

Official Journal

of the European Communities

ISSN 0378-6978

L 374

Volume 23

31 December 1980

English edition

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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 December 1980

empowering Ireland to refuse authorization to slaughter on its territory certain sheep originating in the United Kingdom

(Only the English text is authentic)

(80/1227/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 9 (4) thereof,

Whereas Article 9 (3) of Regulation (EEC) No 1837/80 lays down that, in the event of payment of the variable slaughter premium for sheep, an amount equivalent to that premium is to be charged on products referred to in Article 1 (a) of that Regulation as they leave the territory of the Member State which grants the said premium;

Whereas the United Kingdom, which grants the said premium, and Ireland have a common land frontier; whereas it is possible to send animals which have qualified for the premium in the United Kingdom across the said frontier fraudulently and to have them slaughtered in Ireland without paying the amount referred to above; whereas this problem cannot be resolved by the usual means;

Whereas, in order to limit the said risk of fraud, it is accordingly necessary to make provision for the Irish authorities to refuse the slaughter on their territory of animals in respect of which no proof is provided that the abovementioned amount had been paid when the said animals left the territory of the United Kingdom, in accordance with Commission Regulation (EEC) No 2661/80 ⁽²⁾;

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

HAS ADOPTED THIS DECISION:

Article 1

Where sheep originating in the United Kingdom and marked pursuant to Article 2 (1) of Regulation (EEC) No 2661/80 are presented for slaughter in Ireland and no proof to the satisfaction of the competent authorities is provided that the amount referred to in Article 4 of the said Regulation has been paid or a security for that amount provided as laid down in paragraph 2 of the same Article, the Irish authorities shall refuse to authorize slaughter of the said animals on their territory.

Article 2

The competent Irish authorities shall inform the competent authorities of the United Kingdom and the Commission of cases where slaughter has been refused pursuant to this Decision.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 12 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 276, 20. 10. 1980, p. 19.

COMMISSION DECISION
of 12 December 1980
on the supplying of maize to the Republic of Zambia as food aid
(Only the French text is authentic)
(80/1228/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1870/80⁽²⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid⁽³⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 696/76 of 25 March 1976 derogating from Regulation (EEC) No 2750/75 in respect of mobilization procedures for cereals to be supplied as food aid⁽⁴⁾,

Whereas, by means of Regulation (EEC) No 2385/80⁽⁵⁾, the Commission has opened an invitation to tender for the supply cif to the port of Durban of 10 000 tonnes of maize destined for the Republic of Zambia as food aid;

Whereas these goods must be transported from the port of Durban to their final destination at Lusaka;

Whereas, in order to satisfy the particular requirements of the measure in question, and to take account of local transport conditions, use should be made of a quicker and more flexible procedure than the invitation to tender; whereas, therefore, the intervention agency responsible for the tendering procedure for the supply cif should be allowed to conclude, for delivery to the final stage, the contract relating to the transport to be carried out;

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

HAS ADOPTED THIS DECISION:

Article 1

1. L'Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, Paris 7^e (intervention agency) shall conclude one direct award contract for

the transport from Durban of 10 000 tonnes of maize for the Republic of Zambia, namely 10 000 tonnes delivered unloaded at Lusaka.

2. In concluding the direct award contract, the ONIC must seek the most favourable conditions.

Article 2

1. A security of 6 ECU per tonne of product shall be lodged by the party concerned at the time of the signature of the contract. It shall be released on completion of the operations in question and as regards the quantities not delivered in the event of *force majeure*.

2. The security referred to in paragraph 1 may be lodged in cash or in the form of a guarantee given by a credit establishment satisfying the requirements laid down by the Member State.

Article 3

The intervention agency shall require the following information from the party concerned:

- (a) after each shipment, an attestation detailing the quantities loaded, the quality of the products and their form of packing;
- (b) the date of departure and the date set for the arrival of the products at their destination;
- (c) any incident which may occur during transport of the products.

The intervention agency shall forward, as soon as it has received them, the above particulars to the Commission together with a copy of the direct award contract.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 12 December 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 L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 83, 30. 3. 1976, p. 8.

⁽⁵⁾ OJ No L 244, 16. 9. 1980, p. 8.

COMMISSION DECISION

of 12 December 1980

authorizing the Federal Republic of Germany not to apply Community treatment to woven fabrics of cotton originating in the People's Republic of China

(Only the German text is authentic)

(80/1229/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 Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member States ⁽¹⁾, and in particular Article 3 thereof,

Whereas on 5 December 1980 a request was made under the first paragraph of Article 115 of the Treaty by the German Government to the Commission of the European Communities for authorization not to apply Community treatment to woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff (category 2), originating in the People's Republic of China and in free circulation in the other Member States ;

Whereas the importation into the Community of the products in question originating in the People's Republic of China is covered by an Agreement negotiated between the Community and that country ; whereas under that Agreement the People's Republic of China has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings ;

Whereas in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3061/79 ⁽²⁾, introducing specific common rules for imports of certain textile products ;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceilings between the Member States ;

Whereas for this reason disparities still exist between the conditions governing the importation of the

products in question into the different Member States ; whereas uniformity can only be brought about gradually ;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1980 the Federal Republic of Germany has admitted the products in question in free circulation, originating in the said third country, which amount to approximately 52,4 % of the direct quota ;

Whereas information has been received by the Commission indicating that total imports of the products in question originating in third countries have increased from 40 250 tonnes in 1978 to 50 228 tonnes in 1979 and amount to 29 022 tonnes for the first six months of 1980 ; whereas the market share taken by those imports has risen from 26,2 % in 1978 to 32 % in 1979 and amounts to 37 % for the first six months of 1980 ;

Whereas the prices of the products in question originating in the People's Republic of China are approximately 55 % below the prices of like products manufactured in the Federal Republic of Germany ;

Whereas output of like products in the Federal Republic of Germany has fallen from 136 102 tonnes in 1978 to 134 011 tonnes in 1979 and amounts to 64 763 tonnes for the first six months of 1980 ; whereas the domestic industry's share of the home market has fallen from 51,4 % in 1978 to 44,3 % in 1979 and amounts to 39,4 % for the first six months of 1980 ;

Whereas the numbers employed fall from 32 000 in 1978 to 30 000 in 1979 and to 29 800 in the first six months of 1980 ;

Whereas further indirect imports, in addition to those already admitted, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures ;

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 345, 31. 12. 1979, p. 1.

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 Decision 80/47/EEC, and in particular Article 3 thereof ;

HAS ADOPTED THIS DECISION :

Article 1

The Federal Republic of Germany is authorized not to apply Community treatment to the products indicated below, originating in the People's Republic of China and in free circulation in the other Member States in respect of which applications for import licences were lodged after 5 December 1980.

CCT heading No	Description
55.09 (NIMEXE codes 55.09-01, 02, 03, 04, 05, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 31, 33, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 81, 82, 83, 84, 86, 87, 92, 93, 97 (category 2)	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics

Article 2

This Decision shall apply until new opportunities arise in the Federal Republic of Germany for the importation of the products in question originating in the People's Republic of China or until 31 December 1980 whichever is the earlier.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 12 December 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION**of 12 December 1980****fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3020/80, the maximum amounts for the delivery of butteroil as food aid****(80/1230/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 3020/80 of 24 November 1980 on the delivery of
various consignments of butteroil as food aid⁽³⁾, the
intervention agencies of the Member States have
invited tenders for the manufacture and delivery of
6 500 tonnes of butteroil, destined to 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⁾, provides that in the light of the
tenders received a maximum amount for each lot put
out to tender is to be fixed or the tendering procedure
is to be cancelled;

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 Manage-
ment Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purpose of
awarding a contract pursuant to Regulation (EEC) No
3020/80 shall be fixed as follows:

- Lot A 1: 11 107 ECU
- Lot A 2: 10 676 ECU
- Lot A 3: 11 646 ECU
- Lot A 4: 10 999 ECU
- Lot A 5: 10 999 ECU
- Lot A 6: 11 143 ECU
- Lot B 1: 10 987 ECU
- Lot B 2: 5 444 ECU
- Lot B 3: 10 343 ECU
- Lot B 4: 9 359 ECU
- Lot B 5: 13 206 ECU
- Lot B 6: 10 657 ECU
- Lot C: 11 427 ECU

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 December 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 317, 25. 11. 1980, p. 1.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 181, 18. 7. 1979, p. 20.

