹⁾ OJ No L 332, 24. 12. 1977, p. 1.

⁽²⁾ See page 4 of this Official Journal.

COUNCIL REGULATION (EEC) No 1754/80

of 30 June 1980

fixing the guide price for soya beans for the 1980/81 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 1614/79 of 24 July 1979 laying down special measures for soya beans⁽¹⁾, and in particular Article 1 (1) and (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas, when the guide price for soya beans is fixed on an annual basis, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, and to ensure that supplies are available and reach consumers at reasonable prices;

Whereas the second subparagraph of Article 1 (1) of Regulation (EEC) No 1614/79 provides more specifically that this price shall be fixed at a level which is fair to producers, account being taken of the supply requirements of the Community, whereas, to this end, a balanced relationship should be maintained between this price and the price of other oil seeds;

Whereas, in accordance with these criteria, the guide price, should be fixed at the level indicated below;

Whereas the guide price must be fixed for a standard quality to be determined by reference to the average quality of beans harvested in the Community; whereas the quality laid down for the 1979/80 marketing year meets this requirement and can accordingly be used for the following marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1980/81 marketing year the guide price for soya beans shall be 42.05 ECU per 100 kilograms.

Article 2

The price referred to in Article 1 relates to beans:

- in bulk, of sound, genuine and merchantable quality,
- and
- with an impurity content of 2 % and, for the beans as such, humidity and oil content of 14 and 18 % respectively.

Article 3

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 Luxembourg, 30 June 1980.

For the Council

The President

V. BALZAMO

⁽¹⁾ OJ No L 190, 28. 7. 1979, p. 8.

⁽²⁾ OJ No C 97, 21. 4. 1980, p. 33.

⁽³⁾ Opinion delivered on 26 March 1980 (not yet published in the Official Journal).

COUNCIL REGULATION (EEC) No 1755/80**of 30 June 1980****fixing the minimum price for soya beans for the 1980/81 marketing year**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1614/79 of 24 July 1979 laying down special
measures in respect of soya beans ⁽¹⁾, and in particular
Article 2 (4) thereof,

Having regard to the proposal from the Commission,
Whereas Article 2 (4) of Regulation (EEC) No 1614/79
provides that the Council shall each year fix a
minimum price for soya beans; whereas the price is
fixed so as to guarantee sales for bean producers at a
price as close as possible to the guide price, taking
into account market fluctuations and the cost of trans-
porting the beans from the production areas to the
processing areas;

Whereas, in order to achieve the abovementioned
objective, this minimum price must be fixed for a
standard quality and a well-defined marketing stage,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1980/81 marketing year, the minimum price
for soya beans referred to in Article 2 (4) of Regulation
(EEC) No 1614/79 shall be 38.69 ECU per 100 kilo-
grams.

Article 2

The price referred to in Article 1 shall apply to beans
which meet the criteria referred to in Article 2 of
Council Regulation (EEC) No 1754/80 of 30 June
1980 fixing the guide price for soya beans for the
1980/81 marketing year ⁽²⁾.

The said price shall relate to goods ready for dispatch
from the production areas.

Article 3

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 Luxembourg, 30 June 1980.

For the Council

The President

V. BALZAMO

⁽¹⁾ OJ No L 190, 28. 7. 1979, p. 8.

⁽²⁾ See page 6 of this Official Journal.

COUNCIL REGULATION (EEC) No 1756/80

of 30 June 1980

laying down, in respect of hops, the amount of aid to producers for the 1979 harvest

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops⁽¹⁾, as last amended by Regulation (EEC) No 235/79⁽²⁾, and in particular Article 12 (7) thereof,

Having regard to the proposal from the Commission⁽³⁾,

Having regard to the opinion of the European Parliament⁽⁴⁾,

Whereas Article 12 of Regulation (EEC) No 1696/71 provides that aid may be granted to hop producers to enable them to achieve a fair income; whereas the amount of this aid is fixed per hectare and differs according to groups of varieties, taking into account the average return on the areas in full production in

comparison with the average returns for previous harvests, the current position of the market and price trends;

Whereas an examination of the results of the 1979 harvest shows the need to fix aid for certain groups of varieties of hops cultivated in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1979 harvest, aid shall be granted to the producers of hops cultivated in the Community for the groups of varieties set out in the Annex.
2. The amount of the aid shall be that 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 Luxembourg, 30 June 1980.

