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80/788/EEC :

- ★ Commission Decision of 18 July 1980 authorizing Ireland not to apply Community treatment to jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, falling within subheading ex 60.05 A II of the Common Customs Tariff (category 5), originating in Taiwan and in free circulation in the other Member States 42

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2302/80**of 3 September 1980****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1870/80⁽²⁾, and in particular
Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas, the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2035/80⁽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
2 September 1980;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2035/80 to today's
offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on 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 4 September
1980.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, 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 200, 1. 8. 1980, p. 1.

ANNEX

to the Commission Regulation of 3 September 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	76.03
10.01 B	Durum wheat	73.86 ⁽¹⁾ ⁽³⁾
10.02	Rye	55.60 ⁽⁶⁾
10.03	Barley	65.97
10.04	Oats	57.50
10.05 B	Maize, other than hybrid maize for sowing	69.42 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	59.62 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	119.61
11.01 B	Rye flour	91.04
11.02 A I a)	Durum wheat groats and meal	127.54
11.02 A I b)	Common wheat groats and meal	128.99

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 2303/80

of 3 September 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 1870/80 ⁽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
2036/80 ⁽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
2 September 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 4 September
1980.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, 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 200, 1. 8. 1980, p. 4.

ANNEX

to the Commission Regulation of 3 September 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 9	1st period 10	2nd period 11	3rd period 12
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 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2304/80
of 3 September 1980
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1871/80 ⁽²⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2269/80 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2269/80 to today's

offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 September
1980.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 4.

⁽³⁾ OJ No L 228, 30. 8. 1980, p. 5.

ANNEX

to the Commission Regulation of 3 September 1980 fixing the import levies on rice and broken rice

(ECU / tonne)			
CCT heading No	Description	Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	67.03	29.89
	2. Long grain	95.18	43.96
	b) Husked rice :		
	1. Round grain	83.79	38.27
	2. Long grain	118.97	55.86
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	141.19	58.63
	2. Long grain	237.83	106.99
	b) Wholly milled rice :		
	1. Round grain	150.37	62.80
	2. Long grain	254.95	115.09
	III. Broken rice	30.03	12.00

⁽¹⁾ Subject to the application of the provisions of Article 10 of Regulation (EEC) No 435/80.

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

COMMISSION REGULATION (EEC) No 2305/80**of 3 September 1980****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1871/80 ⁽²⁾, and in particular Article
13 (6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2270/80 ⁽³⁾;

Whereas on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in

force, which are to be added to the levies, should be
altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 September
1980.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 4.

⁽³⁾ OJ No L 228, 30. 8. 1980, p. 8.

ANNEX

to the Commission Regulation of 3 September 1980 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Current 9	1st period 10	2nd period 11	3rd period 12
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b). Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 2306/80
of 3 September 1980
fixing the export refund on candy 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 the
first sentence of the last subparagraph of Article 19 (2)
thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 19 of Regulation (EEC) No 3330/74
provides that the difference between quotations or
prices on the world market for the products listed in
Article 1 (1) (a) of that Regulation and prices for those
products within the Community may be covered by
an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18
June 1968 laying down general rules for granting
export refunds on sugar ⁽³⁾, as last amended by Regula-
tion (EEC) No 1489/76 ⁽⁴⁾, provides that when refunds
on raw sugar, undenatured and exported in the natural
state, are being fixed account must be taken of the
situation on the Community and world markets in
sugar and in particular of the price and cost factors set
out in Article 3 of that Regulation; whereas the same
Article provides that the economic aspect of the
proposed exports should also be taken into account;

Whereas candy sugar is a raw sugar as defined in
Commission Regulation (EEC) No 394/70 of 2 March
1970 on detailed rules for granting export refunds on
sugar ⁽⁵⁾, as amended by Regulation (EEC) No
1467/77 ⁽⁶⁾;

Whereas the world market situation or the specific
requirements of certain markets may make it neces-
sary to vary the refund for sugar according to destina-
tion;

Whereas, in special cases, the amount of the refund
may be fixed by other legal instruments;

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

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

Whereas the refund for candy sugar must be fixed
every two weeks; whereas it may be altered in the
intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refund on candy sugar undenatured and in
the natural state, shall be as set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 4 September
1980.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 3 September 1980 fixing the export refund on candy sugar

(ECU/100 kg)

CCT heading No	Description	Refund
17.01	Beet sugar and cane sugar, solid : B. Raw sugar : (a) Candy sugar	0 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 2307/80**of 3 September 1980****amending Regulation (EEC) No 604/71 fixing the list of representative producer markets for fruit and vegetables**

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 Article 17 (2) thereof,

Whereas Commission Regulation (EEC) No 604/71⁽³⁾, as last amended by Regulation (EEC) No 1212/77⁽⁴⁾, fixed the list of representative producer markets for the products listed in Annex II to Regulation (EEC) No 1035/72;

Whereas there have been changes in the Netherlands in the way certain fruit and vegetables are marketed; whereas, in order to take account of this new situation, it is necessary to amend the list of representative markets of that Member State;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 604/71 is amended as follows:

1. In Annex I, representative producer markets for cauliflowers, 'Westerlee, Barendrecht, Grootebroek' are replaced by 'Delft-Westerlee, Zuid Holland Zuid, West-Friesland Oost'.
2. In Annex II, representative producer markets for tomatoes, 'Rotterdam, Venlo, Westerlee' are replaced by 'Bleiswijk, Venlo, Delft-Westerlee'.
3. In Annex V, representative producer markets for pears, 'Geldermalsen, Utrecht, Zwaag' are replaced by 'Geldermalsen, Grubbenvorst, West-Friesland Oost'.
4. In Annex VI, representative producer markets for apples, 'Geldermalsen, Goes, Utrecht' are replaced by 'Geldermalsen, Centrale Veiling Zeeland, Utrecht'.

Article 2

This Regulation shall enter into force on the 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, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 140, 5. 6. 1980, p. 24.

⁽³⁾ OJ No L 70, 24. 3. 1971, p. 9.

⁽⁴⁾ OJ No L 140, 8. 6. 1977, p. 10.

COMMISSION REGULATION (EEC) No 2308/80**of 3 September 1980****amending Regulation (EEC) No 3136/78 laying down detailed rules for fixing the import levy on olive oil by tender**

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 1917/80⁽²⁾, and in particular Article 16 (6) and Article 19 (3) thereof,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾, and in particular Article 5 (6) and Article 9 thereof,

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 3136/78⁽⁴⁾, as last amended by Regulation (EEC) No 1037/79⁽⁵⁾, import licences issued under the levy tendering procedure are valid as from their date of issue until the end of the third month following;

Whereas, pursuant to the Act of Accession of Greece, import licences will no longer apply as from 1 January 1981 in trade between the Community as

originally constituted and Greece; whereas it is necessary, in consequence, to specify the date 31 December 1980 as the date of expiry of licences mentioning Greece as the obligatory country of origin and of last export;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following is added to Article 5 (3) of Regulation (EEC) No 3136/78:

'However, with regard to licences bearing the word "Greece" in Sections 13 and 14, the date of expiry of such licences may not be later than 31 December 1980'.

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, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

⁽⁴⁾ OJ No L 370, 30. 12. 1978, p. 72.

⁽⁵⁾ OJ No L 130, 29. 5. 1979, p. 20.