COMMISSION DECISION

of 12 December 1980

fixing the minimum selling prices for butter for the 42nd individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 262/79

(80/1231/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 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 1272/79⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁵⁾, as last amended by Regulation (EEC) No 925/80⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 16 of that Regulation provides that, in the light of the tenders received, a minimum

selling price must be fixed which may vary according to the use to which the butter is to be put and according to the fat content of the butter; whereas, alternatively, a decision may be taken not to proceed with the invitation to tender; whereas the amounts of the processing security must be fixed in the light of the difference between the minimum selling prices and the market prices of the butter;

Whereas, in the light of the tenders received in response to the 42nd individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly;

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

For the 42nd individual invitation to tender under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders expires on 9 December 1980, the minimum selling prices and processing securities shall be fixed as follows:

Use to which the butter is to be put (Article 4 (1), (2) and (3) of Regulation (EEC) No 262/79)	Fat content of the butter	Minimum selling price in ECU per 100 kg butter	Processing security in ECU per 100 kg butter
Formula A and/or C	82 % or more	122.00	193.00
	Less than 82 %	119.02	188.29
Formula B	82 % or more	177.00	138.00
	Less than 82 %	172.68	134.62

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 161, 29. 6. 1979, p. 13.

⁽⁵⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁶⁾ OJ No L 99, 17. 4. 1980, p. 13.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 12 December 1980

establishing that the apparatus described as 'Edax-energy dispersive X-ray analysis system, model 9100/60' may not be imported free of Common Customs Tariff duties

(80/1232/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 11 June 1980, the Government of the United Kingdom has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Edax-energy dispersive X-ray analysis system, model 9100/60', to be used in research and development of materials for use in gas turbine engines and in particular for qualitative and quantitative analyses of these materials, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community,

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 4 December 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

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

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

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, are currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'System 860' manufactured by Link Systems Ltd, Halifax Road, High Wycombe, Buckinghamshire, England,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Edax-energy dispersive X-ray analysis system, model 9100/60', which is the subject of an application by the Government of the United Kingdom of 11 June 1980, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 December 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION

of 12 December 1980

establishing that the apparatus described as 'Ortec-AD 811 camac octal analog-to-digital converter' may not be imported free of Common Customs Tariff duties

(80/1233/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 3 June 1980, the Government of the United Kingdom has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Ortec-AD 811 camac octal analog-to-digital converter', to be used for the encoding of signals produced by detection of the 14C ions, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 4 December 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is an analog-to-digital converter;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Ortec-AD 811 camac octal analog-to-digital converter', which is the subject of an application by the Government of the United Kingdom of 3 June 1980, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 December 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 12 December 1980****establishing that the apparatus described as 'Waters-universal injector, model U 6K' may not be imported free of Common Customs Tariff duties**

(80/1234/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 10 June 1980, the Government of the United Kingdom has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Waters-universal injector, model U 6K', to be used in the framework of the sequence analysis of proteins, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 4 December 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a solvent delivery system;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Waters-universal injector, model U 6K', which is the subject of an application by the Government of the United Kingdom of 10 June 1980, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 December 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 12 December 1980****establishing that the apparatus described as 'Nuclear-multichannel analyzer system, model ND 600' may not be imported free of Common Customs Tariff duties****(80/1235/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 3 June 1980, the Government of the Federal Republic of Germany has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Nuclear-multichannel analyzer system, model ND 600', to be used in the electron-energy analysis in respect of discontinuous metal-films, should be considered as a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 4 November 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a firmware controlled, microcomputer-based analyzer system;

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

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Nuclear-multichannel analyzer system, model ND 600', which is the subject of an application by the Government of the Federal Republic of Germany of 3 June 1980, may not be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 December 1980

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 134, 31. 5. 1979, p. 1.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

COMMISSION DECISION**of 15 December 1980****amending Decision 80/266/EEC authorizing Member States to permit temporarily the marketing of forestry reproductive material not complying with the requirements of Council Directive 66/404/EEC**

(80/1236/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material⁽¹⁾, as last amended by Directive 79/410/EEC⁽²⁾, and in particular Article 15 (1) thereof,

Having regard to the request submitted by the United Kingdom,

Whereas the production of reproductive material of forestry species is at present insufficient in all Member States so that their requirements for reproductive material conforming to the requirements of Directive 66/404/EEC cannot be met;

Whereas non-member countries are also not in a position to supply sufficient reproductive material of the relevant species which can afford the same guarantees as Community reproductive material and which conforms to the requirements of Directive 66/404/EEC;

Whereas by Decision 80/266/EEC⁽³⁾, as amended by Decision 80/756/EEC⁽⁴⁾, the Commission authorized the Member States to permit temporarily the marketing of forestry reproductive material which satisfies less-stringent requirements;

Whereas the United Kingdom, in order to be able to cover completely its requirements in seed of *Picea*

abies Karst. with the quantities provided for, has applied for extension of the list of authorized provenance to include Czechoslovakia;

Whereas the United Kingdom should therefore be authorized temporarily to admit also the said forestry reproductive material from Czechoslovakia;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

In the Annex to Decision 80/266/EEC the abbreviation 'CS' is hereby added in the 'provenance' column under the heading '*Picea abies* Karst.' in respect of the United Kingdom.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2326/66.

⁽²⁾ OJ No L 103, 25. 4. 1979, p. 19.

⁽³⁾ OJ No L 65, 11. 3. 1980, p. 20.

⁽⁴⁾ OJ No L 207, 9. 8. 1980, p. 38.

COMMISSION DECISION

of 17 December 1980

amending Decision 80/566/EEC authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of oak wood originating in Canada

(Only the Danish, Dutch, French, German and Italian texts are authentic)

(80/1237/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plant or plant products⁽¹⁾, as amended by Directives 80/392/EEC and 80/393/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the request made by the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands,

Whereas, under the provisions of Directive 77/93/EEC, oak wood with bark attached, originating in North America, may in principle not be introduced into the Community, because of the risk of *Ceratocystis fagacearum* (oak wilt) being introduced;

Whereas, however, Article 14 (3) of the abovementioned Directive permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas, in the requesting Member States, there is a need to import oak wood with bark attached, because of the technical requirements of veneer production;

Whereas, in respect of Canada, the Commission has established that on the basis of the information available at present, there is no evidence of *Ceratocystis fagacearum* occurring in any part of that country and also no other risk of spreading *Ceratocystis fagacearum*, provided that certain special technical conditions are satisfied;

Whereas under Commission Decision 80/566/EEC⁽³⁾, the Commission has already granted such a deroga-

tion to some of the requesting Member States for the period expiring on 31 December 1980;

Whereas there is no information giving cause for its restriction to the requesting Member States listed in Decision 80/566/EEC; whereas there is, moreover, no new information giving cause for the revision of the authorization;

Whereas the requesting Member States should therefore be authorized to provide for derogations in respect of oak wood originating in Canada for a further period under those special technical conditions;

Whereas, without prejudice to possible requirements in respect of the period of felling, this authorization will be extended unless new information gives cause for its revision;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 80/566/EEC is hereby amended as follows:

1. In Article 1 (1), 'the Kingdom of Denmark' is inserted after the 'Kingdom of Belgium'.
2. In Article 1 (1), 'the French Republic' is inserted after 'Federal Republic of Germany'.
3. In Article 1 (2) (b), 'botanical name of the species' is replaced by 'botanical name of the genus or the species'.
4. In Article 1 (2) (c), the list of ports of unloading is supplemented as follows:

— København

— Le Havre'.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 100, 17. 4. 1980, pp. 32 and 35.

⁽³⁾ OJ No L 149, 17. 6. 1980, p. 42.

5. In Article 2 (1), '31 December 1980' is replaced by '31 October 1981'.

Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

6. Article 2 (2) is deleted.

Done at Brussels, 17 December 1980.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Italian

For the Commission

Finn GUNDELACH

Vice-President

SECOND COMMISSION DECISION

of 17 December 1980

authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of oak wood originating in the USA

(Only the Danish, Dutch, French, German and Italian texts are authentic)

(80/1238/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plant or plant products⁽¹⁾, as amended by Directives 80/392/EEC and 80/393/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the request made by the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands,

Whereas under the provisions of Directive 77/93/EEC, oak wood with bark attached, originating in North America, may in principle not be introduced into the Community, because of the risk of *Ceratocystis fagacearum* (oak wilt) being introduced;

Whereas, however, Article 14 (3) of the abovementioned Directive permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas in the requesting Member States there is a need to import oak wood with bark attached, because of the technical requirements of veneer production;

Whereas, in respect of the USA, the Commission has established that on the basis of the information available at present, there is no risk of spreading *Ceratocystis fagacearum*, provided that certain special technical conditions are satisfied;

Whereas under Commission Decision 80/809/EEC⁽³⁾, the Commission has already granted such a derogation for the period which expired on 30 September 1980;

Whereas improved conditions relating to the £752·40 ;

measures to be taken by the USA can now be laid down by the Community, taking into account some information supplied by the USA and a certain period necessary for their implementation ;

Whereas the requesting Member States should therefore be authorized to provide for derogations in respect of oak wood originating in the USA for a further period under those special technical conditions ; whereas the authorization will be extended in the light of information to be collected in the forthcoming months ;

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

HAS ADOPTED THIS DECISION :

Article 1

1. The Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are hereby authorized, with effect from 1 October 1980, to provide under the conditions laid down in paragraph 2 for derogations from Article 5 (1) and the third indent of Article 12 (1) (a) of Directive 77/93/EEC with regard to the requirements referred to in Annex IV, Part A (2) for logs of *Quercus* with bark attached originating in the USA and intended for veneer production.

