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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3336/81**of 24 November 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 Regulation (EEC) No 1949/81⁽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 2196/81⁽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 23 November 1981;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2196/81 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 25 November 1981.

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

Done at Brussels, 24 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 7.

ANNEX

to the Commission Regulation of 24 November 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	69.04
10.01 B	Durum wheat	131.96 ⁽¹⁾ ⁽²⁾
10.02	Rye	39.85 ⁽⁶⁾
10.03	Barley	72.37
10.04	Oats	51.14
10.05 B	Maize, other than hybrid maize for sowing	93.36 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	59.02 ⁽⁴⁾
10.07 C	Grain sorghum	85.89 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	109.40
11.01 B	Rye flour	69.52
11.02 A I a)	Durum wheat groats and meal	218.16
11.02 A I b)	Common wheat groats and meal	117.34

⁽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 3337/81**of 24 November 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 Regulation (EEC) No 1949/81⁽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 2197/81⁽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 23 November 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 25 November 1981.

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

Done at Brussels, 24 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 10.

ANNEX

to the Commission Regulation of 24 November 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 11	1st period 12	2nd period 1	3rd period 2
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 3338/81**of 20 November 1981****on arrangements for imports into France of certain textile products originating in the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3061/79 of 20 December 1979 on common rules for imports of certain textile products originating in China⁽¹⁾, and in particular Article 11 (4) and (5) thereof,

Whereas Article 11 of Regulation (EEC) No 3061/79 lays down the conditions under which quantitative limitations may be established; whereas imports into France of men's suits (category 16) and women's night-dresses (category 25), originating in China, are likely to exceed the level referred to in paragraph 3 of the said Article 11;

Whereas in accordance with paragraph 5 of the said Article 11, China was notified of a request for consultations; whereas, pending the outcome of those consultations, a quantitative limit, as indicated in the request for consultations, has been placed provisionally on the products in question;

Whereas the products in question exported from China between 1 January 1981 and the date of entry into force of this Regulation must be set off against the quantitative limit which has been introduced;

Whereas this quantitative limit does not prevent the importation of products covered by it but shipped from China before the date of notification of the request for consultations,

HAS ADOPTED THIS REGULATION:

Article 1

Importation into France of the category of products originating in China and specified in the Annex hereto shall be subject to the quantitative limits given in that Annex and to the provisions of Article 2.

Article 2

1. Products as referred to in Article 1 shipped from China to France before the date of entry into force of this Regulation, which have not yet been released for free circulation, shall be so released subject to the presentation of a shipment certificate proving that shipment actually took place before that date.

2. All quantities of products shipped from China on or after 1 January 1981 and released for free circulation shall be deducted from the quantitative limit laid down. This limit shall not, however, prevent the importation of products covered by it but shipped from China before the date of entry into force of this Regulation.

Article 3

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

It shall apply until the entry into force of a definitive Regulation adopted following the current consultations.

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

Done at Brussels, 20 November 1981.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 345, 31. 12. 1979, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1981)	Description	Third countries	Member States	Units	Quantitative limits from 1 January to 31 December 1981
16	61.01 B V c) 1 2 3	61.01-51 ; 54 ; 57	Men's and boys' outer garments : Men's and boys' woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres, excluding ski suits	China	F	1 000 pieces	86
25	60.04 B IV b) 2 aa) bb) d) 2 aa) bb)	60.04-51 ; 53 ; 81 ; 83	Under garments, knitted or crocheted, not elastic or rubberized : Women's, girls' and infants' (other than babies') knitted or crocheted pyjamas and night dresses, of cotton or synthetic fibres	China	F	1 000 pieces	214

COMMISSION REGULATION (EEC) No 3339/81**of 20 November 1981****on arrangements for imports into France of blouses (category 7) originating in Indonesia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 3059/78 of 21 December 1978 on common rules for imports of certain textile products originating in certain third countries⁽¹⁾, as last amended by Regulation (EEC) No 920/81⁽²⁾, and in particular Articles 11 and 15 thereof,

Whereas Article 11 of Regulation (EEC) No 3059/78 lays down the conditions on which quantitative limitations may be established; whereas imports into France of blouses (category 7) originating in Indonesia have exceeded the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11, Indonesia was notified of a request for consultations on 16 November 1981;

Whereas consultations are to be held and it is desirable to make the product in question (category 7) subject to a provisional quantitative limit for the period 1 January to 31 December 1981 in accordance with paragraph 5 (b) of the said Article 11;

Whereas paragraph 13 of the said Article 11 ensures that the quantitative limit is observed by means of a double-checking system in accordance with Annex V to Regulation (EEC) No 3059/78;

Whereas the products in question exported from Indonesia between 1 January 1981 and the date of entry into force of this Regulation must be set off against the provisional quantitative limit for 1981;

Article 1

Importation into France of the category of products originating in Indonesia specified in the Annex hereto shall be subject to the provisional quantitative limits given in that Annex and to the provisions of Article 2 (1).

Article 2

1. Products as referred to in Article 1, shipped from Indonesia to France between 1 January 1981 and the date of entry into force of this Regulation, which have not yet been released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place during that period.

2. Imports of products shipped from Indonesia to France after the entry into force of this Regulation shall be subject to the double-checking system described in Annex V to Regulation (EEC) No 3059/78.

3. For the purposes of applying the provisions of paragraph 2, the quantities of products shipped from Indonesia on or after 1 January 1981 and released for free circulation shall be set off against the provisional quantitative limit established for 1981.

Article 3

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

It shall apply until 31 December 1981.

⁽¹⁾ OJ No L 365, 27. 12. 1978, p. 1.

⁽²⁾ OJ No L 98, 9. 4. 1981, p. 1.

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

Done at Brussels, 20 November 1981.