COMMISSION REGULATION (EEC) No 2309/80**of 3 September 1980****amending for the third time Regulation (EEC) No 2960/77 on detailed rules for the sale of olive oil held by intervention agencies**

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 1917/80⁽²⁾, and in particular Article 12(4) thereof,

Whereas Article 16(1) of Commission Regulation (EEC) No 2960/77⁽³⁾, as last amended by Regulation (EEC) No 914/80⁽⁴⁾, provides that, in the event of sale for export, the oil exported shall not be eligible for the export refund; whereas the reason for that provision is that the minimum price under the export tendering procedure is fixed on the basis of the world market price;

Whereas, for the same reason, exported oils should be excluded from eligibility for consumption aid; whereas it is necessary, in consequence, to supplement Article 16 of Regulation (EEC) No 2960/77;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 16(1) of Regulation (EEC) 2960/77 is replaced by the following:

'Article 16

1. In the case of sale for export, the oil exported shall not qualify for the export refund fixed in accordance with the provisions of Regulation No 171/67/EEC or for the consumption aid referred to in Article 11 of Regulation No 136/66/EEC

However, for the purposes of Regulation (EEC) No 754/76, such oil shall be considered as having satisfied the provisions of Article 2(1) of the aforesaid Regulation upon completion of the customs export formalities.'

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, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 186, 19. 7. 1980, p. 1.

⁽³⁾ OJ No L 348, 30. 12. 1977, p. 46.

⁽⁴⁾ OJ No L 98, 16. 4. 1980, p. 6.

COMMISSION REGULATION (EEC) No 2310/80**of 3 September 1980****laying down for the 1980/81 and 1981/82 wine-growing years conditions of use of ion exchange resins and detailed implementing rules for the preparation of rectified concentrated grape must**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1990/80⁽²⁾, and in particular Article 46 (6) thereof,

Whereas the Council recently authorized the preparation and use of rectified concentrated grape must; whereas point 1 a (h) of Annex III to Regulation (EEC) No 337/79 permits the use of ion exchange resins for the preparation of this product, under conditions to be laid down; whereas the conditions of use of such resins must therefore be laid down;

Whereas in so doing account must be taken of the provisions already adopted at Community level by Council Directive 76/893/EEC of 23 November 1976 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs⁽³⁾, and of Community and national provisions adopted in implementation of the said Directive;

Whereas the authorized treatments must be such as to ensure that the product obtained presents no hazard to health; whereas provision must therefore be made for the inspection of the substances used and for the methods of analysis to be used in the course of such inspections;

Whereas studies concerning supervision of the use of ion exchange resins are in progress at Community level; whereas, pending the results of this work, the application of this Regulation should be limited to two wine-growing years;

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

HAS ADOPTED THIS REGULATION:

Article 1

Ion exchange resins may be used for the preparation of rectified concentrated grape must only under the supervision of an oenologist or technician, and in installations approved by the authorities of the Member State on whose territory the resins are used. Such authorities shall lay down the duties and responsibility incumbent on approved oenologists and technicians.

Article 2

The ion exchange resins which may be used are styrene and divinylbenzene copolymers containing sulphonic acid or ammonium groups. They must comply with Directive 76/893/EEC and Community and national provisions adopted in implementation thereof. In addition, when tested by the method of analysis laid down in the Annex, they must not lose more than 1 mg/l of organic matter into any of the solvents listed.

Their regeneration must be effected with substances permitted for use in the preparation of foodstuffs.

Article 3

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

It shall apply from 1 September 1980 to 31 August 1982.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 195, 29. 7. 1980, p. 6.

⁽³⁾ OJ No L 340, 9. 12. 1976, p. 19.

ANNEX**THE USA METHOD FOR ORGANIC MATTER IN ION EXCHANGE RESINS****DETERMINATION OF THE LOSS OF ORGANIC MATTER FROM ION EXCHANGE RESINS****1. Scope and field of application**

The method determines the loss of organic matter from ion exchange resins.

2. Definition

The loss of organic matter from ion exchange resins :

The loss of organic matter is determined by the method specified.

3. Principle

Extracting solvents are passed through prepared resins and the weight of organic matter extracted is determined gravimetrically.

4. Reagents

All reagents should be of analytical quality grade.

Extracting solvents :

4.1. Distilled water or de-ionised water of equivalent purity.

4.2. Ethanol, 15 % v/v. Prepare by mixing 15 volumes of absolute ethanol with 85 volumes of water (4.1).

4.3. Acetic acid, 5 % m/m. Prepare by mixing 5 parts of weight glacial acetic acid with 95 parts by weight of water (4.1).

5. Apparatus

5.1. Ion exchange chromatograph columns.

5.2. Measuring cylinders, capacity 2 l.

5.3. Evaporating dishes, capable of withstanding a muffle furnace at 850 °C.

5.4. Drying oven, thermostatically controlled at 105 + or — 2 °C.

5.5. Muffle furnace, thermostatically controlled at 850 + or — 25 °C.

5.6. Analytical balance, accurate to 0.1 mg.
mg.

5.7. Evaporator, hot plate or infra-red evaporator.

6. Procedure

6.1. Add to each of three separate ion exchange chromatography columns (5.1) 50 ml of the ion exchange resin to be tested, having been washed and treated in accordance with the manufacturers direction for preparing them for use with food.

6.2. Pass the three extracting solvents (4.1, 4.2 and 4.3) separately, through the prepared columns (6.1) at a flow rate of 350 to 450 ml/h. Discard the first litre of eluate in each case and collect the next two litres in measuring cylinders (5.2).

6.3. Evaporate the three eluates over a hot plate or infra-red evaporator (5.7) in separate evaporating dishes (5.3) which have been previously cleaned and weighted (m0). Place the dishes in an oven (5.4) and dry to constant weight (m1).

- 6.4. After recording the constant weight (6.3), place the evaporating dish in the muffle furnace (5.5) ash to constant weight (m2).
- 6.5. Calculate the organic matter extracted (7.1). If the result is greater than 1 mg/l, carry out a blank test on the reagents and recalculate the content of organic matter extracted.

The blank test should be carried out by repeating sections 6.3 and 6.4 but using two litres of the extracting solvent, to give weights of m3 and m4 in sections 6.3 and 6.4 respectively.

7. Expression of results

7.1. Formula and calculation of results.

The organic matter extracted from ion exchange resins, in mg/l, is given by :

$$500 (m1 - m2)$$

where m1 and m2 are in g.

The correct organic matter extracted from ion exchange resins, in mg/l, is given by :

$$500 (m1 - m2 - m3 + m4)$$

where m1, m2, m3 and m4 are in g.

- 7.2. The difference in the results between two parallel determinations carried out on the same sample shall not exceed 0.2 mg/l.
-

COMMISSION REGULATION (EEC) No 2311/80

of 3 September 1980

laying down detailed rules implementing the system of aid for the use of concentrated grape must for the manufacture in the United Kingdom and Ireland of certain products and fixing the amounts of aid for the 1980/81 wine-growing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1990/80⁽²⁾, and in particular Article 14a (4) and Article 65 thereof,

Having regard to Council 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⁾, and in particular Article 4 (3) and Article 5 thereof,

Whereas, under the second and third indents of the first subparagraph of Article 14a (1) of Regulation (EEC) No 337/79, an aid system was introduced for the use of grape musts and concentrated grape musts produced in wine-growing Zone C III for the preparation in the United Kingdom and Ireland of certain products, falling within heading No 22.07 of the Common Customs Tariff and for the use of concentrated grape musts produced in the Community for the manufacture of certain products marketed in the United Kingdom and in Ireland with instructions for obtaining from them a beverage in imitation of wine;

Whereas the products falling within heading No 22.07 of the Common Customs Tariff referred to in the second indent of the first subparagraph of Article 14a (1) of the abovementioned Regulation are at the moment produced exclusively from concentrated grape must; whereas, at present aid should therefore be fixed for the use of concentrated grape must alone;

Whereas detailed rules for the implementation of the aid system should be adopted for the 1980/81 wine year alone so that they can, if experience dictates, be modified for succeeding years;