2. For the purpose of paragraph 1, the following minimum conditions shall be satisfied :

(a) the logs shall not originate in infected areas, that is to say areas where *Ceratocystis fagacearum* is known to occur, or in adequate adjacent buffer zones around such areas ;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 100, 17. 4. 1980, pp. 32 and 35.

⁽³⁾ OJ No L 236, 9. 9. 1980, p. 35.

- (b) the official plant protection organization of the USA shall take appropriate measures to ensure that the conditions laid down under (a) are satisfied;

With effect from 1 February 1981 and without prejudice to identification practices already in use, the logs shall be identifiable in accordance with the following scheme:

- at the site of harvesting an officially recognized county and state identification symbol shall be placed on the base end of each log, with paint of a type used in forestry,
- this identification symbol shall appear on the original bill of sale and all subsequent bills of sale;

- (c) the official plant-health certificate shall be issued by the US Federal authorities, and shall indicate the botanical name of the genus or the species, as well as the country or countries of origin of the logs and the corresponding identification symbols, based on the examination of these symbols mentioned in the first indent of Article 1 (2) (b) and the supporting documentation mentioned in the second indent of Article 1 (2) (b);

- (d) the logs may be introduced into the Community only via the following ports of unloading:

- | | |
|----------------|--------------|
| — Amsterdam, | — Le Havre, |
| — Antwerpen, | — Livorno, |
| — Bremen, | — Nordenham, |
| — Bremerhaven, | — Ravenna, |
| — Hamburg, | — Rotterdam, |
| — København, | — Venezia. |

The inspections required pursuant to Article 12 of Directive 77/93/EEC shall be made either in those ports or at the first place of storage;

- (e) prior to treatment or processing at least of the type provided for in Annex IV, Part A (2) to the Directive referred to in (d), logs which have been stored in one of the Member States mentioned in paragraph 1 may be introduced into another Member State only after information has been exchanged between the official plant protection organizations of the Member States concerned under conditions which have been agreed between them prior to such introduction;
- (f) prior to treatment or processing at least of the type provided for in Annex IV, Part A (2) to the Directive referred to in (d), the logs may be stored only at places which have been notified to the official plant protection organization of the Member State concerned and mentioned in paragraph 1,

and which have appropriate wet storage facilities, available at least for the period specified in (g);

- (g) prior to treatment or processing at least of the type provided for in Annex IV, Part A (2) to the Directive referred to in (d), the logs shall be subject to continuous wet storage, starting at the time of flushing in the neighbouring oak stands at the latest;
- (h) the waste from treatment or processing shall immediately be destroyed at the place of processing;
- (i) the neighbouring oak stands shall be regularly inspected at appropriate times by the official plant protection organization for symptoms of *Ceratomyces fagacearum*. Any confirmed contamination shall immediately be notified to the other Member States and to the Commission;
- (j) prior to import, the importer or his agents shall notify each instance of importation sufficiently in advance to the competent authority in the Member State concerned and mentioned in paragraph 1, indicating:
- the quantity,
 - the country or countries of origin,
 - the port of unloading,
 - the place or places of storage,
 - the place or places of destination in connection with processing for veneer production.

They shall be officially informed, prior to import, of the conditions laid down in (a) to (i).

Article 2

With effect from 1 July 1981, the measures taken pursuant to Article 1 (2) (b) and (c) shall be supported by at least one of the following measures, based on appropriate inspection procedures and introduced in accordance with a previously agreed programme for their implementation:

- a certificate of origin issued by state foresters or other state or county officials, indicating the officially recognized county and state identification symbol as well as a description of the consignment,
- a federal brand placed officially at some time prior to shipment to the Community alongside the officially recognized county and state identification symbol,
- other official statements approved by the Community and equivalent to the abovementioned measures in respect of origin identification.

Article 3

The authorization granted in Article 1 shall expire on 31 October 1981. It shall be revoked earlier if it is established that the conditions laid down under Articles 1 (2) and 2 are not sufficient to prevent the introduction of *Ceratocystis fagacearum* or have not been complied with.

blic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 17 December 1980.

Article 4

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Repu-

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 17 December 1980

fixing the minimum export levy for the 41st partial invitation to tender for white sugar issued under Regulation (EEC) No 561/80

(80/1239/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾, and in particular Article 17 (5) thereof,

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

Whereas Commission Regulation (EEC) No 561/80 of 5 March 1980 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽⁴⁾, as last amended by Regulation (EEC) No 1731/80⁽⁵⁾, requires partial invitations to tender to be issued for the export of this sugar;

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

Whereas, following an examination of the tenders submitted in response to the 41st partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum export levy for the 41st partial invitation to tender for white sugar issued under Regulation (EEC) No 561/80 is hereby fixed at 7.000 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 December 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 61, 6. 3. 1980, p. 18.

⁽⁵⁾ OJ No L 170, 3. 7. 1980, p. 19.

COMMISSION DECISION**of 17 December 1980****fixing the minimum export levy for the 25th partial invitation to tender for raw
beet sugar issued under Regulation (EEC) No 1216/80****(80/1240/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78⁽²⁾, and in particular
Article 17 (5) thereof,

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

Whereas Commission Regulation (EEC) No 1216/80
of 14 May 1980 on a standing invitation to tender in
order to determine levies and/or refunds on exports of
raw beet sugar⁽⁴⁾, amended by Regulation (EEC) No
1731/80⁽⁵⁾, requires partial invitations to tender to be
issued for the export of this sugar ;

Whereas, pursuant to Article 9 (1) of Regulation (EEC)
No 1216/80 an export levy shall be fixed, as the case
may be, account being taken in particular of the state
and foreseeable development of the Community and
world markets in sugar, for the partial invitation to
tender in question ;

Whereas, following an examination of the tenders
submitted in response to the 25th partial invitation to
tender , the provisions set out in Article 1 should be
adopted ;

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

HAS ADOPTED THIS DECISION :

Article 1

The minimum export levy for the 25th partial invita-
tion to tender for raw beet sugar issued under Regula-
tion (EEC) No 1216/80 is hereby fixed at 6.910 ECU
per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 December 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 122, 15. 5. 1980, p. 29.

⁽⁵⁾ OJ No L 170, 3. 7. 1980, p. 19.

COMMISSION DECISION

of 17 December 1980

**on the reimbursement by the EAGGF, Guidance Section, to the French Republic
of expenditure incurred during 1978 on aids for the less-favoured farming areas**

(Only the French text is authentic)

(80/1241/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 75/268/EEC of 28
April 1975 on mountain and hill farming and farming
in certain less-favoured areas ⁽¹⁾, as last amended by
Directive 80/666/EEC ⁽²⁾, and in particular Article 13
thereof,

Having regard to Council Directive 72/159/EEC of 17
April 1972 on the modernization of farms ⁽³⁾, as last
amended by Directive 80/370/EEC ⁽⁴⁾, and in parti-
cular Article 21 (3) thereof,

Whereas the measures taken by the French Republic
to implement 75/268/EEC were the subject of a favou-
rable Commission Decision pursuant to Article 13 of
the said Directive and to Article 18 of Directive
72/159/EEC;

Whereas the French Republic has made an applica-
tion for reimbursement of expenditure incurred
during 1978 on aids for the less-favoured farming
areas and whereas this application is complete and has
been submitted in due form in accordance with the
requirements of Commission Decision 76/627/EEC of
25 June 1976 concerning applications for reimburse-
ment in respect of aid granted by Member States
pursuant to Directive 75/268/EEC ⁽⁵⁾, as last amended
by Commission Decision 80/427/EEC of 28 March
1980 ⁽⁶⁾;

Whereas an examination of the information provided
shows that eligible expenditure of FF 384 092 783
broken down as follows:

— under Title II:	FF 384 092 783
— under Title IV:	—

has been incurred under the conditions laid down in
Directive 75/268/EEC; whereas the European Agricul-
tural Guidance and Guarantee Fund, Guidance

Section, should therefore reimburse 25 % thereof i. e.
FF 96 023 195·75;

Whereas a payment on account of FF 73 079 961·50
has been granted in application of Article 13 of Direc-
tive 75/268/EEC and of Article 5 (1) of Decision
76/627/EEC; whereas a balance of FF 22 943 234·25
should therefore be paid to the Member State;

Whereas Decision 76/627/EEC lays down in Article 2
that applications for reimbursement concerning Title
III of Directive 75/268/EEC shall be submitted along
with applications for reimbursement of expenditure
on Directive 72/159/EEC;

Whereas the EAGGF Committee has been consulted
on the financial aspects and in particular as to the
funds available,

HAS ADOPTED THIS DECISION:

Article 1

The final contribution by the European Agricultural
Guidance and Guarantee Fund, Guidance Section,
towards the expenditure incurred by the French Repu-
blic during 1978 on aids for the less-favoured farming
areas shall be FF 96 023 195·75.