For the Commission

Frans ANDRIESEN

Member of the Commission

ANNEX

Category	CCT heading No	NIMEXE code (1981)	Description	Member States	Units	Quantitative limits from 1 January to 31 December 1981
7	60.05 A II b) 4 aa) 22 33 44 55 61.02 B II e) 7 bb) cc) dd)	 60.05-22; 23; 24; 25 61.02-78; 82; 84	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Blouses and shirt-blouses, knitted, crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres	F	1 000 pieces	200

COMMISSION REGULATION (EEC) No 3340/81

of 20 November 1981

on arrangements for imports into the Community of handkerchiefs originating in Macao

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3059/78 of 21 December 1978 on common rules for imports of certain textile products originating in third countries⁽¹⁾, as amended by Regulation (EEC) No 920/81⁽²⁾, and in particular Articles 11 and 15 thereof,

Whereas Article 11 of Regulation (EEC) No 3059/78 lays down the conditions on which quantitative limitations may be established; whereas imports into the Community of handkerchiefs (category 89) originating in Macao have exceeded the level referred to in Article 11 (3);

Whereas, in accordance with Article 11 (5), Macao was notified of a request for consultations; whereas, following these consultations, it is desirable to make the products in question subject to quantitative limitation for the period 1981 and 1982;

Whereas the products of category 19 were already subject to quantitative limitation; whereas it has been agreed to place the products of both categories under a single limitation;

Whereas Article 11 (13) ensures that the quantitative limit is observed by means of a double-checking system in accordance with Annex V to the aforesaid Regulation;

Whereas the products in question exported from Macao between 1 January 1981 and the date of entry into force of this Regulation must be set off against the quantitative limit for 1981;

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

HAS ADOPTED THIS REGULATION:

Article 1

Importation into the Community of the categories of products originating in Macao and specified in the Annex hereto shall be subject to the quantitative limits given in that Annex and to the provisions of Article 2 (1).

Article 2

1. The products as referred to in Article 1, shipped from Macao to the Community before the date of entry into force of this Regulation, which have not yet been released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place during that period.

2. Imports of products shipped from Macao to the Community after the entry into force of this Regulation shall be subject to the double-checking system described in Annex V to Regulation (EEC) No 3059/78.

3. For the purposes of applying the provisions of paragraph 2, the quantities of products shipped from Macao on or after 1 January 1981 and released for free circulation shall be set off against the quantitative limit established for 1981.

Article 3

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

It shall apply until 31 December 1982.

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

Done at Brussels, 20 November 1981.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 365, 27. 12. 1978, p. 1.

⁽²⁾ OJ No L 98, 9. 4. 1981, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1981)	Description	Member States	Units	Quantitative limits from 1 January to 31 December	
						1981	1982
19	61.05 B I III	61.05-30; 99	Handkerchiefs : B. Other : Handkerchiefs of woven fabric, of a value of not more than 15 EUA/kg net weight	I	1 000 pieces	104 ⁽¹⁾	110 ⁽¹⁾
89	61.05 A	61.05-20	Handkerchiefs : A. Of woven cotton fabric, of a value of more than 15 EUA/kg net weight				

⁽¹⁾ This limitation replaces that for category 19 which was published in *Official Journal of the European Communities* No L 381 of 31 December 1980.

COMMISSION REGULATION (EEC) No 3341/81

of 24 November 1981

amending Regulation (EEC) No 2844/81 as regards imports of preserved cultivated mushrooms originating in non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1118/81⁽²⁾,

Having regard to Council Regulation (EEC) No 1796/81 of 30 June 1981 on measures relating to imports of preserved cultivated mushrooms⁽³⁾, and in particular Article 6 thereof,

Whereas Article 3 of Regulation (EEC) No 1796/81 provides that the quantities which may be imported without payment of the additional amount must be fixed and allocated between the supplier countries with due regard for traditional trade flows and new suppliers;

Whereas Article 1 of Commission Regulation (EEC) No 2844/81⁽⁴⁾ allocated the quantities in question for the period 1 October to 31 December 1981; whereas that Article also made provision for possible revision of the quantities on the basis of licences issued as at 31 October; whereas a review of licences issued at that date shows that a fresh allocation of the said quantities is justified;

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

HAS ADOPTED THIS REGULATION:

Article 1

The table given in Article 1 of Regulation (EEC) No 2844/81 is hereby replaced by the following:

(net weight in tonnes)

Country of origin Importing country	China	Korea	Taiwan	Hong Kong	Spain	Other
Belgium } Luxembourg }	154	—	19	—	17	—
Denmark	274	—	1	—	—	—
Germany	6 465	2 447	278	378	200	282
Greece	9	7	70	—	62	10
France	4	—	10	—	—	1
Ireland	—	—	—	—	—	—
Italy	8	—	4	—	—	—
Netherlands	16	—	18	—	—	—
United Kingdom	23	22	69	6	—	—

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 10.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 10.

⁽³⁾ OJ No L 183, 4. 7. 1981, p. 1.

⁽⁴⁾ OJ No L 277, 1. 10. 1981, p. 54.

Article 2

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

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

Done at Brussels, 24 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 3342/81

of 24 November 1981

amending Regulation (EEC) No 2931/81 suspending the customs duties applicable on import into the Community of Nine of certain agricultural products coming from 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, and in particular Article 64 (4) (b) thereof,

Whereas Regulation (EEC) No 2931/81 ⁽¹⁾ suspended the customs duties applicable on import into the Community of Nine of certain agricultural products coming from Greece;

Whereas, in the context of Agreements signed with some non-member countries, in particular the Geneva Protocol (1979) and the Additional Protocol to the Geneva Protocol (1979) annexed to the General Agreement on tariffs and trade, signed following the multilateral trade negotiations of 1973 to 1979, the Community undertook to undertake reductions in customs duties, some of which are to be fully or partly implemented on 1 January 1982; whereas, for this reason, Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3300/81 ⁽³⁾, is to be amended with effect from 1 January 1982;

Whereas, accordingly, the duty rates given for the products concerned in the Annex to Regulation (EEC) No 2931/81 should be brought up to date;

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

HAS ADOPTED THIS REGULATION:

Article 1

The duty rates applicable on import into the Community of Nine of products coming from Greece and referred to in the Annex hereto are hereby amended as stated in the said Annex. The Annex to Regulation (EEC) No 2931/81 is hereby amended accordingly.

Article 2

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 24 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 293, 13. 10. 1981, p. 8.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 335, 23. 11. 1981, p. 1.