Whereas implementation of the aid system requires administrative arrangements for checking both the origin of the products for which aid is given and the use to which they are put;

Whereas, to ensure that the aid system and the checking arrangements operate properly, operators must be required to submit written applications giving the information necessary to identify the product and enable the operations to be checked;

Whereas, so that the aid system can have an appreciable effect on the quantity of Community products used, a minimum quantity for which applications may be submitted should be fixed;

Whereas it should also be stated that aid will be granted only for products having the minimum quality characteristics required for use for the purposes indicated in the second and third indents of the first subparagraph of Article 14a (1) of Regulation (EEC) No 337/79;

Whereas Article 14a (3) of that Regulation sets criteria for fixing the aid amounts; whereas application of these criteria gives the aid amounts fixed below;

Whereas, to enable the competent authorities of the Member States to make the necessary checks, obligations on operators in regard to the keeping of stock records should be laid down in addition to the provisions of Title II of Commission Regulation (EEC) No 1153/75⁽⁵⁾, as amended by Regulation (EEC) No 2617/77⁽⁶⁾;

Whereas it should be laid down that entitlement to aid is established at the moment when the processing operations are completed; whereas to allow for technical losses the quantity actually used should be allowed to be up to 10 % less than that shown in the application;

(1) OJ No L 54, 5. 3. 1979, p. 1.

(2) OJ No L 195, 29. 7. 1980, p. 6.

(3) OJ No L 106, 29. 4. 1977, p. 27.

(4) OJ No L 140, 5. 6. 1980, p. 19.

(5) OJ No L 113, 1. 5. 1975, p. 1.

(6) OJ No L 304, 29. 11. 1977, p. 33.

Whereas to prevent discrimination between operators and to resolve certain uncertainties as to interpretation that may arise with regard to the representative rates to be applied under Commission Regulation (EEC) No 1054/78 ⁽⁷⁾, as last amended by Regulation (EEC) No 1380/80 ⁽⁸⁾, it should be specified that for all operations under this Regulation the representative rates applicable should in all cases be those applying on 16 December 1980 in the wine sector, applicable in advance from 1 September 1980;

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

HAS ADOPTED THIS REGULATION:

Article 1

Aid shall be granted for the 1980/81 wine-growing year in accordance with the conditions laid down in this Regulation:

- to manufacturers, hereinafter referred to as 'manufacturers', who use concentrated grape must made entirely from grapes produced within wine-growing Zone C III for the manufacture in the United Kingdom and Ireland, of products falling within heading No 22.07 of the Common Customs Tariff for which, by virtue of the first subparagraph of Article 54 (1) of Regulation (EEC) No 337/79, the use of composite names including the word 'wine' may be permitted by those Member States;
- to processors, hereinafter referred to as 'processors', who use concentrated grape must made entirely from grapes produced within the Community as the main component in a range of products marketed in the United Kingdom and Ireland by the said processors, with clear instructions enabling the consumer to obtain therefrom a beverage in imitation of wine.

Article 2

1. Manufacturers or processors who wish to qualify for the aid referred to in Article 1 shall submit a written application, between 1 September 1980 and 31 August 1981, to the competent authority of the Member State in which the concentrated grape must is employed.

Applications must be made at least seven working days before the commencement of the manufacturing process.

⁽⁷⁾ OJ No L 134, 22. 5. 1978, p. 40.

⁽⁸⁾ OJ No L 140, 5. 6. 1980, p. 57.

2. The application for aid shall show:

- (a) the name and business name and the address of the manufacturer or processor,
- (b) the wine-growing zone from which the concentrated grape must comes, as defined in Annex IV to Regulation (EEC) No 337/79,
- (c) the following technical particulars:
 - the place of storage,
 - the place where the operations referred to in Article 1 are carried out,
 - the quantity (in kilogrammes, and, if the concentrated grape must referred to in the second indent of Article 1 is packed in containers with a content not exceeding 5 kg, the number of containers),
 - the density,
 - the prices paid.

The Member States may require further particulars for the purposes of identifying the concentrated grape must.

3. A copy of the accompanying document(s) covering transport of the concentrated grape must from the producer's plant to the manufacturer's or processor's plant, drawn up by the competent agency of the Member States, shall be attached to the application for aid. The Member States may not make use of the provisions of the second subparagraph of Article 4 (2) of Regulation (EEC) No 1153/75.

The wine-growing zone where the fresh grapes employed were harvested shall be entered in Column 15 of the document.

Article 3

1. Applications for aid shall cover a minimum quantity of 50 kg of concentrated grape must.

2. The concentrated grape must in respect of which aid is applied for must be of sound, fair and merchantable quality and suitable for use for the purposes listed in Article 1.

Article 4

The amount of the aid shall be at a fixed rate of:

- 0.15 ECU per kg of concentrated grape must used for the purposes referred to in the first indent of Article 1,
- 0.26 ECU per kg of concentrated grape must used for the purposes referred to in the second indent of Article 1.

Article 5

The manufacturer or processor shall be bound to use, for the purposes referred to in Article 1, the total quantity of the concentrated grape must in respect of which an aid application has been made. A shortfall of 10 % of the quantity of concentrated grape must stated in the application shall be tolerated.

Article 6

The manufacturer or processor shall keep a stock record, in accordance with the provisions of Title II of Regulation (EEC) No 1153/75, showing in particular:

- the consignments of concentrated grape must purchased and brought each day into his plant, together with the particulars indicated in Article 2 (2) (b) and (c) and the name and address of the vendor(s),
- the quantities of concentrated grape must used each day for the purposes listed in Article 1,
- the consignments of finished products listed in Article 1 obtained and despatched each day from his plant, together with the name and address of the consignee(s).

Article 7

The manufacturer or processor shall inform the competent authority, within 30 days, of the date when all the concentrated grape must covered by an application for aid has been used for the purposes listed in Article 1 allowing for the shortfall provided for in Article 5.

Article 8

1. Entitlement to the aid shall be acquired at the moment when the concentrated grape must has been used for the purposes indicated in Article 1.

2. The amount of aid shall be that applicable for the wine-growing year during which it was applied for.

3. Conversion of the amounts given in Article 4 into national currency shall be carried out by reference to the representative rate in force on 16 December 1980 in the wine sector, to apply in advance with effect from 1 September 1980.

Article 9

The competent authority shall pay the aid for the quantity of concentrated grape must actually used not later than 90 days after receipt of the information indicated in Article 7.

Article 10

1. Except in case of *force majeure*, the aid shall not be payable if the manufacturer or processor does not fulfil the requirement set out in Article 5.

2. Except in case of *force majeure*, if the manufacturer or processor does not comply with any requirement of this Regulation, other than those referred to in Article 5, the aid payable shall be reduced by an amount to be fixed by the competent authority in relation with the seriousness of the infringement.

3. In cases of *force majeure*, the competent authority shall determine the measures which it deems necessary having regard to the circumstances invoked.

4. The Member States shall inform the Commission of cases in which paragraph 2 has been applied, and of how requests for recourse to the *force majeure* clause have been dealt with.

Article 11

1. The Member States concerned shall take all measures necessary for the application of this Regulation and, in particular, measures permitting verification of the identity of the concentrated grape must in respect of which an application for aid is made and measures to prevent its being put to improper use.

2. For this purpose the competent authority shall:

- carry out a verification in the manufacturer's or processor's plant, which at least shall consist of a spot check,
- inspect each manufacturer's or processor's, stock record as referred to in Article 6.