The balance of the contribution, i. e. FF
22 943 234·25 shall be paid to the French Republic.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 17 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 180, 14. 7. 1980, p. 34.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁴⁾ OJ No L 90, 3. 4. 1980, p. 43.

⁽⁵⁾ OJ No L 222, 14. 8. 1976, p. 37.

⁽⁶⁾ OJ No L 102, 19. 4. 1980, p. 24.

COMMISSION DECISION

of 17 December 1980

on the reimbursement by the EAGGF, Guidance Section, to the French Republic
of expenditure incurred during 1979 on aid for the less-favoured farming areas

(Only the French text is authentic)

(80/1242/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 75/268/EEC of 28
April 1975 on mountain and hill farming and farming
in certain less-favoured areas ⁽¹⁾, as last amended by
Directive 80/666/EEC ⁽²⁾, and in particular Article 13
thereof,

Having regard to Council Directive 72/159/EEC of 17
April 1972 on the modernization of farms ⁽³⁾, as last
amended by Directive 80/370/EEC ⁽⁴⁾, and in parti-
cular Article 21 (3) thereof,

Whereas the measures taken by the French Republic
to implement Directive 75/268/EEC were the subject
of a favourable Commission Decision pursuant to
Article 13 of the said Directive and to Article 18 of
Directive 72/159/EEC;

Whereas Commission Decision 76/627/EEC of 25
June 1976 concerning applications for reimbursement
in respect of aid granted by Member States pursuant
to Directive 75/268/EEC ⁽⁵⁾, as last amended by
Commission Decision 80/427/EEC of 28 March
1980 ⁽⁶⁾, lays down in Article 5 (1) that the Commis-
sion, acting on the basis of the particulars contained
in the application for reimbursement, shall reimburse
up to the full amount requested;

Whereas the application for reimbursement lodged by
the French Republic in respect of aid granted during
1979 for the less-favoured farming areas is complete
and has been submitted in due form in accordance
with Decision 76/627/EEC; whereas the total amount
of expenditure declared eligible for the year 1979
comes to FF 439 345 352 broken down as follows:

— under Title II :	FF 439 345 352
— under Title IV :	—

whereas the total amount of reimbursement requested
comes to FF 109 836 338 ;

Whereas there are no immediate objections to the
application as regards the accuracy of the particulars
which it contains or compliance of the expenditure
incurred with the provisions in force ; whereas, there-
fore, the European Agricultural Guidance and
Guarantee Fund, Guidance Section, should reimburse
25 % of the declared expenditure under Title II and
25 % of the declared expenditure under Title IV, i.e. a
total of FF 109 836 338 (as requested);

Whereas Decision 76/627/EEC lays down in Article 2
that applications for reimbursement concerning Title
III of Directive 75/268/EEC are to be submitted along
with applications for reimbursement of expenditure
on Directive 72/159/EEC ;

Whereas Commission Decision 76/627/EEC lays
down in Article 5 (2) that where an examination of
the application for reimbursement shows that the
amount specified is not that which is actually due, the
situation is to be regularized in accordance with the
procedure laid down in the same Article of the said
Decision ;

Whereas the EAGGF Committee has been consulted
on the financial aspects and in particular as to the
funds available,

HAS ADOPTED THIS DECISION :

Article 1

The contribution by the European Agricultural Guid-
ance and Guarantee Fund, Guidance Section, towards
the expenditure incurred by the French Republic
during 1979 on aid for the less-favoured farming areas
is hereby fixed at FF 109 836 338.

Article 2

The amount referred to in Article 1 shall be paid
provided that a thorough examination of the applica-

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 180, 14. 7. 1980, p. 34.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁴⁾ OJ No L 90, 3. 4. 1980, p. 43.

⁽⁵⁾ OJ No L 222, 14. 8. 1976, p. 37.

⁽⁶⁾ OJ No L 102, 19. 4. 1980, p. 24.

tion for reimbursement leads to no change in the amount to be reimbursed.

Done at Brussels, 17 December 1980.

For the Commission

Article 3

Finn GUNDELACH

This Decision is addressed to the French Republic.

Vice-President

COMMISSION DECISION**of 17 December 1980****on reimbursement by the EAGGF, Guidance Section, to the French Republic of expenditure incurred during 1978 and 1979 under Directive 78/627/EEC on the programme to accelerate the restructuring and conversion of vineyards in certain Mediterranean regions in France****(Only the French text is authentic)****(80/1243/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 78/627/EEC of 19 June 1978 on the programme to accelerate the restructuring and conversion of vineyards in certain Mediterranean regions in France ⁽¹⁾, and in particular Article 7 (2) thereof,

Whereas the programme submitted by the French Republic to accelerate the restructuring and conversion of vineyards in certain Mediterranean regions in France has been approved by the Commission in accordance with Article 2 (3) of the said Directive;

Whereas the French Republic has submitted an application for reimbursement of all the expenditure incurred during 1978 and 1979 in respect of the aid granted and whereas this application is complete, presented in due and proper form and in accordance with Commission Decision 80/505/EEC of 28 March 1980 concerning requests for reimbursement and for advance payments in respect of the common measure for the restructuring and conversion of vineyards in certain Mediterranean regions in France ⁽²⁾,

Whereas examination of the data forwarded shows that eligible expenditure amounting to FF 15 014 326·16 for restructuring operations has been incurred as provided for in Council Directive

78/627/EEC and whereas the European Agricultural Guidance and Guarantee Fund, Guidance Section, should therefore reimburse 35 % of this amount, i.e. FF 5 255 014·15;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular on the funds available,

HAS ADOPTED THIS DECISION :

Article 1

The contribution by the European Agricultural Guidance and Guarantee Fund, Guidance Section, towards expenditure incurred by the French Republic during 1978 and 1979 on accelerating the restructuring and conversion of vineyards in certain Mediterranean regions in France shall be FF 5 255 014·15.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 17 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 206, 29. 7. 1978, p. 1.

⁽²⁾ OJ No L 125, 20. 5. 1980, p. 1.

COMMISSION DECISION**of 17 December 1980****on the reimbursement by the EAGGF, Guidance Section, to Ireland of aids granted to producers' organizations in the fishing industry during 1978****(Only the English text is authentic)****(80/1244/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products⁽¹⁾, as last amended by Regulation (EEC) No 2903/78⁽²⁾, and in particular Article 24 thereof,

Having regard to Council Regulation (EEC) No 106/76 of 19 January 1976 on granting and reimbursing aids granted by Member States to producers' organizations in the fishing industry⁽³⁾, and in particular Article 8 (2) thereof,

Whereas Ireland has made an application for reimbursement in connection with all its expenditure incurred in respect of aid granted during 1978 under Article 6 (1) of Regulation (EEC) No 100/76;

Whereas this application is in accordance with the provisions of Commission Regulation (EEC) No 1273/72 of 20 June 1972 on claims for reimbursement of aids granted by Member States to producers' organizations in the fishing industry⁽⁴⁾, and with the provisions of Commission Regulation (EEC) No 457/72 of 2 March 1972 defining the concept of administrative expenses of producers' organizations in the fishing industry⁽⁵⁾;

Whereas an examination of the information provided shows that aids amounting to £Irl 13 373 000 were

paid under the conditions laid down in Article 6 (1) of Regulation (EEC) No 100/76;

Whereas the European Agricultural Guidance and Guarantee Fund, Guidance Section, should therefore reimburse 50 % thereof, i.e. £Irl 6 686 50;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The contribution by the European Agricultural Guidance and Guarantee Fund, Guidance Section, towards the expenditure incurred by Ireland during 1978 in respect of aids granted to producers' organizations in the fishing industry shall be £Irl 6 686 50.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 17 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 1.

⁽²⁾ OJ No L 347, 12. 12. 1978, p. 1.

⁽³⁾ OJ No L 20, 28. 1. 1976, p. 42.

⁽⁴⁾ OJ No L 141, 21. 6. 1972, p. 9.

⁽⁵⁾ OJ No L 54, 3. 3. 1972, p. 31.