ANNEX

CCT heading No	Description	Rate of duty (%)
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared :	
	A. Onions	10
08.04	Grapes, fresh or dried :	
	B. Dried :	
	II. Other	2.5
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard :	
	C. Other	5.9
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit :	
	A. Nuts (including ground-nuts), roasted, in immediate packings of a net capacity :	
	I. Of more than 1 kg	4
	II. Of 1 kg or less	4.6
	B. Other :	
	I. Containing added spirit :	
	a) Ginger :	
	1. Of an actual alcoholic strength by mass not exceeding 11.85 % mas	19.2
	d) Peaches, pears and apricots, in immediate packings of a net capacity :	
	1. Of more than 1 kg :	
	aa) With a sugar content exceeding 13 % by weight :	
	11. Of an actual alcoholic strength by mass not exceeding 11.85 % mas	21.9
	bb) Other :	
	11. Of an actual alcoholic strength by mass not exceeding 11.85 % mas	21.9
	e) Other fruits :	
	1. With a sugar content exceeding 9 % by weight :	
	aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mas	21.9
	2. Other :	
	aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mas	21.9
	f) Mixtures of fruit :	
	1. With a sugar content exceeding 9 % by weight :	
	aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mas	21.9
	2. Other :	
	aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mas	21.9

CCT heading No	Description	Rate of duty (%)
20.06 (<i>cont'd</i>)	B. II. Not containing added spirit :	
	a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg :	
	2. Grapefruit segments	2.5
	8. Other fruits :	
	— Grapefruit	2.9
	— Other	14.9
	b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less :	
	2. Grapefruit segments	2.5

COMMISSION REGULATION (EEC) No 3343/81

of 24 November 1981

re-establishing the levying of customs duties on articles of apparel, gloves and other clothing accessories, falling within subheadings 42.03 A, B II, III and C and originating in India, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3322/80 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3322/80 of 16 December 1980 establishing a multi-annual scheme of generalized tariff preferences and its application for 1981 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC, Euratom) No 3308/80 of 16 December 1980 on the replacement of the European unit of account by the ECU in Community legal instruments⁽²⁾,

Whereas, in pursuance of Articles 1 and 9 of Regulation (EEC) No 3322/80, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex C, other than those listed in column 4 of Annex A, within the framework of the preferential tariff ceiling fixed in column 9 of Annex A;

Whereas, as provided for in Article 10 (1) of that Regulation, as soon as the individual ceilings in question are reached at Community level, the Commission, either acting on its own initiative or once a Member State has requested it to do so, shall re-establish the levying of customs duties on imports of the products in question;

Whereas, in the case of articles of apparel, gloves and other clothing accessories, falling within subheadings 42.03 A, B II, III and C, the individual ceiling was fixed at 3 800 000 ECU; whereas, on 13 November 1981, imports of these products into the Community

originating in India reached that ceiling; whereas the United Kingdom has requested that the levying of the customs duties be re-established; whereas the customs duties in respect of the products in question must therefore be re-established against India,

HAS ADOPTED THIS REGULATION:

Article 1

As from 28 November 1981, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3322/80, shall be re-established on imports into the Community of the following products originating in India:

CCT heading No	Description
42.03	Articles of apparel and clothing accessories, of leather or of composition leather: A. Articles of apparel B. Gloves, including mittens and mitts: II. Special for sports III. Other C. Other clothing accessories

Article 2

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

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

Done at Brussels, 24 November 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 354, 29. 12. 1980, p. 114.

⁽²⁾ OJ No L 345, 20. 12. 1980, p. 1.

COMMISSION REGULATION (EEC) No 3344/81
of 24 November 1981
fixing the amount of the subsidy on oil seeds

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 27 (4) thereof,

Whereas the amount of the subsidy referred to in
Article 27 of Regulation No 136/66/EEC was fixed by
Regulation (EEC) No 2138/81 ⁽³⁾, as last amended by
Regulation (EEC) No 3304/81 ⁽⁴⁾,

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2138/81 to the

information known to the Commission that the
amount of the subsidy at present in force should be
altered to the amount set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of
Regulation No 136/66/EEC shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 25
November 1981.

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

Done at Brussels, 24 November 1981.

For the Commission

Poul DALSAER

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 209, 29. 7. 1981, p. 17.

⁽⁴⁾ OJ No L 333, 20. 11. 1981, p. 40.

ANNEX

to the Commission Regulation of 24 November 1981 fixing the amount of the subsidy
on oil seeds

(ECU/100 kg)

CCT heading No	Description	Subsidy
ex 12.01	Colza and rape seed	20.174
ex 12.01	Sunflower seed	20.061

(ECU/100 kg)

CCT heading No	Description	Subsidy in the case of advance fixing for the month of					
		November 1981	December 1981	January 1982	February 1982	March 1982	April 1982
ex 12.01	Colza and rape seed	18.911	19.363	19.370	19.822	20.274	20.726
ex 12.01	Sunflower seed	20.061	20.596	20.675	21.210	21.745	—

COMMISSION REGULATION (EEC) No 3345/81
of 24 November 1981
fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3454/80⁽²⁾,

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

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 3476/80⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 2138/81 of 28 July

1981 fixing the amount of the subsidy on oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 3344/81⁽⁸⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 25 November 1981.

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

Done at Brussels, 24 November 1981.

For the Commission

Poul DALSGER

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 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 363, 31. 12. 1980, p. 71.

⁽⁷⁾ OJ No L 209, 29. 7. 1981, p. 17.

⁽⁸⁾ See page 17 of this Official Journal.

ANNEX

to the Commission Regulation of 24 November 1981 fixing the world market price for
colza and rape seed

(ECU/100 kg) (1)

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	23.742

(ECU/100 kg) (1)

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		November 1981	December 1981	January 1982	February 1982	March 1982	April 1982
ex 12.01	Colza and rape seed	25.005	25.005	25.450	25.450	25.450	25.450

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

1 ECU = DM	2.40989
1 ECU = Fl	2.66382
1 ECU = Bfr/Lfr	40.7572
1 ECU = FF	6.17443
1 ECU = Dkr	7.91117
1 ECU = £ Irl	0.684452
1 ECU = £	0.576548
1 ECU = Lit	1 293.04

COMMISSION REGULATION (EEC) No 3346/81
of 24 November 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 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1808/81⁽²⁾, as last amended by Regulation (EEC) No 3334/81⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1808/81 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 16 (1) of Regulation (EEC) No 1785/81 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 25 November 1981.