For the Council

The President

V. BALZAMO

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽²⁾ OJ No L 34, 9. 2. 1979, p. 4.

⁽³⁾ OJ No C 143, 12. 6. 1980, p. 7.

⁽⁴⁾ Opinion delivered on 20 June 1980 (not yet published in the Official Journal).

*ANNEX***Aid granted to hop producers for the 1979 harvest**

<i>Group of varieties</i>	<i>Aid (ECU/ha)</i>
Aromatic	250
Bitter	225
Others	250

COMMISSION REGULATION (EEC) No 1757/80

of 4 July 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 3 July 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 5 July 1980.

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

Done at Brussels, 4 July 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 4 July 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	87.58
10.01 B	Durum wheat	90.75 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	79.09 ⁽⁶⁾
10.03	Barley	83.48
10.04	Oats	71.67
10.05 B	Maize, other than hybrid maize for sowing	95.97 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	13.87
10.07 B	Millet	6.65 ⁽⁴⁾
10.07 C	Grain sorghum	85.18 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	137.47
11.01 B	Rye flour	125.57
11.02 A I a)	Durum wheat groats and meal	154.25
11.02 A I b)	Common wheat groats and meal	146.31

⁽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 1758/80

of 4 July 1980

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1547/79⁽²⁾, and in particular
Article 15(6) thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽³⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
1659/79⁽⁵⁾ and subsequent amending Regulations;

Whereas, 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
3 July 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 5 July 1980.

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

Done at Brussels, 4 July 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 4 July 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 7	1st period 8	2nd period 9	3rd period 10
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	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 1759/80**of 3 July 1980****amending Regulation (EEC) No 1088/80 opening a standing invitation to tender
for the sale of olive oil held by the Italian intervention agency**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

made during the 1975/76, 1976/77, 1977/78,
1978/79 and 1979/80 marketing years.'

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
1585/80⁽²⁾, and in particular Article 12 (4) thereof,

Whereas, pursuant to Article 12 (1) of Regulation No
136/66/EEC, the Italian intervention agency has
bought in, since the 1975/76 marketing year, large
quantities of olive oil; whereas about 35 500 tonnes of
that oil have been offered for sale under a standing
invitation to tender by means of Commission Regula-
tion (EEC) No 1088/80⁽³⁾;

Whereas the market situation for olive oil in Italy is
favourable at present to the continuation of the sale of
the oil held by the Italian intervention agency;
whereas it should therefore be made possible to sell
an additional quantity of about 12 900 tonnes of olive
oil under that standing invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1088/80 is amended as follows:

1. In the fourth indent of Article 1, the figure '2 800'
is replaced by '5 000'.

2. The following indent is added to Article 1:

— approximately 10 700 tonnes of virgin
lampante olive oil from intervention purchases

3. The first paragraph of Article 2 is replaced by the
following:

'The invitation to tender shall be published on 5
May 1980. However, as regards the virgin lampante
olive oil and olive residue oil, the invitation to
tender concerned shall be published on 7 July
1980.'

4. The following subparagraph is added to Article 4
(1):

'With regard to virgin lampante olive oil, tenders
shall be submitted for an oil of 5° acidity.'

5. Article 4 (2) is amended to read as follows:

'2. Where the oil awarded has a different degree
of acidity from that for which the tender was
submitted, the price to be paid shall be equal to
the price tendered, increased or reduced in accor-
dance with the scale below:

A. Virgin lampante olive oil:

— up to 5° acidity:

increase of Lit 1 350 for each degree or frac-
tion of degree of acidity below 5°,

— above 5° up to 8° acidity:

reduction of Lit 1 350 for each degree or
fraction of degree of acidity above 5°,

— above 8° up to 12° acidity:

additional reduction of Lit 1 890 for each
degree or fraction of degree above 8°,

— above 12° acidity:

additional reduction of Lit 2 430 for each
degree or fraction of degree of acidity above
12°.

