

Official Journal

of the European Communities

ISSN 0378-6978

L 133

Volume 24

20 May 1981

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1329/81**of 19 May 1981****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas, the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2035/80⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2.25 %, a rate of exchange based on their effective parity,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 18 May 1981;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 May 1981.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 200, 1. 8. 1980, p. 1.

ANNEX

to the Commission Regulation of 19 May 1981 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	77.06
10.01 B	Durum wheat	97.79 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	12.88 ⁽⁶⁾
10.03	Barley	61.37
10.04	Oats	27.85
10.05 B	Maize, other than hybrid maize for sowing	60.90 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	57.64 ⁽⁴⁾
10.07 C	Grain sorghum	59.93 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽¹⁾
11.01 A	Wheat or meslin flour	122.67
11.01 B	Rye flour	33.70
11.02 A I a)	Durum wheat groats and meal	165.11
11.02 A I b)	Common wheat groats and meal	130.49

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 1330/81**of 19 May 1981****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2036/80⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 % a rate of exchange based on their effective parity,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 18 May 1981;

Whereas on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 May 1981.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 200, 1. 8. 1980, p. 4.

ANNEX

to the Commission Regulation of 19 May 1981 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	3.64	3.64	4.55
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0.91	0.91	1.82
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1331/81

of 19 May 1981

fixing, for the 1981 marketing year, the reference prices for table grapes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1116/81⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, under Article 23 (1) of Regulation (EEC) No 1035/72 reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas table grapes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas table grapes harvested during a given crop year are marketed from May to April of the next year; whereas the quantities harvested in May and June, during the first 20 days of July and also January to April of the next year are so small that there is no need to fix reference prices for these periods; whereas, due principally to developments in production techniques, a relatively large increase in the marketing of Community products during the last 10 days of November and in the month of December can be expected; whereas, however, the figures at present available are insufficiently conclusive to justify fixing a reference price for that period; whereas, reference prices should be fixed only for the period 21 July up to and including 20 November;

Whereas, in accordance with Article 67 of the Act of Accession of Greece, Greek prices must be adjusted to take account of the difference between them and prices in the Community of Nine;

Whereas, pursuant to Article 23 (2) of Regulation (EEC) No 1035/72, the reference prices are fixed on the basis of the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from

production areas to Community marketing centres; whereas the trend of production costs in the fruit and vegetable sector must also be taken into account;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1981 marketing year, the reference price for table grapes (subheading 08.04 A I of the Common Customs Tariff), expressed in ECU per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— from 21 July to 31 August:	45.38,
— September and October:	40.00,
— November (1 to 20):	38.11.

Article 2

This Regulation shall enter into force on 21 July 1981.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 1.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1332/81

of 19 May 1981

fixing, for the 1981 marketing year, the reference prices for peaches

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1116/81⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, under Article 23 (1) of Regulation (EEC) No 1035/72 reference price valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas peaches are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas peaches harvested during a given crop year are marketed from May to October; whereas the quantities harvested in May, during the first 10 days of June and in October are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period from 11 June up to and including 30 September;

Whereas, in accordance with Article 67 of the Act of Accession of Greece, Greek prices must be adjusted to take account of the difference between them and prices in the Community of Nine;

Whereas, pursuant to Article 23 (2) of Regulation (EEC) No 1035/72, the reference prices are fixed on the basis of the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from production areas to Community marketing centres; whereas the trend of production costs in the fruit and vegetable sector must also be taken into account;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1981 marketing year, the reference prices for peaches (subheading 08.07 B of the Common Customs Tariff), expressed in ECU per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— June (11 to 20):	63.97
(21 to 30):	58.27
— July:	55.68
— August:	48.79
— September:	48.35

Article 2

This Regulation shall enter into force on 11 June 1981.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 1.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1333/81**of 19 May 1981****fixing, for the 1981/82 marketing year, the reference prices for lemons**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1116/81⁽²⁾, and in
particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation
(EEC) No 1035/72, reference prices valid for the
whole Community are to be fixed at the beginning of
the marketing year;

Whereas lemons are produced in such quantities in
the Community that reference prices should be fixed
for them;

Whereas lemons harvested during a crop year are
marketed from June to May of the next year; whereas
the reference price should therefore be fixed for a
period running from 1 June to 31 May of the
following year;

Whereas, to take seasonal variations into account, the
year should be divided into several periods and a refer-
ence price fixed for each of these periods;

Whereas, in accordance with the second paragraph of
Article 23 (2) of Regulation (EEC) No 1035/72, refer-
ence prices for lemons are to be fixed at a level equal
to that of the previous marketing year, adjusted as
necessary by a percentage not exceeding the differ-
ence between the percentages representing respec-
tively the variations compared with the preceding
marketing year in basic and buying-in prices and in
the financial compensation provided for by Council
Regulation (EEC) No 2511/69⁽³⁾, as last amended by
Regulation (EEC) No 1116/81;