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

Done at Brussels, 24 November 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 181, 2. 7. 1981, p. 24.
⁽³⁾ OJ No L 337, 24. 11. 1981, p. 7.

ANNEX

to the Commission Regulation of 24 November 1981 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	28.73
	B. Raw sugar	23.66 ⁽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.

COMMISSION REGULATION (EEC) No 3347/81

of 24 November 1981

altering the import levies on products processed from cereals and rice

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 1949/81⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by the Act of Accession of Greece⁽⁴⁾, and in particular Article 12 (4) 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⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 3075/81⁽⁷⁾, as last amended by Regulation (EEC) No 3309/81⁽⁸⁾;

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 23 November 1981;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3.02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁹⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽¹⁰⁾ as last amended by Regulation (EEC) No 1783/81⁽¹¹⁾, as fixed in the Annex to amended Regulation (EEC) No 3075/81, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 November 1981.

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

Done at Brussels, 24 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 308, 29. 10. 1981, p. 13.

⁽⁸⁾ OJ No L 333, 20. 11. 1981, p. 50.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 176, 1. 7. 1981, p. 10.

ANNEX

to the Commission Regulation of 24 November 1981 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 D ⁽²⁾	98-90	92-86
11.01 E I ⁽²⁾	175-26	169-22
11.01 E II ⁽²⁾	98-91	95-89
11.02 A IV ⁽²⁾	98-90	92-86
11.02 A V a) 1 ⁽²⁾	144-24	138-20
11.02 A V a) 2 ⁽²⁾	175-26	169-22
11.02 A V b) ⁽²⁾	98-91	95-89
11.02 B I a) 2 aa)	55-64	52-62
11.02 B I a) 2 bb) ⁽²⁾	95-88	92-86
11.02 B I b) 2 ⁽²⁾	95-88	92-86
11.02 B II c) ⁽²⁾	153-44	150-42
11.02 C IV ⁽²⁾	85-56	82-54
11.02 C V ⁽²⁾	153-44	150-42
11.02 D IV ⁽²⁾	55-64	52-62
11.02 D V ⁽²⁾	98-91	95-89
11.02 E I a) 2 ⁽²⁾	55-64	52-62
11.02 E I b) 2 ⁽²⁾	109-22	103-18
11.02 E II c) ⁽²⁾	175-26	169-22
11.02 F IV ⁽²⁾	98-90	92-86
11.02 F V ⁽²⁾	175-26	169-22
11.02 G II	76-55	70-51
11.04 C II a)	144-17	119-99 ⁽³⁾
11.04 C II b)	171-91	147-73 ⁽³⁾
11.08 A I	144-17	123-62
11.08 A IV	144-17	123-62
11.08 A V	144-17	61-81 ⁽³⁾
17.02 B II a) ⁽³⁾	257-96	161-24
17.02 B II b) ⁽³⁾	190-11	123-62
17.02 F II a)	265-64	168-92
17.02 F II b)	183-96	117-47
21.07 F II	190-11	123-62
23.03 A I	334-90	153-56

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽³⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrowroot falling within subheading 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading 11.08 A V.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 17 November 1981

amending Directives 69/169/EEC and 78/1035/EEC as regards tax reliefs applicable in international travel and to imports of small consignments of goods of a non-commercial character from third countries

(81/933/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 99 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

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

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

Whereas the fixing of the equivalent in national currency of the tax reliefs provided for in Council Directive 69/169/EEC of 28 May 1969 on the harmonization of provisions laid down by law, regulation or administrative action relating to exemption from turnover tax and excise duty on imports in international travel ⁽⁴⁾, as last amended by Directive 78/1033/EEC ⁽⁵⁾ and in Council Directive 78/1035/EEC of 19 December 1978 on the exemption from taxes of imports of small consignments of goods of a non-commercial character from third countries ⁽⁶⁾ would result in a reduction in terms of national currency in the tax reliefs applicable in one Member State; whereas, in the present circumstances, such a reduction should be avoided,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 1 of Directive 69/169/EEC shall be amended as follows:

- (a) in paragraph 1, the expression '40 European units of account' shall be replaced by '45 ECU',
- (b) in paragraph 2, the expression '20 European units of account' shall be replaced by '23 ECU'.

Article 2

In the third indent of Article 1 (2) of Directive 78/1035/EEC the expression '30 EUA' shall be replaced by '35 ECU'.

Article 3

1. Member States shall take the measures necessary to comply with this Directive as from 1 January 1982.
2. Member States shall inform the Commission of the provisions they adopt for the application of this Directive.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 17 November 1981.

For the Council

The President

G. HOWE

⁽¹⁾ OJ No C 350, 31. 12. 1980, p. 21.

⁽²⁾ OJ No C 144, 15. 6. 1981, p. 76.

⁽³⁾ OJ No C 159, 29. 6. 1981, p. 5.

⁽⁴⁾ OJ No L 133, 4. 6. 1969, p. 6.

⁽⁵⁾ OJ No L 366, 28. 12. 1978, p. 31.

⁽⁶⁾ OJ No L 366, 28. 12. 1978, p. 34.

COUNCIL DIRECTIVE**of 17 November 1981****amending Directive 74/651/EEC on the tax reliefs to be allowed on the importation of goods in small consignments of a non-commercial character within the Community**

(81/934/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community, and in particular Articles 99
and 100 thereof,Having regard to the proposal from the Commis-
sion ⁽¹⁾,Having regard to the opinion of the European
Parliament ⁽²⁾,Having regard to the opinion of the Economic and
Social Committee ⁽³⁾,Whereas the fixing of the equivalent in national
currency of the tax relief provided for in Council
Directive 74/651/EEC of 19 December 1974 on the
tax reliefs to be allowed on the importation of goods
in small consignments of a non-commercial character
within the Community ⁽⁴⁾, as last amended by Direc-
tive 78/1034/EEC ⁽⁵⁾, would result in a reduction in
terms of national currency in the tax relief applicable
in one Member State; whereas in the present circum-
stances such a reduction should be prevented,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*In Article 1 (2) (d) of Directive 74/651/EEC the expres-
sion '60 European units of account' shall be replaced
by '70 ECU'.*Article 2*

1. Member States shall take the measures necessary
to comply with this Directive as from 1 January 1982.
2. Member States shall inform the Commission of
the provisions they adopt for the application of this
Directive.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 17 November 1981.