Article 12

The Member States concerned shall communicate to the Commission, before the 20th of each month, in respect of the preceding month, and for each intended use referred to in Article 1:

- (a) the quantities of concentrated grape must in respect of which an application for aid has been made, with a breakdown to show the wine-growing zone from which they have come,
- (b) the quantities of concentrated grape must in respect of which aid has been given, with a breakdown to show the wine-growing zone from which they have come,
- (c) the prices to be paid by manufacturers and processors for concentrated grape must.

Article 13

The Member States concerned shall designate a competent authority to be responsible for applying this Regulation, and shall inform the Commission without delay of their names and addresses.

Article 14

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

It shall apply with effect from 1 September 1980.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2312/80**of 3 September 1980****amending for the third time Regulation (EEC) No 2872/79 as regards the closing date for the lodging of applications for approval of delivery contracts**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1990/80⁽²⁾, and in particular Article 40 (5) and Article 65 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2872/79 of 19 December 1979 fixing an additional rate for determining the quantities of alcohol to be delivered for compulsory distillation for the 1979/80 wine-growing years⁽³⁾, as last amended by Regulation (EEC) No 1114/80⁽⁴⁾, fixes the closing dates for the submission of applications for approval and for the approval of delivery contracts;

Whereas producers who are subject to the obligations imposed by Commission Regulation (EEC) No 2872/79 must know, prior to the conclusion of delivery contracts, the exact quantities of alcohol to be delivered; whereas those quantities are communicated by the competent intervention agency; whereas it has not been possible for the said quantities to be communicated in time, on account of the extra administrative tasks associated with the implementation of the above-mentioned Regulation and other Regulations recently adopted by the Council and the Commission, all of which have come into effect at the same time; whereas in these circumstances it has not been possible to submit the applications for approval within the time limit laid down; whereas an initial extension of the dates for lodging applications for approval of delivery contracts and for notification by intervention agencies of the outcome of the approval procedure has proved too short; whereas it appears essential therefore to defer the closing date for the lodging of applications for approval and the other dates associated with it in order to enable producers to fulfil their obligations and to enable the measure completely to fulfil its objective;

Whereas, in order to prevent any discrimination between producers, a closing date for the delivery of wine to distilleries should be set which will precede the date as from which the new conversion rates apply in respect of the wine sector;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2872/79 is hereby amended as follows:

1. In Article 2 (1), the date '31 May 1980' is replaced by '30 November 1980'.
2. In Article 2 (2), the date '15 June 1980' is replaced by '15 December 1980'.
3. The following paragraph 2a is inserted in Article 2:

 '2a. Delivery of the wine covered by the contract must be carried out not later than 15 December 1980.'
4. In Article 2 (3), the date '31 August 1980' is replaced by '15 January 1981'.
5. In Article 6 (1), the date '15 July 1980' is replaced by '31 January 1981'.
6. In Article 6 (4), the date '15 October 1980' is replaced by '31 March 1981'.

Article 2

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

It shall apply with effect from 31 May 1980.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 195, 29. 7. 1980, p. 6.

⁽³⁾ OJ No L 324, 20. 12. 1979, p. 13.

⁽⁴⁾ OJ No L 116, 7. 5. 1980, p. 5.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2313/80**of 3 September 1980****laying down detailed rules and conditions for granting temporary abandonment premiums and premiums for the renunciation of replanting in the wine sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1990/80⁽²⁾,

Having regard to Council Regulation (EEC) No 456/80 of 18 February 1980 on the granting of temporary and permanent abandonment premiums in respect of certain areas under vines and of premiums for the renunciation of replanting⁽³⁾, and in particular Article 2 (6) Article 4 (7), Article 6 (3), Article 8 (3) and Article 10 (3) thereof,

Whereas the conditions under which the premiums provided for by Regulation (EEC) No 456/80 are to be granted should be defined; whereas in order to take account of the different conditions in the various Member States, the average yield recorded in each Member State during a reference period should be taken as a basis for the different levels of productivity; whereas, furthermore, to take account of substantial differences in yield due to special circumstances the Member States should be authorized to increase the threshold of the high-productivity category by up to a maximum percentage;

Whereas the recommended or authorized varieties which may be covered by the grubbing operation should be defined;

Whereas, in order to ensure that the system is effective, the information to be included with the premium application should be laid down and provision should be made for verification of the accuracy of that information;

Whereas the right referred to in Article 5 (1) of Regulation (EEC) No 456/80 giving rise to eligibility for the renunciation premium should be defined;

Whereas, before the premium is paid confirmation should be obtained that grubbing has actually taken place; whereas this should be certified so that the

applicant has evidence that he has undertaken grubbing;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of wine-grape varieties referred to in the second indent of Article 2 (1) (a) of Regulation (EEC) No 456/80 is given in the Annex.

Article 2

For the purposes of the second indent of Article 2 (2), Article 2 (3) (c) and Article 4 (1) of Regulation (EEC) No 456/80:

- (a) an area under vines of very low productivity shall be one where the age and state of maintenance of the vines and the proportion of stocks missing, as found by the competent authority designated by the Member State concerned, imply that the production per hectare will be not more than 20 hectolitres;
- (b) an area under vines of low productivity shall be one where the age and state of maintenance of the vines and the proportion of stocks missing, as found by the competent authority designated by the Member State concerned, imply that the production per hectare, in normal conditions, will be more than 20 hectolitres but less than 70 % of the average yield in the Member State in question during the wine-growing years 1974/75 to 1978/79;
- (c) an area under vines of average productivity shall be one where the age and state of maintenance of the vines and the proportion of stocks missing, as found by the competent authority designated by the Member State concerned, imply that the production per hectare, under normal conditions, will be between 70 % and 130 % of the average yield in the Member State in question during the wine-growing years 1974/75 to 1978/79;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 195, 29. 7. 1980, p. 6.

⁽³⁾ OJ No L 57, 29. 2. 1980, p. 16.

- (d) an area under vines of high productivity shall be one where the age and state of maintenance of the vines and the proportion of stocks missing, as found by the competent authority designated by the Member State concerned, imply that the production per hectare, under normal conditions, will exceed 130 % of the average yield in the Member State in question during the wine-growing years 1974/75 to 1978/79.

To take account of special circumstances the Member States may increase the percentage specified under (d) to not more than 170 % and increase the higher of the percentages specified under (c). Member States shall notify the Commission of measures taken under the second paragraph.

Article 3

(1) Applications for the temporary abandonment premium referred to in the first indent of Article 1 (1) of Regulation (EEC) No 456/80 shall include the following information :

- the name and address of the applicant and the capacity in which he cultivates the vines in respect of which the premium is applied for,
- the area under vines cultivated as a specialized or mixed crop by the applicant,
- sufficient data for identifying the vineyards intended for temporary abandonment in respect of which the premium is applied for,
- the total area, in hectares, ares and centiares, of vines to be grubbed,
- the age of the vines to be grubbed and the manner in which they are trained,
- the varieties in question,
- the approximate date on which grubbing is anticipated.

(2) Applications for the renunciation premium referred to in Article 5 (1) of Regulation (EEC) No 456/80 shall include in particular :

- the name and address of the applicant and the capacity in which he holds the right in respect of which the renunciation premium is applied for,
- the area in hectares, ares and centiares covered by the right which he intends to renounce.

Article 4

For the purposes of this Regulation, the right referred to in Article 5 (1) of Regulation (EEC) No 456/80 shall be that arising from grubbing carried out before 1 March 1976.

Article 5

The competent authority shall, on receipt of the application :

- classify the areas concerned in accordance with the provisions of Article 29 (4) of Regulation (EEC) No 337/79,
- verify the information required under Article 3,
- record the declarations provided for in Article 3 (2) or Article 7 (2) (a) of Regulation (EEC) No 456/80,
- record the data required for calculating the premium in accordance with Article 2,
- advise the applicant of the amount of premium to which he is entitled, after giving him an opportunity to put forward his comments.