Whereas, for the 1981/82 marketing year the financial
compensations provided for by Regulation (EEC) No
2511/69 have been increased, compared with the
preceding marketing year, by a percentage equal to
that used for increases in the basic and buying-in
prices; whereas the reference prices for the 1981/82
marketing year should therefore be maintained at the
level fixed for the 1980/81 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1981/82 marketing year, the reference prices
for fresh lemons (subheading ex 08.02 C of the
Common Customs Tariff), expressed in ECU per 100
kilograms net of packed products of Class I, of all
sizes, shall be as follows:

— June :	29 81
— July :	33 04
— August :	34 36
— September :	30 28
— October :	26 31
— November :	23 39
— December :	24 08
— January :	25 36
— February :	23 83
— March :	24 35
— April :	24 76
— May :	27 19

Article 2

This Regulation shall enter into force on 1 June 1981.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 1.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 1.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1334/81

of 19 May 1981

fixing, for the 1981 marketing year, the Community offer price for table grapes
applicable with regard to Greece

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 10/81
of 1 January 1981 fixing, in respect of fruit and vegeta-
bles, the general rules for implementing the 1979 Act
of Accession⁽¹⁾, and in particular Article 9 (1) thereof,

Whereas Article 75 of the Act of Accession introduces
a compensatory mechanism on import into the
'Community of Nine', for fruit and vegetables coming
from Greece for which an institutional price is fixed;

Whereas, in accordance with Article 75 (2) (a) of the
Act of Accession a Community offer price is to be
calculated annually on the one hand, on the basis of
the arithmetical average of producer prices of each
Member State of the Community of Nine, increased
by the transport and packaging costs borne by the
products from the areas of production up to the repre-
sentative centres of Community consumption and, on
the other hand, taking into account the trend of
production costs in the fruit and vegetables sector;
whereas the said producer prices are to correspond to
an average of the price quotations recorded over three
years prior to fixing the Community offer price;
whereas, however, the annual Community offer price
may not exceed the level of the reference price
applied *vis-à-vis* third countries, this Community
offer price being reduced by 3 % at the time of the
first move toward price alignment referred to in
Article 59 of the Act;

Whereas, in order to take account of seasonal price
variations, the marketing year should be split into
several periods and a Community offer price fixed for
each such period;

Whereas, by virtue of Article 3 of Regulation (EEC)
No 10/81, the rates used to calculate production

prices are those recorded for an indigenous product
whose trade characteristics are defined, on the repre-
sentative market or markets within the production
zones where the rates are lowest, for the products or
varieties which represent a substantial proportion of
marketable production throughout the year or during
a part of the year and which correspond to quality
category I and to set conditions in respect of pack-
aging; whereas the average rate for each representative
market is to be drawn up disregarding rates which
may be considered excessively high or low compared
with the normal fluctuations recorded on the said
market;

Whereas application of the abovementioned criteria
results in fixing the Community offer prices for table
grapes for the period 21 July to 20 November 1981 at
the levels set out hereinafter;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1981 marketing year, the Community
offer price for table grapes (subheading 08.04 A I of
the Common Customs Tariff), expressed in ECU per
100 kilograms net of packed products of Class I, of all
sizes, shall be as follows:

— from 21 July to 31 August:	44-02
— September and October:	38-36
— November (1 to 20):	34-04

Article 2

This Regulation shall enter into force on 21 July
1981.

⁽¹⁾ OJ No L 1, 1. 1. 1981, p. 17.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1335/81

of 19 May 1981

fixing, for the 1981 marketing year, the Community offer price for peaches
applicable with regard to Greece

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 10/81
of 1 January 1981 fixing, in respect of fruit and vegeta-
bles, the general rules for implementing the 1979 Act
of Accession⁽¹⁾, and in particular Article 9 (1) thereof,

Whereas Article 75 of the Act of Accession introduces
a compensatory mechanism on import into the
'Community of Nine', for fruit and vegetables coming
from Greece for which an institutional price is fixed ;

Whereas, in accordance with Article 75 (2) (a) of the
Act of Accession a Community offer price is to be
calculated annually on the one hand, on the basis of
the arithmetical average of producer prices of each
Member State of the Community of Nine, increased
by the transport and packaging costs borne by the
products from the areas of production up to the repre-
sentative centres of Community consumption and, on
the other hand, taking into account the trend of
production costs in the fruit and vegetables sector ;
whereas the said producer prices are to correspond to
an average of the price quotations recorded over three
years prior to fixing the Community offer price ;
whereas, however, the annual Community offer price
may not exceed the level of the reference price
applied *vis-à-vis* third countries, this Community
offer price being reduced by 3 % at the time of the
first move toward price alignment referred to in
Article 59 of the Act ;