*For the Council**The President*

G. HOWE

⁽¹⁾ OJ No C 350, 31. 12. 1980, p. 21.⁽²⁾ OJ No C 144, 15. 6. 1981, p. 76.⁽³⁾ OJ No C 159, 29. 6. 1981, p. 5.⁽⁴⁾ OJ No L 354, 30. 12. 1974, p. 57.⁽⁵⁾ OJ No L 366, 28. 12. 1978, p. 33.

COMMISSION

COMMISSION DECISION

of 9 November 1981

on the implementation of the reform of agricultural structures in Ireland
pursuant to Council Directive 72/159/EEC

(Only the English text is authentic)

(81/935/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 81/528/EEC⁽²⁾, and in parti-
cular Article 18 (3) thereof,

Whereas on 11 September 1981 the Irish Government
forwarded, pursuant to Article 17 (4) of Directive
72/159/EEC, the memorandum concerning 'Modifica-
tions to the farm modernization scheme';

Whereas Article 18 (3) of Directive 72/159/EEC
requires the Commission to determine whether,
having regard to the abovementioned submission, the
existing provisions in Ireland for the implementation
of the said Directive continue to satisfy the conditions
for financial contribution by the Community to
common measures within the meaning of Article 15
thereof;

Whereas the abovementioned memorandum
concerning 'Modifications to the farm modernization
scheme' meets the requirements of the said Directive;

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

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the memorandum concerning 'Modi-
fications to the farm modernization scheme',
forwarded on 11 September 1981, the existing provi-
sions for the implementation of Directive
72/159/EEC in Ireland continue to satisfy the condi-
tions for financial contribution by the Community to
common measures within the meaning of Article 15
of Directive 72/159/EEC.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 9 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 197, 20. 7. 1981, p. 41.

COMMISSION DECISION**of 10 November 1981****on the implementation of the reform of agricultural structures in the Netherlands pursuant to Council Directive 72/159/EEC****(Only the Dutch text is authentic)****(81/936/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 81/528/EEC⁽²⁾, and in particular Article 18 (3) thereof,

Whereas on 24 July 1981 the Government of the Netherlands forwarded, pursuant to Article 17 (4) thereof, the Order of 29 March 1979 concerning the reconstruction of areas formerly used for horticulture under glass and the Order of 26 June 1981 amending the Order concerning the reconstruction of areas formerly used for horticulture under glass;

Whereas the abovementioned Order of 29 March 1979 contains in Title 6 paragraphs 3 and 4 measures falling within the field of application of Directive 72/159/EEC;

Whereas Article 18 (3) of Directive 72/159/EEC requires the Commission to determine whether, having regard to the abovementioned Order, the existing provisions in the Netherlands for the implementation of the said Directive continue to satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 thereof;

Whereas the abovementioned Orders of 29 March 1979 and 26 June 1981 meet the requirements of the said Directive;

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

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Order of 29 March 1979 concerning the reconstruction of areas formerly used for horticulture under glass and the Order of 26 June 1981 amending the Order concerning the reconstruction of areas formerly used for horticulture under glass, forwarded on 24 July 1981, the existing provisions for the implementation of Directive 72/159/EEC in the Netherlands continue to satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 of Directive 72/159/EEC.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 10 November 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 197, 20. 7. 1981, p. 41.

COMMISSION DECISION
of 10 November 1981
on the implementation of the reform of agricultural structures in Italy pursuant
to Title II of Council Directive 75/268/EEC

(Only the Italian text is authentic)

(81/937/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,

Whereas on 2 September 1981 the Italian Govern-
ment has communicated Article 5 of the Law No 423
of 1 August 1981 'Agricultural measures';

Whereas pursuant to Article 13 of Directive
75/268/EEC in conjunction with Article 18 (3) of
Directive 72/159/EEC the Commission has to decide
whether, having regard to Article 5 of the Law No 423
notified, the existing provisions in Italy for the imple-
mentation of Title II of Directive 75/268/EEC
continue to satisfy the conditions for financial contri-
bution by the Community to common measures
within the meaning of Article 13 of Directive
75/268/EEC;

Whereas the said Article 5 of the Law No 423 of 1
August 1981 satisfy the conditions and are consistent
with the objectives of Title II of the said Directive;

Whereas the EAGGF Committee has been consulted
on the financial aspects;

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

HAS ADOPTED THIS DECISION:

Article 1

The provisions existing in Italy for the implementa-
tion of the reform of agricultural structures pursuant
to Title II of Directive 75/268/EEC continue, having
regard to Article 5 of the Law No 423 of 1 August
1981 'Agricultural measures', notified on 2 September
1981, to satisfy the conditions for financial contribu-
tion by the Community to common measures within
the meaning of Article 15 of Directive 72/159/EEC
and Article 13 of Directive 75/268/EEC.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 10 November 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 180, 14. 7. 1980, p. 34.

COMMISSION DECISION**of 10 November 1981****on the implementation of the reform of agricultural structures in the Grand Duchy of Luxembourg pursuant to Council Directive 72/159/EEC and Title II of Council Directive 75/268/EEC****(Only the French text is authentic)**

(81/938/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 81/528/EEC⁽²⁾, and in particular Article 18 (3) 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⁾, and in particular Article 13 thereof,

Whereas on 20 August 1981 the Government of Luxembourg notified the following provisions :

- the Grand-Ducal Regulation of 10 March 1981 amending and completing the amended Grand-Ducal Regulation of 30 March 1979 implementing the Law of 30 November 1978 to encourage the modernization of farming,
- the Grand-Ducal Regulation of 13 May 1981 amending Article 27 of the amended Grand-Ducal Regulation of 30 March 1979 implementing the Law of 30 November 1978 to encourage the modernization of farming,
- the Ministerial Regulation of 14 May 1981 laying down certain rules for granting the annual compensatory allowance to agricultural holdings,
- the Grand-Ducal Regulation of 31 July 1981 laying down the comparable earned income for 1981 and certain procedures relating to that income ;