COMMISSION DECISION**of 17 December 1980****on the provisional reimbursement by the EAGGF, Guidance Section, to the Italian Republic of aids granted during 1977 to organizations of fruit and vegetable producers****(Only the Italian text is authentic)****(80/1245/EEC)**

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 Council Regulation (EEC) No 1367/80⁽²⁾, and in particular Article 36 thereof,

Having regard to Council Regulation (EEC) No 449/69 of 11 March 1969 on the reimbursement of aid granted by Member States to organizations of fruit and vegetable producers⁽³⁾, and in particular Article 7 (2) thereof,

Whereas the Italian Republic has made an application for reimbursement in respect of aid granted during 1977 to organizations of fruit and vegetable producers ;

Whereas this application is in accordance with the provisions of Commission Regulation (EEC) No 2264/69 of 13 November 1969 on application for reimbursement of aid granted by Member State to organizations of fruit and vegetable producers⁽⁴⁾, as last amended by Regulation (EEC) No 850/80 of 31 March 1980⁽⁵⁾ ;

Whereas an examination of the information provided shows that aid of Lit 1 322 004 690 was granted under the conditions laid down in Articles 2 to 6 of Regulation (EEC) No 449/69 ;

Whereas, however, an inquiry, carried out under the third paragraph of Article 9 (2) of Regulation (EEC) No 729/70 on the financing of the common agricultural policy⁽⁶⁾, showed that certain recipient organiza-

tions did not fulfil, as laid down, all the tasks prescribed in Article 13 of Regulation (EEC) No 1035/72 ; whereas it is therefore only possible to admit at present as eligible an amount of Lit 787 483 970 ;

Whereas it appears therefore that the EAGGF Guidance Section should provisionally reimburse 50 % thereof, i.e. Lit 393 741 985 ;

Whereas the final contribution from the EAGGF can be determined only on completion of the inquiry ;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION :

Article 1

The contribution by the European Agricultural Guidance and Guarantee Fund, Guidance Section, towards the aid granted by the Italian Republic to organizations of fruit and vegetable producers during 1977 provisionally shall be Lit 393 741 985.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 17 December 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 61, 12. 3. 1969, p. 2.

⁽⁴⁾ OJ No L 287, 15. 11. 1969, p. 3.

⁽⁵⁾ OJ No L 92, 9. 4. 1980, p. 5.

⁽⁶⁾ OJ No L 94, 28. 4. 1970, p. 13.

COMMISSION DECISION**of 17 December 1980****on the reimbursement by the EAGGF, Guidance Section, to the United Kingdom of aids granted to producers' organizations in the fishing industry during 1979****(Only the English text is authentic)****(80/1246/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products⁽¹⁾, as last amended by Regulation (EEC) No 2903/78⁽²⁾, and in particular Article 24 thereof,

Having regard to Council Regulation (EEC) No 106/76 of 19 January 1976 on granting and reimbursing aids granted by Member States to producers' organizations in the fishing industry⁽³⁾, and in particular Article 8 (2) thereof,

Whereas the United Kingdom has made an application for reimbursement in connection with all its expenditure incurred in respect of aid granted during 1979 under Article 6 (1) of Regulation (EEC) No 100/76;

Whereas this application is in accordance with the provisions of Commission Regulation (EEC) No 1273/72 of 20 June 1972 on claims for reimbursement of aids granted by Member States to producers' organizations in the fishing industry⁽⁴⁾, and with the provisions of Commission Regulation (EEC) No 457/72 of 2 March 1972 defining the concept of administrative expenses of producers' organizations in the fishing industry⁽⁵⁾;

Whereas an examination of the information provided shows that aids amounting to £ 1 504·80 were paid

under the conditions laid down in Article 6 (1) of Regulation (EEC) No 100/76;

Whereas the European Agricultural Guidance and Guarantee Fund, Guidance Section should therefore reimburse 50 % thereof, i. e. £ 752·40;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The contribution by the European Agricultural Guidance and Guarantee Fund, Guidance Section, towards the expenditure incurred by the United Kingdom during 1979 in respect of aids granted to producers' organizations in the fishing industry shall be £ 752·40.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 17 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 1.

⁽²⁾ OJ No L 347, 12. 12. 1978, p. 1.

⁽³⁾ OJ No L 20, 28. 1. 1976, p. 42.

⁽⁴⁾ OJ No L 141, 21. 6. 1972, p. 9.

⁽⁵⁾ OJ No L 54, 3. 3. 1972, p. 31.

COMMISSION DECISION**of 18 December 1980****authorizing the Kingdom of Belgium and the Grand Duchy of Luxembourg not to apply Community treatment to tomatoes originating in Spain (including the Canary Islands)****(Only the Dutch and French texts are authentic)****(80/1247/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 Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas on 10 December 1980 a request was made under the first paragraph of Article 115 of the Treaty by the Government of the BLEU countries to the Commission of the European Communities for authorization not to apply Community treatment to tomatoes falling within subheading 07.01 M I of the Common Customs Tariff, originating in Spain (including the Canary Islands) and in free circulation in the other Member States;

Whereas in the BLEU countries the importation of the products in question originating in Spain is subject to a quantitative restriction for the period 15 May to 31 December each year because of the particular situation of the production concerned;

Whereas for this reason disparities still exist between the conditions governing the importation of the products in question into the different Member States;

Whereas these disparities have resulted in deflections of trade;

Whereas the import prices of the products in question originating in Spain are sensible, below the prices of like products manufactured in the BLEU-countries;

Whereas further indirect imports, in addition to those already admitted, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

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 Decision 80/47/EEC, and in particular Article 3 thereof;

Whereas applications for import documents covering 2 120 tonnes are duly pending with the authorities of the Member State having made the request; whereas these applications need to be covered by such authorization;

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium and the Grand Duchy of Luxembourg are authorized not to apply Community treatment to the products indicated below, originating in Spain (including the Canary Islands) and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 3 December 1980:

CCT heading No	Description
07.01 M I	Tomatoes

Article 2

This Decision shall apply until new opportunities arise in the BLEU countries for the importation of the products in question originating in Spain or until 31 December 1980, whichever is the earlier.

Article 3

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

Done at Brussels, 18 December 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

COMMISSION DECISION**of 18 December 1980****to take no action on the tenders submitted by 18 December 1980 in response to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 3024/80****(80/1248/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975, on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1870/80⁽²⁾,

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

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed⁽⁴⁾, as last amended by Regulation (EEC) No 2560/77⁽⁵⁾ and in particular Article 2 (1) thereof,

Whereas an invitation to tender for the levy and/or refund for the export of common wheat was issued under Commission Regulation (EEC) No 3024/80⁽⁶⁾;

Whereas Article 5 of Commission Regulation (EEC) No 279/75⁽⁷⁾, as amended by Regulation (EEC) No 2944/78⁽⁸⁾, and Article 5 of Commission Regulation (EEC) No 3130/73⁽⁹⁾, as amended by Regulations (EEC) No 278/75⁽¹⁰⁾ and (EEC) No 771/75⁽¹¹⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 and on the basis of the tenders submitted, to make no award;

Whereas, on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75 and in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, a maximum refund or a minimum levy should not be fixed;

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

HAS ADOPTED THIS DECISION:

Article 1

No action shall be taken on the tenders submitted by 18 December 1980 in response to the invitation to tender for the levy and/or refund for the export of common wheat issued in Regulation (EEC) No 3024/80.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 December 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁵⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁶⁾ OJ No L 317, 25. 11. 1980, p. 12.

⁽⁷⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁸⁾ OJ No L 351, 15. 12. 1978, p. 16.

⁽⁹⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽¹⁰⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽¹¹⁾ OJ No L 77, 26. 3. 1975, p. 13.

COMMISSION DECISION**of 18 December 1980****to take no action on the tenders submitted by 18 December 1980 in response to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 3026/80**

(80/1249/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975, on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1870/80⁽²⁾,

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

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed⁽⁴⁾, as last amended by Regulation (EEC) No 2560/77⁽⁵⁾, and in particular Article 2 (1) thereof,

Whereas an invitation to tender for the levy and/or refund for the export of common wheat was issued under Commission Regulation (EEC) No 3026/80⁽⁶⁾;

Whereas Article 5 of Commission Regulation (EEC) No 279/75⁽⁷⁾, as amended by Regulation (EEC) No 2944/78⁽⁸⁾, and Article 5 of Commission Regulation (EEC) No 3130/73⁽⁹⁾, as amended by Regulations (EEC) No 278/75⁽¹⁰⁾ and (EEC) No 771/75⁽¹¹⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 and on the basis of the tenders submitted, to make no award;

Whereas on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75 and in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75 a maximum refund or a minimum levy should not be fixed;

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

HAS ADOPTED THIS DECISION:

Article 1

No action shall be taken on the tenders submitted by 18 December 1980 in response to the invitation to tender for the levy and/or refund for the export of common wheat issued in Regulation (EEC) No 3026/80.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 December 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁵⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁶⁾ OJ No L 317, 25. 11. 1980, p. 18.