Whereas, in order to take account of seasonal price
variations, the marketing year should be split into
several periods and a Community offer price fixed for
each such period ;

Whereas, by virtue of Article 3 of Regulation (EEC)
No 10/81, the rates used to calculate production

prices are those recorded for an indigenous product
whose trade characteristics are defined, on the repre-
sentative market or markets within the production
zones where the rates are lowest, for the products or
varieties which represent a substantial proportion of
marketable production throughout the year or during
a part of the year and which correspond to quality
category I and to set conditions in respect of pack-
aging ; whereas the average rate for each representative
market is to be drawn up disregarding rates which
may be considered excessively high or low compared
with the normal fluctuations recorded on the said
market ;

Whereas application of the abovementioned criteria
results in fixing the Community offer prices for
peaches for the period 11 June to 30 September 1981
at the levels set out hereinafter ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For the 1981 marketing year, the Community offer
price for peaches (subheading 08.07 B of the
Common Customs Tariff), expressed in ECU per 100
kilograms net of packed products of Class I, of all
sizes, shall be as follows :

— June (11 to 20) :	62.05
(21 to 30) :	56.52
— July :	54.01
— August :	47.33
— September :	44.03

Article 2

This Regulation shall enter into force on 11 June
1981.

⁽¹⁾ OJ No L 1, 1. 1. 1981, p. 17.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1336/81

of 19 May 1981

fixing, for the 1981/82 marketing year, the Community offer price for lemons
applicable with regard to Greece

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 10/81
of 1 January 1981 fixing in respect of fruit and vegeta-
bles, the general rules for implementing the 1979 Act
of Accession ⁽¹⁾, and in particular Article 9 (1) thereof,

Whereas Article 75 of the Act of Accession introduces
a compensatory mechanism on import into the
Community of Nine for fruit and vegetables coming
from Greece for which an institutional price is fixed;

Whereas, in accordance with Article 75 (2)(a) of the
Act of Accession a Community offer price is to be
calculated annually on the one hand, on the basis of
the arithmetical average of producer prices of each
Member State of the Community of Nine, increased
by the transport and packaging costs borne by the
products from the areas of production up to the repre-
sentative centres of Community consumption and, on
the other hand, taking into account the trend of
production costs in the fruit and vegetables sector;
whereas the said producer prices are to correspond to
an average of the price quotations recorded over three
years prior to fixing the Community offer price;
whereas, however, the annual Community offer price
may not exceed the level of the reference price
applied *vis-à-vis* third countries;

Whereas, in order to take account of seasonal price
variations, the marketing year should be split into
several periods and a Community offer price fixed for
each such period;

Whereas, by virtue of Article 3 of Regulation (EEC)
No 10/81, the rates used to calculate production
prices are those recorded for an indigenous product
whose trade characteristics are defined, on the repre-
sentative market or markets within the production
zones where the rates are lowest, for the products or
varieties which represent a substantial proportion of

marketable production throughout the year or during
a part of the year and which correspond to quality
category I and to set conditions in respect of pack-
aging; whereas the average rate for each representative
market is to be drawn up disregarding rates which
may be considered excessively high or low compared
with the normal fluctuations recorded on the said
market;

Whereas application of the abovementioned criteria
results in fixing the Community offer prices for
lemons for the period 1 June 1981 to 31 May 1982 at
the levels set out hereinafter;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Community offer price for the 1981/82
marketing year for fresh lemons (subheading ex 08.02
C of the Common Customs Tariff) expressed in ECU
per 100 kilograms net is hereby fixed as follows, for
products of quality category I, graded according to size
and packed:

— June :	28.92
— July :	32.05
— August :	33.33
— September :	29.37
— October :	25.42
— November :	22.69
— December :	23.36
— January :	24.60
— February :	23.12
— March :	23.62
— April :	24.02
— May :	26.37

Article 2

This Regulation shall enter into force on 1 June 1981.