Whereas under Article 18 (3) of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC the Commission has to determine whether, having regard to the objectives of those Directives and to the need for a

proper connection between the various measures, the draft provisions so notified comply with those Directives and thus satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC ;

Whereas the Grand-Ducal Regulation of 10 March 1981 amending and completing the amended Grand-Ducal Regulation of 30 March 1979 implementing the Law of 30 November 1978 to encourage the modernization of farming, the Grand-Ducal Regulation of 13 May 1981 amending Article 27 of the amended Grand-Ducal Regulation of 30 March 1979 implementing the Law of 30 November 1978 to encourage the modernization of farming and the Grand-Ducal Regulation of 31 July 1981 laying down the comparable earned income for 1981 and certain procedures relating to that income are consistent with the aims and requirements of Directive 72/159/EEC ;

Whereas the Ministerial Regulation of 14 May 1981 laying down certain rules for granting the annual compensatory allowance to agricultural holdings is consistent with the aims and requirements of Title II of Directive 75/268/EEC ;

Whereas the EAGGF Committee has been consulted on the financial aspects ;

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

HAS ADOPTED THIS DECISION :*Article 1*

The provisions set out in the recitals hereto concerning the implementation in the Grand Duchy of Luxembourg of Directives 72/159/EEC and

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.⁽²⁾ OJ No L 197, 20. 7. 1981, p. 41.⁽³⁾ OJ No L 128, 19. 5. 1975, p. 1.

75/268/EEC satisfy the conditions for financial contribution by the Community to common measures as referred to in Article 15 of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC.

Done at Brussels, 10 November 1981.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION**of 10 November 1981****on the implementation of the reform of agricultural structures in Denmark
pursuant to Council Directive 72/159/EEC****(Only the Danish text is authentic)****(81/939/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 81/528/EEC⁽²⁾, and in parti-
cular Article 18 (3) thereof,

Whereas the Danish Government pursuant to Article
17 (4) of Directive 72/159/EEC communicated the
Law of 26 February 1981 amending the Law on
subsidies for drainage and irrigation work and in addi-
tion a note on the real grant rates awarded under this
Law;

Whereas Article 18 (3) of Directive 72/159/EEC
requires the Commission to determine whether,
having regard to the abovementioned submission, the
existing provisions for the implementation in
Denmark of Directive 72/159/EEC continue to satisfy
the conditions for financial contribution by the
Community to common measures within the
meaning of Article 15 of Directive 72/159/EEC;

Whereas the Law of 26 February 1981 amending the
Law on subsidies for drainage and irrigation work
corresponds to the objectives of Article 14 (2) of Direc-
tive 72/159/EEC;

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

HAS ADOPTED THIS DECISION:

Article 1

The existing Danish provisions implementing Direc-
tive 72/159/EEC, as now applicable in the light of the
Law of 26 February 1981 amending the Law on
subsidies for drainage and irrigation work as notified
by the Danish Government, continue to satisfy the
conditions for financial contribution by the Commu-
nity to common measures within the meaning of
Article 15 of Directive 72/159/EEC.

Article 2

This Decision is addressed to the Kingdom of
Denmark.

Done at Brussels, 10 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 197, 20. 7. 1981, p. 41.

COMMISSION DECISION**of 10 November 1981****approving the programme for the stimulation of agricultural development in the less-favoured areas of Northern Ireland, pursuant to Council Regulation (EEC) No 1942/81****(Only the English text is authentic)****(81/940/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1942/81 of 30 June 1981 for the stimulation of agricultural development in the less-favoured areas of Northern Ireland⁽¹⁾, and in particular Article 3 thereof,

Whereas the Government of the United Kingdom forwarded on 31 July 1981 the programme for the stimulation of agricultural development in the less-favoured areas of Northern Ireland;

Whereas the said programme comprises all the particulars, provisions and measures listed in Article 2 of Regulation (EEC) No 1942/81 which ensure that the objectives of the said Regulation may be achieved;

Whereas the EAGGF Committee has been consulted on the financial aspects;

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

HAS ADOPTED THIS DECISION:

Article 1

The programme for the stimulation of agricultural development in the less-favoured areas of Northern Ireland, forwarded by the Government of the United Kingdom pursuant to Regulation (EEC) No 1942/81 on 31 July 1981, is hereby approved.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 10 November 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 197, 20. 7. 1981, p. 17.

COMMISSION DECISION**of 10 November 1981****fixing the maximum export refund for the 16th partial invitation to tender for white sugar issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2041/81**

(81/941/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, and in particular Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 2041/81 of 16 July 1981 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽²⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2041/81, a maximum export refund 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 16th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the 16th partial invitation to tender for white sugar issued under Regulation (EEC) No 2041/81 is hereby fixed at 24·500 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 November 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 200, 21. 7. 1981, p. 22.

COMMISSION DECISION

of 10 November 1981

fixing the maximum export refund for the 14th partial invitation to tender for raw sugar issued under Regulation (EEC) No 2235/81

(81/942/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, and in particular Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 2235/81 of 31 July 1981 on a standing invitation to tender in order to determine levies and/or refunds on exports of raw sugar ⁽²⁾, requires partial invitations to tender to be issued for the export of this sugar ;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2235/81 a maximum export refund 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 14th 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 maximum export refund for the 14th partial invitation to tender for raw sugar issued under Regulation (EEC) No 2235/81 is hereby fixed at 21·482 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 November 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 218, 4. 8. 1981, p. 19.

COMMISSION DECISION

of 11 November 1981

on the transport of common wheat to the Kingdom of Lesotho as food aid

(Only the German text is authentic)

(81/943/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

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 1949/81⁽²⁾, and in particular Article 28,

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 procedure for cereals to be supplied as food aid⁽⁴⁾,

Whereas, by means of Regulation (EEC) No 3182/81⁽⁵⁾, the Commission has opened an invitation to tender for the supply cif to the ports of Durban/East London of 4 000 tonnes of common wheat destined for the Kingdom of Lesotho as food aid;

Whereas these goods must be transported from the port of Durban or East London to their final destination of Maseru;

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, contracts relating to all or part of 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,

1. The Bundesanstalt für landwirtschaftliche Marktordnung (BALM), D-6000 Frankfurt/Main, Adisckesallee 40 (intervention agency), shall conclude one or more direct award contracts for the transport from Durban/East London of 4 000 tonnes of common wheat destined for the Kingdom of Lesotho, namely 4 000 tonnes delivered unloaded at Maseru (Railways siding 4457).