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

⁽²⁾ OJ No L 160, 26. 6. 1980, p. 2.

⁽³⁾ OJ No L 114, 3. 5. 1980, p. 10.

B. Olive residue oil :

- above 15° acidity :
reduction of Lit 2 430 for each degree or fraction of degree of acidity above 15°,
- above 12° up to 15° acidity :
increase of Lit 2 430 for each degree or fraction of degree of acidity below 15°,
- above 8° up to 12° acidity :
additional increase of Lit 1 890 for each degree or fraction of degree of acidity below 12°,

— up to 8° acidity :

additional increase of Lit 1 350 for each degree or fraction of degree of acidity below 8°.

Article 2

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

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

Done at Brussels, 3 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1760/80
of 4 July 1980
re-establishing intervention buying-in of beef in the Netherlands

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 2916/79 ⁽²⁾, and in particular
Article 6 (4) (b) thereof,

Whereas intervention buying-in was suspended by
Commission Regulation (EEC) No 1244/78 ⁽³⁾;

Whereas the market prices for 'Vaarzen 1 Kw' in the
Netherlands on 19 and 26 June 1980 had returned to
a level below the maximum buying-in price for this

quality; whereas intervention buying-in for this
quality must recommence in accordance with Article
3 (2) of Regulation (EEC) No 1358/80 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in by the Dutch intervention agency shall
recommence on 7 July 1980 for the following
quality:

'Vaarzen 1 Kw'.

Article 2

This Regulation shall enter into force on 7 July 1980.

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

Done at Brussels, 4 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽³⁾ OJ No L 154, 10. 6. 1978, p. 13.

⁽⁴⁾ OJ No L 140, 5. 6. 1980, p. 4.

COMMISSION REGULATION (EEC) No 1761/80
of 4 July 1980

re-establishing the levying of customs duties on articles of jewellery and parts thereof, of precious metal, falling within subheading 71.12 A and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2789/79 of 10 December 1979 establishing preferential tariffs in respect of certain products originating in developing countries ⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in European units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1977 and coming from countries and territories covered by those arrangements but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1977 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 110 or 115 % of that fixed for 1979;

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may be re-established at any time on imports of the products in question coming from any country or territory, with the exception of those listed in Annex C thereto, once the Community ceiling has been reached;

Whereas, in respect of articles of jewellery and parts thereof, of precious metal, falling within subheading

71.12 A, the ceiling, calculated as indicated above, should be 7 083 000 European units of account; whereas on 30 June 1980 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2789/79 which provides that ceilings should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 8 July 1980, customs duties, suspended in pursuance of Council Regulation (EEC) No 2789/79, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2789/79:

CCT heading No	Description
71.12	Articles of jewellery and parts thereof, of precious metal or rolled precious metal: A. Of precious metal

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, 4 July 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 328, 24. 12. 1979, p. 25.

COMMISSION REGULATION (EEC) No 1762/80

of 4 July 1980

introducing a countervailing charge on certain varieties of plums 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 introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1085/80 of 2 May 1980 fixing for the 1980 marketing year the reference price for plums⁽³⁾, fixed the reference price for Class I, Group I, at 46.49 ECU per 100 kilograms net for the period 11 June to 31 July 1980;

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 representative 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 Regulation (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, for Spanish plums of Group I, 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 therefore be introduced for these plums;

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 9.28 ECU per 100 kilograms net is applied to plums (subheading 08.07 D of the Common Customs Tariff), of varieties other than Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (Yellow Egg), Mirabelle and Bosniche, originating in Spain.

Article 2

This Regulation shall enter into force on 8 July 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 114, 3. 5. 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, 4 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1763/80**of 4 July 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 1703/80⁽⁴⁾, as last
amended by Regulation (EEC) No 1746/80⁽⁵⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in the Regulation
(EEC) No 1703/80 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 5 July 1980.