⁽¹⁾ OJ No L 291, 19. 11. 1979, p. 17.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1337/81

of 18 May 1981

imposing a provisional anti-dumping duty on imports of certain textured polyester fabrics originating in the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 thereof,

After consultations within the Advisory Committee set up under Regulation (EEC) No 3017/79,

Whereas in October 1980 the Commission received a complaint lodged by four companies accounting for the major part of the Community production of textured polyester fabrics;

Whereas since the complaint provided sufficient evidence of dumping in respect of like products originating in the United States of America, and of material injury resulting therefrom, the Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports of certain textured polyester fabrics originating in the United States of America, and commenced an investigation of the matter at Community level; whereas the Commission officially so advised the exporters and importers known to be concerned and the complainants;

Whereas the Commission has given the parties directly concerned the opportunity to make known their views in writing and to be heard orally; whereas none of the importers but all of the known exporters took advantage of that opportunity;

Whereas the complainants, the importers and the exporters known to be concerned were given the opportunity to acquaint themselves with all the information supplied to the Commission that was non-confidential and pertinent to the defence of their interests; whereas only one of the above parties took advantage of that opportunity;

Whereas, in order to arrive at a preliminary determination of dumping and injury, the Commission sought to obtain and verify all information which it deemed to be necessary and carried out inspections at the premises of seven US producers which had made themselves known, namely Burlington Industries, Inc., Greensboro, North Carolina and its subsidiary Burlington Industries (Ireland) Ltd, Gilloge, Clonlara; Texfi Industries, Inc., Greensboro, North Carolina; Milliken and Co., Spartanburg, South Carolina; Greenwood Mills, Inc., Greenwood, South Carolina; Bloomsburg Mills, Inc., New York; J. P. Stevens and Co., Inc., New York; and Frank Ix and Sons, New York;

Whereas the Commission also carried out inspections at the premises of two of the complainant producers, namely Carrington Vyella Ltd, London, and Samuel Courtauld and Co. Ltd, London;

Whereas it emerged that the other two complainant producers were at the same time importers of the products in question; whereas they were therefore excluded from the examination of the injury suffered by the complainant industry;

Whereas the preliminary investigation to determine the existence of dumping has partially confirmed the allegations in the complaint, namely that the average prices of certain products marketed by the exporters on their domestic market had, during the period covered by the investigation, that is the calendar year 1980 or the corresponding tax period, been lower than the fixed and variable costs normally incurred in the course of their production; whereas in such cases the normal value was constructed by adjusting the prices below the production costs referred to above in order to eliminate the losses and allow a reasonable profit; whereas, for the purposes of the preliminary determination of dumping and without prejudice to a different assessment at a later stage in the investigation, the Commission held, after hearing the views of the firms in question, that 5 % could be considered as a reasonable profit; whereas the constructed value was also used as the normal value in those cases where the product exported to the Community had not, during the reference period, been marketed on the domestic market by the firms in question;

(¹) OJ No L 339, 31. 12. 1979, p. 1.

(²) OJ No C 337, 24. 12. 1980, p. 7.

Whereas, in those cases where the weighted average prices on the US domestic market had not been below production costs, the Commission used those domestic prices as the normal value ;

Whereas the Commission compared the normal value determined using one or other of the methods described in the preceding two paragraphs with the prices actually paid for the exports of the said products to the Community during the same reference period ; whereas those comparisons were made at the ex-factory stage ; whereas the export prices were adjusted when this appeared necessary, in order to take account of differences in the physical characteristics of the product or in the terms of sale — transport costs or payment terms for example ;

Whereas Burlington Industries, Inc., Greensboro, North Carolina expressly requested the Commission not to use the prices of the products which it exported to its subsidiary in the Community, Burling (Ireland) Ltd, as a reference for the establishment of the export prices ; whereas the export prices of Burlington Industries, Inc., to its subsidiary in the Community were therefore reconstructed on the basis of the prices at which the imported products were first resold to an independent purchaser ; whereas in that case adjustments were made to take account of all the costs incurred between importation and resale by Burling (Ireland) Ltd, including in particular general and administrative costs, sales, transport, insurance and handling costs, customs duties and, where the products were not resold in the state in which they had been imported, the processing costs ; whereas a profit margin of 5 %, which was deemed reasonable, was taken into consideration for the purposes of this reconstruction exercise ;

Whereas the results of the investigations carried out at the seven US companies concerned show that their prices for exports to the Community were below the normal value and that the weighted average dumping margins were 38 % for J.P. Stevens and Co., Inc., New York ; 30.8 % for Frank Ix and Sons Inc., New York ; approximately 3.9 % for Texfi Industries Inc., Greensboro, North Carolina, Burlington Industries, Inc., Greensboro, North Carolina, Bloomsbury Mills Inc., New York and Milliken and Co., Spartanburg, South Carolina, and 0.7 % for Greenwood Mills, Greenwood, South Carolina ;

Whereas the available information should be used in respect of consignments to the Community from the US exporters which did not make themselves known ; whereas at the present stage in the investigation it is impossible to conclude on the basis of the available

information that the weighted average dumping margin for those imports is less than 38 % ;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of certain textured polyester fabrics originating in the United States of America rose from 8.7 million m² in 1979 to 16.2 million m² in 1980 ; whereas imports of the fabrics in question from the United States of America into the United Kingdom, the market most affected, increased by 23 % between 1979 and 1980 ; whereas the share of the Community market held by the United States increased from 8.7 % in 1979 to 17.1 % in 1980 ; whereas imports from the United States held 12 % of the United Kingdom market in 1979 and 16.4 % in 1980 ;