2. In concluding the direct award contract, the BALM 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.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 83, 30. 3. 1976, p. 8.

⁽⁵⁾ OJ No L 318, 7. 11. 1981, p. 7.

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.

Done at Brussels, 11 November 1981.

Article 4

This Decision is addressed to the Federal Republic of Germany.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION

of 11 November 1981

on the transport of common wheat to the Republic of Zambia as food aid

(Only the German text is authentic)

(81/944/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS DECISION :

Having regard to the Treaty establishing the European
Economic Community,

Article 1

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 1949/81⁽²⁾, and in particular
Article 28,

Having regard to Council Regulation (EEC) No
2750/75 of 29 October 1975 laying down the condi-
tions 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 proce-
dures for cereals to be supplied as food aid⁽⁴⁾,

Whereas, by means of Regulation (EEC) No
3183/81⁽⁵⁾, the Commission has opened an invitation
to tender for the supply cif to the port of East London
of 15 000 tonnes of common wheat destined for the
Republic of Zambia as food aid;

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

Whereas, in order to satisfy the particular require-
ments 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 invita-
tion 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, contracts relating to all or part of
the transport to be carried out;

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

1. The Bundesanstalt für landwirtschaftliche Mark-
tordnung (BALM), D-6000 Frankfurt/Main, Adisches-
allee 40 (intervention agency), shall conclude one or
more direct award contracts for the transport from
East London of 15 000 tonnes of common wheat
destined for the Republic of Zambia, namely 15 000
tonnes delivered unloaded at Lusaka.

2. In concluding the direct award contract, the
BALM 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.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 83, 30. 3. 1976, p. 8.

⁽⁵⁾ OJ No L 318, 7. 11. 1981, p. 10.

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.

Done at Brussels, 11 November 1981.

Article 4

This Decision is addressed to the Federal Republic of Germany.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION**of 10 November 1981****on a Belgian Government proposal to aid certain investments to be carried out
by a Belgian undertaking for the establishment of production capacity of argon****(Only the Dutch and French texts are authentic)****(81/945/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular the first
subparagraph of Article 93 (2) thereof,

Having given notice to the parties concerned to
submit their comments as provided for in Article 93,

Whereas :

I

The Belgian Law of 17 July 1959, implemented by
the Royal Order of 17 August 1959⁽¹⁾, introduced
general measures to aid the Belgian economy and in
particular interest rate rebates on loans contracted to
pay for investments, State guarantees covering loans
contracted by undertakings with banks where certain
interest rebates are given, and exemption for five years
from tax on income from immovable property.

When examining the Belgian Law, pursuant to the
procedure defined in Article 93 (1) and (2) of the EEC
Treaty, the Commission pointed out that, since it
contained no industrial or regional objectives and
permitted aid to be given for investment by any firm
in any area or industry, it constituted a general aid
system which, as such, could not qualify for exemp-
tion under Article 92 (3) (a) or (c). In the absence of
such specific references, the Commission could not
assess the scheme's effects on trade between Member
States or on competition and was, therefore, unable to
form an opinion as to its compatibility with the
common market.

It is now the well-established policy of the Commis-
sion to accept such a general aid scheme subject to
one of two conditions, namely that the Member State
concerned informs the Commission of either a
regional or sectoral plan of application or where this

is felt not to be possible, that it notifies significant
individual cases of application.

Commission Decision 75/397/EEC⁽²⁾ required the
Government of the Kingdom of Belgium to notify the
Commission in advance and in sufficient time of
significant cases of application of the Belgian Law of
17 July 1959 introducing measures to promote
economic expansion and the creation of new indus-
tries so as to enable the Commission to decide on the
compatibility of the proposed aids with the common
market.

II

By telex dated 8 February 1979, the Belgian Govern-
ment informed the Commission of its intention of
granting assistance under the Law of 17 July 1959 for
investment by a chemical firm located in Antwerp.

The firm concerned is the subsidiary of a group
specializing in the production of industrial gas. The
Belgian firm has 118 employees and its sales totalled
Bfrs 1 500 million in 1977.

The assistance proposed by the Belgian Government
is for the establishment of a plant for the manufacture
of argon with an annual production capacity of 10
million m³. The investment would create two new
jobs.

The assistance would take the form of a six-year 4 %
interest relief grant on a loan representing two-thirds
of the investment (Bfrs 154 million), equivalent,
according to the Belgian authorities, to a grant for
12 % of the investment.

The firm concerned exports 32 % of its output to
other Member States. If the planned investment
project is implemented, Belgium would be the leading
producer of argon in the Community. 90 % of the
additional output would be exported to France and
Germany.

⁽¹⁾ Moniteur Belge, 29. 8. 1959.

⁽²⁾ OJ No L 177, 8. 7. 1975, p. 13.

III

The Belgian Government considers that the investment is a normal development of the firm's plant in Antwerp.

The Belgian Government points out, moreover, that the firm in question also has to finance investments abroad and that the assistance for the plant in Antwerp would therefore help reduce its overall financing costs.

IV

The aid proposed by the Belgian Government is therefore likely to affect trade between Member States and distort or threaten to distort competition by favouring the undertaking in question or the production of its goods within the meaning of Article 92 (1) of the EEC Treaty.

The terms of the Treaty provide that aids fulfilling the criteria set out in Article 92 (1) of the Treaty shall be incompatible with the common market. The exemptions from this incompatibility set out in Article 92 (3) of the EEC Treaty specify objectives to be pursued in the Community interest and not that of the individual beneficiary. These exemptions must be strictly construed in the examination both of regional or sectoral aid schemes and of individual cases of application of general aid systems. In particular they may be granted only when the Commission can establish that this will contribute to the attainment of the objectives specified in the derogations, which the recipient firms would not attain by their own actions under normal market conditions alone.