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

Done at Brussels, 4 July 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 166, 1. 7. 1980, p. 98.

(5) OJ No L 171, 4. 7. 1980, p. 15.

ANNEX

to the Commission Regulation of 4 July 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	2.97 6.89 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 1764/80

of 4 July 1980

altering the corrective amount applicable to the refund on 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 organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1547/79⁽²⁾, and in particular the
fourth sentence of the second subparagraph of Article
16 (4) thereof,

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

Whereas the corrective amount applicable to the
refund on malt was fixed by Regulation (EEC) No
1748/80⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, taking foreseeable develop-
ments on the market into account, the corrective
amount at present applicable to the refund on malt
should be altered,

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 16 (4) of
Regulation (EEC) No 2727/75 which is applicable to
the export refunds fixed in advance in respect of malt
is hereby altered to the amount set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 5 July 1980.

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

Done at Brussels, 4 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 171, 4. 7. 1980, p. 20.

ANNEX

to the Commission Regulation of 4 July 1980 altering the corrective amount applicable to the refund on malt

(ECU/tonne)

CCT heading No	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	0	+ 3.86	+ 2.00	+ 2.00	+ 2.00	+ 2.00
11.07 B	0	+ 4.50	+ 2.33	+ 2.33	+ 2.33	+ 2.33

(ECU/tonne)

CCT heading No	6th period 1	7th period 2	8th period 3	9th period 4	10th period 5	11th period 6
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	+ 2.00	+ 2.00	+ 2.00	+ 2.00	+ 2.00	+ 2.00
11.07 B	+ 2.33	+ 2.33	+ 2.33	+ 2.33	+ 2.33	+ 2.33

COMMISSION REGULATION (EEC) No 1765/80

of 4 July 1980

altering the export refunds on 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 organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1547/79⁽²⁾, and in particular the
second sentence of the fourth subparagraph of Article
16 (2) thereof,

Whereas the export refunds on malt were fixed by
Regulation (EEC) No 1741/80⁽³⁾;

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice⁽⁴⁾, as
last amended by Regulation (EEC) No 2245/78⁽⁵⁾,
defines the specific criteria to be taken into account
when the refund on these products is being calcu-
lated;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)
No 1741/80 to the information at present available to
the Commission that the export refunds at present in
force should be altered to the amounts set out in the
Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of
Regulation (EEC) No 2727/75, subject to Regulation
(EEC) No 2744/75, as fixed in the Annex to Regula-
tion (EEC) No 1741/80 are hereby altered to the
amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 July 1980.

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

Done at Brussels, 4 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 171, 4. 7. 1980, p. 8.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 273, 29. 9. 1978, p. 1.

ANNEX

to the Commission Regulation of 4 July 1980 altering the export refunds on malt

<i>(ECU/tonne)</i>	
CCT heading No	Refund
11.07 A I b)	62.51
11.07 A II b)	81.49
11.07 B	94.96

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 June 1980

finding that the apparatus described as 'Ailtech-Emi field intensity meter, model NM-37/57-A' is not a scientific apparatus

(80/619/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 3 January 1980, the Government of the United Kingdom has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Ailtech-Emi field intensity meter, model NM-37/57 A' to be used to investigate radio-wave propagation and to study radio interference, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 22 May 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is an interference detector;

Whereas it does not have the requisite objective characteristics making it specifically suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for non-scientific activities; whereas its use in the case in question could not alone confer upon it the character of a scientific apparatus; whereas it therefore cannot be regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Ailtech-Emi field intensity meter, model NM-37/57 A' is not considered to be a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 June 1980.