Whereas, in the second half of 1979 and in 1980, resale prices in the Community for the textured polyester fabrics of US origin which were found to be dumped frequently undercut the prices of like fabrics produced by Community manufacturers, by margins reaching 30 % in some cases ; whereas these margins would have been greater had Community producers not reduced their prices in an unsuccessful attempt to meet US competition and to preserve their market share ;

Whereas the consequent impact on the Community industry took the form, principally, of a loss of market share and the depression of Community prices for textured polyester fabric ; whereas, for example, the share of the Community market held by Community manufacturers fell by around 9 % between 1979 and 1980 ; whereas the prices of fabric produced by Community manufacturers fell on average by 6 % from January 1979 to December 1980 ;

Whereas the Commission is aware that 1978 and 1979 were marked by an extremely severe competitive situation due mainly to the efforts of Community producers to increase their share of an expanding market ; whereas that expansion has been halted since 1979, which has led the Community industry to implement rationalization measures and in particular to reduce substantially its capacity and to improve productivity ; whereas, however, at the same time as they have been carrying out this rationalization effort, the depressive effect on selling prices resulting from the extremely low-priced imports effected in the second half of 1979 and in 1980 have made it impossible for Community producers to raise their selling prices in order to cover sharply increased raw material costs and, therefore, Community producers' losses are rising ;

Whereas, even after allowing for the effects of the restructuring, the impact of the dumped imports has been to necessitate the laying-off of a substantial number of workers, the closure of several plants, and an increase in short-time working; whereas employment in the Community industry fell by more than 400 units in 1980;

Whereas the Commission has considered whether there is injury caused by other factors which, individually or in combination, are also adversely affecting the Community industry; whereas the Commission has examined, in particular in this context, the level and prices of other imports, the level of demand in the Community for textured polyester fabrics and the competition among Community producers; whereas the level of other imports remained stable between 1979 and 1980 at around 5 million m²; whereas, according to the information available to the Commission, the level of Community demand for textured polyester fabrics fell slightly in 1980, while over this period the numbers of Community producers declined and the market share of third countries other than the United States of America remained relatively stable;

Whereas, therefore, it is considered that none of these factors has made a significant contribution to the worsening of the situation of the Community producers; whereas the injurious effects attributed solely to dumping, that is loss of market share, personnel reduction and in particular a deterioration in the financial situation, together represent material injury;

Whereas, in these circumstances, to prevent injury being caused during the proceeding, the interests of the Community call for immediate intervention consisting in the imposition of a provisional anti-dumping duty on imports of certain textured polyester fabrics originating in the United States of America at a rate which, having regard to the extent of injury caused, should be equal to the dumping margins provisionally established; whereas, since the dumping margin for the exports of Greenwood Mills, Inc. is minimal imports of certain polyester fabrics manufactured and exported by that company should be excluded from the application of the provisional anti-dumping duty,

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of woven fabrics consisting

wholly of yarn of textile fibres of textured polyester weighing not less than 175 g/m² and not more than 200 g/m² for unbleached fabrics and not less than 200 g/m² and not more than 225 g/m² for dyed fabrics falling within Common Customs Tariff subheading ex 51.04 A and corresponding to NIMEXE codes ex 51.04-21 and 25, originating in the United States of America. This duty shall not apply to imports of products described above manufactured and exported by Greenwood Mills, Inc., Greenwood, South Carolina.

2. Subject to the provisions of paragraph 3, the rate of the provisional anti-dumping duty shall be 38 %.

3. The rate of the provisional anti-dumping duty applicable to imports of products described in paragraph 1 manufactured and exported by Frank Ix and Sons, New York, shall be 30.8 %; the rate for imports of the same products manufactured and exported by Texfi Industries, Inc., Greensboro, North Carolina, Burlington Industries Inc., Greensboro, North Carolina, Bloomsburg Mills Inc., New York, and Milliken and Co., Spartanburg, South Carolina shall be 3.9 %.

4. The duty shall be calculated on the basis of the value for customs purposes determined in accordance with Council Regulation (EEC) No 1224/80 of 28 May 1980 on the valuation of goods for customs purposes⁽¹⁾.

5. The provisions in force concerning customs duties shall apply for the application of this duty.

6. The release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to payment of a deposit, equivalent to the amount of the provisional duty.