Article 6

(1) On application by the interested party, the competent authority shall establish that grubbing has been carried out and shall issue a document certifying the time when it was carried out.

The evidence referred to in the first subparagraph of Article 4 (6) of Regulation (EEC) No 456/80 shall be furnished by the grower by submitting to the competent authority the document referred to in the first subparagraph.

(2) Before paying the premium, the competent authority shall verify that the conditions referred to in Article 3 (4) and Article 7 (2) of Regulation (EEC) No 456/80 are fulfilled and shall undertake the verifications referred to in Article 10 of that Regulation.

Article 7

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

It shall apply with effect from 1 September 1980.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

List of wine grape varieties for grubbing of which a temporary abandonment premium may be granted, adopted under Article 2 (1) (a) second indent of Regulation (EEC) No 456/80

FRANCE

All the authorized or recommended vine varieties, except :

- those given in the classification as varieties authorized pursuant to Article 11 (1) (b) of Council Regulation (EEC) No 347/79
- the following :
 - Cabernet franc N,
 - Cabernet Sauvignon N,
 - Cot N,
 - Fer N,
 - Gamay N,
 - Merlot N,
 - Pinot noir N,
 - Syrah N,
 - Tannat N,
 - Chardonnay B,
 - Sauvignon B,
 - Chenin B,
 in the departments where they are recommended.

ITALY

- | | |
|--|--|
| (a) Valle d'Aosta, Trentino-Alto Adige, Friuli-Venezia Giulia | No varieties |
| (b) Veneto, Lombardia, Emilia-Romagna, Umbria, Marche, Toscana, Abruzzo, Lazio, Molise, Campania, Puglia, Calabria, Basilicata, Sardegna | All the recommended and authorized varieties planted on terrain, ill suited for wine-growing |
| (c) Piemonte | |
| — province of Alessandria | Barbera N, Barbera bianco B, Moscato nero N, Carica l'Asino B, Timorasso B, Aleatico N, Bonarda piemontese N |
| — province of Asti | No varieties |
| — province of Cuneo | Cortese B, Bonarda piemontese N, Grignolino, Neretto Cuneese N |
| — province of Novara | Barbera N, Croatina N, Duras N |
| — province of Vercelli | Barbera N, Bonarda piemontese N, Uva rara N, Freisa N |
| — province of Torino | Barbera N, Bonarda piemontese N, Neretto di Bairo N |
| (d) Liguria | |
| — province of La Spezia | Buonamico N |
| — province of Savona | Dolcetto N |
| — province of Genova | No varieties |
| — province of Imperia | No varieties |
| (e) Sicilia | Ansonica B, Grillo B, Nocera N, Calabrese N, Catarratto bianco lucido B, Barbera N, Nerello mascalese N |

COMMISSION REGULATION (EEC) No 2314/80**of 3 September 1980****amending the arrangements for imports of certain textile products originating in Taiwan**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas ⁽¹⁾, and in particular Articles 2 and 11 thereof,

Whereas Community quantitative quotas for the importation of certain textile products originating in Taiwan were established by Commission Regulation (EEC) No 3020/77 of 30 December 1977 ⁽²⁾ for the period 1 January 1978 to 31 December 1982; whereas those import arrangements were maintained by Council Regulation (EEC) No 255/78 of 7 February 1978 ⁽³⁾, pending the introduction of definitive arrangements;

Whereas Commission Regulation (EEC) No 2604/78 ⁽⁴⁾ adjusted the quotas for the years 1979 to 1982;

Whereas it has been found necessary to increase certain of the quantitative quotas established by the abovementioned Regulation (EEC) No 2604/78 to take account of the requirements of the Community market;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2604/78 is hereby amended in accordance with the Annex to this Regulation in respect only of the year 1980.

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, 3 September 1980.

For the Commission

Wilhelm HAERKAMP

Vice-President

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽²⁾ OJ No L 357, 31. 12. 1977, p. 51.

⁽³⁾ OJ No L 39, 9. 2. 1978, p. 1.

⁽⁴⁾ OJ No L 317, 10. 11. 1978, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code	Description	Unit	Member States	Additional quantity
2	ex 55.09	55.09-01; 02; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 31; 33; 35; 37; 38; 39; 41; 49; 68; 69; 72; 73; 74; 76; 77; 78	Other woven fabrics of cotton : Unbleached or bleached	Tonnes	BNL	800
3	ex 56.07 A	56.07-04; 11; 17; 24; 32; 34; 36	Woven fabrics of man-made fibres (discontinuous or waste); Unbleached or bleached of which :			
		55.09-01; 02; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 31; 33; 35; 37; 38; 39; 41; 49; 68; 69; 72; 73; 74; 76; 77; 78.	Other woven fabrics of cotton : Unbleached or bleached	Tonnes	BNL	250

COMMISSION REGULATION (EEC) No 2315/80**of 3 September 1980****making the importation into the United Kingdom of Brassières, woven, knitted or crocheted (category 31) and originating in Taiwan subject to quantitative limits**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Commission Regulation (EEC) No
3020/77 of 30 December 1977 on the arrangements
for imports of certain textile products originating in
Taiwan⁽¹⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No
255/78 of 7 February 1978 maintaining the arrange-
ments for imports into the Community of textile
products originating in Taiwan⁽²⁾,

Whereas Commission Regulation (EEC) No 3020/77
established autonomous arrangements for imports of
textiles originating in Taiwan; whereas Article 3 of
that Regulation lays down the conditions for the esta-
blishment of further quantitative limits;

Whereas imports into the United Kingdom of bras-
sières, woven, knitted or crocheted (category 31), ori-
ginating in Taiwan, have considerably exceeded the thre-
shold indicated in that Article;

Whereas it is necessary therefore to establish quantita-
tive limits for the period 1980 to 1982 on imports of
products in category 31, originating in Taiwan,

HAS ADOPTED THIS REGULATION:

Article 1

During the years 1980, 1981 and 1982, the importa-
tion into the United Kingdom of brassières, woven,
knitted or crocheted (NIMEXE code 61.09-50) and
originating in Taiwan shall be subject to the quantita-
tive limits indicated in the Annex.

Article 2

The provisions of Regulation (EEC) No 3020/77, and
in particular those concerning the administration of
quantitative limits, shall apply to the quantitative
limits established by this Regulation.

Article 3

This Regulation shall enter into force on the 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, 3 September 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 357, 31. 12. 1977, p. 51.

⁽²⁾ OJ No L 39, 9. 2. 1978, p. 1.

ANNEX

Category	CCT heading No	NIMEXE-code (1980)	Description	Member States	Units	Quantitative limits from 1 January to 31 December		
						1980	1981	1982
31	61.09 D	61.09-50	Brassières, woven, knitted or crocheted	UK	1 000 pieces	250	265	281

COMMISSION REGULATION (EEC) No 2316/80
of 3 September 1980
fixing 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 2005/80⁽⁴⁾, as last
amended by Regulation (EEC) No 2301/80⁽⁵⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in the Regulation
(EEC) No 2005/80 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 4 September
1980.

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

Done at Brussels, 3 September 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 195, 29. 7. 1980, p. 33.

⁽⁵⁾ OJ No L 232, 3. 9. 1980, p. 5.

ANNEX

to the Commission Regulation of 3 September 1980 fixing 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	0 10.69 ⁽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 2317/80

of 3 September 1980

altering the basic amount of the import levy on syrups and certain other sugar products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 2273/80⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2273/80 to the

information known to the Commission that the basic amount of the levy at present in force should be altered to the amount set out below,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 shall be, per 100 kilograms of product, 0,0078 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 4 September 1980.