⁽⁷⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁸⁾ OJ No L 351, 15. 12. 1978, p. 16.

⁽⁹⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽¹⁰⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽¹¹⁾ OJ No L 77, 26. 3. 1975, p. 13.

COMMISSION DECISION**of 18 December 1980****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 3023/80**

(80/1250/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas an invitation to tender for the levy and/or
refund for the export of barley was issued under
Commission Regulation (EEC) No 3023/80⁽⁴⁾,

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley to be exported
pursuant to the invitation to tender for the export of
barley issued in Regulation (EEC) No 3023/80 is
hereby fixed on the basis of the tenders submitted by
18 December 1980 at 26.40 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 December 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 317, 25. 11. 1980, p. 9.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 18 December 1980****to take no action on the tender submitted by 18 December 1980 in response to the invitation to tender for the export of barley issued in Regulation (EEC) No 2868/80****(80/1251/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975, on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1870/80⁽²⁾,

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

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed⁽⁴⁾, as last amended by Regulation (EEC) No 2560/77⁽⁵⁾, and in particular Article 2 (1) thereof,

Whereas an invitation to tender for the levy and/or refund for the export of barley was issued under Commission Regulation (EEC) No 2868/80⁽⁶⁾;

Whereas Article 5 of Commission Regulation (EEC) No 279/75⁽⁷⁾, as amended by Regulation (EEC) No 2944/78⁽⁸⁾, and Article 5 of Commission Regulation (EEC) No 3130/73⁽⁹⁾, as amended by Regulations (EEC) No 278/75⁽¹⁰⁾ and (EEC) No 771/75⁽¹¹⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 26 of Regulation (EEC)

No 2727/75 and on the basis of the tenders submitted, to make no award;

Whereas on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75 and in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75 a maximum refund or a minimum levy should not be fixed;

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

HAS ADOPTED THIS DECISION:

Article 1

No action shall be taken on the tenders submitted by 18 December 1980 in response to the invitation to tender for the levy and/or refund for the export of barley issued in Regulation (EEC) No 2868/80.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 December 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 L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁵⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁶⁾ OJ No L 297, 6. 11. 1980, p. 25.

⁽⁷⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁸⁾ OJ No L 351, 15. 12. 1978, p. 16.

⁽⁹⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽¹⁰⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽¹¹⁾ OJ No L 77, 26. 3. 1975, p. 13.

COMMISSION DECISION**of 19 December 1980**

authorizing the Chamber of Coal Traders of the United Kingdom and the National Coal Board to establish an equalization fund to reduce the price of anthracite and anthracite briquettes originating from within the Community and from third countries

(Only the English text is authentic)

(80/1252/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the first paragraph of Articles 53 (a) and 65 (2) thereof,

Having regard to the joint application made by the Chamber of Coal Traders and the National Coal Board on 29 April 1980 for approval of a financial arrangement,

Having consulted the Consultative Committee and the Council,

Whereas :

I

Annual output of smokeless fuels for the domestic market in Great Britain is in the region of 4.5 million tonnes: there is nevertheless a shortfall of approximately 233 000 tonnes per annum of anthracite and anthracite briquettes. This is because, on the one hand, the National Coal Board, the leading United Kingdom coal producer, is unable, for internal technical and economic reasons, to meet demand and, on the other hand, certain consumers in the United Kingdom are showing greater interest in solid fuels as a result of the rise in the price of fuel oil. The National Coal Board has taken steps to fill the gap by increasing its output, but the additional extraction capacity needed for this purpose can become fully operational only after a few years.

Consequently the abovementioned supply deficiency can only be covered by solid fuels coming from the Community or from third countries. Their free-at-UK-port price, however, in the current year is on average £ 15 per tonne higher than that for comparable solid fuels produced in the United Kingdom. Consequently, those concerned have reason to believe that, if the shortfall or the price differential continues consumers will switch over to other forms of energy.

Were they to do so, the investments undertaken by the NCB would lose their value and the coal traders would lose part of their supply capacity. Those concerned are consequently planning to set up a joint

financial arrangement to cover the market shortfall by making possible the supply of the fuels required and their sale in the United Kingdom. The plan will be implemented by means of a series of complementary measures :

1. United Kingdom importers are to be given an incentive to buy 158 000 tonnes of anthracite and anthracite briquettes for the United Kingdom market from Community and third countries by 31 March 1981.
2. The National Coal Board is, likewise by 31 March 1981, to have 75 000 tonnes of anthracite, unsuitable for household use, from its South Wales coalfields processed into briquettes in a Community country and is to reimport the marketable end-product (Fireglo) for sale to United Kingdom merchants outside South Wales. Buyers of these reimported products will refrain from asking the NCB to supply them with anthracite products up to the limit of their Fireglo purchases, leaving the former available for other dealers.

The aggregate 233 000 tonnes will be sold at prices corresponding at the ports of arrival to the prices for comparable fuels produced by the National Coal Board. The excess cost entailed by obtaining extra fuel under the plan is estimated at approximately £ 3 200 000, to be financed by a pool fed by a levy of 90 pence per tonne on the approximately 3 550 000 tonnes of smokeless fuel sold by the NCB up to 31 March 1981.

The fireglo is to be distributed under supply and purchase commitments entered into in advance by the National Coal Board and the merchants concerned, while the remaining 158 000 tonnes will be offered to all United Kingdom merchants outside South Wales by the Import Committee referred to below, in proportion to their Welsh anthracite supply agreements with the NCB.

These measures will be largely organized and implemented on its own responsibility by the Import Committee set up by those concerned, consisting of eight members appointed by the Chamber of Coal Traders and three members appointed by the NCB.

The Import Committee will, however, delegate to the NCB responsibility for dealing with matters such as generation of the necessary finance by means of surcharges on list prices, information to importers on the distribution of the fuels obtained under the scheme and reimbursement of extra costs incurred by importers in obtaining and reselling fuels at the lower prices.

Those concerned do not exclude the possibility that this financial arrangement may have to continue after 31 March 1981, in a form adjusted to the circumstances then prevailing.

II

The scheme improves the Community anthracite supply situation and will help to maintain and extend the necessary production capacity. The proposed measures are accordingly regarded as necessary for attaining the objectives set out in Article 3 of the Treaty. The agreements made for this purpose between those concerned satisfy the conditions for granting authorization laid down in Article 65 (2) of the Treaty. They may accordingly be authorized. Authorization should be granted on condition that the Commission is given an opportunity to monitor the practical implementation of the agreement,

HAS ADOPTED THIS DECISION :

Article 1

The agreements between the National Coal Board and the Chamber of Coal Traders, both in London,

concerning the procurement of 233 000 tonnes of anthracite and anthracite briquettes for the distribution of those products and the financial arrangements to cover the difference between the price of the imported product and the price of the corresponding United Kingdom product are hereby approved for the period between 1 April 1980 and 31 March 1981.

Article 2

Authorization is granted on condition that the National Coal Board, the importers concerned and the Import Committee permit the Commission to carry out any investigations it deems necessary with regard to proper implementation of the agreements.

Article 3

This Decision is addressed to the Chamber of Coal Traders of the United Kingdom and the National Coal Board.

Done at Brussels, 19 December 1980.

For the Commission

Raymond VOUEL

Member of the Commission

COMMISSION DECISION**of 19 December 1980****fixing the minimum selling price for colza and rape seed for the invitation to tender provided for in Regulation (EEC) No 3150/80****(Only the Danish text is authentic)****(80/1253/EEC)**

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 26 (3) thereof,

Whereas pursuant to Article 1 of Commission Regulation (EEC) No 3150/80 of 5 December 1980⁽³⁾, the Danish intervention agency has offered for sale, by tender, five lots of colza and rape seed, making a total quantity of approximately 14 349 tonnes;

Whereas Article 5 of that Regulation provides that in the light of the tenders submitted a minimum selling price is to be fixed;

Whereas, having regard to the tenders submitted and to the situation of the market, the minimum selling price should be fixed in accordance with this Decision;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum selling price for seed of standard quality referred to in Article 5 of Regulation (EEC) No 3150/80 shall be fixed for:

- Lot No 1, stored at Hasselager,
at Dkr 302.35 per 100 kilograms,
- Lot No 2, stored at Otterup,
at Dkr 302.35 per 100 kilograms,
- Lot No 3, stored at Roslev,
at Dkr 302.35 per 100 kilograms,
- Lot No 4, stored at Havndal,
at Dkr 302.35 per 100 kilograms,
- Lot No 5, stored at Christiansfeld,
at Dkr 302.35 per 100 kilograms.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 19 December 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 330, 6. 12. 1980, p. 11.