Article 2

Without prejudice to Article 7 (4) (b) and (c) of Regulation (EEC) No 3017/79, the parties concerned may make known their views, and apply to be heard orally by the Commission, within a month of the entry into force of this Regulation.

Subject to Articles 11, 12 and 14 of Regulation (EEC) No 3017/79, this Regulation shall be applicable for four months or until the adoption by the Council of definitive measures.

Article 3

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

⁽¹⁾ OJ No L 134, 31. 5. 1980, p. 1.

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

Done at Brussels, 18 May 1981.

For the Commission
Wilhelm HAERKAMP
Vice-President

COMMISSION REGULATION (EEC) No 1338/81**of 19 May 1981****determining the time limit for the entry into storage of butter sold under
Regulation (EEC) No 262/79**

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 the Act of Accession of Greece ⁽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 milk and cream ⁽³⁾, as
last amended by Regulation (EEC) No 1272/79 ⁽⁴⁾, and
in particular Article 7a thereof,

Whereas under Article 1 of 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 605/81 ⁽⁶⁾, the

butter put up for sale must have entered into storage
before a date to be determined; whereas this date
should be fixed in the light of the development of
butter stocks and quantities available;

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

HAS ADOPTED THIS REGULATION :

Article 1

The butter referred to in Article 1 of Regulation (EEC)
No 262/79 must have entered into storage before 1
July 1980.

Article 2

This Regulation shall enter into force on 22 May
1981.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽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 61, 7. 3. 1981, p. 18.

COMMISSION REGULATION (EEC) No 1339/81**of 19 May 1981****altering the basic amount of the import levy on syrups and certain other sugar products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 3455/80 ⁽²⁾, as last in particular Article 15 (7) thereof,

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 1150/81 ⁽³⁾, as last amended by Regulation (EEC) No 1325/81 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1150/81 to the

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 shall be, per 100 kilograms of product, 0.1598 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 20 May 1981.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 17.

⁽³⁾ OJ No L 120, 1. 5. 1981, p. 25.

⁽⁴⁾ OJ No L 132, 19. 5. 1981, p. 24.

COMMISSION REGULATION (EEC) No 1340/81
of 19 May 1981
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 3455/80 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1684/80 ⁽³⁾, as last amended by Regulation (EEC) No 1326/81 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 20 May 1981.

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

Done at Brussels, 19 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 17.

⁽³⁾ OJ No L 166, 1. 7. 1980, p. 49.

⁽⁴⁾ OJ No L 132, 19. 5. 1981, p. 25.

ANNEX

to the Commission Regulation of 19 May 1981 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (ECU/100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	15.98 12.67 ⁽¹⁾

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 12 May 1981

replacing a member of the Advisory Committee on Freedom of Movement for
Workers

(81/335/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1612/68 of 15 October 1968 on freedom of move-
ment of workers within the Community⁽¹⁾, and in
particular Article 27 thereof,

Having regard to the Council Decision of 17 March
1980 appointing, for the period ending on 16 March
1982, members and alternate members to the Advi-
sory Committee on Freedom of Movement for
Workers,

Whereas, following the resignation of Mr Hayden, of
which the Council was notified on 13 April 1981, a
member's seat has fallen vacant on the abovementioned
Committee in the government representatives
category;

Having regard to the nomination submitted on 13
April 1981,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Brian Fitzpatrick is hereby appointed member of
the Advisory Committee on Freedom of Movement
for Workers in place of Mr Hayden for the remainder
of the latter's term of office, which runs until 16
March 1982.

Done at Brussels, 12 May 1981.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 257, 15. 10. 1968, pp. 8 and 9.

COMMISSION

COMMISSION DECISION

of 30 April 1981

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 3024/80

(81/336/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 the Act of Accession of Greece,

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⁽²⁾, and in particular Article 5 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⁽³⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75⁽⁴⁾, as amended by Regulation (EEC) No 2944/78⁽⁵⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas, in fixing this maximum, the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 3024/80 is hereby fixed on the basis of the tenders submitted by 30 April 1981 at 60.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 April 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽³⁾ OJ No L 317, 25. 11. 1980, p. 12.

⁽⁴⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁵⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION

of 30 April 1981

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 3026/80

(81/337/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 the Act of Accession of Greece,

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⁽²⁾, and in particular Article 5 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⁽³⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75⁽⁴⁾, as amended by Regulation (EEC) No 2944/78⁽⁵⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas, in fixing this maximum, the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 3026/80 is hereby fixed on the basis of the tenders submitted by 30 April 1981 at 60.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 April 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽³⁾ OJ No L 317, 25. 11. 1980, p. 18.