For the Commission

Etienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 11 June 1980

finding that the apparatus described as 'Tandberg instrumentation recorder, series 115' is not a scientific apparatus

(80/620/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 22 February 1980, the Government of Italy has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Tandberg instrumentation recorder, series 115', to be used to investigate chemoreceptor functions and in particular to store neurophysiological data, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community ;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 22 May 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter ;

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

Whereas it does not have the requisite objective characteristics making it specifically suited to scientific research ; whereas, moreover, apparatus of the same kind are principally used for non-scientific activities ; whereas its use in the case in question could not alone confer upon it the character of a scientific apparatus ; whereas it therefore cannot be regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION :

Article 1

The apparatus described as 'Tandberg instrumentation recorder, series 115' is not considered to be a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 June 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 11 June 1980

finding that the apparatus described as 'NAC film motion analyzer, model 160 B' is not a scientific apparatus

(80/621/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 20 December 1979, the Government of the United Kingdom has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'NAC film motion analyzer, model 160 B', to be used to measure the wing-motions of flying birds, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 22 May 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

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

Whereas it does not have the requisite objective characteristics making it specifically suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for non-scientific activities; whereas its use in the case in question could not alone confer upon it the character of a scientific apparatus; whereas it therefore cannot be regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'NAC film motion analyzer, model 160 B' is not considered to be a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 June 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.
⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.
⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 11 June 1980****finding that the apparatus described as 'Ailtech variable repetition rate impulse generator, model 533 X-11' is not a scientific apparatus****(80/622/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 3 January 1980, the Government of the United Kingdom has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Ailtech variable repetition rate impulse generator, model 533 X-11', to be used in the framework of investigation into noise amplitude and in particular for characterizing impulsive noise, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 22 May 1980 within the framework of

the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a broadband signal generator;

Whereas it does not have the requisite objective characteristics making it specifically suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for non-scientific activities; whereas its use in the case in question could not alone confer upon it the character of a scientific apparatus; whereas it therefore cannot be regarded as a scientific apparatus,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Ailtech variable repetition rate impulse generator, model 533 X-11' is not considered to be a scientific apparatus.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 June 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 11 June 1980

finding that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Varian-NMR spectrometer, model EM 390, with variable temperature accessory, model EM 3940' are not fulfilled

(80/623/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 12 December 1979, the Dutch Government has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Varian-NMR spectrometer, model EM 390, with variable temperature accessory, model EM 3940' to be used in research of organic chemistry and, in particular, of the structure of molecules and mechanisms of chemical reactions, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 29 April 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

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

Whereas its objective technical characteristics such as the high resolution and the sensibility in spectro-

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

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'WP 80 CW with microprocessor and deuterium-lock' manufactured by Bruker-Physik AG, Silberstreifen, 7512 Karlsruhe Rheinstetten/Deutschland,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Varian-NMR spectrometer, model EM 390, with variable temperature accessory, model EM 3940' is considered to be a scientific apparatus.

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

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 June 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 11 June 1980

finding that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'EDAX X-ray microanalysis plug-in modules: S-180-154-10 detecting unit, 711 B analyzing unit, 407 C power supply, 603-2 video monitor, 609 B EPIC module, 608 A interface board, 352 linescan ratemeter, Edit Nova 2/4, 8K and TI-733 ASR silent printer' are fulfilled

(80/624/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas by letter dated 13 November 1979, the Government of the Federal Republic of Germany has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'EDAX X-ray microanalysis plug-in modules: S-180-154-10 detecting unit, 711 B analyzing unit, 407 C power supply, 603-2 video monitor, 609 B EPIC module, 608 A interface board, 352 linescan ratemeter, Edit Nova 2/4, 8K and TI-733 ASR silent printer', to be used in element analysis research and in particular for microanalysis of rock samples and fossils, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 29 April 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is an X-ray microanalysis apparatus;

Whereas its objective technical characteristics such as the width of the spectrum and the use to which it is put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'EDAX X-ray microanalysis plug-in modules: S-180-154-10 detecting unit, 711 B analyzing unit, 407 C power supply, 603-2 video monitor, 609 B EPIC module, 608 A interface board, 352 linescan ratemeter, Edit Nova 2/4, 8K and TI-733 ASR silent printer' is considered to be a scientific apparatus.