To grant an exemption where there is no compensatory justification would be tantamount to allowing trade between Member States to be affected and competition to be distorted without any benefit in terms of the interest of the Community, while at the same time accepting that undue advantages accrue to some Member States.

When applying the principles set out above in its examination of individual cases of application of general aid systems, the Commission must be satisfied that there exists on the part of the particular beneficiary a specific compensatory justification in that the grant of aid is required to promote the attainment of one of the objectives set out in Article 92 (3). Where

such evidence cannot be provided and especially where the aided investment would take place unmodified, it is clear that the aid does not contribute to the attainment of the objectives specified in the exemptions but serves to increase the financial power of the undertaking in question.

In the case in question there does not appear to be such a compensatory justification on the part of the undertaking benefiting from the aid.

The Belgian Government has not been able to provide, nor has the Commission found, any evidence which establishes that the proposed aid meets the conditions justifying one of the exemptions provided for in Article 92 (3) of the EEC Treaty.

Furthermore, notwithstanding the fact that Belgium is experiencing a high rate of unemployment, with the result that the Commission has granted an exemption to a scheme of aids to employment on the grounds that a serious disturbance exists in the Belgian economy, it does not follow that every other aid of whatever nature proposed by the Belgian Government may automatically benefit from one of the exemptions specified in Article 92 (3), since each aid notified must be considered on its own merits in the light of the specific criteria laid down.

As far as the exemptions set out in Article 92 (3) (a) and (c) are concerned in respect of aids designed to promote or facilitate the development of certain areas, it is the case that the Antwerp area continues to enjoy a better socio-economic situation than that of other regions in Belgium; to the extent to which the general problem of unemployment also exists in Antwerp, it is already provided for under the general scheme to promote employment and there is, therefore, no reason to grant a further exemption in respect of this aid on the grounds that it will promote or facilitate the development of that area, a purpose moreover for which this aid was not intended.

As regards the exemptions provided for in Article 92 (3) (b), this investment would be brought about in any event by normal market forces. There is nothing peculiar to the investment in question to qualify it as a project of common European interest or as one designed to remedy a serious disturbance in the economy of a Member State, which merits exemption under Article 92 (3) (b) from the provision laid down in Article 92 (1) on the incompatibility of aids.

Finally, as regards the exemption under Article 92 (3) (c) of the EEC Treaty for 'aid to facilitate the development of certain economic activities', examination of the situation in the industrial gas market indicates that market forces should be sufficient in themselves, without public assistance, to ensure the normal development of that activity. Furthermore, some 90 % of the firm's total argon production will be exported to other Member States and consequently there is a risk that granting the assistance will adversely affect trade to an extent contrary to the common interest.

In view of the above the aid proposal of the Belgian Government does not meet the conditions necessary to benefit from any of the exemption set out in Article 92 (3) of the EEC Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium shall not put into effect its proposal, notified to the Commission by telex dated 8 February 1979, to grant assistance in respect of certain

investments in argon production facilities by a chemical firm located in Antwerp under the Law of 17 July 1959 on the promotion of economic expansion and the creation of new industries.

Article 2

The Kingdom of Belgium shall inform the Commission within two months of the date of notification of this Decision of the measures which it has taken to comply with it.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 10 November 1981.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION DECISION

of 20 November 1981

terminating the anti-dumping proceedings concerning imports of plywood and similar laminated wood products originating in Canada and the United States of America

(81/946/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

After hearing the opinions expressed by the Advisory Committee set up under that Regulation,

Whereas in January 1981 the Commission received a complaint containing evidence of the existence of dumping in respect of plywood and similar laminated wood products originating in Canada and the United States of America and of material injury resulting therefrom ;

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

Whereas the Commission accordingly announced, by a notice published in the 'C' series of the *Official Journal of the European Communities*⁽²⁾, the initiation of proceedings concerning plywood and similar laminated wood products originating in Canada and 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 ;

Whereas the Commission has given the parties directly concerned the opportunity to make known their views in writing and to be heard orally ;

Whereas the majority of the parties concerned have taken this opportunity ;

Whereas, in order to arrive at a preliminary determination of the dumping margin and injury, the Commission verified all information it deemed to be necessary and carried out investigations at the premises of the principal producers and exporters, including in Canada :

- Evans Products Company Ltd, Kamloops, British Columbia,
- Macmillan Bloedel Ltd, Vancouver, British Columbia,
- Seaboard Lumber Sales Company Ltd, Vancouver, British Columbia

and in the United States of America :

- Weyerhaeuser Company, Tacoma, Washington,
- Boise Cascade Corporation, Portland, Oregon,
- Potlatch Corporation, Spokane, Washington,
- Georgia Pacific Corporation, Atlanta, Georgia,
- Champion International Corporation, Stamford, Connecticut,
- International Paper Company, New York ;

Whereas the Commission also carried out investigations at the premises of the complainant Community producer in France, 'La Société Bois Déroulés Océan, Gradignan, Bordeaux' ;

Whereas for all the producers concerned the normal value was based on their sales on their respective domestic markets ; whereas to determine the existence of dumping by Canadian and American producers a comparison was made of their export prices to the Community with their respective normal values ; whereas these comparisons were made at the ex-factory level for sales during the period 1 May 1980 to 30 April 1981 ; whereas no adjustment of the selling price was claimed or deemed necessary ;

Whereas it emerged from this examination that Canadian and American export prices to the Community were not lower than the corresponding normal values ;

Whereas consequently no dumping existed in the case of exports from Canada and the United States of America of the product in question to the Community ;

Whereas, in these circumstances, it is appropriate to terminate the proceeding concerning imports of plywood and similar laminated wood products originating in Canada and the United States of America,

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 2.

⁽²⁾ OJ No C 117, 20. 5. 1981, p. 2.

HAS DECIDED AS FOLLOWS:

Done at Brussels, 20 November 1981.

Sole Article

The anti-dumping proceedings concerning imports of plywood and similar laminated wood products ⁽¹⁾ originating in Canada and the United States are hereby terminated.

For the Commission

Lorenzo NATALI

Vice-President

⁽¹⁾ NIMEXE codes ex 44.15-20 and ex 44.15-80, Common Customs Tariff heading No ex 44.15.