⁽⁴⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁵⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 30 April 1981****fixing the maximum export refund on barley in connection with the invitation
to tender issued in Regulation (EEC) No 3023/80**

(81/338/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
the Act of Accession of Greece,

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⁽²⁾, 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⁽³⁾;

Whereas, pursuant to Article 5 of Commission Regula-
tion (EEC) No 279/75⁽⁴⁾, as amended by Regulation
(EEC) No 2944/78⁽⁵⁾, 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
30 April 1981 at 46.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 April 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽³⁾ OJ No L 317, 25. 11. 1980, p. 9.

⁽⁴⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁵⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 30 April 1981****fixing the maximum export refund on barley in connection with the invitation
to tender in Regulation (EEC) No 3025/80**

(81/339/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
the Act of Accession of Greece,

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⁽²⁾, and
in particular Article 5 thereof,

Whereas an invitation to tender for the export refund
on barley was issued under Commission Regulation
(EEC) No 3025/80⁽³⁾;

Whereas, pursuant to Article 5 of Commission Regula-
tion (EEC) No 279/75⁽⁴⁾, as amended by Regulation
(EEC) No 2944/78⁽⁵⁾, 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 3025/80 is
hereby fixed on the basis of the tenders submitted by
30 April 1981 at 46.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 April 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽³⁾ OJ No L 317, 25. 11. 1980, p. 15.

⁽⁴⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁵⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 30 April 1981****fixing the maximum export refund on rye in connection with the invitation to
tender issued in Regulation (EEC) No 3027/80**

(81/340/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
the Act of Accession of Greece,

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⁽²⁾, and
in particular Article 5 thereof,

Whereas an invitation to tender for the export refund
on rye was issued under Commission Regulation
(EEC) No 3027/80⁽³⁾;

Whereas, pursuant to Article 5 of Commission Regula-
tion (EEC) No 279/75⁽⁴⁾, as amended by Regulation
(EEC) No 2944/78⁽⁵⁾, 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 rye to be exported
pursuant to the invitation to tender for the export of
rye issued in Regulation (EEC) No 3027/80 is hereby
fixed on the basis of the tenders submitted by 30
April 1981 at 44.50 ECU per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 April 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽³⁾ OJ No L 317, 25. 11. 1980, p. 22.

⁽⁴⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁵⁾ OJ No L 351, 15. 12. 1978, p. 16.

COMMISSION DECISION**of 30 April 1981****fixing the minimum sale price for olive oil put up for sale for exportation under the sixth partial invitation to tender opened by Regulation (EEC) No 2684/80****(Only the Italian text is authentic)****(81/341/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 3454/80⁽²⁾, and in particular Article 12 (4) thereof,

Whereas, in accordance with Article 1 of Commission Regulation (EEC) No 2684/80, opening a standing invitation to tender for the putting up for sale for exportation of olive oil held by the Italian intervention agency⁽³⁾, as last amended by Regulation (EEC) No 911/81⁽⁴⁾, that agency is putting up for sale, as from November 1980, a total quantity of some 18 000 tonnes of olive oil from intervention purchases during the 1978/79 and 1979/80 marketing years;

Whereas Article 5 of the Regulation cited above lays down that a minimum selling price shall be fixed, on the basis of the tenders received;

Whereas, on the basis of the tenders submitted under the sixth partial invitation to tender, the minimum prices should be fixed at the level hereinafter given;

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

For the sixth partial invitation to tender, the minimum selling price referred to in Article 5 of Regulation (EEC) No 2684/80 will be fixed as follows for olive oil put up for sale:

Extra virgin olive oil: 151 000 Lit/100 kg.

Residue olive oil, 5°: 73 262 Lit/100 kg.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 30 April 1981.

For the Commission

Poul DALSAGER

Member of the Commission

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

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 278, 22. 10. 1980, p. 5.

⁽⁴⁾ OJ No L 91, 4. 4. 1981, p. 17.

COMMISSION DECISION

of 5 May 1981

amending Decision 73/351/EEC setting up an Advisory Committee on Customs Matters

(81/342/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Whereas, in order to gather the opinions of professional and consumer circles on problems arising from the operation of the customs union, the Commission set up an Advisory Committee on Customs Matters by its Decision 73/351/EEC ⁽¹⁾, as last amended by Decision 78/883/EEC ⁽²⁾;

Whereas experience has shown that the number of representatives of Chambers of Commerce and Industry is not sufficient to ensure to the best advantage the participation of this important economic category in the work of the Committee; whereas an additional seat should therefore be provided for that category,

HAS DECIDED AS FOLLOWS:

Article 1

Article 3 of Commission Decision 73/351/EEC is hereby replaced by the following:

Article 3

1. The Committee shall consist of 37 members.

The Committee shall be composed of representatives from the following categories: industrialists, craftsmen, agriculturists, tradesmen, carriers, banking and insurance institutions, customs agents (including specialized transport carriers), tourist boards, workers, consumers, and other parties concerned with customs problems.