COMMISSION DECISION**of 19 December 1980****fixing the minimum selling price for colza and rape seed for the invitation to tender provided for in Regulation (EEC) No 3149/80****(Only the Dutch text is authentic)****(80/1254/EEC)**

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 26 (3) thereof,

Whereas, pursuant to Article 1 of Commission Regula-
tion (EEC) No 3149/80 of 5 December 1980⁽³⁾, the
Dutch intervention agency has offered for sale, by
tender, two lots of colza and rape seed, making a total
quantity of approximately 3 935 tonnes;

Whereas Article 5 of that Regulation provides that in
the light of the tenders submitted a minimum selling
price is to be fixed;

Whereas, having regard to the tenders submitted and
to the situation of the market, the minimum selling
price should be fixed in accordance with this Deci-
sion;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum selling price for seed of standard
quality referred to in Article 5 of Regulation (EEC)
No 3149/80 shall be fixed for:

- Lot No 1, stored at Rotterdam
at Fl 109.45 per 100 kilograms,
- Lot No 2, stored at Groningen
at Fl 109.45 per 100 kilograms.

Article 2

This Decision is addressed to the Kingdom of the
Netherlands.

Done at Brussels, 19 December 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 330, 6. 12. 1980, p. 9.

COMMISSION DECISION

of 19 December 1980

fixing the minimum selling price for colza and rape seed for the invitation to tender provided for in Regulation (EEC) No 3151/80

(Only the German text is authentic)

(80/1255/EEC)

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 26 (3) thereof,

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 3151/80 of 5 December 1980⁽³⁾, the German intervention agency has offered for sale, by tender twelve lots of colza and rape seed, making a total quantity of approximately 27 960 tonnes;

Whereas Article 5 of that Regulation provides that in the light of the tenders submitted a minimum selling price is to be fixed;

Whereas, having regard to the tenders submitted and to the situation of the market, the minimum selling price should be fixed in accordance with this Decision;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum selling price for seed of standard quality referred to in Article 5 of Regulation (EEC) No 3151/80 shall be fixed for:

- Lot No 1, stored at Hamburg, at DM 107.40 per 100 kilograms,
- Lot No 2, stored at Hamburg, at DM 107.40 per 100 kilograms,
- Lot No 3, stored at Hamburg, at DM 107.40 per 100 kilograms,
- Lot No 4, stored at Hamburg, at DM 107.40 per 100 kilograms,
- Lot No 5, stored at Hamburg, at DM 107.40 per 100 kilograms,
- Lot No 6, stored at Schemscheid, at DM 107.40 per 100 kilograms,
- Lot No 7, stored at Goch/Niederrhein, at DM 107.40 per 100 kilograms,
- Lot No 8, stored at Krefeld, at DM 107.40 per 100 kilograms,
- Lot No 9, stored at Hamm-Mark, at DM 107.40 per 100 kilograms,
- Lot No 10, stored at Krefeld-Uerdingen, at DM 107.40 per 100 kilograms,
- Lot No 11, stored at Kleve-Hafen, at DM 107.40 per 100 kilograms,
- Lot No 12, stored at Paderborn, at DM 107.40 per 100 kilograms.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 19 December 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 330, 6. 12. 1980, p. 13.

COMMISSION DECISION**of 22 December 1980****on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar und Swaziland**

(80/1256/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, and in particular Article 23 thereof,

Having regard to Commission Regulation (EEC) No 486/80 of 28 February 1980 laying down detailed rules for the application in beef and veal of Regulation (EEC) No 435/80⁽²⁾, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 435/80 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 December 1980, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 486/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland, the quantities requested; whereas, in the case of Botswana, Deci-

sion No 80/354/EEC of 17 March 1980⁽³⁾ currently subjects imports to health measures;

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 22 December 1980 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. Germany:
152.4 tonnes originating from Madagascar
2. France:
133.8 tonnes originating from Madagascar.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 December 1980

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 56, 29. 2. 1980, p. 22.

⁽³⁾ OJ No L 79, 23. 3. 1980, p. 23.

COMMISSION DECISION

of 22 December 1980

on the reimbursement by the EAGGF, Guidance Section, to the Kingdom of Belgium of expenditure incurred during 1978 on aids and premiums relating to the modernization of farms including those in the less-favoured farming areas

(Only the Dutch and French texts are authentic)

(80/1257/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾, as last amended by Directive No 80/370/EEC⁽²⁾, and in particular Article 21 (2) thereof,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽³⁾, as last amended by Directive 80/666/EEC⁽⁴⁾, and in particular Article 13 thereof,

Whereas the measures taken by the Kingdom of Belgium to implement Directives 72/159/EEC and 75/268/EEC were the subject of favourable Commission Decisions pursuant to Article 18 of Directive 72/159/EEC and to Article 13 of Directive 75/268/EEC;

Whereas, in accordance with Article 2 of Commission Decision 76/627/EEC of 25 June 1976 concerning applications for reimbursement in respect of aids granted by Member States pursuant to Directive 75/268/EEC⁽⁵⁾, the Kingdom of Belgium has made an application for reimbursement of expenditure incurred during 1978 on aids and premiums relating to the modernization of farms, including those in the less-favoured farming areas;

Whereas the application is complete and has been submitted in due form and in accordance with the requirements of Commission Decision 74/581/EEC of 16 October 1974 concerning applications for reimbursement in respect of aid granted by the Member States pursuant to Directives 72/159/EEC 72/160/EEC and 72/161/EEC and also with the payments on account which can be agreed⁽⁶⁾, as last amended by Commission Decision 80/427/EEC of 28 March 1980⁽⁷⁾;

Whereas an examination of the information provided shows that eligible expenditure of Bfr 190 924 761 broken down as follows:

	Ordinary farming areas	Less-favoured farming areas (Title III)
under Article 8	Bfr 121 045 704	Bfr 19 942 017
under Article 10	Bfr 1 184 577	—
under Article 11	Bfr 46 143 399	—
under Article 12	Bfr 2 609 064	—
under Article 13	—	—

has been incurred under the conditions laid down in Directives 72/159/EEC and 75/268/EEC and whereas the European Agricultural Guidance and Guarantee Fund, Guidance Section, should therefore reimburse 25 % thereof, i.e. Bfr 47 731 190;

Whereas a payment on account of Bfr 35 801 583 has been granted in application of Article 21 (3) of Directive 72/159/EEC, of Article 13 of Directive 75/268/EEC and of Article 5 (1) of Decision 76/627/EEC; whereas a balance of Bfr 11 929 607 should therefore be granted to the Member State;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The final contribution by the European Agricultural Guidance and Guarantee Fund, Guidance Section, towards the expenditure incurred by the Kingdom of Belgium during 1978 in respect of aids and premiums relating to the modernization of farms, including those in the less-favoured farming areas, shall be Bfr 47 731 190.

(1) OJ No L 96, 23. 4. 1972, p. 1.

(2) OJ No L 90, 3. 4. 1980, p. 43.

(3) OJ No L 128, 19. 5. 1975, p. 1.

(4) OJ No L 180, 14. 7. 1980, p. 34.

(5) OJ No L 222, 14. 8. 1976, p. 37.

(6) OJ No L 320, 29. 11. 1974, p. 1.

(7) OJ No L 102, 19. 4. 1980, p. 24.

The balance of the contribution, i.e. Bfr 11 929 607,
shall be paid to the Kingdom of Belgium.

Done at Brussels, 22 December 1980.

Article 2

This Decision is addressed to the Kingdom of
Belgium.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 22 December 1980

on the reimbursement by the EAGGF, Guidance Section, to the Federal Republic of Germany of expenditure incurred during 1979 on aids and premiums relating to the modernization of farms, including those in the less-favoured farming areas

(Only the German text is authentic)

(80/1258/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

amended by Commission Decision 80/427/EEC of 28
March 1980 ⁽⁷⁾;

Having regard to the Treaty establishing the European
Economic Community,

Whereas Commission Decision 74/581/EEC lays
down in Article 4 (1) that the Commission, acting on
the basis of particulars contained in the application
for reimbursement, is to reimburse up to the full
amount requested;

Having regard to Council Directive 72/159/EEC of 17
April 1972 on the modernization of farms ⁽¹⁾, as last
amended by Directive 80/370/EEC ⁽²⁾, and in parti-
cular Article 21 (3) thereof,

Whereas the application for reimbursement lodged by
the Federal Republic of Germany in respect of aid
and premiums granted during 1979 for the moderniza-
tion of farms, including those in the less-favoured
areas, is complete and has been submitted in due
form in accordance with the provisions of Decision
74/581/EEC; whereas the total amount of expendi-
ture declared eligible for the year 1979 comes to DM
203 453 455.46, broken down as follows:

Having regard to Council Directive 75/268/EEC of 28
April 1975 on mountain and hill farming and farming
in certain less-favoured areas ⁽³⁾, as last amended by
Directive 80/666/EEC ⁽⁴⁾, and in particular Article 13
thereof,

Whereas the measures taken by the Federal Republic
of Germany to implement Directives 72/159/EEC and
75/268/EEC were the subject of favourable Commis-
sion Decisions pursuant to Article 18 of Directive
72/159 and to Article 13 of Directive 75/268/EEC;

	Ordinary farming areas	Less-favoured farming areas (Title III)
under Article 8	DM 107 534 377.37	DM 56 702 654.25
under Article 10	DM 79 967.00	DM 32 526.00
under Article 11	DM 5 381 059.00	—
under Article 12	DM 58 960.00	—
under Article 13	DM 33 663 911.84	—

Whereas Commission Decision 76/627/EEC of 25
June 1976 concerning applications for reimbursement
in respect of aids granted by the Member States
pursuant to Directive 75/268/EEC ⁽⁵⁾, lays down in
Article 2 that applications for reimbursement
concerning Title III of Directive 75/268/EEC are to
be submitted along with applications for reimburse-
ment of expenditure on Directive 72/159/EEC, under
the provisions laid down in Commission Decision
74/581/EEC of 16 October 1974 concerning applica-
tions for reimbursement in respect of aid granted by
the Member States pursuant to Directives
72/159/EEC, 72/160/EEC and 72/161/EEC ⁽⁶⁾, as last

Whereas the total amount of the reimbursement
requested comes to DM 50 863 363.86;

Whereas there are no immediate objections to the
application as regards the accuracy of the particulars
which it contains or compliance of the expenditure
incurred with the provisions in force; whereas, there-
fore, the European Agricultural Guidance and
Guarantee Fund, Guidance Section, should reimburse
25 % of the declared expenditure, i.e. a total of DM
50 863 363.86 (as requested);

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 90, 3. 4. 1980, p. 43.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁴⁾ OJ No L 180, 14. 7. 1980, p. 34.

⁽⁵⁾ OJ No L 222, 14. 8. 1976, p. 37.

⁽⁶⁾ OJ No L 320, 29. 11. 1974, p. 1.

⁽⁷⁾ OJ No L 102, 19. 4. 1980, p. 24.

Whereas Commission Decision 74/581/EEC lays down in Article 4 (2) that where an examination of the application for reimbursement shows that the amount specified is not that which is actually due, the situation is to be regularized in accordance with the procedure laid down in the same Article of the said Decision ;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION :

Article 1

The contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund, Guidance Section, towards the expenditure incurred by the Federal Republic of Germany during 1979 on aids and premiums relating to the modernization of

farms including those in the less-favoured farming areas, is hereby fixed at DM 50 863 363.86.

Article 2

The amount referred to in Article 1 shall be paid provided that a thorough examination of the application for reimbursement does not give rise to any change in the amount for reimbursement.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 22 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION**of 22 December 1980****on the reimbursement by the EAGGF, Guidance Section, to the Federal Republic of Germany of premiums paid during 1975 for the conversion of dairy herds to meat production****(Only the German text is authentic)****(80/1259/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2788/72⁽²⁾, and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 1353/73 of 15 May 1973 introducing a premium system for the conversion of dairy cow herds to meat production and a development premium for the specialized raising of cattle for meat production⁽³⁾, as last amended by Regulation (EEC) No 266/75⁽⁴⁾, and in particular Articles 16 (2) and 17 (2) thereof,

Whereas the Federal Republic of Germany has made an application for reimbursement in respect of expenditure incurred in respect of premiums granted during 1975;

Whereas this application is in accordance with the provisions of Commission Regulation (EEC) No 2641/74 of 15 October 1974 concerning applications for the refund by the Guidance Section of the EAGGF of premiums for the conversion of dairy herds to meat production and of development premiums for the specialized raising of cattle for meat production⁽⁵⁾;

Whereas an examination of the information provided shows that eligible premiums amounting to DM 38 626 685.45 were paid under the conditions laid down in Articles 1 to 4 of Regulation (EEC) No 1353/73 and its detailed rules of application;

Whereas these payments were made without taking into consideration the modification of the exchange rate introduced in Council Regulation (EEC) No 475/75 of 27 February 1975 on the exchange rates to be applied in agriculture⁽⁶⁾, applicable in the Federal

Republic of Germany from 1 June 1975 at the latest; this reduces the eligible expenditure by DM 255 084.43 to an amount of DM 38 371 601.02;

Whereas the European Agricultural Guidance and Guarantee Fund, Guidance Section, should therefore reimburse 50 % thereof, i.e. DM 19 185 800.51; whereas a provisional amount of DM 17 384 700.70 was paid with the Commission Decision of 21 December 1978⁽⁷⁾, whereas the balance to be paid amounts to DM 1 801 099.81;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The final contribution by the European Agricultural Guidance and Guarantee Fund, Guidance Section, towards the expenditure incurred by the Federal Republic of Germany during 1975 on premiums for the conversion of dairy herds to meat production and of development premiums for the specialized raising of cattle for meat production shall be DM 19 185 800.51. The balance of the contribution, i.e. DM 1 801 099.81 shall be paid to the Federal Republic of Germany.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 22 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽³⁾ OJ No L 141, 28. 5. 1973, p. 18.

⁽⁴⁾ OJ No L 30, 4. 2. 1975, p. 1.

⁽⁵⁾ OJ No L 283, 19. 10. 1974, p. 5.

⁽⁶⁾ OJ No L 52, 28. 2. 1975, p. 28.

⁽⁷⁾ OJ No L 39, 14. 2. 1979, p. 20.

COMMISSION DECISION**of 22 December 1980****on the reimbursement by the EAGGF, Guidance Section, to the Federal Republic of Germany of premiums paid during 1976 for the conversion of dairy herds to meat production****(Only the German text is authentic)****(80/1260/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2788/72⁽²⁾, and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 1353/73 of 15 May 1973 introducing a premium system for the conversion of dairy cow herds to meat production and a development premium for the specialized raising of cattle for meat production⁽³⁾, as last amended by Regulation (EEC) No 266/75⁽⁴⁾, and in particular Articles 16 (2) and 17 (2) thereof,

Whereas the Federal Republic of Germany has made an application for reimbursement in respect of expenditure incurred in respect of premiums granted during 1976;

Whereas this application is in accordance with the provisions of Commission Regulation (EEC) No 2641/74 of 15 October 1974 concerning applications for the refund by the Guidance Section of the EAGGF of premiums for the conversion of dairy herds to meat production and of development premiums for the specialized raising of cattle for meat production⁽⁵⁾;

Whereas an examination of the information provided shows that eligible premiums amounting to DM 8 292 591.20 were paid under the conditions laid down in Articles 1 to 4 of Regulation (EEC) No 1353/73 and its detailed rules of application;

Whereas these payments were made without taking into consideration the modifications of the exchange rates introduced in Council Regulation (EEC) No 475/75 of 27 February 1975 on the exchange rates to be applied in agriculture⁽⁶⁾ and in Council Regulation (EEC) No 557/76 of 15 March 1976 on the exchange rates to be applied in agriculture and repealing Regulation (EEC) No 475/75⁽⁷⁾, applicable in the Federal Republic of Germany from 1 June 1975 and 15 March 1976 respectively; this reduces the eligible expenditure by DM 151 551.87 to a amount of DM 8 141 039.33;

Whereas the European Agricultural Guidance and Guarantee Fund, Guidance Section, should therefore reimburse 50 % thereof, i.e. DM 4 070 519.67; whereas a provisional amount of DM 3 731 666.04 was paid with the Commission Decision of 21 December 1978⁽⁸⁾; whereas the balance to be paid amounts to DM 338 853.63;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The final contribution by the European Agricultural Guidance and Guarantee Fund, Guidance Section, towards the expenditure incurred by the Federal Republic of Germany during 1976 on premiums for the conversion of dairy herds to meat production and of development premiums for the specialized raising of cattle for meat production shall be DM 4 070 519.67.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽³⁾ OJ No L 141, 28. 5. 1973, p. 18.

⁽⁴⁾ OJ No L 30, 4. 2. 1975, p. 1.

⁽⁵⁾ OJ No L 283, 19. 10. 1974, p. 5.

⁽⁶⁾ OJ No L 52, 28. 2. 1975, p. 28.

⁽⁷⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽⁸⁾ OJ No L 39, 14. 2. 1979, p. 21.

The balance of the contribution, i.e. DM 338 853·63, shall be paid to the Federal Republic of Germany.

Done at Brussels, 22 December 1980.

Article 2

This Decision is addressed to the Federal Republic of Germany.

For the Commission

Finn GUNDELACH

Vice-President