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

Done at Brussels, 3 September 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 228, 30. 8. 1980, p. 19.

COMMISSION REGULATION (EEC) No 2318/80
of 3 September 1980
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1684/80⁽³⁾, as last amended by Regulation (EEC) No 2004/80⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1684/80 to the information known to the Commission that the levies

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 4 September 1980.

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

Done at Brussels, 3 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 3 September 1980 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar	0.78 0 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 166, 1. 7. 1980, p. 49.

⁽⁴⁾ OJ No L 195, 29. 7. 1980, p. 32.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 July 1980

authorizing Ireland not to apply Community treatment to parkas, anoraks, wind-cheaters, waister jackets and the like, falling within subheadings ex 61.01 B IV and ex 61.02 B II of the Common Customs Tariff (category 21), originating in South Korea and in free circulation in the other Member States

(Only the English text is authentic)

(80/784/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 8 July 1980 by the Irish Government to the Commission of the European Economic Communities, for authorization not to apply Community treatment to parkas, anoraks, windcheaters, waister jackets and the like, falling within subheadings ex 61.01 B IV and ex 61.02 B II of the Common Customs Tariff (category 21), originating in South Korea and in free circulation in the other Member States,

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

Whereas, under that Agreement, South Korea has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States;

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

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to conditions laid down in Commission Decision 80/47/EEC of 20 December 1979 ⁽¹⁾, and in particular Article 3 thereof;

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

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

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

HAS ADOPTED THIS DECISION :

Article 2

This Decision shall apply until 31 October 1980.

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, where they originate in South Korea and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of the adoption of this Decision :

Article 3

This Decision is addressed to Ireland.

CCT heading No	Description
ex 61.01 B IV and ex 61.02 B II (NIMEXE codes : 61.01-29, 31, 32 ; 61.02-25, 26, 28) (category 21)	Parkas, anoraks, windcheaters, waister jackets and the like, woven, of wool, of cotton or of man-made textile fibres

Done at Brussels, 16 July 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION**of 17 July 1980**

authorizing the French Republic not to apply Community treatment to jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, falling within subheading ex 60.05 A II of the Common Customs Tariff (category 5), originating in Hong Kong and in free circulation in the other Member States

(Only the French text is authentic)

(80/785/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 8 July 1980 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, falling within subheading ex 60.05 A II of the Common Customs Tariff (category 5), originating in Hong Kong and in free circulation in the other Member States;

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

Whereas, under that Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States;

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

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

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

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

Whereas authorization should accordingly be given for the application of protective measures under the

first paragraph of Article 115, subject to the conditions laid down in Commission Decision 80/47/EEC of 20 December 1979 ⁽¹⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS DECISION:

Article 1

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

CCT heading No	Description
ex 60.05 A II (NIMEXE codes : 60.05-1, 27, 28, 29, 30, 33, 36, 37, 38) (category 5)	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or ruffled, of wool, of cotton or of man-made textile fibres.

Article 2

This Decision shall apply until 31 October 1980.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 17 July 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

COMMISSION DECISION

of 17 July 1980

authorizing the French Republic not to apply Community treatment to women's, girls' and infants' (other than babies') woven suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres excluding ski-suits, falling within subheading ex 61.02 B II of the Common Customs Tariff (category 29), originating in India and in free circulation in the other Member States

(Only the French text is authentic)

(80/786/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 8 July 1980 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to women's, girls' and infants' (other than babies') woven suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres, excluding ski-suits, falling within subheading ex 61.02 B II of the Common Customs Tariff (category 29), originating in India and in free circulation in the other Member States ;

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

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

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

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

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 80/47/EEC of 20 December 1979 ⁽¹⁾, and in particular Article 3 thereof ;

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

HAS ADOPTED THIS DECISION :

Article 1

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

CCT heading No	Description
ex 61.02 B II (NIMEXE codes : 61.02-42, 43, 44) (category 29)	Women's, girls' and infants' (other than babies') woven suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres, excluding ski-suits

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

Article 2

Done at Brussels, 17 July 1980.

This Decision shall apply until 31 October 1980.

*For the Commission**Article 3*

Wilhelm HAFERKAMP

This Decision is addressed to the French Republic.

Vice-President

COMMISSION DECISION

of 17 July 1980

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to woven breeches, shorts and trousers (including slacks), falling within subheadings ex 61.01 B V and ex 61.02 B II of the Common Customs Tariff (category 6), originating in Hong Kong and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(80/787/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 8 July 1980 by the Benelux Governments to the Commission of the European Communities, for authorization not to apply Community treatment to woven breeches, shorts and trousers (including slacks), falling within subheadings ex 61.01 B V and ex 61.02 B II of the Common Customs Tariff (category 6), originating in Hong Kong and in free circulation in the other Member States;

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

Whereas, under that Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States;

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

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

Whereas these economic difficulties are caused largely by unequal conditions of competition, which allow exports to be made at prices appreciably lower than those of the Community products in question;

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 80/47/EEC of 20 December 1979 ⁽¹⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to the products indicated below, where they originate in Hong Kong and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of the adoption of this Decision:

CCT heading No	Description
ex 61.01 B V and ex 61.02 B II (NIMEXE codes : 61.01-62, 64, 66, 72, 74, 76; 61.02-66, 68, 72) (category 6)	Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants woven trousers and slacks of wool, of cotton or of man-made textile fibres

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

Article 2

Done at Brussels, 17 July 1980.

This Decision shall apply until 31 October 1980.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 18 July 1980

authorizing Ireland not to apply Community treatment to jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, falling within subheading ex 60.05 A II of the Common Customs Tariff (category 5), originating in Taiwan and in free circulation in the other Member States

(Only the English text is authentic)

(80/788/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 16 July 1980 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to jerseys, pullovers slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, falling within subheading ex 60.05 A II of the Common Customs Tariff (category 5), originating in Taiwan and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Taiwan is subject to a Community quantitative quota allocated among the Member States by Commission Regulation (EEC) No 3020/77 of 30 December 1977⁽¹⁾ confirmed by Council Regulation (EEC) No 255/78 of 7 February 1978⁽²⁾;

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

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

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the condi-

tions laid down in Commission Decision 80/47/EEC of 20 December 1979⁽³⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS DECISION:

Article 1

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

CCT heading No	Description
ex 60.05 A II (NIMEXE codes : 60.05-1, 27, 28, 29, 30, 33, 36, 37, 38) (category 5)	jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 31 December 1980.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 18 July 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 357, 31. 12. 1977, p. 51.

⁽²⁾ OJ No L 39, 9. 2. 1978, p. 1.

⁽³⁾ OJ No L 16, 22. 1. 1980, p. 14.

COMMISSION DECISION

of 22 July 1980

relating to a proceeding under Article 85 of the EEC Treaty (IV/26.528 — The Distillers Co. Ltd — Victuallers)

(Only the English text is authentic)

(80/789/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Regulation No 17 of 6 February 1962⁽¹⁾, and in particular Articles 2 and 4 thereof,

Having regard to the notification of a standard agreement by the Distillers Company Ltd made on 4 September 1967 on behalf of 41 of its subsidiaries (listed in the Annex hereto),

Having regard to the publication in OJ No C 9 of 2 February 1971 and No C 65 of 15 March 1980 of the essential content of the notification as required by Article 19 (3) of Regulation No 17,

Having regard to the opinion of the Advisory Committee on Restrictive Practices and Dominant Positions obtained pursuant to Article 10 (3) of Regulation No 17 on 16 July 1975 and on 20 May 1980,

I. The facts

The facts are as follows :

1. This Decision concerns the standard agreement on the basis of which subsidiaries of The Distillers Company Ltd supply victuallers in all common market countries with Scotch whisky intended exclusively for resale for tax and duty-free consumption.