2. The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 June 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION OPINION

of 12 June 1980

with regard to the measures applied by the Danish Government to implement Council Directive 76/914/EEC of 16 December 1976 on the minimum level of training for some road transport drivers

(80/625/EEC)

1. In a letter to the European Communities from its Permanent Representation dated 18 December 1979, the Danish Government sent the Commission a copy of a Ministerial Decree of 31 October 1979 concerning recognition of the professional training of road transport drivers, implementing Directive 76/914/EEC⁽¹⁾, and two model certificates relating to the professional training in question and a model statement of professional competence.

2. Article 5 of Council Regulation (EEC) No 543/69⁽²⁾, in pursuance of which Directive 76/914/EEC was made, provides that :

- for the carriage of goods, the driver of a vehicle with a maximum weight of more than 7.5 tonnes must be at least 21 years old, or 18 years old, if he holds a certificate of professional competence,
- for the carriage of passengers, the driver must be at least 21 years old and meet one of the three conditions listed, of which the third is that he must hold a certificate of professional competence.

If therefore a Member State wishes to allow drivers to carry goods below the age of 21 or to take into account only the third condition for drivers of at least 21 years old carrying passengers, these drivers must hold a certificate of professional competence stating that a training course for drivers of either goods or passenger vehicles has been completed, under the conditions laid down by the abovementioned Council Directive.

3. The Commission regrets to observe that despite the obligation laid down in Article 3 (1) of Directive 76/914/EEC, the Danish Government did not consult the Commission until 20 December 1979 as to the text of the Decree issued by the Ministry of Labour on 31 October 1979.

4. Although on some points the provisions adopted by the Danish Government appear to fulfil certain of the objectives set out in Article 5 of Regulation (EEC) No 543/69 and defined in Directive 76/914/EEC, there are the following gaps or deficiencies :

⁽¹⁾ OJ No L 357, 29. 12. 1976, p. 36.

⁽²⁾ OJ No L 77, 29. 3. 1969, p. 49 ; a consolidated version of Council Regulation (EEC) No 543/69 of 25 March 1969 appears in OJ No C 73, 17. 3. 1979, p. 1.

— *for the carriage of passengers and goods :*

the subjects listed under Point 1 of the Annex to Directive 76/914/EEC regarding knowledge of the construction of the vehicle and its principal parts, are not mentioned in the Danish programme, except for point 1.7 — 'knowledge of how to repair minor breakdowns with the aid of the correct equipment',

— *for the carriage of goods :*

the subjects listed under the following points of the Annex to the abovementioned Directive are not included in the Danish measures :

- point 2.7 regarding 'knowledge of the techniques of loading and unloading goods and the use of loading and unloading equipment',
- point 2.8 regarding 'basic knowledge of the precautions to be taken in the handling and carriage of dangerous goods',

— *for the carriage of passengers :*

the subjects listed under the following points of the Annex to the abovementioned Directive are not included in the Danish measures :

- point 2.1 concerning 'general ability and sufficient geographical knowledge to use road maps and their indexes',
- point 2.9 concerning 'knowledge of the driver's responsibility in respect of the carriage of passengers',

— furthermore, the following subjects are missing from the Danish programme :

- point 3.1 concerning 'practical experience of driving and manoeuvring vehicles of more than 7.5 tonnes and using a coupling device', for drivers of goods vehicles,
- point 3.2 concerning 'practical experience of driving and manoeuvring buses or coaches', for drivers of passenger vehicles.

5. The following observation applies to Article 8 (1) of the Danish Decree :

Although the Member States may wish to make use of the vocational training option under Article 5 of Regulation (EEC) No 543/69, they must comply with Directive 76/914/EEC. The Member States were given a period of two years — up to 16 December 1978 — in which to bring into effect the measures required to comply with the Directive, after having consulted the Commission.

Given that the Danish authorities apparently intend to make use of the option in question, the Danish Decree should have come into effect by 16 December 1978 at the latest.

However, although the Commission regrets that there was a delay in applying the Directive in Denmark, it realizes that the process of giving effect to the Directive was slowed down by financial and organizational difficulties.