2. Representation on the Committee shall be as follows:

- four representatives of industry,
- one representative of craft industry,
- three representatives of agriculture (of which one shall be a representative of agricultural cooperatives),
- four representatives of commercial organizations,
- four representatives of Chambers of Commerce and Industry,
- one representative of rail transport,
- one representative of road transport,
- one representative of shipping,
- one representative of inland waterways transport,
- one representative of air transport,
- one representative of banking institutions,
- one representative of insurance institutions,
- three representatives of customs agents (including specialized transport carriers),
- two representatives of tourist boards,
- four representatives of workers,
- three representatives of consumers (of which one shall be for consumer cooperatives),
- two representatives of other parties concerned with customs problems.

Article 2

This Decision shall enter into force on 5 May 1981.

Done at Brussels, 5 May 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 321, 22. 11. 1973, p. 37.

⁽²⁾ OJ No L 299, 26. 10. 1978, p. 39.

COMMISSION DECISION

of 5 May 1981

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 839/81, the maximum amounts for the costs of delivery of butter as food aid

(81/343/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 the Act of Accession of Greece⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 839/81 of 27 March 1981 on the delivery of various consignments of butter as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of delivery as food aid of 800 tonnes of butter for certain third countries and beneficiary organizations;

Whereas, Article 16 of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, as last amended by Regulation (EEC) No 3474/80⁽⁵⁾, lays down that, on the basis of tenders received, a maximum amount shall be fixed for each lot put for tender or it shall be decided not to proceed with the tender;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 839/81 shall be fixed as follows:

- lot B: 969 556 ECU (IRL),
- lot C: 323 186 ECU (IRL),
- lot D: 969 556 ECU (IRL),
- lot E: 323 186 ECU (IRL).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 May 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1980, p. 17.

⁽³⁾ OJ No L 85, 1. 4. 1981, p. 51.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.

COMMISSION DECISION

of 5 May 1981

fixing the minimum selling prices for butter for the 50th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 262/79

(81/344/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 the Act of Accession of Greece ⁽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 605/81 ⁽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 50th individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 50th individual invitation to tender under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders expired on 28 April 1981, 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	195.00	145.00
	Less than 82 %	—	—
Formula B	82 % or more	231.00	109.00
	Less than 82 %	—	—

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽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 61, 7. 3. 1981, p. 18.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 May 1981.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION

of 5 May 1981

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 996/81, the maximum amounts for the costs of delivery of skimmed-milk powder as food aid

(81/345/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 the Act of Accession of Greece⁽²⁾, and in particular Article 7 (5) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 996/81 of 8 April 1981 on the delivery of various consignments of skimmed-milk powder as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of delivery as food aid of 10 600 tonnes of skimmed-milk powder for certain third countries and beneficiary organizations;

Whereas, in pursuance of Article 14 (2) 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 3474/80⁽⁵⁾, the tender introduced for lots B, C, M and S may be a part quantity of 500 tonnes or a multiple of 500 tonnes of the whole of the lot concerned;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 996/81 shall be fixed as follows:

- lot A: 60 015 ECU,
- lot B1: 8 380 ECU,
- lot B2: 6 421 ECU,
- lot B3: 6 027 ECU,
- lot C1: 8 467 ECU,
- lot C2: 8 659 ECU,
- lot P: 1 039 030 ECU (D),
- lot S: 4 605 153 ECU (UK),
- lot T: 657 879 ECU (UK).

With regard to lot M, the tender shall not be proceeded with.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 May 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 104, 15. 4. 1981, p. 15.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 50.

COMMISSION DECISION**of 5 May 1981****to take no action on the tenders submitted on 30 April 1981 in response to the invitation to tender for the export to Poland of wholly-milled rice issued in Regulation (EEC) No 140/81**

(81/346/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽²⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the export refund on rice was issued under Commission Regulation (EEC) No 140/81 ⁽³⁾, as amended by Regulation (EEC) No 782/81 ⁽⁴⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁵⁾, as amended by Regulation (EEC) No 3491/80 ⁽⁶⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76 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 1431/76 a maximum refund should not be fixed;

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

HAS ADOPTED THIS DECISION:

Article 1

No action shall be taken on the tenders submitted on 30 April 1981 in response to the invitation to tender for the export refund on wholly-milled long grain rice for Poland issued in Regulation (EEC) No 140/81.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 May 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽³⁾ OJ No L 15, 17. 1. 1981, p. 10.

⁽⁴⁾ OJ No L 81, 27. 3. 1981, p. 26.

⁽⁵⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁶⁾ OJ No L 365, 31. 12. 1980, p. 15.