2. The relevant subsidiaries of the Distillers Company Ltd produce Scotch whisky which they sell under their own brands. They all have their registered offices in the United Kingdom.

They have made agreements of this kind with about 500 victuallers in various common market countries.

World-wide sales by The Distillers Company Ltd group of Scotch whisky amounted to £ 497.2 million

(including duties and taxes) in the financial year 1978/79. In 1978/79 its world-wide sales of Scotch whisky for tax and duty-free consumption represented 11.3 % of its total sales world-wide, and its tax and duty-free sales in the common market amounted to 2.6 % of its total sales.

3. Firms which receive supplies on the basis of the agreement notified are termed 'victuallers'. This word originally meant firms established in ports which supplied ships with on-board provisions of all kinds. Victuallers supply ships serving international routes with products like Scotch whisky, which, if they are consumed on board ship, are not subject to payment of duties and taxes in the normal way. As aviation developed, the term 'victualler' was also applied to firms supplying aircraft with products to be consumed on board for tax and duty-free consumption.

Apart from international ship and aircraft operators, victuallers also supply other customers who are entitled to consume products such as Scotch whisky free of duty and taxes, particularly embassies, armed forces outside their own country and certain international organizations. To sum up, victuallers supply the duty-free trade.

4. The terms on which duty-free concessions are granted are laid down by legal provisions and international conventions. The concessions are available to persons consuming the products on board a ship or aircraft serving an international route and to embassies, foreign armed forces and certain international organizations. The concessions apply to consumable products and for limited quantities only. Lastly, those eligible for the concessions are not allowed to transfer the duty-free products to other persons.

5. Scotch whisky supplied to the victuallers on the basis of the relevant agreement is often labelled in such a way as to indicate its duty-free destination, typical words being 'for duty-free only'.

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

6. For many years the subsidiaries of The Distillers Company Ltd have imposed on victuallers uniform obligations which are contained in the standard agreement notified. Under the terms of this standard agreement, the victuallers undertake :

- (a) not to resell the products supplied except for the purpose of tax and duty-free consumption (in embassies or in aircraft or as ships' stores), and to resell them only to persons or firms which there is no reasonable cause to believe will resell or use such products otherwise than for duty-free consumption ;
- (b) to impose an obligation similar in terms to (a) above on the resale of the products supplied and to use their best endeavours to ensure that the same obligation is accepted by all subsequent purchasers of the products supplied.

These agreements impose no sales restrictions other than those stated in (a) and (b).

7. Observations addressed to the Commission after the first publication of the essential content of the standard agreement on 2 February 1971 in the Official Journal ⁽¹⁾, pursuant to Article 19 (3) of Regulation No 17, demonstrated that dealers selling branded whiskies to ordinary customers have in some cases been supplied by victuallers in breach of their above-mentioned obligations. No further observations were made to the Commission following the second publication, on 15 March 1980 ⁽²⁾, the main purpose of that new publication being to enable interested third parties in the new Member States (Denmark, Ireland and the United Kingdom) to present any observations they may have had.

II. Applicability of Article 85 (1) of the EEC Treaty

8. Negative clearance may be given under Article 2 of Regulation 17 if the Commission finds that on the basis of the facts in its possession there are no grounds for action under Article 85 (1) of the Treaty in respect of the agreement notified.

9. Article 85 (1) prohibits all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between the Member States and which have as their object or effect the prevention, restriction or distortion of competition within the common market.

⁽¹⁾ OJ No C 9, 2. 2. 1971, p. 3.

⁽²⁾ OJ No C 65, 15. 3. 1980, p. 4.

10. The standard agreement notified is an agreement between undertakings which imposes certain obligations on victuallers as regards the resale of the whiskies supplied.

11. Under the agreement the victualler may supply customers only if he knows or may reasonably suppose that they will use the products concerned for the purpose of duty-free consumption. He is also obliged to impose on his customers a similar obligation on the resale of the products supplied and to obtain an undertaking that the same conditions will be imposed on any subsequent purchasers.

12. The effect of the agreement is to prevent victuallers in one Member State from reselling products supplied under the agreement to customers in other Member States for 'ordinary' consumption, which is to say, to customers who sell or consume products on which duties and taxes must be paid. The wholesale and retail trades, large shops, supermarkets and the ordinary final consumer cannot obtain supplies from victuallers of products supplied under the agreement. However, these are customers who would not normally be supplied by the victualler or his customers.

13. The victuallers mainly supply international ship and aircraft operators, embassies, foreign armed forces and international organisations with duty-free products in quantities limited by law. These customers pass these products on to consumers who are authorized by law to consume them without paying duties and taxes. The victuallers' business therefore consists of selling duty-free products, such as Scotch whisky, generally identified by words such as 'for duty-free only', that is to say supplying the very category of customer to which the agreement in question obliges them to confine themselves. The victuallers' business is not oriented towards trade in products for ordinary consumption or towards supplying customers whom, as a result of the obligation at issue, they cannot supply. Moreover, the Commission's information is that, in practice, only in exceptional cases have victuallers supplied customers other than those entitled to make duty-free purchases and, duty having been paid, made deliveries to retailers who supply for ordinary consumption.

14. Lastly, if the victuallers wish to set up in business for ordinary consumption and supply other sellers or final consumers, they are free to ask the producer, wholesalers or sole distributors to supply them with products for ordinary consumption, that is to say products not bearing special labels and on which tax and duty has been paid.

15. Consequently it may be concluded that, although in theory the standard agreement notified appears to restrict the victualler's freedom to choose his customers and the terms of the sales agreements to be made with them, it does not in practice result in any real restriction on the victualler's freedom of action. It follows that the obligation imposed on victuallers does not have the effect of appreciably restricting competition in the common market. Moreover, the agreement notified restricts them in no other way, for it leaves the victuallers free to sell in all countries of the common market — and indeed in the world — without restrictions; it does not prevent them from selling other brands of Scotch whisky which are not covered by the agreement, nor does it affect their freedom to determine their resale prices.

16. Furthermore, the fact that the victuallers' successive customers are prohibited from reselling the products for ordinary consumption is likewise not such as to appreciably restrict competition. In fact, the victuallers sell only to other victuallers or to international operators of ships and aircraft, embassies, foreign armed forces and international organizations, for the account of persons who qualify for duty-free concessions. In so far as the obligation at issue relates to other victuallers, its effect is not appreciably to restrict competition, for the reasons already advanced. Moreover, the second category of customer is supplied by the victuallers only in limited quantities and provided that the products are not for ordinary consumption but for duty-free consumption. Moreover, if these customers, whose normal activity is not reselling Scotch whisky, were to sell any whisky duty-paid, they could in any case do so only very occasionally and in very limited quantities. Lastly, the current

legal provisions prohibit final consumers qualifying for duty-free concessions from passing the goods on to other persons. Consequently the obligation imposed on successive customers does not have the effect of appreciably restricting competition on the common market.

17. Consequently, on the basis of the information at its disposal, the Commission has no cause to find that the standard agreement notified by The Distillers Company Ltd has the object or effect of preventing, restricting or distorting competition to an appreciable extent within the common market. Since this condition for the application of Article 85 (1) of the Treaty is not present, negative clearance may be granted.

HAS ADOPTED THIS DECISION :

Article 1

On the basis of the facts in its possession, the Commission has no grounds for action under Article 85 (1) of the Treaty establishing the European Economic Community in respect of the standard agreement between the subsidiaries of The Distillers Company Limited and victuallers in the common market, which agreement relates to supplies of Scotch whisky for resale for consumption free of duties and taxes.