6. Furthermore, with regard to the provision under paragraph 8 (4) whereby the Danish Government may

— in the year following the entry into force of the Decree — authorize a driver who does not hold a certificate of professional competence to work in Denmark, provided he can prove that he was not able to attend the type of training course envisaged, this is not compatible with the aforementioned Directive, if by this Article the Danish Government is referring to drivers of goods vehicles under 21, and drivers of 21 or over who meet only the third condition for the carriage of passengers.

7. The Commission concludes by asking the Danish Government to amend the Decree of 31 October 1979, taking into account the observations set out in this opinion.

Done at Brussels, 12 June 1980.

For the Commission

Richard BURKE

Member of the Commission

COMMISSION DECISION

of 12 June 1980

authorizing the French Republic to store approximately 100 000 tonnes of common wheat outside its territory

(Only the French text is authentic)

(80/626/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1055/77 of 17 May 1977 on the storage and movement of products bought in by an intervention agency⁽¹⁾, and in particular Articles 1 and 4 thereof,

Whereas by Decision 80/533/EEC of 14 May 1980⁽²⁾ the Commission decided to apply special intervention measures for common wheat of bread-making quality, in the form of purchases at the reference price; whereas the offers made to the French intervention agency in pursuance of that Decision have reached the maximum figure laid down, namely 500 000 tonnes;

Whereas in its communication of 30 May 1980 France requested an authorization to store at Ghent (Belgium) approximately 100 000 tonnes of common wheat purchased pursuant to the aforementioned special intervention measures in the regions Nord/Pas-de-Calais, Picardie and Champagne/Ardennes; whereas the intervention agency does not have sufficient storage capacity for this quantity in the regions where it has been offered; whereas taking into account the possibilities and the needs in the Member State in

question as well as the relevant additional costs, this request should be granted;

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

HAS ADOPTED THIS DECISION:

Article 1

The French intervention agency is hereby authorized to store at Ghent (Belgium) approximately 100 000 tonnes of common wheat of breadmaking quality purchased pursuant to the provisions of Decision 80/533/EEC.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 12 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽²⁾ OJ No L 138, 4. 6. 1980, p. 11.

COMMISSION DECISION**of 12 June 1980****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 107/80****(80/627/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 107/80 is hereby fixed on the basis of the tenders submitted by 12 June 1980 at 75.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 183, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 14, 19. 1. 1980, p. 24.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 12 June 1980****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 108/80****(80/628/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 108/80 is
hereby fixed on the basis of the tenders submitted by
12 June 1980 at 71.25 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 14, 19. 1. 1980, p. 27.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 12 June 1980

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1990/79

(80/629/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1990/79 is hereby fixed on the basis of the tenders submitted by 12 June 1980 at 75.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 229, 11. 9. 1979, p. 12.

⁽⁵⁾ OJ No L 11, 16. 1. 1980, p. 8.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 12 June 1980****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 2293/79****(80/630/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 2293/79 is
hereby fixed on the basis of the tenders submitted by
12 June 1980 at 71.25 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 263, 19. 10. 1979, p. 14.

⁽⁵⁾ OJ No L 11, 16. 1. 1980, p. 10.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 12 June 1980****to take no action on the tenders submitted by 12 June 1980 in response to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 2361/79****(80/631/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas an invitation to tender for the export refund on common wheat was issued under Commission Regulation (EEC) No 2361/79⁽⁴⁾;

Whereas Article 5 of Commission Regulation (EEC) No 279/75 of 4 February 1975⁽⁵⁾, as amended by Regulation (EEC) No 2944/78⁽⁶⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 and on the basis of the tenders submitted, to make no award;

Whereas on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75 a maximum refund should not be fixed;

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

HAS ADOPTED THIS DECISION:

Article 1

No action shall be taken on the tenders submitted by 12 June 1980 in response to the invitation to tender for the export refund on common wheat issued in Regulation (EEC) No 2361/79.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 270, 27. 10. 1979, p. 24.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