Article 2

This Decision is addressed to The Distillers Company Ltd, 21 St James's Square, London SW1, which shall notify it to its 41 subsidiaries listed in the Annex hereto.

Done at Brussels, 22 July 1980.

For the Commission

Raymond VOUEL

Member of the Commission

ANNEX**List of Distillers subsidiaries to whom this Decision applies**

1. Ainslie & Heilbron (Distillers) Ltd, Glasgow
 2. Baird-Taylor Ltd, Glasgow
 3. John Begg Ltd, Glasgow
 4. Benmore Distilleries Ltd, Glasgow
 5. J. A. Bertram & Co. Ltd, Edinburgh
 6. John Bisset & Co. Ltd, Edinburgh
 7. James Buchanan & Co. Ltd, London
 8. Bulloch Lade & Co. Ltd, Glasgow
 9. Geo. Cowie & Son Ltd, Dufftown
 10. John Crabbie & Co. Ltd, Edinburgh
 11. Craighall Bonding Co. Ltd, Glasgow
 12. A. & A. Crawford Ltd, Edinburgh
 13. Daniel Crawford & Co. Ltd, Glasgow
 14. The Distillers Agency Ltd, South Queensferry
 15. Peter Dawson Ltd, Glasgow
 16. John Dewar & Sons Ltd, Perth
 17. A. Ferguson & Co. Ltd, Edinburgh
 18. Donald Fisher Ltd, Edinburgh
 19. John Gillon & Co. Ltd, Glasgow
 20. Wm. Greer & Co. Ltd, Glasgow
 21. John Haig & Co. Ltd, Fife
 22. J. & W. Hardie Ltd, Edinburgh
 23. J. & R. Harvey & Co. Ltd, Glasgow
 24. John Hopkins & Co. Ltd, Glasgow
 25. Low Robertson & Co. Ltd, Edinburgh
 26. W. P. Lowrie & Co. Ltd, Glasgow
 27. Macdonald Greenlees Ltd, Edinburgh
 28. Macleay Duff (Distillers) Ltd, Glasgow
 29. D. & J. McCallum Ltd, Edinburgh
 30. John McEwan & Co. Ltd, Edinburgh
 31. Mitchell Bros. Ltd, Glasgow
 32. Jas. Munro & Son Ltd, Edinburgh
 33. John Robertson & Son Ltd, Edinburgh
 34. Wm. Sanderson & Son Ltd, Edinburgh
 35. Slater, Rodger & Co. Ltd, Glasgow
 36. J. & G. Stewart Ltd, Edinburgh
 37. R. H. Thomson & Co. (Distillers) Ltd, Edinburgh
 38. John Walker & Sons Ltd, London
 39. James Watson & Co. Ltd, Dundee
 40. White Horse Distillers Ltd, Glasgow
 41. Wright & Greig Ltd, Glasgow
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COMMISSION DECISION**of 25 July 1980****concerning animal health conditions and veterinary certification for the
importation of fresh meat from Finland****(80/790/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries ⁽¹⁾, as last
amended by Directive 77/98/EEC ⁽²⁾, and in particular
Article 16 thereof,

Whereas following a Community veterinary mission it
appears that the animal health situation in Finland is
excellent, stable and completely controlled by well-
structured and organized veterinary services, particu-
larly as regards diseases transmissible through meat;

Whereas, in addition, by letter of 23 May 1980 the
responsible veterinary authorities of Finland have
confirmed that Finland has for at least 12 months
been free from rinderpest, foot and mouth disease,
African swine fever, classical swine fever, contagious
porcine paralysis (Teschen disease) and swine vesicular
disease and that no vaccinations have been carried out
against those diseases during that time;

Whereas the responsible veterinary authorities of
Finland have undertaken to notify the Commission of
the European Communities and the Member States,
by telex or telegram, within 24 hours at the latest, of
the confirmation of the occurrence of any of the
abovementioned diseases or the adoption of vaccina-
tion against any of them;

Whereas animal health conditions and veterinary certi-
fication must be adopted according to the animal
health situation of the non-member country con-
cerned;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall authorize the importation from
Finland of fresh meat of bovine animals, swine, sheep,
goats and domestic solipeds conforming to the guaran-
tees laid down in an animal health certificate which
accords with the Annex hereto and which must
accompany the consignment.

Article 2

This Decision shall not apply to imports of glands
and organs authorized by the country of destination
for pharmaceutical manufacturing purposes.

Article 3

This Decision shall apply with effect from 1 January
1981.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 25 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

ANNEX**ANIMAL HEALTH CERTIFICATE**

For fresh meat ⁽¹⁾ of bovine animals, swine, sheep, goats and domestic solipeds intended for consignment to the European Economic Community

Country of destination

Reference to public health certificate ⁽²⁾

Exporting country, FINLAND

Ministry

Department

References
(Optional)

I. Identification of meat

Meat of
(Animal species)

Nature of cuts :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat :

Address(es) and veterinary approval number(s) ⁽²⁾ of approved slaughterhouse(s) :
.....

Address(es) and veterinary approval number(s) ⁽²⁾ of approved cutting plant(s) :
.....

III. Destination of meat :

The meat will be sent from :
(Place of loading)

to :
(Country and place of destination)

by the following means of transport ⁽³⁾ :

Name and address of consignor :
.....

Name and address of consignee :
.....

IV. Attestation of health

I, the undersigned, official veterinarian, certify that the fresh meat described above has been obtained from :

- animals which have remained in the territory of Finland for at least three months before being slaughtered or since birth in the case of animals less than three months old ;
- in the case of swine, animals which come from holdings in which there has been no outbreak of porcine brucellosis during the previous six weeks ;
- in the case of sheep and goats, animals which come from holdings in which there has been no outbreak of ovine or caprine brucellosis during the previous six weeks.

Done at, on

Seal

.....
(Signature of official veterinarian)

-
- (¹) Fresh meat means all parts of domestic animals of the bovine, porcine, ovine and caprine species and of domestic solipeds which are fit for human consumption and which have not undergone any preserving process, chilled and frozen meat being considered as fresh meat.
- (²) Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.
- (³) For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

COMMISSION DECISION

of 28 July 1980

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 1777/80, the maximum amounts for the costs of delivery of skimmed-milk powder as food aid

(80/791/EEC)

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,

Whereas, pursuant to Commission Regulation (EEC) No 1777/80 of 4 July 1980 on the delivery of various consignments of skimmed-milk powder as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of delivery as food aid of 5 353 tonnes of skimmed-milk powder for certain third countries and beneficiary organizations;

Whereas, Article 16 of 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⁾, lays down that, on the basis of tenders received, a maximum amount shall be fixed for each lot put for tender or it shall be decided not to proceed with the tender;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 1777/80 shall be fixed as follows:

- Lot A : 470 261 ECU (B),
- Lot B : 407 272 ECU (B),
- Lot C : 554 192 ECU (B),
- Lot D : 519 688 ECU (B),
- Lot F : 377 756 ECU (B),
- Lot G : 508 393 ECU (B),
- Lot L : 5 662 ECU,
- Lot M : 408 090 ECU (B),
- Lot T : 301 095 ECU (B),
- Lot U : 560 843 ECU (D),
- Lot V : 200 470 ECU (D),
- Lot W : 114 914 ECU (B),
- Lot X : 283 721 ECU (D),
- Lot Z : 131 963 ECU (D),
- Lot AB : 265 763 ECU (D),
- Lot AG : 132 904 ECU (D).

With regard to Lot I, the tender shall not be proceeded with.

Done at Brussels, 28 July 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 175, 9. 7. 1980, p. 12.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 181, 18. 7. 1979, p. 20.

